

Correspondence & Responses

**Agency Contact List**  
 Scout Clean Energy – Three Waters Wind Project  
 Request for Comment Letters Sent August 12, 2019

Contact Name/Title	Agency Office	Email/Phone	Address	Agency Comments (date received) and Notes
<b>Minnesota</b>				
<b>FEDERAL</b>				
Federal Emergency Management Agency (FEMA)				
Tawn Hall, Emergency Management Director	Jackson County Land Management Office	(507) 662-6682, ext. 4	603 S. Hwy 86 Lakefield, MN 56150	Letter sent to via certified mail on August 12, 2019 seeking comment.
Natural Resources Conservation Service (NRCS)				
John Beck	NRCS	<a href="mailto:John.beck@mn.usda.gov">John.beck@mn.usda.gov</a> (651) 602-7895	375 Jackson Street Suite 600 St. Paul, MN 55101-1854	Email sent to John Beck on June 11, 2019 seeking to schedule a meeting.  Letter sent to John Beck via certified mail on August 12, 2019 seeking comment.
Ryan Gilbreath	NRCS Environmental Review and Justice Program	(651) 602-7900	375 Jackson Street Suite 600 St. Paul, MN 55101	Applicant received comment letter dated Sept 6, 2019 from Mr. Gilbreath in response to the letter sent to Mr. Beck.
Loren Clark, District Conservationist	NRCS	<a href="mailto:loren.clarke@MN.usda.gov">loren.clarke@MN.usda.gov</a> 507-662-6682	603 MN-86 Lakefield, MN 56150	Introductory phone call on June 12, 2019.  Applicant met with Loren Clark on June 17, 2019 to introduce the Three Waters wind project. General project information was discussed, including construction timeline, impacts, and additional information needed. Meeting notes attached.
U.S. Army Corps of Engineers (USACE)				

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Ryan Malterud, Project Manager	St. Paul District	<a href="mailto:mvp-reg-inquiry@usace.army.mil">mvp-reg-inquiry@usace.army.mil</a> (651) 290-5902	180 Fifth Street East Suite 700 St. Paul, MN 55404-1678	Letter sent via certified mail on August 12, 2019 seeking comment.
U.S. Department of Agriculture (USDA)				
Mark Oja, State Biologist	USDA – Minnesota State Office	<a href="mailto:Mark.oja@mn.usda.gov">Mark.oja@mn.usda.gov</a> (651) 602-7868	375 Jackson Street Suite 600 St. Paul, MN 55101-1854	Letter sent via certified mail on August 12, 2019 seeking comment.
Linda Stuckenbroker – Jackson County Executive Director	USDA FSA – Jackson County office	<a href="mailto:linda.stuckenbroker@mn.usda.gov">linda.stuckenbroker@mn.usda.gov</a> 507-662-6682	603 MN-86 Lakefield, MN 56150	Applicant met with Dir. Stuckenbroker on June 17, 2019. Meeting notes are attached.
U.S. Federal Aviation Administration (FAA)				
Josh Fitzpatrick, Environmental Specialist		<a href="mailto:Joshua.fitzpatrick@faa.gov">Joshua.fitzpatrick@faa.gov</a> (612) 253-4639	6020 28th Avenue South Room 102 Minneapolis, MN 55450	Letter sent via certified mail on August 12, 2019 seeking comment.
Danel Millenacker, Program Manager				Email received August 15, 2019 from Daniel Millenacker in response to Applicant's August 12 letter to Mr. Fitzpatrick.  Response provided by Scout Clean Energy on Friday, August 16.
U.S. Fish & Wildlife Service (USFWS)				
Georgia Parham	Midwest Region	<a href="mailto:Georgia.Parham@fws.gov">Georgia.Parham@fws.gov</a> (812) 334-4261, ext. 1203	5600 American Blvd West Suite 990 Bloomington, MN 55437-1458	Letter sent via certified mail on August 12, 2019 seeking comment.
U.S. Department of Commerce				

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Contact Name/Title	Agency Office	Email/Phone	Address	Agency Comments (date received) and Notes
John R. McFall, Deputy Chief, Spectrum Services Division	NTIS Office of Spectrum Management			Mr. McFall provided a signed letter dated June 17, 2019 in response to a request for evaluation submitted on April 24, 2019 by Applicant's consultant Frank O'Brien with Comsearch.
STATE				
Minnesota				
Minnesota Public Utilities Commission (MPUC)				
Bret Eknes, Supervisor	Energy Facilities Planning	<a href="mailto:Bret.Eknes@state.mn.us">Bret.Eknes@state.mn.us</a> (651) 201-2236	121 Seventh Place East Suite 350 St. Paul, MN 55101-2147	Letter sent via certified mail on August 12, 2019 seeking comment.
Minnesota Department of Commerce (MDOC)				
John Wachtler Energy Environmental Review Director	MN Department of Commerce— Energy Facility Permitting	<a href="mailto:John.Wachtler@state.mn.us">John.Wachtler@state.mn.us</a> (651) 296-2096	85 7 <sup>th</sup> Place East Suite 500 Saint Paul, MN 55101- 2198	Letter sent via certified mail on August 12, 2019 seeking comment.
Minnesota Department of Natural Resources				
Tom Kresko, Area Hydrologist	Ecological and Water Resources Division	<a href="mailto:tom.kresko@state.mn.us">tom.kresko@state.mn.us</a> (507) 832-6045	175 County Road 26 Windom, MN 56101	Letter sent via certified mail on August 12, 2019 seeking comment.
Cynthia Warzecha, Energy Planner	Ecological and Water Resources Division	<a href="mailto:cynthia.warzecha@state.mn.us">cynthia.warzecha@state.mn.us</a> (651) 259-5078	500 Lafayette Road St. Paul, Minnesota 55155	Letter sent via certified mail on August 12, 2019 seeking comment.  Voicemail received 20 August 2019:  Follow up phone call on August 22 <sup>nd</sup> , Scout clarified that the SPA is planned to be submitted at the end of September. Cynthia requested shapefiles of the project boundary and improvements. Follow up email sent to Cynthia on August 23

### Agency Contact List

Scout Clean Energy – Three Waters Wind Project  
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Contact Name/Title	Agency Office	Email/Phone	Address	Agency Comments (date received) and Notes
				providing the best available information at that time.  Applicant and applicant's consultants from West Inc. Environmental and Statistical Consultants met with Ms. Horton and Ms. Warzecha on August 5, 2019 to discuss the Three Waters Wind Project.
Becky Horton – Regional Environmental Assessment Ecologist	Environmental Review Program	<a href="mailto:becky.horton@state.mn.us">becky.horton@state.mn.us</a>		Applicant and applicant's consultants from West Inc. Environmental and Statistical Consultants met with Ms. Horton and Ms. Warzecha on August 5, 2019 to discuss the Three Waters Wind Project.
Lisa Joyal, Endangered Species Environmental Review Coordinator	National Heritage Information System	<a href="mailto:lisa.joyal@state.mn.us">lisa.joyal@state.mn.us</a> (651) 259-5109	Box 25 500 Lafayette Road St. Paul, Minnesota 55155-4025	Letter sent via certified mail on August 12, 2019 seeking comment.
Minnesota Board of Water and Soil Resources (BWSR)				
Chris Bauer	BWSR	<a href="mailto:chris.bauer@mn.nacdnet.net">chris.bauer@mn.nacdnet.net</a> (507) 662-6682	603 S Hwy 86 Lakefield, MN 56150-3295	Letter sent via certified mail on August 12, 2019 seeking comment.
Minnesota Department of Agriculture (MDA)				
Bob Patton, Supervisor & Local Government	Agricultural Marketing & Development Division	<a href="mailto:Bob.Patton@state.mn.us">Bob.Patton@state.mn.us</a> (651) 201-6226	625 Robert Street N, St. Paul, MN 55155-2538	Letter sent via certified mail on August 12, 2019 seeking comment.

### Agency Contact List

Scout Clean Energy – Three Waters Wind Project  
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Contact Name/Title	Agency Office	Email/Phone	Address	Agency Comments (date received) and Notes
Outreach Coordinator				
Minnesota Department of Transportation (MnDOT)				
Stacy Kotch Egstad, Utility Transmission Route Coordinator	MnDOT	<a href="mailto:stach.kotch@state.mn.us">stach.kotch@state.mn.us</a> (651) 366-4635	395 John Ireland Blvd., Mailstop 678 St. Paul, MN 55155-1800	Letter sent via certified mail on August 12, 2019 seeking comment.  Email sent to Stacy Kotch on June 28, 2019 to schedule an introductory meeting for August 26. Mark Wengierski, Zach Lasek and Pat Landess attended the meeting on behalf of Applicant.  Applicant coordinated with Ms Kotch via email on August 27 <sup>th</sup> regarding any USDOT requirements.
Marc Fischer	MnDOT Outstate District Permit Office District 7B	<a href="mailto:marc.fischer@state.mn.us">marc.fischer@state.mn.us</a> (507) 831-8012	180 County Road 26 Windom, MN 56101	Letter sent via certified mail on August 12, 2019 seeking comment.
Minnesota Department of Transportation/Office of Aeronautics				
Darlene Dahlseide	MnDOT Office of Aeronautics	<a href="mailto:Darlene.dahlseide@state.mn.us">Darlene.dahlseide@state.mn.us</a>	222 Plato Blvd St. Paul, MN 55107-1618	Letter sent via certified mail on August 12, 2019 seeking comment.  Darlene responded via email on August 14, provided the Minnesota Airspace Obstruction guidance and requested FAA determination and study numbers if available.  Applicant responded to Darlene via email on August 26, provided

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Contact Name/Title	Agency Office	Email/Phone	Address	Agency Comments (date received) and Notes
				requested information and a timeline for re-filing FAA study requests to update the original determinations completed in 2017.
Minnesota State Historic Preservation Office (SHPO)				
Sarah Beimers, Environmental Review Program Manager	State Historic Preservation Office	<a href="mailto:sarah.beimers@mnhs.org">sarah.beimers@mnhs.org</a> (651) 201-3290	Administration Building #203 50 Sherburne Ave. St. Paul, MN 55155	Letter sent via certified mail on August 12, 2019 seeking comment.  Response letter received on September 17. Letter recommends conducting a Phase 1a Literature Review and archeological assessment. Phase 1a was completed September 2019, Sarah Biemers requested a hard copy.
Kelly Gragg-Johnson, Environmental Review Specialist	State Historic Preservation Office	<a href="mailto:Kelly.graggjohnson@state.mn.us">Kelly.graggjohnson@state.mn.us</a> (651) 201-3285		
Minnesota Pollution Control Agency (MPCA)				
Dan Card, Environmental Review	Resource Management & Assistance	<a href="mailto:Dan.Card@state.mn.us">Dan.Card@state.mn.us</a> (651) 757-2261	520 Lafayette Road North St. Paul, MN 55155-4194	Letter sent via certified mail on August 12, 2019 seeking comment.
LOCAL				
COUNTY				
Jackson County, MN				
Tim Stahl, County Engineer	Jackson Public Works	<a href="mailto:engineer@co.jackson.mn.us">engineer@co.jackson.mn.us</a> (507) 847-2525	53053 780 <sup>th</sup> Street Jackson, MN 56143	Letter sent via certified mail on August 12, 2019 seeking comment.  Applicant met with Mr. Stahl on June 17, 2019. Notes are attached.

