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October 23, 2013

Mr. Keith Chase
P.O. Box 48
Hebron, ND 58638

RE: Notification of the Sunflower Wind Project – Morton and Stark Counties

Dear Mr. Chase:

I'm contacting you today to notify you of a wind energy project that my company is developing in proximity to the airstrip you manage near Hebron. Infinity Wind Power (Infinity) is developing the Sunflower Wind Project approximately 4 miles to the south of Hebron and 6 miles to the west of Glen Ullin. The project will consist of up to 65 wind turbines with tip heights of up to 442 feet.

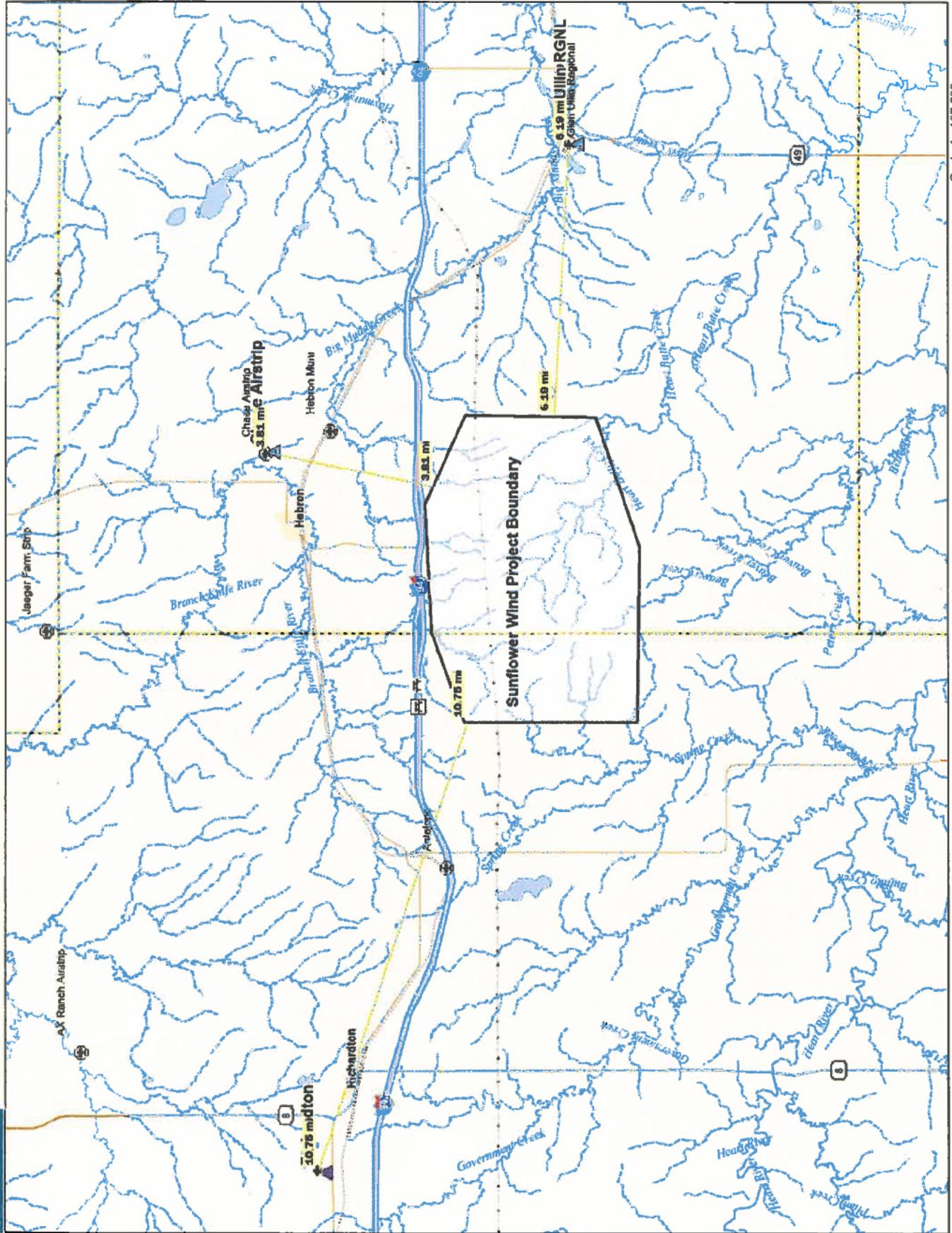
We recently contacted the North Dakota Aeronautics Commission to obtain information related to airstrips that are in proximity to the project area. The database from the Aeronautics Commission identified your airstrip to the northeast of Hebron. The attached map shows the project boundary in proximity to your airstrip. Infinity has submitted obstruction evaluation requests to the Federal Aviation Administration (FAA). The FAA issued determinations of no hazard for the Project.

If you have any questions or concerns related to the Sunflower Wind Project, I can be reached at 805-569-6185 or via email at cwillis@infinitywind.com

Thanks,

A handwritten signature in blue ink, appearing to read "Casey Willis", is written over a horizontal line.

Casey Willis
Senior Project Manager



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Scale 1 : 187,500

1" = 2.96 mi

Data Zoom 10-1



October 23, 2013

Mr. Tom Doering
Morton County Emergency Manager
210 2nd Avenue NW
Mandan, ND 58554

**RE: Request for Comments on a Proposed Wind Project
Sunflower Wind Project – Morton and Stark Counties**

Dear Mr. Doering:

Infinity Wind Power (Infinity) is developing the Sunflower Wind Project, which is located approximately 4 miles to the south of Hebron and 6 miles to the west of Glen Ullin. The Project is located in both Stark and Morton Counties (see enclosed map). The project will consist of up to 65 wind turbines with tip heights of up to 442 feet. In addition to the wind turbines, the project would also include underground electrical collection lines, a project substation, operations and maintenance yard, and a permanent meteorological monitoring tower. The project will require permits to be issued from Morton County, Stark County, and the North Dakota Public Services Commission amongst other agencies. We anticipate filing applications for permits for the project in early 2014. Under our current schedule, construction would commence in early 2015 with a commercial operation date toward the end of 2015.

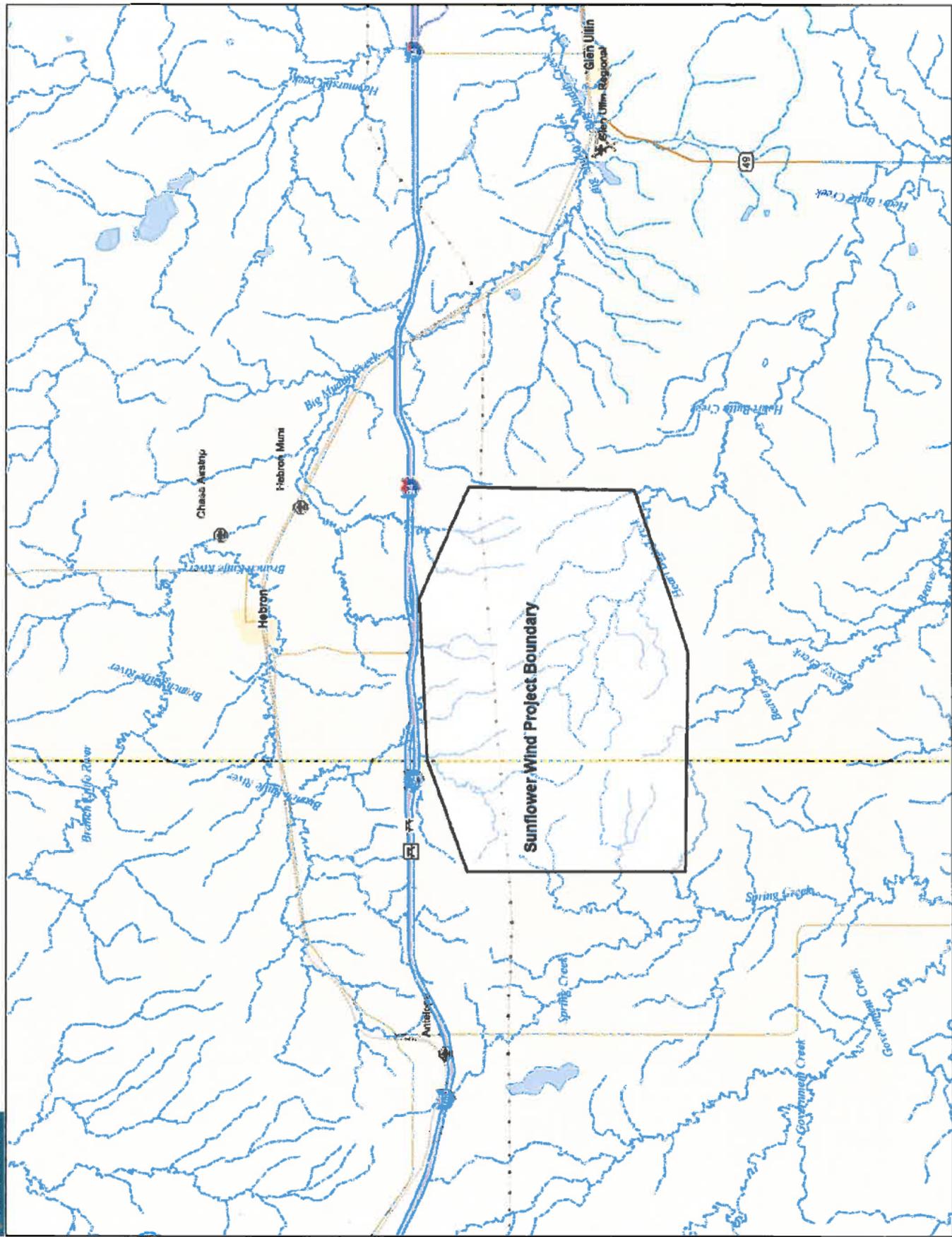
The purpose of this letter is to request comments from your department related to the Project. The information provided by your department will be utilized in the siting of project components. If possible, I would appreciate it if you could provide any feedback regarding the project and any recommendations that you may have by December 1, 2013.

