

**Xcel Energy/USFWS**  
**Avian Protection Memorandum Of Understanding**  
**Semi-Annual Report**  
**July 30, 2004**  
**Covering January 1, 2004 through June 30, 2004 Reporting Period**

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On April 19, 2002, Xcel Energy and the USFWS (Service) entered into a Memorandum of Understanding (MOU) to establish procedures and policies to be employed by the Company's operating companies and the Service in dealing with migratory birds that may be present, injured or killed on the Company's property during the period of this MOU.

As part of the agreement, Xcel Energy agreed to file a report three months and two weeks after the date of the execution of this MOU to the Service compiling the information described above in the MOU, which occurred during the initial three-month period. The Company submitted the first report on August 2, 2002. One report is submitted on behalf of all the operating companies that signed the MOU every six months. Since some of the special use permits recently acquired by several of the Xcel operating companies have January 31, 2004 reporting dates, we have moved up the reporting date slightly to accommodate both submittal date requirements. We will now provide reports that cover January 1 through June 30 and July 1 through December 31. The reports will be filed within 30 days of the final report date.

**1. Status of the Development and Implementation of an Avian Protection Plan (APP)**

EDM International, Inc. issued the final draft APP for Xcel Energy operating companies Public Service Company of Colorado (PSCo) and Cheyenne Light Fuel and Power Company (CLFP). The Company submitted the plan to the USFWS staff on April 30, 2004. USFWS Staff gave verbal approval of the APP on June 29, 2004.

As reported previously, Xcel Energy is in the process of beginning the APP's for its operating companies Northern States Power - Wisconsin (NSPW), Northern States Power - Minnesota (NSPM), and Southwestern Public Service Company (SPS) this year. We met with USFWS staff on June 29, 2004 to discuss the plan and goals for the APP's for NSPW and NSPM. Those plans will address electrocutions, but will focus more on collision and osprey nesting management issues. We will be meeting again with USFWS staff and other agencies in a few months.

We plan to meet with the USFWS staff for the SPS plan by August 13, 2004. This plan will be similar to the APP developed for PSCo since the bird management issues are similar.

We expect that the plans will be complete in 2006. As stated in previous reports, regardless of the completion date of the APP's, Xcel Energy will continue to manage issues that arise with electrocutions and collisions that occur as the APP's are developed.

Xcel Energy has implemented a training program for all electric delivery field personnel that may encounter birds. This training program has been underway for almost a year. We plan to review and update the training plan over the next six months to target additional employees. The training has been positive and has increased employee awareness of the issues and helped Xcel Energy employees to know who to call when an issue arises. Xcel Energy is in compliance with Section 4.A.

of the other MOUs.

## 2. Status of Special Purpose Permit

Xcel Energy has filed applications for special purpose permits for all of the operating companies. Region 3 has issued special Purpose permits for NSPM (Permit MB074020-0) and NSPW (Permit MB074019-0) and Region 6 for PSCo (Permit MB702651-1) and CLFP (Permit MB793891-0) The SPS permit (Permit MB082993-0) was received on 02/17/04.

## 3. Summary of Avian Injuries

None reported for any of the operating companies for this report period.

Operating Company	Description	Date	Comments
PSCO	Great Horned Owl	6/17/04	The owl was injured on a transformer pole in front of an elementary school in Pierce CO. The injury was reported to PSCO by a third party. The Rocky Mountain Raptor Program was contacted and retrieved the injured owl. Due to the extent of the injuries, the owl was euthanized. PSCO performed an investigation and has scheduled the installation of retrofitting measures on the high-risk pole and adjoining poles.
SPS	Great Horned Owl	01/09/04	Amarillo South Substation – not energized. Injured or blind. Game Warden took the owl to Timber Creek Veterinary Hospital. The bird was blind, and for some reason was euthanized.

## 4. Summary of Avian Deaths

The following table summarizes avian deaths that have occurred since December 31, 2003. As noted in the introduction section, we are changing our reporting period to correspond with our special purpose permit reporting requirements.

Operating Company	Description	Date	Comments
NSPM	3 trumpeter swans	1/7/04	Three swans dead as a result of collision with line in same area where swans were found last year. Swan flight diverters were in the process of being installed but all had not been completed. SFD installation has now been completed. Swan carcasses collected by Madeleine Linck, Trumpeter Swan Society (TSS).
NSPM	Great blue heron	3/1/-04	Great blue heron was found dead by a neighbor under the transmission line in Lake Rebecca Park in Hastings MN. Appeared to be collision. Area will be reviewed during development of APP to determine if marking appropriate.
NSPM	Trumpeter swan	4-/1/04	Dead swan found by line crew after responding to line interrupts on a distribution line east of Dayton MN. Bird carcass was lying in marsh below line and was badly burned. Swan carcass collected by Madeleine Linck, (TSS). Line marking flappers were installed on 4/2