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Contact Name/Title	Agency Office	Email/Phone	Address	Agency Comments (date received) and Notes
Jackson Soil & Water Conservation District				
Andy Geiger, Director	Jackson County Land Management Office	<a href="mailto:Andy.geiger@co.jackson.mn.us">Andy.geiger@co.jackson.mn.us</a> (507) 662-6682, ext. 4	603 South Hwy 86 Lakefield, MN 56150	Letter sent via certified mail on August 12, 2019 seeking comment.  Applicant met with Mr. Geiger on June 17, 2019. Meeting notes are attached.
Lincoln-Pipestone Rural Water				
Jared Beck, Water Resource/GIS Tech	Lincoln-Pipestone Rural Water	<a href="mailto:Jaredbeck38@gmail.com">Jaredbeck38@gmail.com</a> 507-368-4248	Lincoln-Pipestone Rural Water East Highway 14 Lake Benton, MN 56149	Applicant's consultant Shannon Klundt of Westwood Surveying and Engineering exchanged emails with Mr. Beck on November 14, 2018. Ms. Klundt requested and received information about Lincoln-Pipestone's distribution system in the Three Waters project area.
Red Rock Rural Water System				
Dominic Jones, Manager	Red Rock Rural Water System	<a href="mailto:dominicredrock@centurytel.net">dominicredrock@centurytel.net</a>		Mr. Jones, via his consultant Patrick Deering of DGR Engineering, provided information regarding Red Rock Rural Water System's distribution network in the Three Waters Project Area to Applicant's consultant Shannon Klundt of Westwood on November 21, 2018.





Mike Greczyn <mgreczyn@altisenergy.com>

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## Three Waters Wind Farm follow up and meeting notes

1 message

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**Mike Greczyn** <mgreczyn@altisenergy.com>

Fri, Jul 19, 2019 at 4:03 PM

To: Andy.Geiger@co.jackson.mn.us, linda.stuckenbroker@mn.usda.gov, loren.clarke@mn.usda.gov, Mark Wengierski <mark@scoutcleanenergy.com>, Pat Landess <pat@scoutcleanenergy.com>

Andy, Linda and Loren, I'd like to thank you for meeting with us on June 17th to discuss the Three Waters Wind Farm. Our notes from that meeting are attached here, in case you find them helpful.

We look forward to discussing more detailed project plans with you as they come together. Have a great weekend and please don't hesitate to reach out if you have any questions.

Mike Greczyn  
Altis Energy Services  
[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)  
785-393-6505



**Three Waters Wind Farm - NRCS FSA SWCD meeting 6172019\_notes.docx**

17K

## 17 June NRCS / FSA / SWCD meeting

- Attending –
  - o Scout – Mark Wengierski, Mike Greczyn
  - o NRCS – Loren Clark
  - o FSA – Linda Stukenbroker
  - o JC SWCD – Andy Geiger
- Discussion
  - o Scout was asked to provide a list of co-ops under MMPA
    - See presser
  - o General project info provided
    - 2021 COD
    - 2020 construction start, split construction schedule
    - Roads + foundations between harvest and snow 2020
    - Turbines and BOP beginning in spring / summer 2021
    - 71 primary turbines + 22 alternates for 93 total
      - GE 2.82. 89 m HH covered as most likely due to limited availability of cranes for 114m
    - No overhead transmission; POI at the ITC line, O&M / laydown next to POI & near Sioux Valley School
    - Environmental complete
      - Full 2 years avian / bat / raptor
    - Cultural and wetlands this fall (2019)
  - o Permitting
    - CN submitted by July 30
    - SPA submitted by end of September
    - CUP needed for O&M; not for sub.
    - Permanent mets part of PUC SPA, no CUP needed
  - o CRP
    - Linda can't give us a list of names for CRP contracts based on a map. She needs a list of legal descriptions where infrastructure is going. Scout to provide when available.
    - Exact footprint (based on as-built, not construction impact) will be removed from CRP contracts. Typically, landowner pays FSA, developer reimburses landowner.
      - Can get consent letters from landowners for Scout to deal directly with FSA on CRP (and mortgages for SNDA?)
    - Crane walks, collection paths won't impact CRP contracts
      - However landowners are responsible for restoration
  - o Mark covered Scout crop damage reimbursement
    - None if they are getting turbines (installation fee in lieu of)
    - If no turbines, crop damages reimbursed
  - o WRP / GRP / RIM (Reinvest In Minnesota)
    - Publicly available. Loren / Andy can provide GIS.
    - RIM easements: <https://bwsr.state.mn.us/summary-conservation-lands-county>

- GRP exists but is minimal
  - Ballpark payments are \$300-\$450/ acre
- Talk to Mark about timing of sending them a shapefile of improvements
  - Send to Andy, Loren, Linda
- Get consent form from Linda
  - Can also include NRCS on it
  - Wait until after we get the improvement shapefile to Loren
- Foreign Investment Act compliance brought up
  - Scout is Australian; Mark thinks they might be good but Linda is skeptical
- Tile
  - Brad from (Lang? Ling?) Drainage is digitizing landowner tile maps
  - Scout considering shooting aerals after harvest to ID problem areas
  - FSA also flying this fall; potentially Scout's would be redundant?



September 6, 2019

Mike Greczyn  
Altis Energy Services LLC  
301 South Bermont Avenue  
Lafayette, CO 80026  
mgreczyn@altisenergy.com

IN REPLY REFER TO: Three Waters Wind Project in Jackson County, MN.

Dear Mr. Greczyn:

The Natural Resources Conservation Service (NRCS) has reviewed the above referenced Project. Our review indicates several NRCS administered permanent easements are located within the proposed project area and may be impacted by your project. Locations of NRCS administered easements can be found at the following website: <https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/technical/nra/dma/?cid=stelprdb1043930>

Finally, if as a result of your proposal, agricultural lands may be permanently affected, it is a requirement that a Farmland Policy Protection Act (FPPA) site assessment be appropriately filed. Because of the location and type of activity proposed, this project may, dependent on final location siting, permanently impact agricultural lands.

Once final locations have been identified please submit a Farmland Conversion Impact Rating form (Form AD-1006) for each of the individual sites in question with part one filled out.

FPPA land evaluations are conducted by local NRCS personnel who review the project for possible effects on unique, prime or statewide important farmland. You can find the FPPA form AD-1006 at <http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/landuse/fppa/>.

Additionally, the project sponsors are not USDA program benefit recipients, thus the wetland conservation provisions of the 1985 Food Security act, as amended are not applicable. It should be noted, however, that actions by a non-USDA participant third party (project sponsor) which impact agricultural wetlands owned or operated by USDA participants, may jeopardize the owner/operators USDA eligibility. If such impacts are anticipated, the owner/operator should contact the county Farm Service Agency (FSA) office to consider an application for a third party exemption.

The following agencies may have federal or state wetlands, floodplain delineation, cultural resources, water quality, air quality or threatened and endangered species jurisdiction in the proposed project, and should be consulted.

- Army Corps of Engineers (USACOE) – Clean Water Act
- US Fish and Wildlife Service (FWS) – Endangered Species Act
- Board of Water and Soil Resources (BWSR) - Minnesota Wetlands Conservation Act
- Minnesota Department of Natural Resources (MDNR)
- Minnesota Pollution Control Agency (MPCA)
- State Historic Preservation Officer/State Archaeologist (SHPO)

Sincerely,



RYAN GALBREATH  
Environmental Review and Justice Program

## Chad R. Anderson

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**From:** Mike Greczyn <mgreczyn@altisenergy.com>  
**Sent:** Friday, August 16, 2019 2:43 PM  
**To:** Millenacker, Daniel J (FAA)  
**Cc:** Fitzpatrick, Joshua (FAA); Mark Wengierski; Pat Landess; Joe Sedarski; Chad R. Anderson  
**Subject:** Re: Three Waters Wind Project, Jackson County, MN  
**Attachments:** Three Waters FAA Determinations 20170307.xlsx

**[CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.]**

Good afternoon Daniel, and thank you for your response to our letter dated August 12, 2019 requesting comments on the Three Waters Wind Farm.

Three Waters Wind Farm filed FAA Form 7460-1 in January of 2017 against 100 wind turbine locations (80 primary and 20 alternates), each with a height of 499' AGL. All locations received a Determination of No Hazard in March 2017 and, although those original determinations all expired in September 2018, I have attached a spreadsheet here with the FAA study numbers for your reference.

The project's layout has changed since the original filing, so Scout Clean Energy will be submitting new filings to the FAA within the next six weeks; the layout associated with those filings will be included in the Site Permit Application that will be submitted to the Minnesota PUC.

In addition, Scout filed 7460-1 for a single met tower in August 2017. That structure received a Determination of No Hazard in August 2017, and Scout subsequently filed 7460-2 after construction was complete. The aeronautical study number for that met tower is ASN 2017-WTE-6152-OE.

Thanks again for your comments, and please let me know if there is any further information you require.

Mike Greczyn  
Altis Energy Services  
[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)  
785-393-6505

On Thu, Aug 15, 2019 at 10:58 AM Millenacker, Daniel J (FAA) <[Daniel.J.Millenacker@faa.gov](mailto:Daniel.J.Millenacker@faa.gov)> wrote:

Mark,

This communication is in response to your correspondence dated August 12, 2019, addressed to Mr. Josh Fitzpatrick, FAA, regarding the subject, proposed wind farm.

FAA may require completion of an airspace analysis to evaluate impacts to navigable airspace resulting from your proposal. Attached is an FAQ reference regarding analysis of such a proposal. Please visit:  
<https://oeaaa.faa.gov/oeaaa/external/searchAction.jsp?action=showWindTurbineFAQs>

You may also wish to notify the adjacent Worthington, Jackson, and Windom, MN, and Spencer, Estherville, and Spirit Lake, IA airports of this proposal.