If you have any questions or concerns related to this correspondence, I can be reached at 805-569-6185 or via email at cwillis@infinitywind.com

Thanks,



Casey Willis
Senior Project Manager



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Scale 1 : 150,000



1" = 2.37 mi

Data Zoom 10-4



October 23, 2013

Sheriff Dave Shipman
Morton County Sheriff
205 1st Avenue NW
Mandan, ND 58554

**RE: Request for Comments on a Proposed Wind Project
Sunflower Wind Project – Morton and Stark Counties**

Dear Sheriff Shipman:

Infinity Wind Power (Infinity) is developing the Sunflower Wind Project, which is located approximately 4 miles to the south of Hebron and 6 miles to the west of Glen Ullin. The Project is located in both Stark and Morton Counties (see enclosed map). The project will consist of up to 65 wind turbines with tip heights of up to 442 feet. In addition to the wind turbines, the project would also include underground electrical collection lines, a project substation, operations and maintenance yard, and a permanent meteorological monitoring tower. The project will require permits to be issued from Morton County, Stark County, and the North Dakota Public Services Commission amongst other agencies. We anticipate filing applications for permits for the project in early 2014. Under our current schedule, construction would commence in early 2015 with a commercial operation date toward the end of 2015.

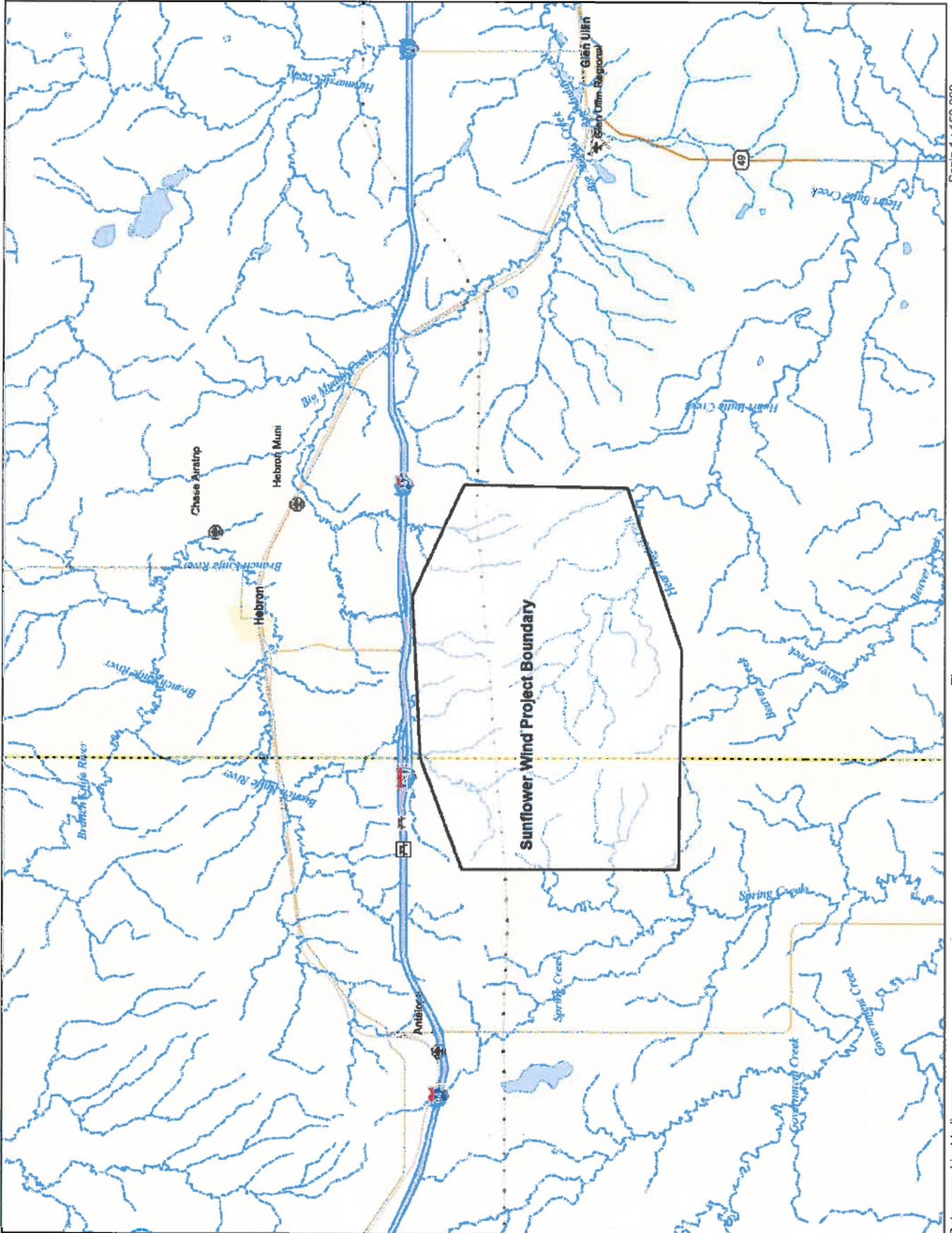
The purpose of this letter is to request comments from your department related to the Project. The information provided by your department will be utilized in the siting of project components. If possible, I would appreciate it if you could provide any feedback regarding the project and any recommendations that you may have by December 1, 2013.

If you have any questions or concerns related to this correspondence, I can be reached at 805-569-6185 or via email at cwillis@infinitywind.com

Thanks,

A handwritten signature in blue ink, appearing to read "Casey Willis", with a stylized flourish at the end.

Casey Willis
Senior Project Manager



Scale 1 : 150,000
1" = 2.37 mi
Data Zoom 10-4



October 23, 2013

Mr. Bill Fahlsing
Stark County Department of Emergency Services
66 Museum Drive West
Dickinson, ND 58601

**RE: Request for Comments on a Proposed Wind Project
Sunflower Wind Project – Morton and Stark Counties**

Dear Mr. Fahlsing:

Infinity Wind Power (Infinity) is developing the Sunflower Wind Project, which is located approximately 4 miles to the south of Hebron and 6 miles to the west of Glen Ullin. The Project is located in both Stark and Morton Counties (see enclosed map). The project will consist of up to 65 wind turbines with tip heights of up to 442 feet. In addition to the wind turbines, the project would also include underground electrical collection lines, a project substation, operations and maintenance yard, and a permanent meteorological monitoring tower. The project will require permits to be issued from Morton County, Stark County, and the North Dakota Public Services Commission amongst other agencies. We anticipate filing applications for permits for the project in early 2014. Under our current schedule, construction would commence in early 2015 with a commercial operation date toward the end of 2015.

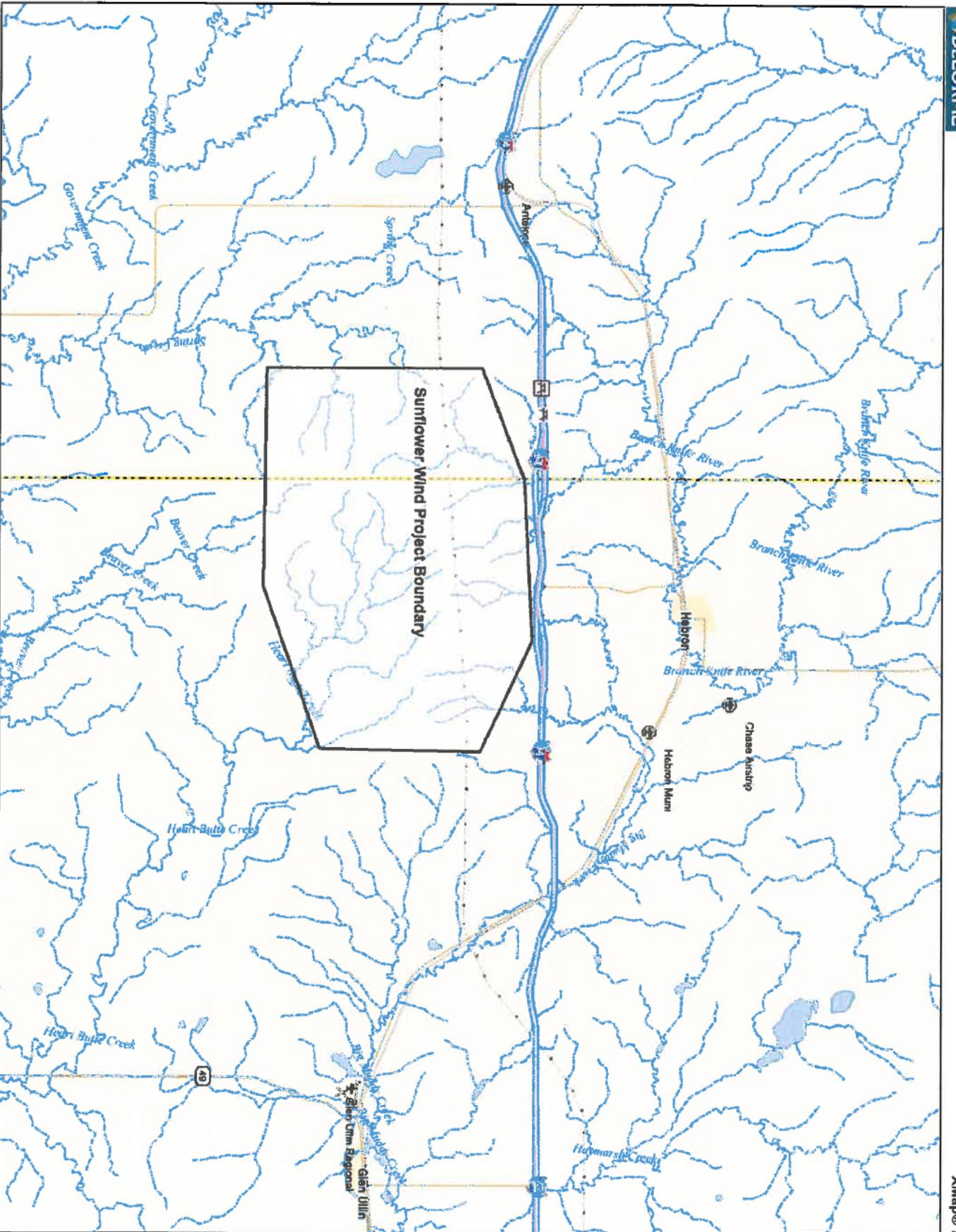
The purpose of this letter is to request comments from your department related to the Project. The information provided by your department will be utilized in the siting of project components. If possible, I would appreciate it if you could provide any feedback regarding the project and any recommendations that you may have by December 1, 2013.

If you have any questions or concerns related to this correspondence, I can be reached at 805-569-6185 or via email at cwillis@infinitywind.com

Thanks,

A handwritten signature in blue ink, appearing to read "Casey Willis", is written over a horizontal line.

