

Thank you for your comment, Claire Olson.

The comment tracking number that has been assigned to your comment is UGPW\_S50017.

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Upper Great Plains Wind PEIS  
Comment ID: UGPW\_S50017

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Attachment: WAPA programmatic eis ltr.doc

Comment Submitted:

Attached are Basin Electric Power Cooperative's comments re: the Programmatic Environmental Impact Statement to evaluate wind energy development. [\\_\\_\\_\\_\\_](#)

# **BASIN ELECTRIC POWER COOPERATIVE**

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November 10, 2008

## **VIA: E-MAIL & DELIVERY**

Western Area Power Administration/U.S. Fish & Wildlife Service  
Wind Energy Programmatic EIS Scoping  
Argonne National Laboratory  
9700 S. Cass Avenue—EVS/900  
Argonne, IL 60439

Re: Basin Electric Power Cooperative/Comments  
Notice of Intent to Prepare a Programmatic Environmental Impact Statement  
and to Conduct Public Scoping Meetings  
Federal Register/September 11, 2008

Dear Administrator Meeks and Director Guertin;

Basin Electric Power Cooperative (**Basin Electric**) appreciates this opportunity to submit comments to the Western Area Power Administration (**Western**) and the United States Fish & Wildlife Service (**Service**) as part of the process for the development of a Programmatic Environmental Impact Statement to Evaluate Wind Energy Development in Iowa, Minnesota, Montana, Nebraska, North Dakota, and South Dakota; including the U.S. Fish and Wildlife Service's Landscape-Level Easement Program in North Dakota, South Dakota, and Eastern Montana; and To Conduct Public Scoping Meetings.

### **I. Interest of Basin Electric and its Members:**

Basin Electric is a generation and transmission rural electric cooperative serving 126 member distribution cooperatives who distribute electricity to more than 2.6 million consumers in a nine-state area. This nine state area includes significant portions of Iowa, Minnesota, Montana, Nebraska, North Dakota and South Dakota that Western and the Service have identified as being subject to this Programmatic EIS. The Programmatic EIS may, for better or worse, significantly impact the ability of Basin Electric and its members to develop wind resources in this area.

### **II. Support for the Programmatic EIS:**

Basin Electric supports Western and the Service for undertaking this Programmatic EIS and agrees with the following stated goals for the process:

- Identify environmental impacts associated with wind energy development and associated transmission systems;
- Identify mitigation strategies, standard construction practices and best management practices to reduce potential impacts; and
- Establish a comprehensive environmental program for evaluating future wind-energy proposals.

Basin Electric also supports a balanced approach that will allow for continued wind development as well as wildlife protection because of wind energy:

- Contributes to National Energy Security;
- Reduces carbon dioxide and other emissions from the electric sector;
- Reduces water consumption in the electric sector; and
- Provides a sustainable and environmentally beneficial energy resource.

Basin Electric supports the Programmatic EIS in the hope it will:

- Establish reasonable criteria regarding transmission interconnection requirements and reasonable mitigation strategies for wildlife impacts which will help to move wind energy projects forward more quickly and efficiently;
- Provide clarity to the National Energy Policy Act (**NEPA**) process and address generic issues that are currently part of case-by-case NEPA review for this region;
- Develop a streamlined approach for compliance for subsequent site-specific wind development;
- Help to establish a comprehensive environmental program to support the development of wind-energy resources in the Upper Great Plains (**UGP**) Region; and
- Develop a more orderly process for wind interconnection requests, and its stated purpose to insure existing transmission system reliability and service to existing customers is not degraded.

Basin Electric opposes a Programmatic EIS approach that would:

- Create overly restrictive criteria or overly burdensome procedures that would delay or end wind energy development in the UGP Region;
- Restrict projects currently in operation or delay those already in progress;
- Categorically exclude from development a broad area of some of the best wind resources in the United States; and
- Adopt rules that would unreasonably restrict development, construction or operation of wind projects.