Daniel J. Millenacker, Program Manager

FAA-AGL-DMADO-Minneapolis Office

August 15, 2019

### Three Waters Wind Farm FAA Filings

Sioux Valley, MN  
NAD83 Datum

Key  
AMSL - above mean sea level  
ft - feet  
DNH - Determination of No Hazard  
non-sequential  
lighting to be revised when final layout determined

Turbine	Aeronautical Study Number	Determination	Lighting	Determination Received	Determination Expiration	Latitude	Longitude	Altitude (ft AMSL)
			White Paint /					
1	2017-WTE-341-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 37' 38.14"	-95° 19' 50.29"	1463
			White Paint /					
2	2017-WTE-342-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 37' 45.83"	-95° 19' 31.90"	1467
			White Paint /					
3	2017-WTE-343-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 36' 23.29"	-95° 20' 48.03"	1485
			White Paint /					
4	2017-WTE-344-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 36' 30.98"	-95° 20' 29.64"	1496
			White Paint /					
5	2017-WTE-345-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 37' 5.13"	-95° 19' 9.73"	1462
			White Paint /					
6	2017-WTE-346-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 37' 14.11"	-95° 18' 41.53"	1469
			White Paint /					
7	2017-WTE-347-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 37' 21.80"	-95° 18' 23.13"	1459
			White Paint /					
8	2017-WTE-348-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 37' 29.49"	-95° 18' 4.74"	1459
			White Paint /					
9	2017-WTE-349-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 37' 45.89"	-95° 17' 23.42"	1452
			White Paint /					
10	2017-WTE-350-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 36' 13.84"	-95° 19' 35.32"	1475
			White Paint /					
11	2017-WTE-351-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 36' 21.53"	-95° 19' 16.93"	1479
			White Paint /					
12	2017-WTE-352-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 36' 11.49"	-95° 18' 18.46"	1468
			White Paint /					
13	2017-WTE-353-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 36' 21.84"	-95° 18' 0.12"	1470
			White Paint /					
14	2017-WTE-354-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 36' 54.44"	-95° 17' 16.59"	1457
			White Paint /					
15	2017-WTE-355-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 37' 5.72"	-95° 16' 58.66"	1450
			White Paint /					
16	2017-WTE-356-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 36' 1.41"	-95° 17' 26.35"	1465
			White Paint /					
17	2017-WTE-357-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 36' 14.94"	-95° 16' 59.69"	1452
			White Paint /					
18	2017-WTE-358-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 36' 24.41"	-95° 15' 27.38"	1450
			White Paint /					
19	2017-WTE-359-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 36' 34.66"	-95° 15' 8.12"	1440
			White Paint /					
20	2017-WTE-360-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 34' 49.61"	-95° 17' 31.24"	1470
			White Paint /					
21	2017-WTE-361-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 34' 58.57"	-95° 17' 13.57"	1462
			White Paint /					
22	2017-WTE-362-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 35' 9.38"	-95° 16' 54.38"	1454
			White Paint /					
23	2017-WTE-363-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 35' 32.87"	-95° 15' 54.24"	1437
			White Paint /					
24	2017-WTE-364-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 35' 41.83"	-95° 15' 37.18"	1419
			White Paint /					
25	2017-WTE-365-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 35' 29.77"	-95° 13' 55.01"	1433
			White Paint /					
26	2017-WTE-366-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 35' 39.20"	-95° 13' 34.54"	1430
			White Paint /					
27	2017-WTE-367-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 35' 48.13"	-95° 13' 19.61"	1425
			White Paint /					
28	2017-WTE-368-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 34' 40.65"	-95° 15' 8.59"	1448
			White Paint /					
29	2017-WTE-369-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 34' 50.14"	-95° 14' 51.81"	1456
			White Paint /					
30	2017-WTE-370-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 34' 59.19"	-95° 14' 34.68"	1443
			White Paint /					
39	2017-WTE-371-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 44.61"	-95° 22' 54.53"	1517
			White Paint /					
40	2017-WTE-372-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 54.05"	-95° 22' 2.45"	1502
			White Paint /					
41	2017-WTE-373-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 1.73"	-95° 21' 44.08"	1507
			White Paint /					
42	2017-WTE-374-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 9.42"	-95° 21' 25.71"	1501

43	2017-WTE-375-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 17.10"	-95° 21' 7.34"	1503
46	2017-WTE-376-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 22.80"	-95° 23' 28.06"	1511
47	2017-WTE-377-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 30.48"	-95° 23' 9.69"	1531
48	2017-WTE-378-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 38.17"	-95° 22' 51.33"	1523
49	2017-WTE-379-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 52.53"	-95° 22' 20.31"	1517
50	2017-WTE-380-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 0.21"	-95° 22' 1.95"	1487
51	2017-WTE-381-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 8.66"	-95° 21' 26.05"	1510
52	2017-WTE-382-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 16.34"	-95° 21' 7.68"	1504
53	2017-WTE-383-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 58.30"	-95° 20' 13.72"	1487
54	2017-WTE-384-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 5.99"	-95° 19' 55.35"	1493
57	2017-WTE-385-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 14.16"	-95° 21' 58.11"	1520
58	2017-WTE-386-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 21.85"	-95° 21' 39.75"	1517
59	2017-WTE-387-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 29.54"	-95° 21' 21.39"	1487
60	2017-WTE-388-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 6.84"	-95° 20' 19.99"	1490
61	2017-WTE-389-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 14.52"	-95° 20' 1.62"	1478
62	2017-WTE-390-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 22.21"	-95° 19' 43.25"	1486
63	2017-WTE-391-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 56.74"	-95° 18' 50.39"	1493
64	2017-WTE-392-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 4.42"	-95° 18' 32.01"	1474
65	2017-WTE-393-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 4.42"	-95° 18' 6.33"	1479
66	2017-WTE-394-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 12.11"	-95° 17' 47.96"	1467
67	2017-WTE-395-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 19.80"	-95° 17' 29.59"	1459
68	2017-WTE-396-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 27.49"	-95° 17' 11.22"	1451
77	2017-WTE-397-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 59.91"	-95° 20' 31.50"	1479
78	2017-WTE-398-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 7.60"	-95° 20' 13.14"	1489
79	2017-WTE-399-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 15.28"	-95° 19' 54.78"	1511
80	2017-WTE-400-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 22.97"	-95° 19' 36.42"	1464
81	2017-WTE-401-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 58.66"	-95° 19' 13.74"	1481
82	2017-WTE-402-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 8.85"	-95° 18' 55.84"	1479
83	2017-WTE-403-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 22.29"	-95° 18' 43.37"	1491
84	2017-WTE-404-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 6.54"	-95° 17' 9.35"	1469
85	2017-WTE-405-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 16.04"	-95° 16' 59.44"	1460
86	2017-WTE-406-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 55.35"	-95° 16' 15.98"	1468
87	2017-WTE-407-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 3.03"	-95° 15' 57.61"	1466
88	2017-WTE-408-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 10.72"	-95° 15' 39.23"	1447
89	2017-WTE-409-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 55.65"	-95° 14' 50.48"	1471
90	2017-WTE-410-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 15.84"	-95° 17' 53.79"	1473
91	2017-WTE-411-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 23.53"	-95° 17' 35.43"	1473
92	2017-WTE-412-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 31.22"	-95° 17' 17.07"	1464
93	2017-WTE-413-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 17.46"	-95° 16' 38.54"	1465



94	2017-WTE-414-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 25.14"	-95° 16' 20.18"	1465
95	2017-WTE-415-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 32.83"	-95° 16' 1.82"	1463
96	2017-WTE-416-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 40.52"	-95° 15' 43.46"	1474
97	2017-WTE-417-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 48.21"	-95° 15' 25.10"	1459
98	2017-WTE-418-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 21.96"	-95° 15' 11.36"	1457
99	2017-WTE-419-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 32.47"	-95° 14' 51.76"	1455
100	2017-WTE-420-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 8.31"	-95° 14' 34.29"	1462
a31	2017-WTE-421-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 19.26"	-95° 25' 45.92"	1549
a32	2017-WTE-422-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 27.60"	-95° 25' 32.18"	1514
a33	2017-WTE-423-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 33.63"	-95° 24' 41.04"	1537
a34	2017-WTE-424-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 10.01"	-95° 24' 28.58"	1539
a35	2017-WTE-425-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 18.36"	-95° 24' 10.68"	1527
a36	2017-WTE-426-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 25.77"	-95° 23' 53.42"	1530
a37	2017-WTE-427-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 22.76"	-95° 23' 20.18"	1521
a38	2017-WTE-428-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 32.26"	-95° 23' 5.16"	1523
a44	2017-WTE-429-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 15.09"	-95° 24' 12.28"	1511
a45	2017-WTE-430-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 22.79"	-95° 23' 53.73"	1520
a55	2017-WTE-431-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 38.01"	-95° 24' 25.06"	1536
a56	2017-WTE-432-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 47.28"	-95° 24' 9.08"	1539
a69	2017-WTE-433-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 7.65"	-95° 23' 21.14"	1547
a70	2017-WTE-434-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 17.52"	-95° 23' 10.81"	1531
a71	2017-WTE-435-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 25.20"	-95° 22' 52.46"	1539
a72	2017-WTE-436-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 26.89"	-95° 22' 15.62"	1527
a73	2017-WTE-437-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 36.85"	-95° 21' 59.00"	1531
a74	2017-WTE-438-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 45.89"	-95° 21' 43.66"	1522
a75	2017-WTE-439-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 39.09"	-95° 21' 8.74"	1519
a76	2017-WTE-440-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 46.78"	-95° 20' 50.38"	1516



Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 10101 Hillwood Parkway  
 Fort Worth, TX 76177

Aeronautical Study No.  
 2017-WTE-341-OE

Issued Date: 03/08/2017

Matt Heck  
 Three Waters Wind Farm  
 2960 Center Green Court  
 Suite 202  
 Boulder, CO 80301

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine 1  
 Location: Sioux Valley, MN  
 Latitude: 43-37-38.14N NAD 83  
 Longitude: 95-19-50.29W  
 Heights: 1453 feet site elevation (SE)  
 499 feet above ground level (AGL)  
 1952 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 1, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

**See attachment for additional condition(s) or information.**

This determination expires on 09/08/2018 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.

- (b) extended, revised, or terminated by the issuing office.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (425) 227-2625. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-WTE-341-OE.

**Signature Control No: 320233808-324709073**

( DNE -WT )

Paul Holmquist  
Specialist

Attachment(s)  
Additional Information  
Map(s)

## **Additional information for ASN 2017-WTE-341-OE**

**OBSTRUCTION MARKING AND LIGHTING NOTE:** A recommendation for white paint/synchronized red lights will be made for all turbines until such time as the proponent confirms that the layout is final (no changes, no additions, no removals) and all turbines can and will be built at their determined location and height. At that time, the proponent may contact this office and request a re-evaluation of the marking and lighting recommendations for the turbines within this project and a portion of the turbines may qualify for the removal of the lighting recommendation.