Casey Willis
Senior Project Manager



Sunflower Wind Project Boundary

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Scale 1 : 150,000

1" = 2.37 mi

Data Zoom 10-4



October 23, 2013

Sheriff Clarence Tuhy
PO Box 130
Dickinson, ND 58601

**RE: Request for Comments on a Proposed Wind Project
Sunflower Wind Project – Morton and Stark Counties**

Dear Sheriff Tuhy:

Infinity Wind Power (Infinity) is developing the Sunflower Wind Project, which is located approximately 4 miles to the south of Hebron and 6 miles to the west of Glen Ullin. The Project is located in both Stark and Morton Counties (see enclosed map). The project will consist of up to 65 wind turbines with tip heights of up to 442 feet. In addition to the wind turbines, the project would also include underground electrical collection lines, a project substation, operations and maintenance yard, and a permanent meteorological monitoring tower. The project will require permits to be issued from Morton County, Stark County, and the North Dakota Public Services Commission amongst other agencies. We anticipate filing applications for permits for the project in early 2014. Under our current schedule, construction would commence in early 2015 with a commercial operation date toward the end of 2015.

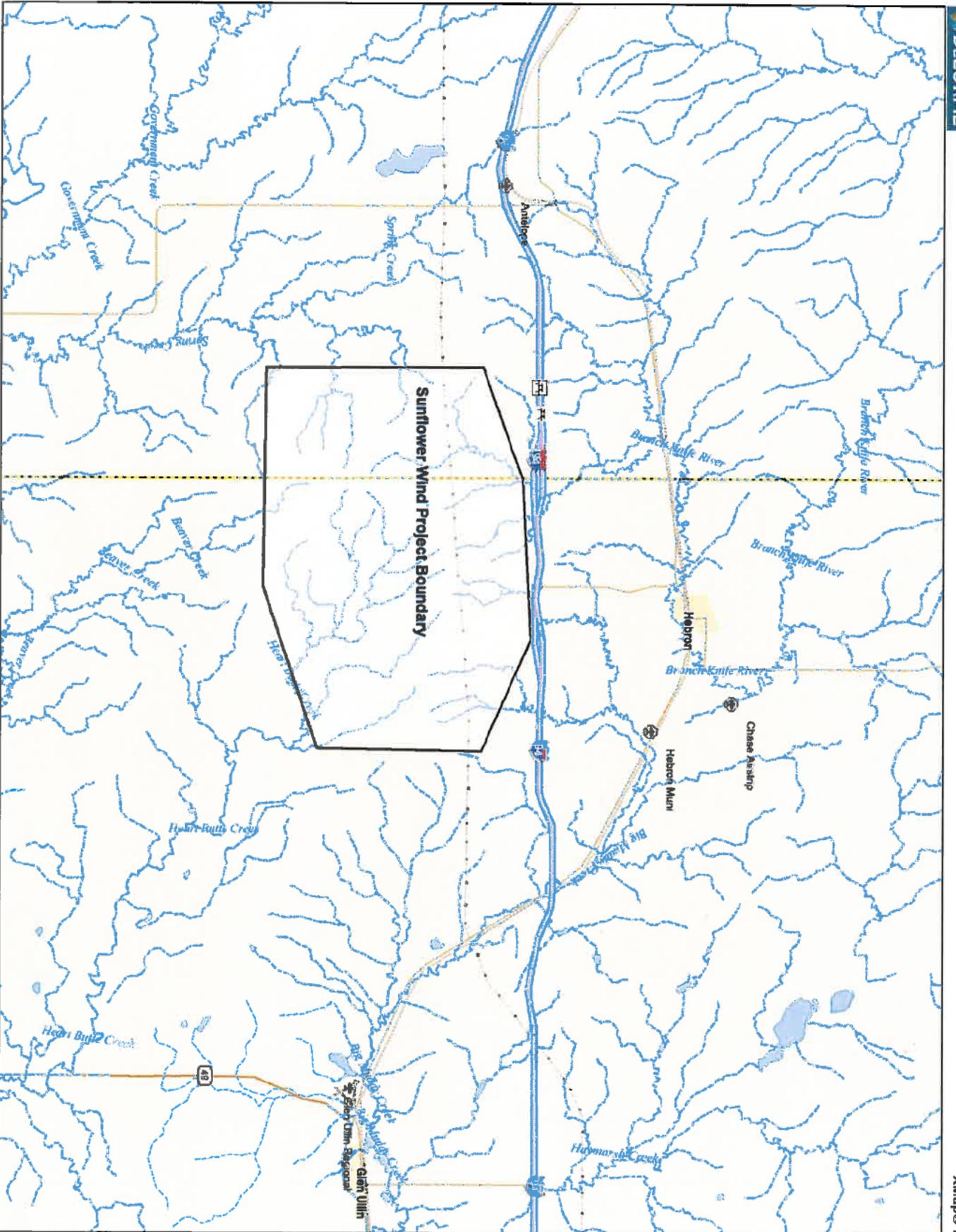
The purpose of this letter is to request comments from your department related to the Project. The information provided by your department will be utilized in the siting of project components. If possible, I would appreciate it if you could provide any feedback regarding the project and any recommendations that you may have by December 1, 2013.

If you have any questions or concerns related to this correspondence, I can be reached at 805-569-6185 or via email at cwillis@infinitywind.com

Thanks,

A handwritten signature in blue ink, appearing to read "Casey Willis", is written over a horizontal line.

Casey Willis
Senior Project Manager



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1" = 2.37 mi

Scale 1 : 150,000



Sunflower Wind Project Boundary

United States Department of Agriculture



Natural Resources Conservation Service
1301 Business Loop East Suite 1
Jamestown, ND 58401

September 30, 2013

Lou Hanebury, EPS
DOE/Western Area Power Administration
Upper Great Plains Customer Service Region
P.O. Box 35800
Billings, MT 59107-5800

RE: Sunflower Wind Project Morton and Stark Counties, North Dakota

Dear Mr. Hanebury,

Jim Hopfauf, the Soil Conservation District Supervisor of Morton County in Mandan, ND contacted me about your office requesting comments about issues related to the Sunflower Wind Project Area in Morton and Stark Counties, North Dakota and how the development may affect land use and applicable permits that maybe required from his office. I received your letter today and although the comment period has closed I feel it is beneficial that I comment regarding the above named project. Information regarding Conservation Reserve Program properties in the project areas can be obtained by contacting Linda Urlacher, County Executive Director, Morton County Farm Service Agency, 2540 Overlook Ln., Mandan, ND 58554 for Morton County and Pete Solemsaas, County Executive Director, Stark County Farm Service Agency, 2493 4th Ave W Room B., Dickinson, ND 58601-2623 for Stark County. The Natural Resources Conservation Service (NRCS) concerns are in regards to prime farmlands, wetlands, and soil erosion in Morton and Stark Counties. NRCS policy regarding prime farmlands and wetlands is as follows.

Farmland Protection Policy Act (FPPA) – NRCS has a major responsibility with FPPA in documenting conversion of farmland (i.e., prime, statewide, and local importance) to non-agricultural use. If your proposed project does not include any federal funds FPPA does not apply; therefore, no further action is needed. If your project is supported by federal funds, FPPA may apply under certain circumstances. New transmission towers may remove farmland from production; therefore, these sites may be subject to FPPA, and an AD-106 must be completed. You may utilize a fillable web based form at http://www.nrcs.usda.gov/Programs/fppa/pdf_files/AD106.PDF to record the following. Please complete Part I and Part III for those areas affected by FPPA and return to me. Activities such as installing overhead power lines, substations, a switching yard and wind turbines etc., will enact FPPA, and the form AD-1006 must be completed. If your project has progressed to the point where permanent sites have been selected, please follow the instructions in the next paragraph. A fill-able, web based form Farmland Conversion Impact Rating Form AD-1006 is available at http://www.nrcs.usda.gov/Programs/fppa/pdf_files/AD1006.PDF to record the following information. Please complete Part I and Part III and return to me. I will also need a map of the sites at an appropriate scale so I can accurately assess the area (e.g., 1:20,000 or 1:24,000).

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Mr. Hanebury
Page 2

If the farmland (i.e., prime, statewide, and local importance) is determined to be subject to the FPPA, I will then complete Parts II and IV.

NRCS will measure the relative value of the site as farmland on a scale of 0 to 100, according to the information sources listed in CFR 658.5(a). If FPPA applies to this site, Form AD-1006 will be returned to your agency for completion of Part VI, Site Assessment Criteria.

For the past year, NRCS has been monitoring Farmland Conversion Impact Ratings (Form AD-1006 and Form AD-106). Over this period of time, we have become concerned with how the forms are being completed, particularly Part IV – Site Assessment Criteria, which is consistently being scored below 60 points.

As a general rule, if FPPA applies and the site is in agricultural production, rarely would it be appropriate for it to have a score of less than 60 points. According to CFR 658.4(g), your agency is requested to return a copy of the Form AD-1006, which Page 2 indicates, the final decision, to NRCS so we can meet our reporting requirements and for data collection process.

Wetlands - The Wetland Conservation Provisions of the 1985 Food Security Act, as amended, provide that if a USDA participant converts a wetland for the purpose of, or to have the effect of, making agricultural production possible, loss of USDA benefits could occur.

NRCS has developed the following guidelines for the installation of permanent structures where wetlands occur. If these guidelines are followed, the impacts to the wetland(s) will be considered minimal allowing USDA participants to continue to receive USDA benefits. Following are the requirements:

- Disturbance to the wetland(s) must be temporary,
- no drainage of the wetland(s) is allowed (temporary or permanent),
- mechanized landscaping necessary for installation is kept to a minimum and preconstruction contours are maintained,
- temporary side cast material must be placed in such a manner not to be dispersed in the wetland, and
- all trenches must be backfilled to the original wetland bottom elevation.

NRCS would recommend that impacts to wetland(s) be avoided. If the alignment of the permanent structure requires construction in a wetland, NRCS can complete a certified wetland determination, if requested by the landowner/operator. In addition, care should be taken during the construction of the proposed project to minimize soil blowing and water erosion as these may cause negative impacts to adjacent farmlands.

