



**STATE OF MINNESOTA**  
Office of Energy Security



**NOTICE OF ENVIRONMENTAL REPORT  
SCOPING DECISION**

**Issued: December 23, 2009**

**In the Matter of the Buffalo Ridge Wind Partners, LLC  
Application for a Certificate of Need  
for the Bitter Root Wind Farm Project  
Large Wind Energy Conversion System  
PUC Docket No. IP-6728/CN-08-785**

**PLEASE TAKE NOTICE** that the Director of the Office of Energy Security (OES) has issued the attached Environmental Report (ER) Scoping Decision for the Bitter Root Large Wind Energy Conversion System (LWECS) proposed for Yellow Medicine and Lincoln counties, Minnesota. The ER is being prepared for the Certificate of Need proceeding, and will address potential human and environmental impacts of the proposed LWECS and project alternatives. Copies of the ER Scoping Decision and other relevant documents are accessible at:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=25538>

Additional Certificate of Need documents can be obtained via the Commission's "edockets" electronic filing website at: <https://www.edockets.state.mn.us/EFiling/search.jsp> by searching for **year: 08** and **number: 785**.

Paper copies may be requested from the Office of Energy Security staff listed at the end of this notice.

**PROJECT DESCRIPTION**

Buffalo Ridge Power Partners, LLC, a joint venture of ACCIONA Wind Energy USA, LLC, and Global Winds Harvest, LLC, proposes a 138 MW wind energy conversion system in Yellow Medicine and Lincoln Counties. Depending upon the turbine model selected, the Bitter Root Wind Farm Project (Project) will consist of between 46 and 92 turbines with a rated output of 1.5 or 3.0 MW in such number and combination as to yield 138 MW. Facilities associated with the Project include gravel access roads, an electric collection system, an operation and maintenance building, one meteorological tower, and a project substation. The Project is located southwest of the city of Canby, Minnesota within a project area of approximately 22,500 acres in Fortier and Florida townships of Yellow Medicine County and Hansonville Township in Lincoln County. Electricity from the Project would be transmitted to the project substation via 34.5 kilovolt

electric lines. The Project would connect to the electric grid along Otter Tail Power Company's 115 kV Toronto-Canby transmission line at the new Project substation

## **PUC CERTIFICATE OF NEED REVIEW PROCESS**

The Project is a "large energy facility" as defined in Minnesota Statute 216B.2421, subp. 2 and a Certificate of Need from the Public Utilities Commission is required for such a project under Minnesota Statute 216B.243. On April 27, 2009, Buffalo Ridge Power Partners, LLC filed a Certificate of Need application for the Bitter Root Wind Farm Project. On July 17, 2009, the PUC issued an Order accepting the application as substantially complete.

A public hearing on the Certificate of Need (CON) will be held shortly after the OES completes preparation of the Environmental Report. Under state law, the PUC proceeding is the only time at which the "no-build" alternative and the size, type, and timing of a new generating facility will be considered. These items will not be addressed in the PUC LWECS Site Permit process.

## **SCHEDULE**

The Environmental Report is scheduled to be completed in February, 2010.

## **Project Contacts and Information**

For more information about the process, the project or to place your name on the project mailing list, contact Matthew A. Langan (651-296-2888 or [suzanne.steinhauer@state.mn.us](mailto:suzanne.steinhauer@state.mn.us)) Office of Energy Security, 85 7<sup>th</sup> Place East, Suite 500, Saint Paul, Minnesota 55101-2198. Other contact information: Toll-Free Tel: 1-800-657-3794, Fax: 651-297-7891 or TTY: Minnesota Relay Service, 800-627-3529, and ask for the Department of Commerce.



**In the Matter of the Application of  
Buffalo Ridge Power Partners, LLC for a  
Certificate of Need for the  
138 Megawatt Bitter Root Wind Farm Project  
in Yellow Medicine and Lincoln Counties, Minnesota**

**ENVIRONMENTAL REPORT  
SCOPING DECISION  
PUC Docket No. IP-6684/CN-08-785**

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The above matter has come before the Director of the Office of Energy Security (OES) for a decision on the content of the Environmental Report (ER) to be prepared in consideration of the Buffalo Ridge Power Partners, LLC, Application for a Certificate of Need for the proposed 138 Megawatt (MW) Bitter Root Wind Farm Project (Project) in Yellow Medicine and Lincoln counties.

A final decision on turbine selection and design has not be made, but the Project will consist of turbines with a rated output of 1.5 or 3.0 MW in such number and combination as to yield 138 MW. Facilities associated with the Project include gravel access roads, an electric collection system, an operation and maintenance building, one meteorological tower, and a project substation.

The Project is located southwest of the city of Canby, Minnesota, within a project area of approximately 22,500 acres in Fortier and Florida townships of Yellow Medicine County and Hansonville Township in Lincoln County. Electricity from the Project would be transmitted to the project substation via 34.5 kilovolt electric lines. The Project would connect to the electric grid along Otter Tail Power Company's 115 kV Toronto-Canby transmission line at the new Project substation.

The project requires a certificate of need (CON) and a site permit for the wind farm from the Minnesota Public Utilities Commission (Commission). The CON (CN-08-785) and site permit (WS-08-1448) are being considered by the Commission in separate dockets.

On April 27<sup>th</sup>, 2009, Buffalo Ridge Power Partners, LLC, filed a certificate of need application with the Commission for the Bitter Root Wind Farm Project. On July 17, 2009, the Commission issued an order accepting the application as complete and authorizing an informal review process. The proposed project is a large energy facility (Minn. Stat. § 216B.2421). As such, it requires the Minnesota Department of Commerce to prepare an environmental report for the project (Minn. Rules 7849.1200).