## MEETING NOTES

*PREDECISIONAL/DRAFT/NOT FOR DISTRIBUTION/CONFIDENTIAL BUSINESS INFORMATION*

<b>SUBJECT:</b> Meeting to discuss project and pre-construction environmental studies	
<b>PROJECT:</b> Three Waters Wind Farm	<b>MEETING LOCATION:</b> St. Paul, MN
<b>MEETING DATE:</b> August 5, 2019	<b>NOTES BY:</b> WEST

### ATTENDEES

Tim Sichmeller, WEST  
Ryan McDonald, WEST  
Kimberly Bay, WEST  
Mark Wengierski, Three Waters Wind Farm, LLC

Patrick Landess, Three Waters Wind Farm, LLC  
Cynthia Warzecha, Minnesota DNR  
Becky Horton, Minnesota DNR

### TOPICS DISCUSSED

Three Waters Wind Farm, LLC and WEST met with MN-DNR to provide a project update for the Three Waters Wind Farm in Jackson County, Minnesota. The intent of the meeting was to provide MN-DNR with a general project update, review site condition/habitats, review two years of avian and bat survey results, and obtain feedback on project boundary updates

#### *Introductions*

#### *Project Overview*

- The project team provided an overview of the Three Waters Wind Farm
  - 71 2.82/127 turbines
  - The 2.82 MW capacity may increase with technological advancements
  - 89m or 114m hub height, 89m is likely the most feasible
- No overhead transmission
- Site Permit Application being submitted in September- 2019
- 2021 Commercial Operations Date (COD)

#### *Wildlife Assessments*

- Review of sensitive species in Jackson County, MN
- Review of avian use survey results from two years of surveys (2017-2019)
  - Low use overall
  - More activity in spring and fall periods
  - Majority of use by waterfowl, gulls, and waterbirds
- Review of nest survey results from 2017 and 2018
  - No eagle nests within 2 miles of the project
- Review of general acoustic bat surveys
  - Higher activity by low frequency bats
- Review of northern long-eared bat presence/probable absence surveys

- Absence concluded (probable)

*Post-Construction Fatality Monitoring*

- MN-DNR requested shapefile of turbine locations before commenting on post-construction monitoring study plan
- Current study plan follows the road/pad protocol for low-risk sites, described in the MNDNR's *Avian and Bat Survey Protocols for Large Wind Energy Conversion Systems in Minnesota*
- Draft study plan will be provided to the MNDNR along with shapefiles for review

*Other topics*

- MN-DNR asked about avoidance areas previously identified and wants to know if these areas have been avoided in the new layout
  - Three Waters Wind Farm, LLC will provide MN-DNR with new layout compared with old layout
- Discussed an expansion of the previous Project boundary into Iowa
  - Will provide updated shapefiles and discuss with Minnesota Department of Commerce (David Birkholz and Richard Davis) and Iowa DNR and Iowa USFWS Field Office

*Action Items*

- Shapefile requested of turbine array and project boundary
- NHIS may be expired and should be resubmitted or a concurrence letter should be requested
- The MNDNR requested new copies of all reports
- Draft study plan will be provided to the MNDNR along with shapefiles for review
- Will provide a draft Bird and Bat Conservation Strategy (BBCS) to MN-DNR for review



## Chad R. Anderson

---

**From:** Joe Sedarski  
**Sent:** Thursday, September 19, 2019 10:53 AM  
**To:** Chad R. Anderson  
**Subject:** FW: Three Waters Wind Farm - Jackson County MN

----- Forwarded message -----

From: **Kotch Egstad, Stacy (DOT)** <[stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)>  
Date: Fri, Jul 12, 2019 at 7:19 AM  
Subject: RE: Three Waters Wind Farm - Jackson County MN  
To: Mike Greczyn <[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)>

Mike,

Thank you for this. It's a good starting point – at least we can see what TH's are in the project area. It looks as if TH 284 and I-90 fall within and TH 86 is outside to the East.

In case you're unaware, special care should be taken when planning utility placement and temporary work around Interstates such as I-90. See MN Rule 8810.3300 below:

*Subp. 4.*

### ***Along interstate highways.***

*Utilities along the interstate highways shall be located outside the control-of-access lines except as outlined below. Where the control-of-access lines coincide with the right-of-way lines, the utilities shall generally be located on private property. Where the control-of-access lines and right-of-way lines do not coincide, utilities may in general be located in the area between them. All utilities shall be serviced and maintained without access from the ramps, loops, and through traffic roadbeds. Utilities may be serviced from frontage roads and roads other than another interstate highway which cross either over or under the interstate highway. At aerial crossings of an interstate highway, supporting poles may be located on interstate highway right-of-way if they are a minimum of 30 feet beyond the shoulders of all through traffic roadbeds; however, in no event shall they be located in a median unless its width is 80 feet or more. Manholes and other points of access to underground crossings may be permitted on the interstate highway right-of-way only when located outside the shoulders of the through traffic roadbeds, loops, or ramps. The restrictions of this subpart shall not apply to utility lines which service facilities required for operating the interstate highway.*

*There may be extreme cases where, under strictly controlled conditions, a utility may be permitted inside the control-of-access lines along an interstate highway. In each case there must be a showing that any other utility location is extremely difficult and unreasonably costly to the utility consumer, that the installation on the right-of-way of the interstate highway will not adversely affect the design, construction, stability, traffic safety, or operation of the interstate highway and that the utility can be serviced without access from through traffic roadbeds, loops, or ramps.*

Keep me posted and I'll look for any upcoming State Projects that may affect your project as well.

***Stacy Kotch Egstad***

Utility Routing and Siting Coordinator

Minnesota Department of Transportation

Office of Land Management

651-366-4635



**From:** Mike Greczyn [mailto:[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)]  
**Sent:** Thursday, July 11, 2019 5:09 PM  
**To:** Kotch Egstad, Stacy (DOT) <[stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)>  
**Subject:** Re: Three Waters Wind Farm - Jackson County MN

Stacy, here is a map of the Three Waters project area. It's not a detailed map of infrastructure, but it is a starting point. We are on track to provide a layout with the information you requested (i.e. turbines, feeder lines, access roads, setbacks, substation, etc.) in early August, so before our scheduled meeting on the 26th. As you can see from the press release I sent earlier, we're looking at up to 71 turbines. The transmission line we are connecting to exists onsite, so there won't be an overhead line associated with the project.

I'll follow up with you once we have a layout to share. In the meantime, feel free to reach out with any questions.

Mike Greczyn

Altis Energy Services

[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)

785-393-6505

On Wed, Jul 10, 2019 at 1:52 PM Mike Greczyn <[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)> wrote:

Stacy, thank you. We are open at that time block, however we're currently in the preliminary engineering phase with results expected in early september. Thus, while we do have a version of the layout with turbine locations, etc. it's still subject to change. We do have a publicly announced PPA with MMPA (press release attached), so we fully expect to enter construction late 2020.

I'll check internally to see how close we are to a layout that we can have a productive conversation about.

Mike Greczyn

Altis Energy Services

[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)

785-393-6505

On Mon, Jul 8, 2019 at 12:30 PM Kotch Egstad, Stacy (DOT) <[stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)> wrote:

Mike,

I have a tentative meeting scheduled here at MnDOT Central Office (St. Paul) **on 8/26 from 1 – 2:30pm.**

As soon as I receive more detailed project info from you, I will forward that to the meeting attendees with the hopes that we can come to the table with any impact issues, etc. in hand.

<https://ihub.co/pdfs/centraloffice.pdf>

Hope you enjoyed the holiday weekend,

Stacy

**From:** Mike Greczyn [mailto:[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)]  
**Sent:** Wednesday, July 03, 2019 2:01 PM  
**To:** Kotch Egstad, Stacy (DOT) <[stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)>  
**Subject:** Re: Three Waters Wind Farm - Jackson County MN

Sounds good, have a good weekend!

Mike Greczyn

Altis Energy Services

[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)

785-393-6505

On Wed, Jul 3, 2019 at 12:41 PM Kotch Egstad, Stacy (DOT) <[stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)> wrote:

Mike,

I'll look to schedule something for Aug 26<sup>th</sup> or 27<sup>th</sup>. As soon as I have availability feedback from some key staff, I'll be in touch, likely next week because of the holiday weekend.

*Stacy Kotch Egstad*

Utility Routing and Siting Coordinator

Minnesota Department of Transportation

Office of Land Management

651-366-4635



**From:** Mike Greczyn [mailto:[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)]  
**Sent:** Wednesday, July 03, 2019 11:17 AM  
**To:** Kotch Egstad, Stacy (DOT) <[stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)>  
**Subject:** Re: Three Waters Wind Farm - Jackson County MN

Stacy, we'd love to meet the week of August 26 if MNDOT can accommodate that. Earlier in the week is better for us.

Mike Greczyn

Altis Energy Services

[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)

785-393-6505

On Fri, Jun 28, 2019 at 12:14 PM Kotch Egstad, Stacy (DOT) <[stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)> wrote:

Good Afternoon Mike,

MnDOT always welcomes early coordination on PUC projects. We'd be happy to meet with you to go over our permitting requirements and discuss potential impacts of your pending project.

We typically request project area maps (as detailed as possible) including turbine location, feeder line location, access road location, expected setbacks from state right of way, substation information (if applicable) and PPA information. Receiving the above information early enough to review before a meeting, of course.

I'd coordinate any needed MnDOT employees for the meeting with the exception of Aeronautics – they typically coordinate on their own these days.

I'd be happy to schedule a meeting here at Central Office when/if necessary. Summers are incredibly busy with permitting so giving us multiple dates/times to work with would be appreciated.

Thank you for reaching out.

Feel free to contact me with any other questions you may have,

*Stacy Kotch Egstad*

Utility Routing and Siting Coordinator

Minnesota Department of Transportation

Office of Land Management

651-366-4635



**From:** Mike Greczyn [mailto:[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)]  
**Sent:** Friday, June 28, 2019 12:35 PM  
**To:** Kotch Egstad, Stacy (DOT) <[stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)>  
**Subject:** Three Waters Wind Farm - Jackson County MN

Stacy, good morning. I'm working with Scout Clean Energy on a wind farm they are developing in Jackson County that will break ground late next year.

The project is called Three Waters Wind Farm, and is preparing a Certificate of Need (CN) and a Site Permit Application (SPA) for submission to the MNPUC later this summer.

My purpose in reaching out is to start coordinating any meetings or conversations we need to have regarding state / federal highways and ROW. The project is in close proximity to portions of State Highway 86 and I-90, and we anticipate possibly needing to cross these highways with utilities, in addition to needing oversize / overweight permits as we may use them during construction for haul roads.