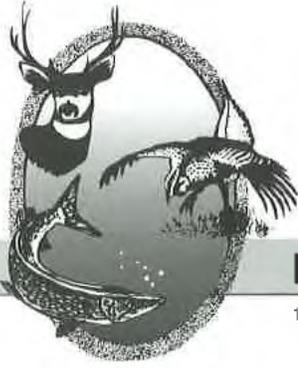
If you have additional questions pertaining to FPPA, please contact me, at (701) 252-1460 EXT 115

Mr. Hanebury
Page 3

Sincerely

FREDERICK P. AZIZ
Area Resource Soil Scientist

Cc:
Michele Doyle, DC, NRCS, Mandan, ND
Steven J. Sieler, SSL, NRCS, Bismarck, ND



"VARIETY IN HUNTING AND FISHING"

NORTH DAKOTA GAME AND FISH DEPARTMENT

100 NORTH BISMARCK EXPRESSWAY BISMARCK, NORTH DAKOTA 58501-5095 PHONE 701-328-6300 FAX 701-328-6352

September 19, 2013

Lou Hanebury
Environmental Protection Specialist
Western Area Power Administration
Upper Great Plains Customer Service Region
PO Box 35800
Billings, MT 59107-5800

Dear Mr. Hanebury:

RE: Sunflower Wind Project

The North Dakota Game and Fish Department has reviewed this project for wildlife concerns. Our primary concern with wind power development is the disturbance of native prairie associated with construction of turbines, access roads, and other associated facilities. We ask that work within native prairie be avoided to the extent possible. This could include micro-siting turbines onto adjacent previously disturbed land, locating access roads on existing section line trails rather than across undisturbed native prairie, etc.

The National Wetland Inventory indicates various wetlands located within the proposed project area. We recommend that any unavoidable wetland impacts be replaced in kind, above-ground appurtenances not be placed in wetland areas, and no alterations be made to existing drainage patterns.

We recommend that collection lines be buried whenever possible, and any necessary overhead lines be marked when placed over perennial streams or sited in close proximity to wetland complexes to minimize possible avian impacts. The publication "Mitigating Bird Collisions with Power Lines: the State of the Art in 1994" provides a range of management options which can be used to reduce avian collisions.

We also recommend that routine monitoring for avian and bat mortality be included as part of the facility maintenance plan for the life of the project. We would appreciate being kept informed as this project progresses, and if possible, we would like the GPS coordinates for each turbine after the site has been established.

Sincerely,

A handwritten signature in blue ink that reads "Greg Link". The signature is stylized and cursive.

Greg Link
Chief

Conservation & Communication Division

js

Kruger, Thomas

From: Wanner, Kyle C. <kcwanner@nd.gov>
Sent: Wednesday, October 23, 2013 12:27 PM
To: Casey Willis
Cc: Taborsky, Lawrence E.
Subject: RE: Private Airstrips Database
Attachments: Antelope Hills Map Airports in Vicinity.pdf; Sunflower Map Airports in Vicinity.pdf; Antelope Hills Map All Airports.pdf; Sunflower Map All Airports.pdf

Casey,

These maps are a great help in showing where the private/public airports are in relation to the project boundaries. I would recommend sending the project map/comment information to the airport contacts listed to be in the area shown. This will assure that you get the proper timely feedback that you would like to receive and would give the airports the opportunity to comment if they feel it is necessary. Looking at the locations, I would think that there would be no conflicts, but if you are able to do the due diligence of asking the airports and requesting comments ahead of time, then you have done the best you can and can inform the ND PSC that the airports have been contacted and that there are no issues.

Thanks,

Kyle Wanner, Airport Planner
North Dakota Aeronautics Commission
w (701) 328-9651
c (701) 425-5926
<http://www.nd.gov/ndaero/>



From: Casey Willis [mailto:cwillis@infinitywind.com]
Sent: Wednesday, October 23, 2013 11:28 AM
To: Wanner, Kyle C.
Subject: RE: Private Airstrips Database

Kyle, take a look at the attached maps. I plotted the location of all of the airports that were within about 10 miles of each of our two projects. I previously stated incorrectly that all of the airstrips were farther than six miles from our site. There are a couple small private airstrips that are about 3-4 miles from the project boundary. This doesn't necessarily represent, where the turbines would be placed, so it's more conservative in that regard.

Would you recommend that we reach out to the contacts listed?

Casey

From: Wanner, Kyle C. [mailto:kcwanner@nd.gov]
Sent: Tuesday, October 22, 2013 10:34 AM

To: Casey Willis
Subject: RE: Private Airstrips Database

Casey,

The ND reviews wind project boundary areas and ensures that the project will not conflict with any of our public airports. We provide comments when we feel that the project could have a negative impact on one of our public airports. I would encourage you to identify the registered private use airports by utilizing the FAA database that may be affected by the project and work with problems and solutions with the private airstrip owners on a local level.

As you have stated – if there is no affect to public airports and the project area is approximately 6 miles from any private airstrips than it is reasonable to say you should not have a conflict.

Kyle Wanner, Airport Planner
North Dakota Aeronautics Commission
w (701) 328-9651
c (701) 425-5926
<http://www.nd.gov/ndaero/>



From: Casey Willis [<mailto:cwillis@infinitywind.com>]
Sent: Tuesday, October 22, 2013 12:15 PM
To: Wanner, Kyle C.
Subject: RE: Private Airstrips Database

Thanks Kyle. As I indicated in the email to Larry, we submitted 7460s through the FAA and were issued Determinations of No Hazard. I've looked through the database and I'm aware of the private airports that are listed. All are located at least six miles from our project area, so I don't think we are going to have a conflict.

Question for you. Does the ND Aeronautics Commission review wind projects and determine whether there will or will not be conflicts with airports in the vicinity? The ND PSC is apparently sensitive to this issue, so I'm just trying to figure out if I need to send you a project boundary and request a response letter? Or if there's another method that I should use to put this issue to rest?

Let me know your thoughts on this.

Casey

From: Wanner, Kyle C. [<mailto:kcwanner@nd.gov>]
Sent: Tuesday, October 22, 2013 6:03 AM
To: Casey Willis
Cc: Taborsky, Lawrence E.
Subject: RE: Private Airstrips Database

Casey,

The database that we currently utilize to track existing registered private airstrips is maintained by the FAA as the FAA is the entity that certifies private airstrips. The database can be found at:

http://www.faa.gov/airports/airport_safety/airportdata_5010/

Hope this helps-

Kyle Wanner, Airport Planner
North Dakota Aeronautics Commission
w (701) 328-9651
c (701) 425-5926
<http://www.nd.gov/ndaero/>



From: Casey Willis [<mailto:cwillis@infinitywind.com>]

Sent: Monday, October 21, 2013 5:51 PM

To: Taborsky, Lawrence E.

Subject: Private Airstrips Database

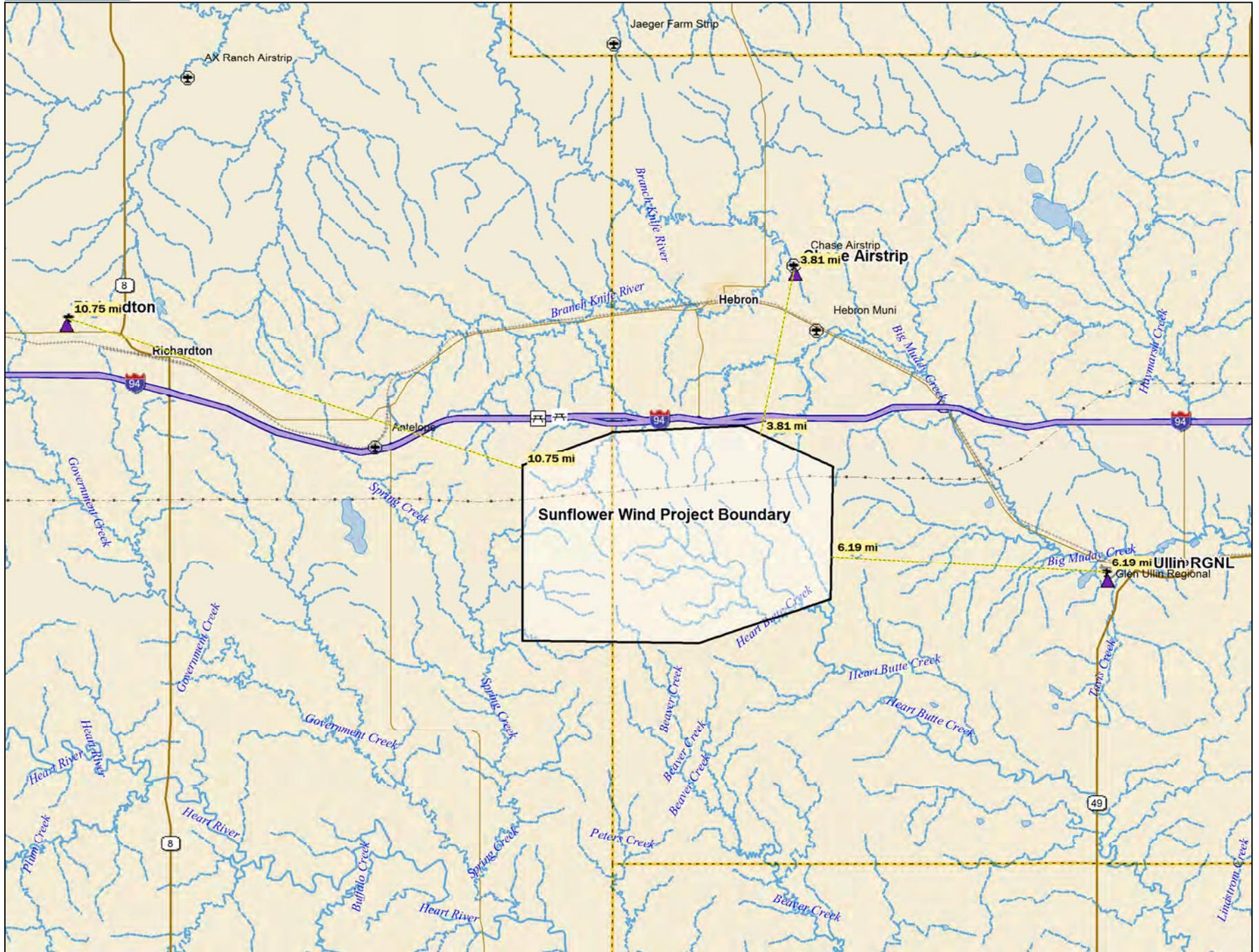
Larry,

Question for you. We have a couple wind energy projects that we are working on developing in North Dakota. They will be required to go through the ND PSC site certificate process. It was recently conveyed to me that the Commissioners have taken an interest in the potential for a project's conflict with existing airports. We have Notices of Determination that were issued by the FAA, but it was suggested that I contact the North Dakota Aeronautics Commission for a list of private airstrips that would not necessarily be screened by the FAA.