### **III. Importance of the UPG Wind Resource:**

The wind resource in this Region is exceptional, as the wind resource maps included in the scoping documents posted at <http://plainswindeis.anl.gov/documents/index.cfm> show.

Several states in the area covered by this Programmatic EIS have either mandated or established voluntary renewable energy requirements by certain defined dates. Wind is the best available resource in the UGP Region to meet these renewable resource requirements. Many projects have already been initiated to meet these renewable requirements, and these projects should be allowed to advance in a timely fashion.

Wind energy development is also an important economic resource for private landowners; it is especially important to owners of grasslands. The development of wind energy protects and preserves the grasslands of the UGP Region because the development of wind will allow these lands to remain economically viable as grasslands, rather than be converted to cropland or other land uses less friendly to wildlife. The key is to find a balance that will allow viable multiple uses.

**IV. Wind Energy on Service Easements:**

Basin Electric encourages the Service to develop policies as part of this Programmatic EIS that will continue to allow wind energy development on Service easements. If wind energy is not allowed to be developed on these easements, landowners may be less willing to enter into such easements. The Service should adopt a multiple-use adaptive-management approach that will continue to allow reasonable and environmentally responsible development of wind energy on Service easements.

**V. Active Projects:**

Basin Electric and other utilities have taken proactive steps to develop wind energy to meet renewable energy requirements already in place in their service area. Many of these projects are well underway, and should be allowed to advance in a timely fashion under existing state and federal regulations. Basin Electric supports the comments made during scoping meetings that projects already underway should not be delayed pending the outcome of this Programmatic EIS.

**VI. Comments on Identified Issues:**

As the Programmatic EIS is developed, Basin Electric encourages Western and the Service to define criteria and mitigation processes with as much clarity and detail as possible, but to also retain the discretion to address site-specific issues on a case-by-case basis. By finding this balance, the Programmatic EIS will provide the most guidance to wind energy development possible, but leave the flexibility to address site-specific issues through mitigation procedures. Basin Electric understands that the regulation of wind resources is relatively new, and that issues will become better understood as the process continues. Due process and public comment procedures should be incorporated as adjustments are made, if an adaptive management approach is adopted.

The following comments are directed to the specific questions raised in the Notice of Intent:

**“1. Define areas with a high potential for wind-energy development near UGP Region’s transmission system in anticipation of future wind-generation interconnection requests.”**

The scoping documents include the wind resource maps compiled by the Department of Energy. These generally define areas with higher potential for wind energy development; however, the value of a wind resource is very site specific. Moving a turbine a few meters one direction or another has a significant impact on the energy that may be produced at a site. The location of existing transmission lines is well known by Western, but calculating the impact of a wind resource on transmission is difficult because it is an intermittent resource. Wind generation potential, transmission capabilities and impacts, market potential and wildlife resource impacts all need to be evaluated for each project. Wind-generation interconnection requests should consider impacts on the entire transmission and generation system and how the system will adjust when the wind resource is producing at a high level, and when the wind resource is not available because the wind isn’t blowing. Availability, reliability and effects on the system as a whole all should be considered.

**“2. Define natural and human environment resources in areas with high wind-energy development potential, including Native American lands, to support analyses of the environmental impacts and development of wind-energy resources.”**

Current zoning and land use maps, satellite photos and other information is available from many resources, including local zoning boards, federal and state agricultural and transportation agencies and other similar public and private entities. The scoping documents, for example, identify Service wetland and grassland easements. Basin Electric supports any efforts that may provide additional background information that will help to facilitate locating the best areas for further wind energy development.

**“3. Develop and present mitigation measures for reducing wind-energy development impacts on the natural and human environment for use by interconnection applicants in addressing the environmental impacts of their projects.”**

Basin Electric recognizes the importance of and supports the use of mitigation measures provided economic factors are considered as well. If mitigation measures are such that projects are no longer economically sustainable, they will be abandoned. Mitigation measures must be flexible and site specific.