What do you need from us in order to get this process started, and is there anyone else at DOT I should be approaching? We can definitely arrange an in-person meeting when the time is right as well - we will be in Minnesota several times during July. Thank you, I look forward to hearing from you.

Mike Greczyn

Altis Energy Services

[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)

785-393-6505

## Chad R. Anderson

---

**From:** Zach Lasek <Zach@scoutcleanenergy.com>  
**Sent:** Tuesday, August 27, 2019 2:48 PM  
**To:** Joe Sedarski  
**Cc:** Chad R. Anderson  
**Subject:** RE: Three Waters Meeting 8/26  
**Attachments:** Utility Accommodation on Highway ROW Permit.pdf

[CAUTION: This email originated from outside of the organization.]

Joe,

Here is a summary of the meeting.

Their main concern was about I-90 running through the project, but we only have one turbine on the other side. We told them we would be boring and they said that's fine. They said that they do not review permit applications until after receiving what we need from the PUC. They gave us some details such as needing 5ft min depth under paved, 3ft min depth in grass for underground crossings (all of which can be found in the permit. They said that all of their online mapping tools should have the ROW of each of the roads. They said that we are going to need oversize, overweight permits. Lastly, all of the permits are free.

Attached is the physical permit they gave us, and it can also be found on their website.

Thanks,

Zach Lasek  
Associate Project Manager  
Cell: 804-955-9516

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**From:** Joe Sedarski <jsedarski@wenck.com>  
**Sent:** Tuesday, August 27, 2019 12:24 PM  
**To:** Zach Lasek <Zach@scoutcleanenergy.com>  
**Cc:** Chad R. Anderson <chad.anderson@wenck.com>  
**Subject:** RE: Three Waters Meeting 8/26

Thanks Zach – if you folks prepare notes from the meeting, would you mind sharing those with Wenck for the SPA?  
Joe

**Joe Sedarski, JD, PE**  
*Senior Project Manager*



[jsedarski@wenck.com](mailto:jsedarski@wenck.com) | D 763.252.6890 | C 612.214.6658  
7500 Olson Memorial Highway | Suite 300 | Golden Valley, MN 55427

**Out of office Friday, September 6, 2019**

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**From:** Zach Lasek <[Zach@scoutcleanenergy.com](mailto:Zach@scoutcleanenergy.com)>

**Sent:** Tuesday, August 27, 2019 11:48 AM

**To:** [stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)

**Cc:** Mark Wengierski <[mark@scoutcleanenergy.com](mailto:mark@scoutcleanenergy.com)>; Joe Sedarski <[jsedarski@wenck.com](mailto:jsedarski@wenck.com)>; Mike Greczyn <[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)>

**Subject:** Three Waters Meeting 8/26

**[CAUTION: This email originated from outside of the organization.]**

Hi Stacy,

Thanks so much again for your and the other folks time at MnDOT. It was a very helpful and informative meeting. Like we said, Three Waters is a 2021 COD project, and we were glad to meet you all to start the communication in preparation for future work on the project. If any questions, comments, or concerns arise for Three Waters, please feel free to reach out to Mark or me.

Thanks!

Zach Lasek

Associate Project Manager

Cell: 804-955-9516

[Zach@scoutcleanenergy.com](mailto:Zach@scoutcleanenergy.com)

Scout Clean Energy

4865 Sterling Drive, Suite 200

Boulder, CO 80301

<http://www.scoutcleanenergy.com/>



**INSTRUCTIONS FOR COMPLETING THE APPLICATION FOR  
UTILITY ACCOMMODATION ON TRUNK HIGHWAY RIGHT OF WAY (FORM 2525)**

Note: An incomplete application will delay processing.

Utility Accommodation Form 2525 is used for the vast majority of utility placements and relocations. Form 2525 is for placing, constructing, and reconstructing utilities within trunk highway right of way, whether longitudinally, oblique, or perpendicular in relationship to the centerline of the highway (utilities crossing the highway, or parallel installations). This form is sent to the MnDOT Central Office in St Paul for processing. Permit approval depends on meeting the technical guidance that is contained in the Utility Accommodation Section of the *Utility Accommodation and Coordination Manual*. It is important for utility owners to understand and follow the MnDOT Utility Accommodation on Highway Right of Way Policy, which consists of a policy document and a Utility Accommodation Section that is part of the updated *Utility Accommodation and Coordination Manual*.

Miscellaneous Work on Trunk Highway Right of Way (Form 1723) is for minor work such as installation of utility service connections that do not cross or parallel the roadway within the trunk highway right of way. Form 1723 is also used for installing miscellaneous guy wires and anchors, to place temporary obstructions on the right of way and to perform temporary relocations of a more minor nature to accommodate a construction project. This form is sent to the District offices for processing.

**Fill Out Form Completely, be specific**

Print (in ink), type the application, or fill out on line and print form at: <http://www.dot.state.mn.us/utility/forms.html>

- Be sure to sign it at the bottom. Submit the original form only; submit all 4 pages of application.
- COPIES AND FAXES ARE UNACCEPTABLE AND WILL BE RETURNED TO YOU.

Submit the following information:

- One permit application form completed in its entirety, if an item does not apply, print "N.A." in the blank,
- Two sets of sketches, no larger than 11 x 17.
- Drawn to a scale no smaller than 1 inch = 200 feet
- Include location of all other utilities within the construction area
- Include a typical of all pole structures, if applicable
- A separate application for each trunk highway
- A separate application for each maintenance area involved

The sketch must show in detail the proposed location of any facilities to be placed as well as any relocation of existing facilities. The sketch must include the location of all other utilities within the area. The sketches must be on state right of way maps or state construction plan sheets. Right of way maps are available at: [http://dotapp7.dot.state.mn.us/cyberdocs\\_guest/](http://dotapp7.dot.state.mn.us/cyberdocs_guest/)

The sketch must contain references from the trunk highway centerline or the right of way line and a starting and ending point must be given. If there is no right of way map available a detailed drawing must be submitted with distances given from pertinent features such as centerline, right of way lines, curb and gutter, distances from nearest county roads and highway mile markers, etc.

Indicate any tree trimming and/or clearing requirements. If the facility being placed is an aerial facility, include "blow out zone" (conductor movement envelope) information. A vegetation management plan must be worked out with the District office.

If you have questions filling out the form you may contact Central Office Permits for assistance. Contact information can be found at: [www.dot.state.mn.us/utility/contacts.html](http://www.dot.state.mn.us/utility/contacts.html)

After the application has been completed, signed and dated, mail the application (all 4 pages of form) with the required plans to the St Paul office at: Minnesota Department of Transportation, Utility Permits Unit – Mailstop 678, 395 John Ireland Blvd, St. Paul, MN, 55155.

**After the Permit has been approved**

The applicant will be notified of the approved permit and of the amount of security deposit required. The permit will include Special Provisions indicating the construction requirements. Compliance with all Special Provisions is required. A copy of the permit must be in the possession of the utility contractor while working on MnDOT right of way.

**Security Deposit**

A security deposit is required for permits that authorize work in state right of way to ensure that work is completed to MnDOT's satisfaction. The District Permit Office will determine the amount and type of deposit to be submitted. The security deposit must be payable to the "Minnesota Commissioner of Transportation" and must be irrevocable and cannot expire.

**After construction is completed**

After construction has been completed and all turf items re-established, the applicant must return the certificate of completion form to the District Permit Office for final inspection. If all work is satisfactory, the District Permit Office will determine when the security deposit will be returned to the applicant.





## APPLICATION FOR UTILITY ACCOMMODATION ON TRUNK HIGHWAY RIGHT OF WAY

<b>Applicant:</b> 1. Complete entire application 2. Sign and date completed form, send original 3. Include two sets of sketches, drawn to a scale no smaller than 1 inch = 200 feet, on a page(s) no larger than 11 x 17	<b>Mail to:</b> Minnesota Department of Transportation Utilities Engineer - MS 678 395 John Ireland Blvd. St. Paul, MN 55155-1899
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<b>Highway</b>	<b>Section</b>	<b>Township</b>	<b>Range</b>	<b>Company Project No.</b>
<b>County</b>	<b>City/Township</b>			<b>State Proj. No./State Aid Proj. No.</b>
<input type="checkbox"/> New facility <input type="checkbox"/> Replacement facility		<b>PUC Docket No.</b>		<b>Agreement No.</b>

Will this facility be within Tribal Lands  Yes  No If yes, which one:

**Application is hereby made for permission to place, construct and thereafter maintain a:**

\_\_\_\_\_

**Location** (distance from nearest cross roads and distinguishing features (mile point if known)):

\_\_\_\_\_

\_\_\_\_\_

_____	_____	_____
(Along, Across, Along & Across)	(Feet from Centerline)	(North, South, East, or West of Centerline)

<b>AERIAL CONSTRUCTION</b> (Check appropriate box) <input type="checkbox"/> Single pole <input type="checkbox"/> Open wire <input type="checkbox"/> H-Frame <input type="checkbox"/> Cable <input type="checkbox"/> Single pole & H-Frame <input type="checkbox"/> Vertical <input type="checkbox"/> Steel tower <input type="checkbox"/> Cross-arm <input type="checkbox"/> Existing pole line <input type="checkbox"/> Vertical & Cross-arm <input type="checkbox"/> Other, explain _____	<b>BLOW OUT ZONE INFORMATION</b> (Conductor Movement Envelope) _____ _____ _____ _____	<b>LIGHTING</b> Mounting Height _____ Mast Arm Length _____ Type of Lamp _____ Watts _____ Poles <input type="checkbox"/> Breakaway <input type="checkbox"/> Non-Breakaway
---	---	--

Voltage	Number, Type, and Size of Conductors
---------	--------------------------------------

If attaching to existing pole line, owner of pole line:	Facility to be placed on existing poles (ex: fiber, copper, coaxial, power):
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**Height of utility to be a minimum of 22 feet at crossings over the highway.**

Proposed height crossing over highway: \_\_\_\_\_ Proposed height along highway: \_\_\_\_\_

<b>UNDERGROUND CONSTRUCTION / METHOD OF INSTALLING</b> (crossing and/or parallel to highway, check all that apply)	
<input type="checkbox"/> Direct Buried <input type="checkbox"/> Directional Boring <input type="checkbox"/> Jacking <input type="checkbox"/> Boring <input type="checkbox"/> Pneuma Gopher <input type="checkbox"/> Open trench, explain why necessary: _____ <input type="checkbox"/> Other, explain: _____	