Does the ND Aeronautics Commission maintain a database on existing private airstrips? If so, how would I go about requesting a list in proximity to our project sites?

Thanks,
Casey

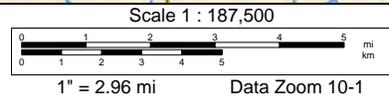
Infinity Wind Power
3760 State St., Suite 102 | Santa Barbara, CA 93105
O 805.569.6185 | M 805.701.1979 | F 805.569.6190

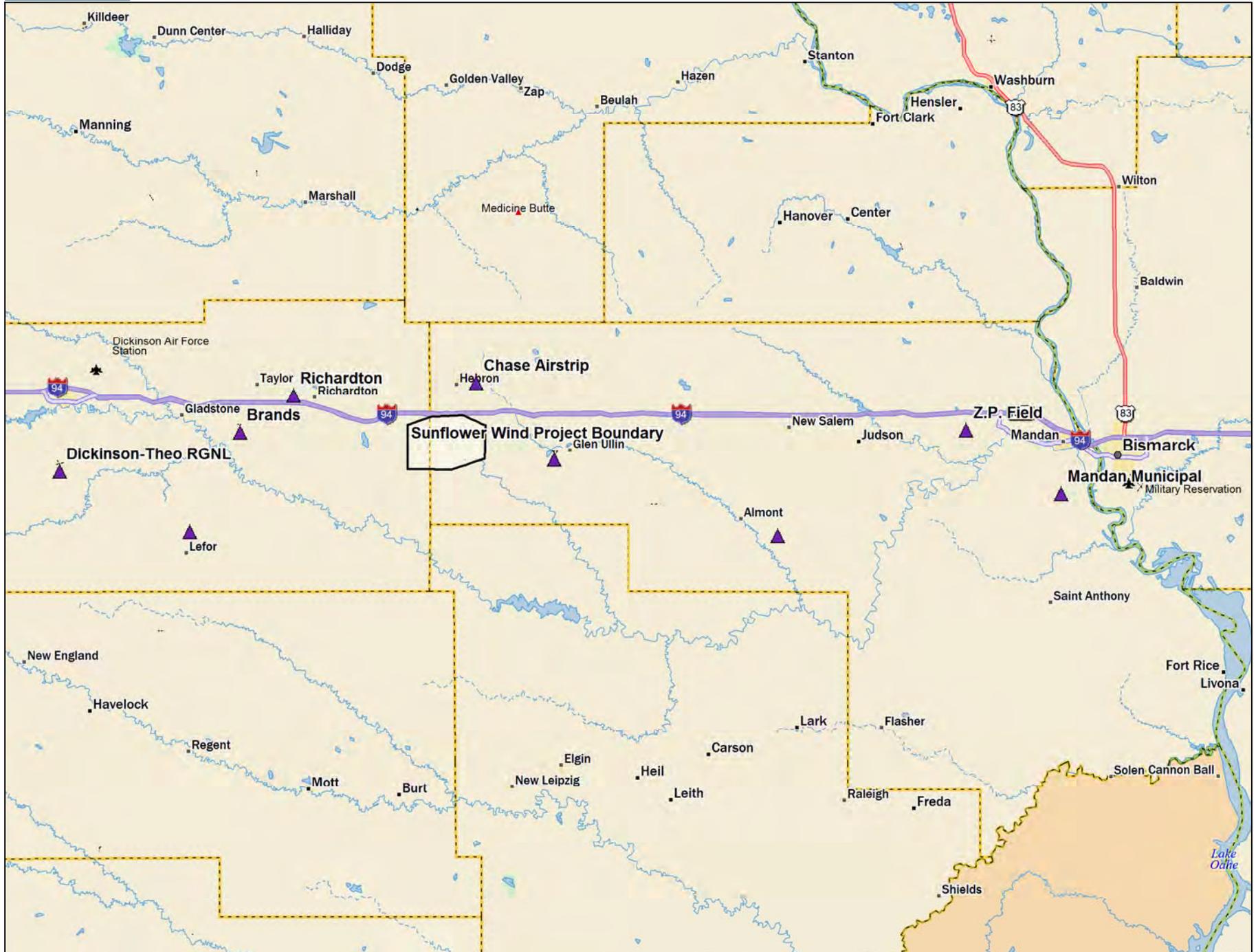


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1" = 11.84 mi

Data Zoom 8-1



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
3425 Miriam Avenue
Bismarck, North Dakota 58501



DEC 20 2013

Lou Hanebury
Western Area Power Administration
Upper Great Plains Customer Service Region
P.O. Box 35800
Billings, Montana 59107-5800

Re: Scoping comments on Sunflower Wind Project
Environmental Assessment. In reply please
reference TAILS # 2013-CPA-0234

Dear Mr. Hanebury:

This is in response to your letter dated August 05, 2013, regarding environmental information in relation to public scoping for the preparation of an Environmental Assessment (EA) for the proposed Sunflower Wind Project (Project). The proposed project, an 80 megawatt (MW) wind energy facility located in Morton and Stark Counties, North Dakota, would interconnect with Western Area Power Administration's (Western) Western Dickinson to Mandan 230-kV transmission line. Therefore, Western is the lead federal agency for the proposed action. The proposed project would consist of up to 50 wind turbine generators, and underground power collection system a connector road system and an operations and maintenance facility.

The specific project location is:

T. 138 N., R. 90 W., Sections 4-6

T. 138 N., R. 91 W., Section 1

T. 139 N., R. 90 W., Sections 14-23, and 26-35

T. 139 N., R. 91 W., Sections 13, 14, 23-26, 35, and 36

The U.S. Fish and Wildlife Service (Service) offers the following comments under the authority of and in accordance with the Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703 *et seq.*), Executive Order (E.O.) 13186 "Responsibilities of Federal Agencies to Protect Migratory Birds," the Endangered Species Act (ESA) (16 U.S.C. 1531 *et seq.*), the National Wildlife Refuge System Improvement Act of 1997 (Public Law 105-57), E.O. 11990 "Protection of Wetlands," Fish and Wildlife Coordination Act (FWCA) (16 U.S.C. 661-667e, as amended), the Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668d, 54 Stat. 250), the National Environmental Policy Act (NEPA) (Pub. L. 91-190, 42 U.S.C. 4321-4347, January 1, 1970, as amended), and E.O. 13604 "Improving Performance of Federal Permitting and Review of Infrastructure Projects."

Among other things, E.O. 13604 specifies that federal permitting and review processes must recognize the critical role project sponsors play in assuring the timely and cost-effective review of projects by providing complete information and analysis. It also requires that projects be designed appropriately to avoid, to the extent practicable, adverse impacts on the environment, and to minimize or mitigate impacts that may occur.

Threatened, Endangered and Candidate Species

To obtain information on Service trust resources including federally threatened, endangered and candidate species and designated critical habitat that may occur in the identified areas, or may be affected by the proposed activities, we recommend you access the North Dakota Ecological Services Field Office website at <http://www.fws.gov/northdakotafieldoffice/>. You may also access the Service's Information, Planning, and Conservation System (IPaC) website at <http://ecos.fws.gov/ipac/>.

If a federal agency authorizes, funds, or carries out a proposed action, the responsible federal agency, or its designated agent, is required to evaluate whether the action "may affect" listed species. If the federal agency determines the action "may affect, is likely to adversely affect" listed species, then the federal agency shall request formal section 7 consultation with this office, or work with this office to remove the likely adverse effects before proceeding. If the evaluation shows a "no effect" determination on listed species, further consultation is not necessary.

If a non-federal entity receives federal funding for an activity, or if any federal permit or license is required, the federal agency may designate, in writing, the fund recipient or permit applicant as its agent for purposes of informal section 7 consultation. The funding, permitting, or licensing federal agency is responsible to ensure that its actions comply with the ESA, including obtaining concurrence from the Service for any action that may affect a threatened or endangered species, or result in the destruction or adverse modification of designated critical habitat.

The Aransas Wood Buffalo Population (AWBP) of the endangered whooping crane (*Grus americana*) is the only self-sustaining migratory population of whooping cranes remaining in the wild. Whooping cranes breed in the wetlands of Wood Buffalo National Park in Alberta and the Northwest Territories of northern Canada, and overwinter on the Texas coast. Whooping cranes in the AWBP annually migrate through North Dakota during their spring and fall migrations.

The proposed project lies within a corridor that includes approximately 95 percent of all reported whooping crane sightings in the State. The presence of suitable roosting and feeding habitat for whooping cranes indicate the potential for whooping crane presence in the proposed project area. The Service recommends that if a whooping crane is sighted within 1 mile of the project while it is under construction, that all work cease within one mile of that part of the project and the Service be contacted immediately. In coordination with the Service, work may resume after the bird(s) leave the area. Whooping cranes are unlikely to spend more than a few days in any one spot during migration.

The Service recommends mapping wetlands at the project site within 1 mile of all turbines, identifying potentially suitable whooping crane stopover habitat, and analyzing the potential effects to migrating whooping cranes from loss of use of this habitat for migration stopovers. The interactions of whooping cranes with wind turbines and wind farms are currently not fully known, although it is expected that these large birds with relatively low maneuverability are susceptible to mortality via collisions with turbines. The highest known source of mortality to fledged whooping cranes is from striking power lines. Currently, collisions with power lines have accounted for the death or serious injury of at least 46 whooping cranes since 1956. If power lines will be constructed in association with this project, the Service recommends they be placed underground to avoid collision mortality. If underground construction is not practicable, we recommend installation and maintenance of visual marking devices on all new power lines within one mile of potentially suitable whooping crane stopover habitat and an equal length of existing power line in the whooping crane migration corridor within one mile of potentially suitable whooping crane habitat. If Western believes that take of any listed species in the action area is not likely to occur as a result of the proposed project, and therefore no take authorization is needed, we recommend that this be clearly stated in an analysis of effects for each affected species, and that you share this analysis with the Service.