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Operating Company	Description	Date	Comments
NSPM	Trumpeter swan	4/1/04	Dead swan found by TSS volunteer doing an inventory of swans in area around Watertown MN. Bird carcass was lying in field below line. Swan carcass collected by Madeleine Linck, TSS. Line marking being evaluated.
NSPW	Crow	3/3/04	Crow found dead in Hallie substation, Chippewa Falls, WI. Did not appear to be electrocuted. Substation will be reviewed in Fall 2004 to determine if any retrofitting required. Body discarded.
CLF&P	Hawk, unknown type	3/24/04	Hawk was electrocuted on transformer pole near Cheyenne, WY. Carcass was discarded as per Wyoming Fish and Game. Transformer was retrofitted.
CLF&P	Hawk, unknown type	7/13/04	Hawk was found near distribution pole near Laramie, WY. Wyoming Fish and Game took carcass. Investigation is being performed to determine next action.
PSCo	Owl, unknown type	3/2/04	Owl was found in Ennis Substation at the base of a transformer and discarded as per USFWS. PSCo is in the process of installing equipment to deter perching.
PSCo	Peregrine falcon	3/10/04	Falcon was trained and its tether got caught on a damper near Platteville, CO. USFWS was contacted and accepted carcass. The falcon was banded. No further action is required.
PSCo	Owl, unknown type	3/17/04	Owl was found by a homeowner at the base of a transformer-mounted pole located near Platteville, CO. Carcass was discarded as per USFWS and pole was retrofitted.
PSCo	Great Horned owl	7/12/04	Owl was electrocuted on a pole-mounted transformer near Rifle, CO. Carcass was discarded as per USFWS. Transformer was retrofitted.
SPS	Great Horned Owl	01/05/04	Carcass was discovered at Amarillo, TX, during a one-hour outage. Carcass was left at base of pole. The transformer was retrofitted on 1/07/04 with poly guards at a cost of approx. \$250 counting material and crew time.
SPS	Rough Legged Hawk	01/19//04	Carcass was discovered at Amarillo, TX, during a 45-minute outage. Carcass was left at base of pole. Installing two guards and corresponding jumper cable insulation on each transformer, at a cost of \$200, modified the three-transformer bank structure.
SPS	Great Horned Owl	02/06/04	Amarillo, Texas: Owl & dead coyote were dumped off at the Randall County Interchange substation facility, and did not involve any electrocution. The area is a popular junk drop off. The local Game Warden, Bill Hasley, was notified, as well as USFW agent Delivan Roper.
SPS	Red Tailed Hawk	02/11/04	Stinnett, TX: A dead hawk was discovered during a 1.5-hour outage of a primary metering station. A line crew from Borger installed 4 animal guards on the bushings and also insulation on some of the energized risers. There was a nest, possibly from a sparrow, that was located on the bottom cross arm. The nest appeared to be too small to be a hawk's nest. The inactive nest was removed. Not counting the cost of the cross-arm replacement, which had to be done regardless of the bird death, we spent about \$250 on labor, vehicle, and materials for the retrofit.
SPS	Great Horned Owl	02/15/04	Roundup, TX: Carcass was discovered at a substation during a 1 hour 13 minute outage.
SPS	Bald Eagle	04/13/04	Canyon, TX: The eagle had been there for several weeks. A City of Canyon employee discovered the bird and notified Texas Parks & Wildlife, who subsequently called Xcel Energy. It appears the area has had raptor electrocutions in the past, according to the city of

Operating Company	Description	Date	Comments
			Canyon employee. It is adjacent to the waste treatment lagoons, which attract a large number of geese and ducks. Materials for modification have been received and are schedule for installment on August 23.
SPS	Great Horned Owl	05/10//04	Dumas, TX: Carcass was discovered at the Hartly & Moore County line, near Dumas, TX. No outage was reported. The transformer was retrofitted on 07/06/04 by installing 4 poly guards and 4 jumper insulation covers, at a cost of \$250.
SPS	Unknown	06/01/04	Dumas, TX: Carcass was discovered during a 4 hour 16 minute outage. Retrofits included replacing the solid blades and disconnects of the structure. The line crew also installed 6 animal guards on the bushings and insulation on the corresponding energized risers. Repair costs: \$2112.
SPS	Great Horned Owl	06/01/04	Borger, TX: Hutchinson County Interchange. The electrocution resulted in the failure of capacitors and a reportable PCB oil spill.
SPS	Great Horned Owl	01/03/04	Carcass was discovered near Groom, TX, during a one hour 36 minute outage. Carcass was left at base of pole. Retrofit of pole is being assessed.

## 5. Summary of Migratory Bird Nest Removals

### A. Active Migratory Bird Nests Non-Emergency Removals

None have been reported.

### B. Active Nests Of Non-Endangered/Threatened, Non-eagle Migratory Birds—Emergency Removals

None have been reported

### C. Inactive Nests of Non-listed, Non-eagle Migratory Birds –Emergency Removal

With the new FWS policy (Memorandum (MBPM-2) issued April 15 2003) for removal of inactive nests of non-listed, non-eagle migratory birds, Xcel Energy will no longer report these activities in this report. We will continue to work with the appropriate state agencies as necessary.

### D. Endangered/Threatened Migratory Bird Nest Removals

No removals for this reporting period.

## 6. Eagle Permits

No requests have been filed.

**7. Summary of Record-Keeping Procedures**

Each contact for the operating companies is coordinating contacts and reports. Once the special purpose permits are acquired, final procedures will be completed. All biannual reports submitted to USFWS are kept on a shared folder for the Company.

**8. Next Report Date**

The next report will be submitted to the Service within 30 days following December 31, 2004.

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