Will Facility be attached to a bridge? <input type="checkbox"/> Yes <input type="checkbox"/> No    If yes, submit bridge details	Will dewatering be necessary? <input type="checkbox"/> Yes <input type="checkbox"/> No    If yes, submit dewatering plan
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Voltage	Number, Type, and Size of Conductors	Depth (minimum 5 feet at crossings)
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<b>Facility Type:</b>				
Max. Oper. Pres.				
Wall thickness				
Grade				
Class				
Size				
Depth				
Number				

<b>Conduit/Duct type</b>		<b>Casing type</b>	
<input type="checkbox"/> Plastic (type and size) _____	<input type="checkbox"/> Steel pipe (type and size) _____	<input type="checkbox"/> Steel pipe (type and size) _____	<input type="checkbox"/> Sectional Concrete (type and size) _____
<input type="checkbox"/> Steel pipe (type and size) _____	<input type="checkbox"/> Multiple tile (type and size) _____	<input type="checkbox"/> Other _____	Wall thickness _____
<input type="checkbox"/> Multiple tile (type and size) _____	<input type="checkbox"/> Clay tile (type and size) _____	Grade _____	Class _____
<input type="checkbox"/> Clay tile (type and size) _____	<input type="checkbox"/> Sectional concrete (type and size) _____	Size _____	
<input type="checkbox"/> Sectional concrete (type and size) _____	<input type="checkbox"/> Ductile Iron (type and size) _____		
<input type="checkbox"/> Ductile Iron (type and size) _____	<input type="checkbox"/> Other _____		
<input type="checkbox"/> Other _____			

**Is traffic control necessary as per the most current versions of Minnesota Manual on Uniform Traffic Control Devices or the Temp Traffic Control Zone Layout Field Manual?** \_\_\_\_\_

**Is tree trimming and/or clearing necessary?**  Yes  No If yes, describe location and extents \_\_\_\_\_

<b>Work to start on or after:</b>	<b>Work to be completed on or before:</b>	
<b>Applicant / Owner information</b>		
Owner of facility (company name): _____		
Address: _____		
City: _____	State: <i>MN</i>	Zip: _____
Telephone: _____	Cell: _____	
Email: _____		
Contact Person (name and title): _____		
Alternate Contact for design questions, (name and phone): _____		
Contractor (name of company performing work): _____		

The applicant, in carrying on all of the work mentioned above or referred to in its application and in the Permit for construction issued therefore, shall strictly conform to the terms of the Permit, of Minn. Stat. §§161.45 and 161.46, and Minnesota Rules parts 8810.3100 through 8810.3600, together with the Special Provisions, all of which are made a part hereof. The applicant specifically agrees to be bound hereby. The applicant shall also comply with the regulations of all other governmental agencies for the protection of the public. The work shall be accomplished in a manner that will not be detrimental to the highway, and will safeguard the public consistent with the MnDOT Utility Accommodation and Coordination Manual.

<b>Date</b>	<b>Signature</b>
Pursuant to Minnesota Statutes, § 161.45, the following Rules have been promulgated by the Commissioner of Transportation (see pages 3 & 4).	

**Additional Information:**

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**8810.3100 DEFINITIONS.**

**Subpart 1. Interstate highways.** Under this order "interstate highways" shall mean all trunk highways which are a part of the interstate system.

**Subp. 2. Noninterstate highways.** Under this order "noninterstate highways" shall mean all trunk highways which are not a part of the interstate system.

**Subp. 3. Trunk highways.** Under this order "trunk highways" shall mean all trunk highways including those which are a part of the interstate system.

**Subp. 4. Utility.** Under this order "utility" shall mean and include all privately, publicly, or cooperatively owned communication lines and facilities, any systems, lines, and facilities for the distribution and transmission of electrical energy, oil, gas, water, sewer, steam, and other pipe lines, railways, ditches, flumes, or other structures which under the laws of this state or the ordinance of any village or city may be constructed, placed, or maintained across, along, or on trunk highway right-of-way. Dependent upon the meaning intended in the context, "utility" shall also mean the utility company, inclusive of any wholly owned subsidiary.

**8810.3200 PURPOSE AND SCOPE.**

**Subpart 1. Purpose.** The purpose of parts 8810.3100 to 8810.3600 is to carry out the mandate of the legislature and to effectuate that mandate as set forth in the Laws of Minnesota 1959, chapter 500, article II, section 45 (Minnesota Statutes, section 161.45) with reference to the placing, constructing, reconstructing, and maintaining of utilities across, along, upon, or under the right-of-way of trunk highways.

**Subp. 2. Scope.** The scope of parts 8810.3100 to 8810.3600 is confined within the framework of and consistent with the Laws of Minnesota 1959, chapter 500, article II, section 45.

**8810.3300 PERMITS.**

**Subpart 1. Construction.** Except as otherwise permitted, utility construction and relocation on trunk highway right-of-way shall not be commenced until an application for a permit for construction has been made and such permit granted. The permit for construction sketch shall show the location of the proposed utility with reference to pertinent features such as the right-of-way lines, curb lines, trunk highway center line, etc. A copy of the sketch shall be provided for each copy of such permit. Prints of trunk highway right-of-way maps are available upon request from the Road Plans Information Office, Department of Transportation Building, Saint Paul, Minnesota 55155.

**Subp. 2. Maintenance.** The utility shall obtain a work permit from the office of the assistant district engineer, maintenance, prior to performing service and maintenance operations on the interstate highways and shall also obtain a work permit prior to performing service and maintenance operations on the noninterstate highways when such operations require opening and disturbing the surface of the right-of-way thereof. In all other instances the utility shall notify the office of the assistant district engineer, maintenance, prior to performing service and maintenance operations on the noninterstate highways which interfere with the normal flow of traffic thereon. However, the company may perform service and maintenance operations on the trunk highways including opening and disturbing the surface of the right-of-way without a work permit in those instances where an emergency exists that is dangerous to the life or safety of the public and which requires immediate repair. The utility upon knowledge of such an emergency shall immediately notify the State Patrol Division. The utility shall take all necessary and reasonable safety measures to protect the traveling public and shall cooperate fully with the State Patrol Division to that end. The utility in such an event will request a work permit from the office of the assistant district engineer, maintenance, not later than the second working day thereafter when a work permit would ordinarily have been required but for the emergency.

**Subp. 3. Orders to make improvements.** If at any time the state of Minnesota, acting through its commissioner of transportation, shall deem it necessary to make any improvements or changes on all or any part of the right-of-way of the trunk highway which affect a utility located on trunk highway right-of-way, then and in such event, the owner of the utility shall within 15 days after written notice from the commissioner of transportation or an authorized agent, proceed to alter, change, vacate, or remove said utility from the trunk highway right-of-way so as to conform to said trunk highway changes and as directed by the commissioner of transportation. Such work shall be done without any cost whatsoever to the state of Minnesota except as otherwise provided by law or agreement and shall be completed within the date specified in said written notice, which date shall be reasonable under the circumstances. The utility shall assume all liability and save the state of Minnesota harmless from any and all claims of damage of any nature whatsoever occasioned by reason of not having removed said utility within the time specified in said notice. Notwithstanding the provisions of parts 8810.3100 to 8810.3600, the state may reimburse a municipality for the cost of the first relocation of a municipally owned utility located within the limits of a municipal street at the time that the street was taken over by the state as a trunk highway, when such relocation is required by construction or reconstruction of the trunk highway.

**Subp. 4. Along interstate highways.** Utilities along the interstate highways shall be located outside the control-of-access lines except as outlined below. Where the control-of-access lines coincide with the right-of-way lines, the utilities shall generally be located on private property. Where the control-of-access lines and right-of-way lines do not coincide, utilities may in general be located in the area between them. All utilities shall be serviced and maintained without access from the ramps, loops, and through traffic roadbeds. Utilities may be serviced from frontage roads and roads other than another interstate highway which cross either over or under the interstate highway. At aerial crossings of an interstate highway, supporting poles may be located on interstate highway right-of-way if they are a minimum of 30 feet beyond the shoulders of all through traffic roadbeds; however, in no event shall they be located in a median unless its width is 80 feet or more. Manholes and other points of access to underground crossings may be permitted on the interstate highway right-of-way only when located outside the shoulders of the through traffic roadbeds, loops, or ramps. The restrictions of this subpart shall not apply to utility lines which service facilities required for operating the interstate highway.

There may be extreme cases where, under strictly controlled conditions, a utility may be permitted inside the control-of-access lines along an interstate highway. In each case there must be a showing that any other utility location is extremely difficult and unreasonably costly to the utility consumer, that the installation on the right-of-way of the interstate highway will not adversely affect the design, construction, stability, traffic safety, or operation of the interstate highway and that the utility can be serviced without access from through traffic roadbeds, loops, or ramps.

**Subp. 5. Deposit, bond, or undertaking.** The commissioner of transportation may require the utility, or its contractor, to furnish a deposit in the form of a certified check, a surety bond or corporate undertaking in favor of the state of Minnesota, commissioner of transportation, for any expense incurred by the state in the repairing of damage to any portion of the trunk highway right-of-way caused by work performed under a work permit or a permit for construction, including any out of the ordinary engineering supervision and inspection expense provided by the state. In those instances wherein a deposit is required, the amount of the deposit shall be specified in the special provisions of the permit. If a check is furnished, any moneys remaining over and above such expense shall be returned to the applicant.

**Subp. 6. Liability.** Except for the negligent acts of the state, its agents, and employees, the utility shall assume all liability for, and save the state, its agents and employees, harmless from, any and all claims for damages, actions, or causes of action arising out of the work to be done herein and the continuing uses by the utility, including but not limited to the placing, constructing, reconstructing, maintaining, and using of said utility under this application and permit for construction.

**Subp. 7. No easement.** The work permit or permit for construction as issued does not in any way imply an easement on private property.

**8810.3400 STANDARDS FOR WORK CONDUCTED UNDER PERMIT.**

**Subpart 1. Trees, brush, and vegetation.** At the time of construction of the utility and at the times of subsequent maintenance, prior approval shall be obtained from the district engineer or an authorized representative for the cutting and trimming of trees within the trunk highway right-of-way. Wherever trees are cut the resulting stumps shall be removed unless otherwise provided in the special provisions of the permit for construction. Any holes caused by stump removal shall be backfilled, the area leveled, and all materials associated therewith disposed of outside the trunk highway right-of-way. The utility shall advise the district engineer or an authorized representative at least 48 hours in advance of its intent to start clearing and grubbing operations so that proper supervision can be provided.

Burning or disking operations and/or the use of chemicals to control or kill trees, brush, and other vegetation is prohibited without prior approval from the assistant district engineer, maintenance.

**Subp. 2. Waterways.** All waterways and lines of drainage shall remain operative.

**Subp. 3. Topsoil and sod.** Wherever topsoil and sod are disturbed they shall be replaced and maintained satisfactorily until the turf is established.