The Service published a proposed rule to list the northern long-eared bat (*Myotis septentrionalis*) as an endangered species on October 2, 2013. The Service has also determined that critical habitat for the northern long-eared bat is not determinable at this time. The northern long-eared bat has been documented as occurring in North Dakota and could utilize habitats in the project area for feeding, roosting, or during migration. We recommend conducting acoustic and mist net surveys to determine the presence/absence of northern long-eared bats in the proposed project area. Each federal agency shall confer with the Service on any agency action which is likely to jeopardize the continued existence of any species proposed to be listed or destroy or adversely modify proposed critical habitat.

Sprague's pipit (*Anthus spragueii*) was added to the candidate species list in 2010. Candidate species such as the Sprague's pipit are not protected under the ESA. However Sprague's pipit as a migratory bird is still protected under the MBTA. Sprague's pipits require large patches of grassland habitat for breeding, with preferred grass heights between 4-12 in (10-30 cm). The species prefers to breed in well-drained, open grasslands and avoids grasslands with excessive shrubs. They can be found in lightly to heavily grazed areas. They avoid intrusive human features on the landscape, so the impact of a development can be much larger than the actual footprint of the feature. If Sprague's pipit habitat is present within your proposed project area, the Service requests that you document any steps taken to avoid and minimize disturbance of this habitat, and that you share this information with our office.

Migratory Birds

The MBTA prohibits the taking, killing, possession, and transportation, (among other actions) of migratory birds, their eggs, parts, and nests, except when specifically permitted by regulations. While the MBTA has no provision for allowing incidental take, the Service realizes that some birds may be killed during project construction and operation even if all known reasonable and effective measures to protect birds are used. The Service Office of Law Enforcement carries out

its mission to protect migratory birds through investigations and enforcement, as well as by fostering relationships with individuals, companies, and agencies that have taken effective steps to avoid take of migratory birds, and by encouraging others to implement measures to avoid take of migratory birds. It is not possible to absolve individuals, companies, or agencies from liability even if they implement bird mortality avoidance or other similar protective measures. However, the Office of Law Enforcement focuses its resources on investigating and prosecuting individuals, companies, and agencies that take migratory birds without identifying and implementing all reasonable, prudent, and effective measures to avoid that take. Individuals, companies, or agencies are encouraged to work closely with Service biologists to identify available protective measures when developing project plans and/or avian protection plans, and to implement those measures prior to/during construction or similar activities.

To the extent practicable, schedule construction for late summer or fall/early winter so as not to disrupt migratory birds during the breeding season, February 1 to July 15. If work is proposed to take place during the breeding season, a qualified biologist could be hired to conduct bird/nest surveys within five days prior to the initiation of construction. If active nests are identified, the project proponent should cease construction, maintain a sufficient buffer around active nests to avoid disturbing breeding activities and contact the Service immediately. The Service recommends that Sunflower implement all practicable measures to avoid all take, such as suspending construction where necessary, and/or maintaining adequate buffers to protect the birds until the young have fledged. The Service further recommends that if you choose to conduct field surveys for nesting birds with the intent of avoiding take, that you maintain any documentation of the presence of migratory birds, eggs, and active nests, along with information regarding the qualifications of the biologist(s) performing the survey(s), and any avoidance measures implemented at the project site. Should surveys or other available information indicate a potential for take of migratory birds, their eggs, or active nests, the Service requests that you contact this office for further coordination on the extent of the impact and the long-term implications of the intended use of the project on migratory bird populations.

Our GIS analysis of the proposed project area shows a number of wetlands and native prairie areas. These habitat types provide important ecological services, including nesting and foraging habitat for migratory birds. Wetlands take at least two to three years for the vegetation to return, and at least this long for full functionality to be recovered. Native prairie can take a decade or more to recover, and even then, the replanted area is not as diverse as the original habitat. Additionally, non-natives which become established when the project area is disturbed may spread into the adjacent prairie.

To help ameliorate these impacts, the Service suggests that Sunflower develop a conservation plan for migratory birds to compensate for the impacts associated with the construction, operation, and maintenance of the proposed project. We recommend that the conservation plan include the following: an analysis of the type and acreage of each habitat impacted; a discussion of how impacts on native habitat (wetlands, native prairie, woody draws) will be avoided or minimized to the extent practicable; a plan to reclaim the native habitat that cannot be avoided; a monitoring plan to ensure that reclamation is successful and that non-natives do not take over; and a compensation plan for the impacts on native habitat that cannot be avoided. As part of the conservation plan, we recommend that Sunflower may consider purchasing perpetual grassland

easements or perform additional habitat mitigation to ensure that the overall amount and quality of native habitat does not decline as a result of this project. In addition to benefitting migratory birds, the actions in the conservation plan may also benefit any candidate species that may be affected. Prairie conversion was a major factor in the decision to add the Sprague's pipit and Dakota skipper to the list of candidate species, so efforts to compensate for native prairie habitat loss could also be included as part of the conference on candidate species, if applicable.

Bald and Golden Eagles

Bald and Golden Eagles are federally-protected under both the BGEPA and the MBTA. The BGEPA prohibits anyone without a permit issued by the Secretary of the Interior from taking bald eagles (*Haliaeetus leucocephalus*) or golden eagles (*Aquila chrysaetos*), including their parts, nests, or eggs. The BGEPA provides criminal and civil penalties for persons who take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald or golden eagle, alive or dead, or any part, nest, or egg thereof. The BGEPA defines take as pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb. "Disturb" means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available: 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior. In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagles return, such alterations agitate or bother an eagle to a degree that injures an eagle or substantially interferes with normal breeding, feeding, or sheltering habits and causes, or is likely to cause, a loss of productivity or nest abandonment.

The Service's overall management objective for golden eagle and bald eagle populations is to ensure no declines in breeding populations of either species. Numerous relatively minor disruptions to eagle behaviors from multiple activities, even if spatially or temporally distributed, may lead to disturbance that would not have resulted from fewer or more carefully sited activities. The accumulation of multiple land development projects or siting of multiple infrastructures that may be hazardous to eagles can cumulatively reduce the availability of alternative sites suitable for breeding, feeding, or sheltering, resulting in a greater than additive risk of take to eagles.

If your proposed activity is anticipated to result in take of bald or golden eagles, Sunflower must first apply for, and receive a permit to take prior to the taking. The determination of the likelihood of take will entail identifying the potential impacts to eagles of your proposed activity. According to the Service's data, there are no documented bald or golden eagle nests in proximity to Sunflower's proposed activity. However, there may be additional undocumented eagle nests in proximity to the proposed activity.

Recommendations Specific to Bald Eagles

The size and shape of effective buffers vary depending on the topography and other ecological characteristics surrounding the nest site. In open areas where there are little or no forested or

topographical buffers, such as in North Dakota, distance alone must often serve as the buffer. To avoid/minimize impacts to nesting bald eagles from construction activities, the Service recommends: (1) keeping a minimum ½-mile buffer between the activity and any bald eagle nest if no landscape buffer exists; (2) keeping a minimum 660-foot buffer and maintaining a landscape buffer or natural areas between the activity and around nest trees; and (3) avoiding activities during the bald eagle breeding season (February 1 – July 15). The buffer areas serve to minimize visual and auditory impacts associated with human activities near nest sites. Ideally, buffers would be large enough to protect existing nest sites and provide for alternative or replacement nest sites. The Service's May 2007, National Bald Eagle Management Guidelines contains detailed information on protecting bald eagles from disturbance due to human activity. The guidelines can be accessed on the Service's website at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BaldEagle/NationalBaldEagleManagementGuidelines.pdf>.

Recommendations Specific to Golden Eagles

Information available to the Service regarding all existing and recent breeding territory data indicates that golden eagles may be present in Sunflower's proposed activity area. Therefore, we recommend that Sunflower make every effort to avoid impacts to golden eagles. If activities are planned within a golden eagle territory, an assessment of the potential for take of a golden eagle will need to be made in conjunction with this office. This entails identifying the proposed activities that may occur in a golden eagle breeding territory, and sharing that information with this office.

The Service recommends that surveys be conducted prior to any on-the-ground activities to determine the extent of any golden eagle breeding territories in the area that may be affected by the proposed activity. The Service recommends that aerial nest surveys (preferably by helicopter) be conducted within a 1 mile wide evaluation corridor or buffer to identify any occupied and unoccupied eagle nest sites in proximity to the proposed project area, including any proposed new access roads. Aerial surveys should be conducted between March 1 and May 15, before leaf-out, so that nests are visible, and so their status (active or inactive) can be determined. A nesting territory or inventoried habitat should be designated as unoccupied by golden eagles ONLY after at least two complete aerial surveys in a single breeding season. Aerial surveys should include the following:

1. Due to the ability to hover and facilitate observations of the ground, helicopters are preferred over fixed wing aircraft, although small aircraft may also be used. The Service requests that [project proponent] report any eagle nests found, as well as nests of any other raptors found during the survey. Whenever possible, two observers should be used to conduct the surveys.
2. Observations of any eagle nest sites should be recorded using GPS. The date, location, nest condition, activity status, and habitat should be recorded for each sighting.
3. We request that you share the qualifications of the biologist(s) conducting the survey, method of survey, and results of the survey with the Service.

Alternatively, Sunflower could conduct ground surveys to identify golden eagle nests within a one-mile wide evaluation corridor or buffer between March 1 and May 15. However, be aware

that ground surveys are much less reliable than aerial surveys, even during leaf-off conditions, and typically may miss ¾ of eagle nests present. At least two ground observation periods lasting at least four hours or more are necessary to designate an inventoried habitat or territory as unoccupied as long as all potential nest sites and alternate nests are visible and monitored. If a golden eagle nest is observed, the project proponent should contact the Service for further consultation.

Please note that maintenance of a minimum ½-mile buffer around active nests may not be adequate to ensure avoidance of take of golden eagles. If the project proponent or federal action agency, if applicable, in conjunction with the Service, determines that any level of take is anticipated, including take due to disturbance, you should work with this office to modify your activity to avoid the take, or apply for a take permit and include the following information:

1. Collect and synthesize relevant project and biological data.
2. Document project avoidance and minimization measures.
3. Quantify the anticipated take.
4. Submit an application and furnish all required information.

Water Bodies, Including Wetlands

Our review of National Wetland Inventory (NWI) maps indicates that wetland areas are located within the project area. NWI data can be accessed directly by visiting their website at <http://wetlands.fws.gov>. A Corps of Engineers (Corps) permit pursuant to Section 404 of the Clean Water Act may be required if dredge or fill material will be placed in waters of the United States, including certain wetlands. We recommend contacting the North Dakota Regulatory Program Manager, U.S. Army Corps of Engineers, 1513 South 12th Street, Bismarck, ND 58504; Phone: (701) 255-0015, to request their permit requirements. If a 404 permit is required, the Service will also provide recommendations on this project to the Corps.