**“4. Complete a Programmatic Endangered Species Act (ESA) Section 7 consultation for listed and proposed threatened and endangered species within the study area boundaries established for the Programmatic EIS.”**

Basin Electric suggests that this Programmatic EIS define the process or procedure that will be used for Section 7 consultations under the Endangered Species Act within UGP Region.

Specifically, how will the Programmatic ESA Section 7 consultation be done and how will it affect proposed wind projects that have a federal nexus for which an individual ESA Section 7 consultation would normally be required?

Clarification of regulatory impact of the proposed Programmatic ESA Section 7 consultation on individual ESA Section 7 consultations that are anticipated for specific federal nexus projects would be very much appreciated. For example, is it anticipated that the Programmatic ESA Section 7 consultation process will substitute entirely for otherwise required individual ESA Section 7 consultations? Or is the intention that some portion of the process of what would otherwise be required for an individual Section 7 consultation would have been addressed in the Programmatic ESA Section 7 consultation?

- “5. Implement an adaptive management approach that requires mitigation implementation monitoring and reporting to ensure that the best mitigation measures are identified and employed to reduce environmental impacts. The monitoring reports would be used by Western and the Service to periodically update mitigation practices.”**

Basin Electric recognizes and appreciates that because wind energy is a developing resource, an adaptive management approach may be one of the better alternatives available. Future mitigation measures must be based on sound scientific and statistical evaluation procedures, and should include due process, be reasonable and consider full system impacts. This Region is subject to cyclical changes in the regional climate, so identifying and distinguishing correlation from causation in a statistically valid way is often a challenge. A drought, for example, lessens the amount of wetlands and impacts avian populations, as do federal programs that affect the use of farmlands and grasslands. Adaptive management must consider these and other similar factors in arriving at scientifically sound and economically viable mitigation procedures.

- “6. Define thresholds for significant direct, indirect and cumulative environmental impacts from wind-energy developments and associated transmission system enhancements to support the impact analysis in the Programmatic EIS.”**

Basin Electric supports the definition of impact thresholds as this will aid future wind development initiatives. Again, they should be scientifically sound and statistically valid.

- “7. Define circumstances tied to laws, regulations and policies that have potential to affect wind-energy resource development.”**

It would be helpful for the Programmatic EIS to identify the federal, state and local laws and ordinances that should be consulted and that may be applicable to any particular project.

The Service should allow the placement of turbines and associated facilities on Service easements.

- “8. Define possible transmission system enhancements to support wind development and the general level of impacts expected from these transmission enhancements.”**

Basin Electric recognizes that additional transmission capabilities will be required to accommodate wind development. Western and the Service should consider the unique aspects of integrating wind generation into the existing transmission systems when considering enhancements. The Dakotas Wind Transmission Study and Argonne National Laboratory's study of "The Design, Construction, and Operation of Long-distance High-

Voltage Electricity Transmission Technologies” included by Western and the Service in the scoping documents, both identify technical issues that must be considered.

- “9. Provide a guide for interconnection applicants that includes information about natural resources within areas with a high potential for wind development, requirements for subsequent site-specific environmental reviews, transmission capacity needs and availability, and appropriate mitigation measures to minimize adverse environmental impacts related to wind projects and associated transmission system enhancements.”**

Any guidance that is developed should provide as much specificity and clarity as possible, particularly regarding site requirements and mitigation measures.

- “10. Other Considerations.”**

The public notice identifies ESA species such as the whooping crane that will be considered as part of the Programmatic EIS. If the Programmatic EIS could begin to provide guidance on how to identify critical habitat areas and suggested guidelines for setbacks from such areas, for example, it would help considerably in identifying sites for wind energy development, and locations for development. Identifying migratory corridors is not sufficient for determining areas within the corridor where wind energy may occur and where it may not, or where it may occur if certain mitigation measures are adopted.

Thank you for this opportunity to express our concerns on this important new area of renewable energy development and its impact on wildlife considerations.

Sincerely,

Claire M. Olson  
General Counsel

cmo/dfi/lw/mw