**Subp. 4. Existing utility facilities.** The utility facility and installation shall not interfere with any existing utility facilities on the trunk highway right-of-way.

**Subp. 5. Warning devices.** When necessary, barricades, warning devices, and flaggers shall be provided by the utility during all phases of their construction and maintenance operations on the trunk highway right-of-way.

**Subp. 6. Restoration to original condition.** Upon completion of an installation, the utility shall restore the trunk highway right-of-way to its original condition. The utility shall then notify the office of the assistant district engineer, maintenance, or project engineer of the completion of the work so that inspection can be made to determine its acceptability.

**Subp. 7. Conformity.** The installations shall be made in conformity with all applicable laws, rules, and codes covering said installations. All installations shall be made in conformity with rules of governmental agencies for the protection of the public.

**8810.3500 AERIAL LINES.**

There shall be only a single pole line on the trunk highway right-of-way on either side of the center line thereof, unless otherwise authorized in the special provisions of the permit for construction.

Longitudinal installations on noninterstate trunk highways shall normally be located in the outer five feet of the right-of-way. At crossings of the noninterstate trunk highway, poles shall be placed at a minimum of 30 feet from the shoulder lines of the through roadbeds unless right-of-way widths are prohibitive to such location.

Unless clearly indicated on the permit for construction sketch, the location of all brace poles, anchors, and anchor poles within the limits of the trunk highway right-of-way shall be approved by the district engineer or an authorized representative prior to actual installation.

In those instances in which a utility is issued a permit or permits for construction on both sides of the trunk highway right-of-way in a given area, such permit is conditioned upon the utility subsequently providing joint use to other utilities upon reasonable terms mutually agreeable to the utilities.

**8810.3600 UNDERGROUND LINES.**

All crossings of the roadbeds of the trunk highways shall be made by boring inside a casing or carrier pipe, or by jacking, unless this procedure is modified in the special provisions of the permit for construction. The auger shall not lead the casing or carrier pipe by more than one inch. Open trenching shall be restricted to the area from five feet beyond the shoulder to the right-of-way line except as modified in the special provisions of the permit for construction.

When pipes with bells or flanges are installed, the crossings of the roadbeds of trunk highway shall be made by boring inside a conduit, as provided in the preceding paragraph, of jacking a conduit of sufficient diameter to permit threading the carrier pipe through it.

All voids caused by jacking or boring shall be filled by pressure grouting. The grout material shall consist of a sand-cement slurry of at least two sacks of cement per cubic yard and a minimum of water to assure satisfactory placement.

The underground utilities shall be so installed as virtually to preclude any necessity for disturbing the roadbeds to perform maintenance operations.

Underground installations shall be accomplished without damaging or destroying the principal root structure of specimen trees.

**Note:**

As used in the Minnesota Rules, Utilities Equipment, part 8810.3300 Definitions, Subpart 1, interstate highways shall include all Interstate Highways and Federal Aid freeways.

## Chad R. Anderson

---

**From:** Joe Sedarski  
**Sent:** Tuesday, August 27, 2019 4:18 PM  
**To:** Zach Lasek; Mike Greczyn  
**Cc:** Chad R. Anderson; Kristina DeName  
**Subject:** RE: Three Waters - USDOT

Thanks Zach – looks good.  
Joe

**Joe Sedarski, JD, PE**  
*Senior Project Manager*



[jsedarski@wenck.com](mailto:jsedarski@wenck.com) | D 763.252.6890 | C 612.214.6658  
7500 Olson Memorial Highway | Suite 300 | Golden Valley, MN 55427

**Out of office Friday, September 6, 2019**

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**From:** Zach Lasek <Zach@scoutcleanenergy.com>  
**Sent:** Tuesday, August 27, 2019 4:09 PM  
**To:** Joe Sedarski <jsedarski@wenck.com>; Mike Greczyn <mgreczyn@altisenergy.com>  
**Subject:** FW: Three Waters - USDOT

**[CAUTION: This email originated from outside of the organization.]**

Nothing should be needed from the Feds in this realm.

Zach Lasek  
Associate Project Manager  
Cell: 804-955-9516

---

**From:** Kotch Egstad, Stacy (DOT) <[stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)>  
**Sent:** Tuesday, August 27, 2019 1:07 PM  
**To:** Zach Lasek <[Zach@scoutcleanenergy.com](mailto:Zach@scoutcleanenergy.com)>  
**Cc:** Mark Wengierski <[mark@scoutcleanenergy.com](mailto:mark@scoutcleanenergy.com)>  
**Subject:** RE: Three Waters - USDOT

Good Afternoon Zach,

I have never seen coordination, or the need for it, on that level for any wind projects thus far. FHWA would only get involved if you needed to prove extreme circumstances on paralleling an Interstate.

I'm sure you've seen this before, but this is a typical list of needed permits for a wind project:

<b>Regulatory Authority Permit/Approval</b>	
<b>Federal Approvals</b>	
<b>U.S. Army Corps of Engineers</b>	Wetland Delineation Approvals
	Jurisdictional Determination
	Federal Clean Water Act Section 404
<b>U.S. Fish and Wildlife Service</b>	Review for Threatened and Endangered Species
<b>Environmental Protection Agency (region 5) in coordination with the Minnesota Pollution Control Agency</b>	Spill Prevention Control and Countermeasure Plan
<b>Federal Aviation Administration</b>	Form 7460-1 Notice of Proposed Construction or Alteration (Determination of No Hazard)
	Notice of Actual Construction or Alteration (Form 7460-2)
<b>Department of Defense</b>	Agreement related to impact mitigation

<b>Regulatory Authority</b>	<b>Permit/Approval</b>
	for Tyler Radar facility
<b>National Historic Preservation Act</b>	Class I Literature Review / Class III Cultural Field Survey (and Federal Section 106 Review, if necessary)
<b>U.S. Department of Agriculture</b>	Conservation / Grassland / Wetland Easement and Reserve Program releases and consents
<b>Federal Communications Commission</b>	Non-Federally Licensed Microwave Study
	NTIA Communication Study
<b>Federal Energy Regulatory Commission</b>	Exempt Wholesale Generator Self Cert.
	Market-Based Rate Authorization
<b>Federal Emergency Management Agency</b>	Flood Plain Designation
<b>State of Minnesota Approvals</b>	
<b>Minnesota Department of Labor and Industry</b>	Electrical Plan Review, Permits, and Inspections
<b>Minnesota Public Utilities Commission</b>	Site Permit for Large Wind Energy Conversion System
	Route Permit for electric transmission line
<b>Minnesota State Historic Preservation Office</b>	Cultural and Historic Resources Review and Review of State and National Register of Historic Sites and Archeological Survey
<b>Minnesota Pollution Control Agency</b>	Section 401 Water Quality Certification

	National Pollutant Discharge Elimination System Permit – MPCA General Stormwater Permit for Construction Activity
	Very Small Quantity Generator License – Hazardous Waste Collection Program
	Aboveground Storage Tank Notification Form
<b>Minnesota Department of Health</b>	Environmental Bore Hole Water Supply Well Notification Plumbing Plan Review
<b>Minnesota Department of Natural Resources</b>	License to Cross Public Land and Water Native Prairie Protection Plan Biological Surveys

<b>Regulatory Authority</b>	<b>Permit/Approval</b>
	General Permit for Water Appropriations (Dewatering) Public Waters Work Permit
<b>Minnesota Department of Transportation</b>	Utility Permits on Trunk Highway Right-of-way Oversize/Overweight Permit for State Highways Access Driveway Permits for MnDOT Roads Tall Structure Permit
<b>Local Approvals</b>	
<b>Lincoln County</b>	Right-of-way permits, crossing permits, driveway permits for access roads, building and/or zoning permit for O&M building, oversize/overweight permits for County Roads
<b>Townships</b>	Right-of-way permits, crossing permits, driveway permits for access roads, building and/or zoning permit for O&M building, oversize/overweight permits for township roads
<b>Lincoln County Soil and Water Conservation District</b>	Wetland Conservation Act Approvals
<b>Watershed Districts</b>	Land/Water Alteration Permits
<b>Other</b>	
<b>MISO</b>	Turbine Change Study Generator Interconnection Agreement



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**From:** Zach Lasek [<mailto:Zach@scoutcleanenergy.com>]  
**Sent:** Tuesday, August 27, 2019 12:08 PM  
**To:** Kotch Egstad, Stacy (DOT) <[stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)>  
**Cc:** Mark Wengierski <[mark@scoutcleanenergy.com](mailto:mark@scoutcleanenergy.com)>  
**Subject:** Three Waters - USDOT

Stacy,

Is there anything that we need to do for Three Waters involving USDOT? Have any wind developers before ever needed any form of coordination with USDOT, and if so, what was needed?

Thanks!

Zach Lasek  
Associate Project Manager  
Cell: 804-955-9516  
[Zach@scoutcleanenergy.com](mailto:Zach@scoutcleanenergy.com)





## Chad R. Anderson

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**From:** Mike Greczyn <mgreczyn@altisenergy.com>  
**Sent:** Friday, August 16, 2019 2:34 PM  
**To:** Dahlseide, Darlene (DOT)  
**Cc:** Gaug, Ryan (DOT); Williams, Cedric (DOT); Pat Landess; Mark Wengierski; Joe Sedarski; Chad R. Anderson  
**Subject:** Re: Three Waters Wind Project - MN  
**Attachments:** Three Waters FAA Determinations 20170307.xlsx

**[CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.]**

Hello, and thank you for your response to our letter dated August 12, 2019 requesting comments on the Three Waters Wind Farm.

Three Waters did file FAA Form 7460-1 in January of 2017 against 100 wind turbine locations (80 primary and 20 alternates), each with a height of 499' AGL. All locations received a Determination of No Hazard in March 2017 and, although those original determinations all expired in September 2018, I have attached a spreadsheet here with the FAA study numbers for your reference.

The project's layout has changed since our original filing, so Scout Clean Energy will be submitting new filings to the FAA within the next six weeks; the layout associated with those filings will be included in our SPA application.

In addition, Scout filed 7460-1 for a single met tower in August 2017. That structure received a Determination of No Hazard in August 2017, and Scout subsequently filed 7460-2 after construction was complete. The aeronautical study number for that met tower is ASN 2017-WTE-6152-OE.

Thanks again for your comments, and please let me know if there is any further information you require.

Mike Greczyn  
Altis Energy Services  
[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)  
785-393-6505

On Wed, Aug 14, 2019 at 11:18 AM Dahlseide, Darlene (DOT) <[darlene.dahlseide@state.mn.us](mailto:darlene.dahlseide@state.mn.us)> wrote:

Good morning Mike,

I received Mark Wengierski's letter, dated August 12, 2019, this morning regarding the Three Waters Wind Project in Minnesota.