Fish and Wildlife Service Property Interests

The Service administers National Wildlife Refuges and Waterfowl Production Areas owned in fee title as well as wetland and grassland easements throughout North Dakota, including an ongoing easement acquisition program. A review of Service realty records indicates there are no Service property interests located in the planning area.

Terrestrial Habitat Avoidance and Restoration

Construction activities should be conducted in a manner that will avoid/minimize impacts to the existing habitat in the project area. The following recommendations are intended to reduce construction related impacts:

- Make no stream channel alterations or changes in drainage patterns.
- Part of the proposed project intersects Heart Butte Creek a Class III substantial fishery resource. Heart Butte Creek is valued because of moderate forage production, the basis for maintaining the sport fish population further downstream. The stream channel also

provides habitat for migratory birds and furbearers. The Service recommends that precautions be taken during construction to avoid impacts to aquatic resources by maintaining the existing channel alignment of this stream and by eliminating the placement of fill in the channel. If impacts to aquatic resources cannot be avoided, the Service recommends developing a mitigation plan to offset project losses. As project planning progresses, please provide this office with a copy of the mitigation plan if this project will result in unavoidable impacts to aquatic resources. We also request the opportunity to review and comment on the project's construction plans if the channel alignment will be modified.

- Avoid placement of fill in wetlands.
- Replace unavoidable loss of wetland habitat with functionally equivalent wetlands
- Install and maintain appropriate erosion control measures to reduce sediment transport to adjacent wetlands and stream channels.
- In replanting native prairie or other grassland habitat, the Service recommends planting a diverse mixture of native cool and warm season grasses and forbs. Recent research has suggested that a more diverse mix, including numerous forb species, is not only ecologically beneficial but is also more weed resistant, allowing for less intensive management and chemical use. In essence, the more species included in a mixture, the higher the probability of providing competition to resist invasion by non-native plants. The seed source should be as local as possible, preferably collected from the nearby native prairie. If seeds and/or plants are obtained commercially, we recommend obtaining seed stock from nurseries within 250 miles of the project area to ensure the particular cultivars are well adapted to the local climate. The Natural Resources Conservation Service (NRCS) compiles a list of vendors in North Dakota that supply conservation seed and plants at:
<http://plant-materials.nrcs.usda.gov/pubs/ndpmcmt8152.pdf>. Additional information on native grasses and forbs may be found at the NRCS Bismarck Plant Materials Center website at <http://www.plant-materials.nrcs.usda.gov/ndpmc/>.

Research, Monitoring, and Assessment

We recommend project proponents conduct two years of pre-construction wildlife surveys to quantify bird and bat use of the project area. Collision monitoring studies are recommended for three years post-construction to determine the effect of several factors, such as site selection, turbine designs, the layout of wind plants, wind plant operations, habitat alteration, and changes in available perching and nesting sites, on bird and bat deaths. Annual reports outlining the results of these monitoring studies should be submitted to this office. The Avian Subcommittee of the National Wind Coordinating Committee (NWCC) has developed a guidance document to assist wind energy developers in designing studies that will produce credible and comparable results of avian interaction with wind power plants. The NWCC document, "Studying Wind Energy/Bird Interactions: A Guidance Document. Metrics and methods for determining or monitoring potential impacts on birds at existing and proposed wind energy sites," can be obtained by contacting the National Wind Coordination Committee, c/o RESOLVE, 1255 23rd Street, Suite 275, Washington, D.C. 20037, or by visiting their website at (www.nationalwind.org).

Thank you for the opportunity to comment on this project proposal. If you require further information, please have your staff contact Terry Ellsworth at (701) 250-4481 or at the letterhead address.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeffrey K. Towner".

Jeffrey K. Towner
Field Supervisor
North Dakota Field Office

cc: North Dakota Public Service Commission, Bismarck
Director, North Dakota Game and Fish Department
(Attn: John Schumacher)



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NORTH DAKOTA REGULATORY OFFICE
1513 SOUTH 12TH STREET
BISMARCK ND 58504-6640

August 12 2013

North Dakota Regulatory Office

Mr. Lou Hanebury
Department of Energy
Western Area Power Administration
Upper Great Plains Customer Service Region
PO Box 35800
Billings, Montana 59107-5800

Dear Mr. Hanebury:

This is in response to your request dated August 5, 2013, requesting US Army Corps of Engineers (Corps) comments regarding the Sunflower Wind Project that proposed construction of an approximate 80-MW wind farm to include up to 50 turbines, underground power collection system, substation, overhead transmission line, access roads, and maintenance and operation center located in Stark and Morton Counties, North Dakota.

Based on the information contained within your letter, it appears a Department of the Army permit may be required for all or part of your proposed project(s). In order for us to fully evaluate your project(s), please complete and submit the Corps permit application (copy enclosed). A wetland delineation and identification of other waters would be required for us to determine whether or not there are regulated waters on site. Be sure to accurately describe all proposed work and construction methodology. Once the application is complete, please mail it to the letterhead address.

Please be advised, Corps regulatory offices administer Section 10 of the Rivers and Harbors Act (Section 10) and Section 404 of the Clean Water Act (Section 404). Section 10 regulates work impacting navigable waters. Section 10 waters in North Dakota are the Missouri River (including Lake Sakakawea and Lake Oahe), Yellowstone River, James River south of the railroad track in Jamestown, North Dakota, Bois de Sioux River, Red River of the North, and the Upper Des Lacs Lake. Work over, in, or under navigable waters is considered to have an impact. Section 404 of the Clean Water Act regulates the discharge of dredged or fill material (temporarily or permanently) in waters of the United States. Waters of the United States may include, but are not limited to, rivers, streams, ditches, coulees, lakes, ponds, and their adjacent wetlands. Fill material includes, but is not limited to, rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mines or other excavation activities and materials used to create any structure or infrastructure in waters of the United States.

Do not hesitate to contact this office by letter or telephone (701) 255-0015 if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Daniel E. Cimarosti". The signature is written in dark ink and is positioned to the right of the typed name.

Daniel E. Cimarosti
State Program Manager
North Dakota Regulatory Office

Enclosure

**U.S. ARMY CORPS OF ENGINEERS
APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT**

33 CFR 325. The proponent agency is CECW-CO-R.

*Form Approved -
OMB No. 0710-0003
Expires: 31-AUGUST-2013*

Public reporting for this collection of information is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters, Executive Services and Communications Directorate, Information Management Division and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

| | | | |
|--------------------|----------------------|------------------|------------------------------|
| 1. APPLICATION NO. | 2. FIELD OFFICE CODE | 3. DATE RECEIVED | 4. DATE APPLICATION COMPLETE |
|--------------------|----------------------|------------------|------------------------------|

(ITEMS BELOW TO BE FILLED BY APPLICANT)

| | | | | | |
|--|--|--|--|--|--|
| 5. APPLICANT'S NAME First - Middle - Last - Company - E-mail Address - | | | 8. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Middle - Last - Company - E-mail Address - | | |
| 6. APPLICANT'S ADDRESS: Address- City - State - Zip - Country - | | | 9. AGENT'S ADDRESS: Address- City - State - Zip - Country - | | |
| 7. APPLICANT'S PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax | | | 10. AGENTS PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax | | |

STATEMENT OF AUTHORIZATION

11. I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

SIGNATURE OF APPLICANT DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

| | | | |
|---|--|---|----------------------------------|
| 12. PROJECT NAME OR TITLE (see instructions) | | | |
| 13. NAME OF WATERBODY, IF KNOWN (if applicable) | | 14. PROJECT STREET ADDRESS (if applicable) Address | |
| 15. LOCATION OF PROJECT Latitude: °N Longitude: °W | | City - | State- Zip- |
| 16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID Municipality Section - Township - Range - | | | |

24. Is Any Portion of the Work Already Complete? Yes No IF YES, DESCRIBE THE COMPLETED WORK

25. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (If more than can be entered here, please attach a supplemental list)

a. Address-

City - State - Zip -

b. Address-

City - State - Zip -

c. Address-

City - State - Zip -

d. Address-

City - State - Zip -

e. Address-

City - State - Zip -

26. List of Other Certificates or Approvals/Denials received from other Federal, State, or Local Agencies for Work Described in This Application.

| AGENCY | TYPE APPROVAL* | IDENTIFICATION NUMBER | DATE APPLIED | DATE APPROVED | DATE DENIED |
|--------|----------------|-----------------------|--------------|---------------|-------------|
| | | | | | |
| | | | | | |
| | | | | | |

* Would include but is not restricted to zoning, building, and flood plain permits

27. Application is hereby made for permit or permits to authorize the work described in this application. I certify that this information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The Application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

**Instructions for Preparing a
Department of the Army Permit Application**

Blocks 1 through 4. To be completed by Corps of Engineers.

Block 5. Applicant's Name. Enter the name and the E-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the application, please attach a sheet with the necessary information marked Block 5.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the application. If more space is needed, attach an extra sheet of paper marked Block 6.

Block 7. Applicant Telephone Number(s). Please provide the number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed, if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, or any other person or organization. Note: An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by applicant, if an agent is to be employed.

Block 12. Proposed Project Name or Title. Please provide name identifying the proposed project, e.g., Landmark Plaza, Burned Hills Subdivision, or Edsall Commercial Center.

Block 13. Name of Waterbody. Please provide the name of any stream, lake, marsh, or other waterway to be directly impacted by the activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Project Street Address. If the proposed project is located at a site having a street address (not a box number), please enter it here.

Block 15. Location of Proposed Project. Enter the latitude and longitude of where the proposed project is located. If more space is required, please attach a sheet with the necessary information marked Block 15.

Block 16. Other Location Descriptions. If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality that the site is located in.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide description of the proposed project location, such as lot numbers, tract numbers, or you may choose to locate the proposed project site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed project site if known.

Block 18. Nature of Activity. Describe the overall activity or project. Give appropriate dimensions of structures such as wing walls, dikes (identify the materials to be used in construction, as well as the methods by which the work is to be done), or excavations (length, width, and height). Indicate whether discharge of dredged or fill material is involved. Also, identify any structure to be constructed on a fill, piles, or float-supported platforms.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 18.