A public meeting was held on November 3, 2009, in Canby, Minnesota, to receive comments on the scope of the environmental report. Approximately 40 persons attended the meeting.

A public comment period followed the meeting; the comment period closed on November 24, 2009. Two written comments were received during the comment period. Concerns raised at the public meeting and in written comments included potential impacts to real estate values, noise,

aesthetics, livestock, wildlife, native vegetation, burial grounds, historical artifacts, topography, and the ability for landowners within the Project Area to participate in other wind projects. A number of comments concerned the terms of the wind easements and leases between landowners and the Applicant.

The proposed project is intended to produce renewable energy in furtherance of Minnesota's renewable energy objectives. Accordingly, alternatives examined in the ER will be limited to "eligible energy technologies" that support these objectives (Minn. Stat. § 216B.1691). These alternatives include: (1) a generic 138 MW wind generation project sited elsewhere in Minnesota, (2) a 53 MW biomass plant, and (3) a "no-build" option. An ER provides a high level environmental analysis of the proposed Project and system alternatives, and reviews environmental impacts associated with named and alternative projects. It is only one part of a larger Office of Energy Security investigation of the Certificate of Need Application. The OES in its overall review will address in detail all the issues and alternatives required by rule.

The ER will address the comments received which include impacts of Large Wind Energy Conversion Systems on real estate values, noise, aesthetics, livestock, native vegetation, Historical and archaeological resources (including burial grounds and historical artifacts), historical artifacts, and the natural environment (including topography, flora, and fauna).

Having reviewed the matter, consulted with the OES Energy Facility Permitting staff, and in accordance with Minnesota Rules 7849.1400 and 7849.1500, I hereby make the following scoping decision:

### **MATTERS TO BE ADDRESSED**

#### **1.0 Bitter Root Wind Farm Project Description [Minn. Rule 7849.1500, subp. 1, A]**

#### **2.0 Alternatives to be Evaluated [Minn. Rule 7849.1500, subp. 1, B]**

- 2.1 No-build Alternative
- 2.2 A Generic 138 MW Wind Project
- 2.3 A 53 MW Biomass Plant

#### **3.0 Human and Environmental Impacts [Minn. Rule 7849.1500, subp. 1, C, D]**

- 3.1 Emissions [Minn. Rule 7849.1500, subp. 2, A]
  - No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant
  - Bitter Root Wind Farm Project
- 3.2 Hazardous air pollutants and VOCs [Minn. Rule 7849.1500, subp. 2, B]
  - No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant

- Bitter Root Wind Farm Project
- 3.3 Aesthetic Impact and visibility impairment [Minn. Rule 7849.1500, subp. 2, C]
- No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant
  - Bitter Root Wind Farm Project
- 3.4 Ozone formation [Minn. Rule 7849.1500, subp. 2, D]
- No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant
  - Bitter Root Wind Farm Project
- 3.5 Fuel availability and delivery [Minn. Rule 7849.1500, subp. 2, E]
- No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant
  - Bitter Root Wind Farm Project
- 3.6 Associated transmission facilities [Minn. Rule 7849.1500, subp. 2, F]
- No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant
  - Bitter Root Wind Farm Project m
- 3.7 Water appropriations [Minn. Rule 7849.1500, subp. 2, G]
- No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant
  - Bitter Root Wind Farm Project
- 3.8 Wastewater [Minn. Rule 7849.7060, subp. 2, H]
- No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant
  - Bitter Root Wind Farm Project
- 3.9 Solid and hazardous wastes [Minn. Rule 7849.1500, subp. 2, I]
- No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant

- Bitter Root Wind Farm Project
- 3.10 Noise [Minn. Rule 7849.1500, subp. 2, J]
- No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant
  - Bitter Root Wind Farm Project
- 3.11 Real Estate Values
- No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant
  - Bitter Root Wind Farm Project
- 3.12 Historic and Archaeological resources
- No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant
  - Bitter Root Wind Farm Project
- 3.13 Livestock
- No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant
  - Bitter Root Wind Farm Project
- 3.14 Natural Environment (topography, flora, and fauna)
- No-build alternative
  - 138 MW wind project
  - 53 MW biomass plant
  - Bitter Root Wind Farm Project
- 4.0 Mitigation measures [Minn. Rule 7849.1500, subp. 1, E]**
- 4.1 No-build alternative
- 4.2 138 MW wind project
- 4.3 53 MW biomass plant
- 4.4 Bitter Root Wind Farm Project

**5.0 Feasibility and availability of alternatives [Minn. Rule 7849.1500, subp. 1, F]**

- 5.1 No-build alternative
- 5.2 138 MW wind project
- 5.3 53 MW biomass plant
- 5.4 Bitter Root Wind Farm Project

**6.0 Required permits [Minn. Rule 7849.1500, subp. 1, G]**

**ISSUES OUTSIDE OF THE ENVIRONMENTAL REPORT**

The environmental report will not consider the following matters:

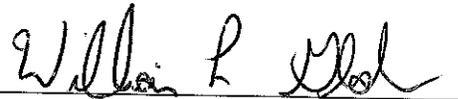
- 1. Impacts or mitigative measures associated with specific sites, including specific tower or road locations for the proposed project and alternatives.
- 2. The negotiation and content of easement agreements by which land owners are paid for property rights, including wind rights.
- 3. Any alternatives not specifically described in this scoping decision.

**SCHEDULE**

The environmental report will be completed in February, 2010. A public hearing will be held in the project area before an Administrative Law Judge after the environmental report has been issued and notice served.

Signed this 18<sup>th</sup> day of December, 2009

STATE OF MINNESOTA  
DEPARTMENT OF COMMERCE  
OFFICE OF ENERGY SECURITY



William Glahn, Director