



**Energy Environmental Review and Analysis**

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April 11, 2014

Burl W. Haar  
Executive Secretary  
Minnesota Public Utilities Commission  
127 7th Place East, Suite 350  
St. Paul, MN 55101-2147

**RE: EERA Review–Compliance Filing  
Big Blue Wind Farm Project  
Docket No. IP6851/WS-10-1238  
Avian and Bat Fatalities (2013), Acoustic Bat Monitoring (2013), and  
Avian Use Surveys (2013)**

Dear Dr. Haar:

Attached are the review and comments of the Minnesota Department of Commerce Energy Environmental Review and Analysis (EERA) staff in the matter of:

Big Blue Wind Farm's Compliance Filing for the Large Wind Energy Conversion System  
Site Permit issued to Big Blue Wind Farm, LLC

Big Blue Wind Farm, LLC has submitted the following: actual and estimated avian and bat fatalities for CY 2013, acoustic bat monitoring report for CY 2013, and avian use surveys for CY 2013 for the Big Blue Wind Farm in Faribault County. Big Blue Wind Farm, LLC states that this report complies with Condition 4.1.4 of the Big Blue Wind Energy Avian and Bat Protection Plan (January 3, 2012), which was identified in Section 6.7 and Section 13, Special Condition 13.1 of the Big Blue Wind Farm, LLC LWECs Site Permit (August 17, 2011).

The filing was made on February 28, 2014 by:

Michael Rutledge, Environmental Services Dept. Head  
Fagen Engineering, LLC  
Big Blue Wind Farm Regulatory Compliance  
501 West Highway 212  
Granite Falls, MN 56241

EERA staff is available to answer any questions the Commission may have.

Sincerely,

A handwritten signature in black ink that reads 'Richard Davis'. The signature is written in a cursive, flowing style.

Richard Davis, Environmental Review Manager

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## PERMIT COMPLIANCE FILING REVIEW

**PUC Docket No.** IP6851/WS-10-1238

Big Blue Wind Farm, LLC (Permittee) filed the following compliance document pertaining to the Site Permit<sup>1</sup> issued by the Public Utilities Commission (Commission) on August 17, 2011, for the Big Blue Wind Farm Project (Project). The filing applies to conditions within the Avian and Bat Protection Plan (ABPP)<sup>2</sup> developed for the Project.

Permit Section	Description	eDocket Number	Date eFiled
<u>Section 6.7</u> Avian and Bat Protection Plan and <u>Section 13.1</u> Avian and Bat Protection Plan Special Provision	Compliance Filing	<a href="#">20142-96911-01</a>	February 28, 2014

### Avian and Bat Protection Plan

Section 6.7 of the Site Permit states: "The Permittee shall prepare an Avian and Bat Protection Plan in consultation with the Commission, DNR, and the United States Fish and Wildlife Service (USFWS). The plan shall be approved by the Commission prior to construction. The plan shall address next steps to be taken to identify and mitigate impacts to avian and bat species during the construction phase and the operation phase of the Project. The plan shall also include formal and informal monitoring, training, wildlife handling, documentation (e.g., photographs), and reporting protocols for each phase of the Project."

### Avian and Bat Protection Plan Special Provisions

Section 13.1 of the Site Permit states: "The Avian and Bat Protection Plan in Section 6.7 shall include an Eagle Protection Plan and survey plans and protocols to conduct post-construction bald eagle surveys. The post-construction bald eagle surveys shall be conducted for a minimum of one year. The results of the post-construction bald eagle survey shall be submitted to the

<sup>1</sup> Big Blue Wind Farm, LLC Site Permit, August 17, 2011, eDocket no. [20118-65487-01](#)

<sup>2</sup> Big Blue Wind Energy Project ABPP (January 3, 2012), efiled September 9, 2013, eDockets no. [20139-91116-01](#)

Commission. Based on those results, the Commission may modify conditions in this permit pursuant to Section 11.2.”

The Big Blue Wind Energy Project ABPP<sup>3</sup> was completed on January 3, 2012, and later efiled on September 9, 2013. A Post-Construction Avian and Bat Studies Protocol document<sup>4</sup>, dated May 9, 2013, was developed by the Permittee in coordination with DOC-EERA and Department of Natural Resources (DNR).

Throughout 2013 the Permittee conducted post-construction avian and bat studies as identified in the May 9, 2013 protocols document, submitted quarterly reports; April 2013<sup>5</sup>, July 2013<sup>6</sup>, October 2013<sup>7</sup>, January 2014<sup>8</sup>, and submitted an Annual Report<sup>9</sup>.

***EERA Comments***

As noted above, the Permittee has conducted the first year of post-construction avian and bat studies as identified in the Project’s ABPP and protocols document, and reporting has been timely to date. DOC-EERA and DNR have reviewed the Annual Report efiled on February 28, 2014. DOC-EERA staff will be working with the Permittee to revise the Annual Report, and ultimately resubmit the revised Annual Report.

The Permittee will continue to conduct post-construction fatality monitoring and post-construction eagle nest and use monitoring, throughout 2014, as identified in the ABPP and protocols document, while the 2013 Annual Report is being revised and resubmitted.

<b>The filing meets applicable permit conditions:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Partially
<b>Permit condition requires an action by the Commission:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
<b>EERA suggests filing be brought to the Commission for decision:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
<b>Response letter to permittee is recommended:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>

Richard Davis, Environmental Review Manager

April 11, 2014

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*Energy Environmental Review and Analysis  
MN Department of Commerce*

*Date*

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<sup>3</sup> Big Blue Wind Energy Project ABPP (January 3, 2012), efiled September 9, 2013, eDockets no. [20139-91116-01](#)  
<sup>4</sup> Big Blue Post-Construction Avian and Bat Studies Protocol (May 9, 2013) efiled September 9, 2013, eDocket no. [20139-91109-01](#)  
<sup>5</sup> April 15, 2013 – Quarterly Report, eDocket no. [20134-85707-01](#)  
<sup>6</sup> July 15, 2013 – Quarterly Report, eDocket no. [20137-89219-01](#)  
<sup>7</sup> October 15, 2013 – Quarterly Report, eDocket no. [201310-92544-01](#)  
<sup>8</sup> January 13, 2014 – Quarterly Report, eDocket no. [20141-95384-01](#)  
<sup>9</sup> Big Blue Post-Construction Survey Annual Report, February 28, 2014, eDocket no. [20142-96911-01](#)