Block 19. Proposed Project Purpose. Describe the purpose and need for the proposed project. What will it be used for and why? Also include a brief description of any related activities to be developed as the result of the proposed project. Give the approximate dates you plan to both begin and complete all work.

Vicinity Map

The vicinity map you provide will be printed in any public notice that is issued and used by the Corps of Engineers and other reviewing agencies to locate the site of the proposed activity. You may use an existing road map or US Geological Survey topographic (scale 1:24,000) as the vicinity map. Please include sufficient details to simplify locating the site from both the waterbody and from land. Identify the source of the map or chart from which the vicinity map was taken and, if not already shown, add the following:

- location of activity site (draw an arrow showing the exact location of the site on the map).
- latitude, longitude, river mile, if known, and/or other information that coincides with Block 6 on the application form.
- name of waterbody and the name of the larger creek, river, bay, etc., that the waterbody is immediately tributary to.
- names, descriptions and location of landmarks.
- name of all applicable political (county, parish, borough, town, city, etc.) jurisdictions
- name of and distance to nearest town, community, or other identifying locations
- names or numbers of all roads in the vicinity of the site.
- north arrow.
- scale.

Plan View

The plan view shows the proposed activity as if you were looking straight down on it from above. your plan view should clearly show the following:

- Name of waterbody (river, creek, lake, wetland, etc.) and river mile (if known) at location of activity.
- Existing shorelines.
- Mean high and mean low water lines and maximum (spring) high tide line in tidal areas.
- Ordinary high water line and ordinary low water line if the proposed activity is located on a non-tidal waterbody.
- Average water depths around the activity.
- Dimensions of the activity and distance it extends from the high water line into the water.
- Distances to nearby Federal projects, if applicable.
- Distance between proposed activity and navigation channel, where applicable.
- Location of structures, if any, in navigable waters immediately adjacent to the proposed activity.
- Location of any wetlands (marshes, swamps, tidal flats, etc.)
- North arrow.
- Scale.
- If dredged material is involved, you must describe the type of material, number of cubic yards, method of handling, and the location of fill and spoil disposal area. The drawing should show proposed retention levees, weirs, and/or other means for retaining hydraulically placed materials.
- Mark the drawing to indicate previously completed portions of the activity.

Cross Section View and/or Elevation

The elevation and/or cross section view is a scale drawing that shows the side, front, or rear of the proposed activity. If a section view is shown, it represents the proposed structure as it would appear if cut internally for display. Your elevation should clearly show the following:

- Water elevations as shown in the plan view.

BUSINESS
PRIVATE USE, \$300



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SCHNEIDER, RICHARD



NIXIE 581 7E 1009 0008/12/13

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BUSINESS
PRIVATE USE, \$300



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KITZAN, BRIAN



581 5E 1009 0008/20/13

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 59107580000 *1636-08515-06-41



59107580000

HANSEN ET AL, VERNA



NIXIE 581 5E 1009 0008/20/13

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 59107580000 *1636-05551-06-41



59107580000

8/10

ZIMMERMAN, RICHARD



NIXIE 581 5E 1009 0008/20/13

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 59107580000 *1636-05666-06-41



59107580000

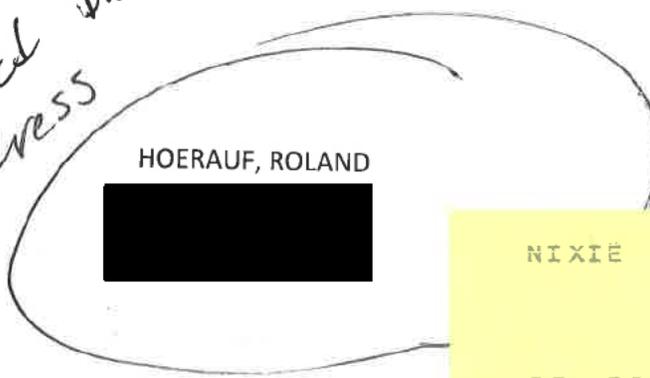
wapa received back 9/3/13

DEPARTMENT OF ENERGY
AREA POWER ADMINISTRATION
AVENUE NORTH, 6TH FL
800
MT 59107-5800

BUSINESS
PRIVATE USE, \$300



*not ad this
address*



HOERAUF, ROLAND



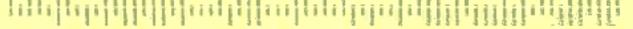
ADK 8/22

NIXIE 581 SE 1009 0008/27/13

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 59107580000 *1636-03871-06-41

59107580000



Postnet barcode

Hanebury, Lou

From: [REDACTED]
Sent: Saturday, August 31, 2013 11:56 AM
To: Hanebury, Lou

Why to wind turbines. Drive through Casper, WYO and see how ugly they are and they supply not the state they are in but other states and ruin the land and kill more birds than any oilfield does.
Sent from my Verizon Wireless 4G LTE DROID

Hanebury, Lou

From: [REDACTED]
Sent: Friday, August 09, 2013 8:54 AM
To: Hanebury, Lou
Subject: Sunflower Wind Project locations

Dear Mr. Hanebury,

I am in receipt of a letter from you dated August 5, 2013 regarding the above mentioned project. As I live in Colorado most of the year and will not be able to attend the scoping meeting I am hoping you can answer some questions for me.

1. Have locations for turbines been finalized?
2. What is the impact to the landowner where turbines are located?
3. Has the location for the substation been located and finalized?
4. What accessibility for road/trail construction to get to all sites will occur?

I ask these questions as according to the map accompanying your letter it looks like the substation could be located on the west 1/2 of 139:91:22 which is our property (I do not have issue with this) and our other property located in the SW corner of the map area may also be contributing to a possible turbine location? (for this location existing access roads are already in place with Stark County Rd 79.

Any information you can provide is appreciated.

Tim Schlenvogt



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August 22, 2013, 5-8 PM Hampton Inn and Suites
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Please Print Contact Info Below

Name:

Richard Zimmerman

Organization:

E-mail address:

Daytime Phone No. (optional):

Street Address:

City / State / Zip Code:

Bismarck, ND 58501

Please indicate any questions, comments or concerns you have about the proposed project in the comment section below (continue on separate sheet if necessary).

Thank you for your time and interest.



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Please Print Contact Info Below

Name:

Clyde TERRAS

Organization:

E-mail address:

Daytime Phone No. (optional):

[REDACTED]

Street Address:

[REDACTED]

City / State / Zip Code:

HEBRON, ND 58438-0097

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Please Print Contact Info Below

Name:

MAXINE FOLLMAN

Organization:

E-mail address:

[Redacted]

Daytime Phone No. (optional):

[Redacted]

Street Address:

[Redacted]

City / State / Zip Code:

LEEDS ND 58346 0043

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Please Print Contact Info Below

Name:

Roy & Vivian Bauer

Organization:

E-mail address:

Daytime Phone No. (optional):

Street Address:

[Redacted]

City / State / Zip Code:

Bismarck, ND 58503

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Please Print Contact Info Below

| | |
|--------------------------------------|--|
| <u>Name:</u> Jerry Kuntz | <u>Organization:</u> |
| <u>E-mail address:</u> | <u>Daytime Phone No. (optional):</u> [REDACTED] |
| <u>Street Address:</u> [REDACTED] | <u>City / State / Zip Code:</u> Hebron ND 58138 |

Please indicate any questions, comments or concerns you have about the proposed project in the comment section below (continue on separate sheet if necessary).

[REDACTED]

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| | |
|---|---|
| <u>Name:</u> <i>Virginia + Eugene Veil</i> | <u>Organization:</u> |
| <u>E-mail address:</u> | <u>Daytime Phone No. (optional):</u> |
| <u>Street Address:</u> [REDACTED] | <u>City / State / Zip Code:</u> <i>Bismarck ND 58503</i> |

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Please Print Contact Info Below

Name:

John E Langer

Organization:

E-mail address:

Daytime Phone No. (optional):

Street Address:

City / State / Zip Code:

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Please Print Contact Info Below

Name: DAVID OPP
Organization:
E-mail address:
Daytime Phone No. (optional):
Street Address:
City / State / Zip Code: Hebron ND 58638

Please indicate any questions, comments or concerns you have about the proposed project in the comment section below (continue on separate sheet if necessary).

Multiple horizontal lines for providing comments.

Thank you for your time and interest.



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Please Print Contact Info Below

Name:

Organization:

Susan Opp

E-mail address:

Daytime Phone No. (optional):

[Redacted]

Street Address:

City / State / Zip Code:

[Redacted]

Hobson N.D 58638

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Please Print Contact Info Below

Name:

Organization:

[Redacted Name]

landowner

E-mail address:

Daytime Phone No. (optional):

Rick Anheluk

[Redacted Phone Number]

Street Address:

City / State / Zip Code:

[Redacted Street Address]

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| | |
|------------------------------|--------------------------------------|
| <u>Name:</u> | <u>Organization:</u> |
| <u>E-mail address:</u> | <u>Daytime Phone No. (optional):</u> |
| Roy Schneider III [Redacted] | |
| <u>Street Address:</u> | <u>City / State / Zip Code:</u> |
| [Redacted] | Hebron, N. D. 58638 |

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Please Print Contact Info Below

Name:

Lou A. HANSEY

Organization:

E-mail address:

[Redacted]

Daytime Phone No. (optional):

[Redacted]

Street Address:

[Redacted]

City / State / Zip Code:

HEBROW, ND. 58638

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Please Print Contact Info Below

Name:

Clyde Wanner

Organization:

E-mail address:

Daytime Phone No. (optional):

Street Address:

City / State / Zip Code:

Dickinson ND 58601

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Please Print Contact Info Below

| | |
|--------------------------------------|--|
| <u>Name:</u> VERNA HANSEN | <u>Organization:</u> |
| <u>E-mail address:</u> | <u>Daytime Phone No. (optional):</u> |
| <u>Street Address:</u> [REDACTED] | <u>City / State / Zip Code:</u> Nehalem, N.D. 58638 |

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Please Print Contact Info Below

| | |
|--------------------------------------|---|
| <u>Name:</u> Evangeline Treiber | <u>Organization:</u> Land owner |
| <u>E-mail address:</u> | <u>Daytime Phone No. (optional):</u> |
| <u>Street Address:</u> [REDACTED] | <u>City / State / Zip Code:</u> Hebron, ND 58638 |

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