For your information, I have attached our Minnesota Airspace Obstructions brochure.

Have you filed a FAA Form 7460-1? If so, please provide the determination from the FAA and the FAA's Aeronautical Study Numbers. <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

Minnesota law protects the national airspace in Minnesota by preventing airport hazards and by preventing inappropriate uses near public-use airports. Minnesota law also gives MnDOT Aeronautics the responsibility and authority to issue or not issue an airspace obstruction permit for any proposed structure.

Once we have more information regarding the site locations that may be near our public use airports and the FAA's determination, we can then review and make comments on the project.

Regards,

Darlene

**Darlene Dahlseide | MnDOT Aeronautics**

**222 Plato Blvd E | St. Paul, MN 55107**

**651-234-7248**



### Three Waters Wind Farm FAA Filings

Sioux Valley, MN  
NAD83 Datum

Key

AMSL - above mean sea level

ft - feet

DNH - Determination of No Hazard

non-sequential

lighting to be revised when final layout determined

Turbine	Aeronautical Study Number	Determination	Lighting	Determination Received	Determination Expiration	Latitude	Longitude	Altitude (ft AMSL)
			White Paint /					
1	2017-WTE-341-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 37' 38.14"	-95° 19' 50.29"	1463
2	2017-WTE-342-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 37' 45.83"	-95° 19' 31.90"	1467
3	2017-WTE-343-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 36' 23.29"	-95° 20' 48.03"	1485
4	2017-WTE-344-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 36' 30.98"	-95° 20' 29.64"	1496
5	2017-WTE-345-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 37' 5.13"	-95° 19' 9.73"	1462
6	2017-WTE-346-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 37' 14.11"	-95° 18' 41.53"	1469
7	2017-WTE-347-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 37' 21.80"	-95° 18' 23.13"	1459
8	2017-WTE-348-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 37' 29.49"	-95° 18' 4.74"	1459
9	2017-WTE-349-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 37' 45.89"	-95° 17' 23.42"	1452
10	2017-WTE-350-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 36' 13.84"	-95° 19' 35.32"	1475
11	2017-WTE-351-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 36' 21.53"	-95° 19' 16.93"	1479
12	2017-WTE-352-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 36' 11.49"	-95° 18' 18.46"	1468
13	2017-WTE-353-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 36' 21.84"	-95° 18' 0.12"	1470
14	2017-WTE-354-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 36' 54.44"	-95° 17' 16.59"	1457
15	2017-WTE-355-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 37' 5.72"	-95° 16' 58.66"	1450
16	2017-WTE-356-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 36' 1.41"	-95° 17' 26.35"	1465
17	2017-WTE-357-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 36' 14.94"	-95° 16' 59.69"	1452
18	2017-WTE-358-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 36' 24.41"	-95° 15' 27.38"	1450
19	2017-WTE-359-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 36' 34.66"	-95° 15' 8.12"	1440
20	2017-WTE-360-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 34' 49.61"	-95° 17' 31.24"	1470
21	2017-WTE-361-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 34' 58.57"	-95° 17' 13.57"	1462
22	2017-WTE-362-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 35' 9.38"	-95° 16' 54.38"	1454
23	2017-WTE-363-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 35' 32.87"	-95° 15' 54.24"	1437
24	2017-WTE-364-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 35' 41.83"	-95° 15' 37.18"	1419
25	2017-WTE-365-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 35' 29.77"	-95° 13' 55.01"	1433
26	2017-WTE-366-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 35' 39.20"	-95° 13' 34.54"	1430
27	2017-WTE-367-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 35' 48.13"	-95° 13' 19.61"	1425
28	2017-WTE-368-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 34' 40.65"	-95° 15' 8.59"	1448
29	2017-WTE-369-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 34' 50.14"	-95° 14' 51.81"	1456
30	2017-WTE-370-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 34' 59.19"	-95° 14' 34.68"	1443
39	2017-WTE-371-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 32' 44.61"	-95° 22' 54.53"	1517
40	2017-WTE-372-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 32' 54.05"	-95° 22' 2.45"	1502
41	2017-WTE-373-OE	DNH	Synchronized Red Lights White Paint /	8-Mar-17	8-Sep-18	43° 33' 1.73"	-95° 21' 44.08"	1507
42	2017-WTE-374-OE	DNH	Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 9.42"	-95° 21' 25.71"	1501

43	2017-WTE-375-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 17.10"	-95° 21' 7.34"	1503
46	2017-WTE-376-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 22.80"	-95° 23' 28.06"	1511
47	2017-WTE-377-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 30.48"	-95° 23' 9.69"	1531
48	2017-WTE-378-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 38.17"	-95° 22' 51.33"	1523
49	2017-WTE-379-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 52.53"	-95° 22' 20.31"	1517
50	2017-WTE-380-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 0.21"	-95° 22' 1.95"	1487
51	2017-WTE-381-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 8.66"	-95° 21' 26.05"	1510
52	2017-WTE-382-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 16.34"	-95° 21' 7.68"	1504
53	2017-WTE-383-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 58.30"	-95° 20' 13.72"	1487
54	2017-WTE-384-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 5.99"	-95° 19' 55.35"	1493
57	2017-WTE-385-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 14.16"	-95° 21' 58.11"	1520
58	2017-WTE-386-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 21.85"	-95° 21' 39.75"	1517
59	2017-WTE-387-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 29.54"	-95° 21' 21.39"	1487
60	2017-WTE-388-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 6.84"	-95° 20' 19.99"	1490
61	2017-WTE-389-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 14.52"	-95° 20' 1.62"	1478
62	2017-WTE-390-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 22.21"	-95° 19' 43.25"	1486
63	2017-WTE-391-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 56.74"	-95° 18' 50.39"	1493
64	2017-WTE-392-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 4.42"	-95° 18' 32.01"	1474
65	2017-WTE-393-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 4.42"	-95° 18' 6.33"	1479
66	2017-WTE-394-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 12.11"	-95° 17' 47.96"	1467
67	2017-WTE-395-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 19.80"	-95° 17' 29.59"	1459
68	2017-WTE-396-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 27.49"	-95° 17' 11.22"	1451
77	2017-WTE-397-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 59.91"	-95° 20' 31.50"	1479
78	2017-WTE-398-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 7.60"	-95° 20' 13.14"	1489
79	2017-WTE-399-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 15.28"	-95° 19' 54.78"	1511
80	2017-WTE-400-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 22.97"	-95° 19' 36.42"	1464
81	2017-WTE-401-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 58.66"	-95° 19' 13.74"	1481
82	2017-WTE-402-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 8.85"	-95° 18' 55.84"	1479
83	2017-WTE-403-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 22.29"	-95° 18' 43.37"	1491
84	2017-WTE-404-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 6.54"	-95° 17' 9.35"	1469
85	2017-WTE-405-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 16.04"	-95° 16' 59.44"	1460
86	2017-WTE-406-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 55.35"	-95° 16' 15.98"	1468
87	2017-WTE-407-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 3.03"	-95° 15' 57.61"	1466
88	2017-WTE-408-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 33' 10.72"	-95° 15' 39.23"	1447
89	2017-WTE-409-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 55.65"	-95° 14' 50.48"	1471
90	2017-WTE-410-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 15.84"	-95° 17' 53.79"	1473
91	2017-WTE-411-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 23.53"	-95° 17' 35.43"	1473
92	2017-WTE-412-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 31.22"	-95° 17' 17.07"	1464
93	2017-WTE-413-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 17.46"	-95° 16' 38.54"	1465

94	2017-WTE-414-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 25.14"	-95° 16' 20.18"	1465
95	2017-WTE-415-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 32.83"	-95° 16' 1.82"	1463
96	2017-WTE-416-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 40.52"	-95° 15' 43.46"	1474
97	2017-WTE-417-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 48.21"	-95° 15' 25.10"	1459
98	2017-WTE-418-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 21.96"	-95° 15' 11.36"	1457
99	2017-WTE-419-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 32.47"	-95° 14' 51.76"	1455
100	2017-WTE-420-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 8.31"	-95° 14' 34.29"	1462
a31	2017-WTE-421-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 19.26"	-95° 25' 45.92"	1549
a32	2017-WTE-422-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 27.60"	-95° 25' 32.18"	1514
a33	2017-WTE-423-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 33.63"	-95° 24' 41.04"	1537
a34	2017-WTE-424-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 10.01"	-95° 24' 28.58"	1539
a35	2017-WTE-425-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 18.36"	-95° 24' 10.68"	1527
a36	2017-WTE-426-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 25.77"	-95° 23' 53.42"	1530
a37	2017-WTE-427-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 22.76"	-95° 23' 20.18"	1521
a38	2017-WTE-428-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 32' 32.26"	-95° 23' 5.16"	1523
a44	2017-WTE-429-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 15.09"	-95° 24' 12.28"	1511
a45	2017-WTE-430-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 31' 22.79"	-95° 23' 53.73"	1520
a55	2017-WTE-431-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 38.01"	-95° 24' 25.06"	1536
a56	2017-WTE-432-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 47.28"	-95° 24' 9.08"	1539
a69	2017-WTE-433-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 7.65"	-95° 23' 21.14"	1547
a70	2017-WTE-434-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 17.52"	-95° 23' 10.81"	1531
a71	2017-WTE-435-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 25.20"	-95° 22' 52.46"	1539
a72	2017-WTE-436-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 26.89"	-95° 22' 15.62"	1527
a73	2017-WTE-437-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 36.85"	-95° 21' 59.00"	1531
a74	2017-WTE-438-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 45.89"	-95° 21' 43.66"	1522
a75	2017-WTE-439-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 39.09"	-95° 21' 8.74"	1519
a76	2017-WTE-440-OE	DNH	White Paint / Synchronized Red Lights	8-Mar-17	8-Sep-18	43° 30' 46.78"	-95° 20' 50.38"	1516



Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 10101 Hillwood Parkway  
 Fort Worth, TX 76177

Aeronautical Study No.  
 2017-WTE-341-OE

Issued Date: 03/08/2017

Matt Heck  
 Three Waters Wind Farm  
 2960 Center Green Court  
 Suite 202  
 Boulder, CO 80301

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine 1  
 Location: Sioux Valley, MN  
 Latitude: 43-37-38.14N NAD 83  
 Longitude: 95-19-50.29W  
 Heights: 1453 feet site elevation (SE)  
 499 feet above ground level (AGL)  
 1952 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 1, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

**See attachment for additional condition(s) or information.**

This determination expires on 09/08/2018 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.

- (b) extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

Additional wind turbines or met towers proposed in the future may cause a cumulative effect on the national airspace system. This determination is based, in part, on the foregoing description which includes specific coordinates and heights . Any changes in coordinates will void this determination. Any future construction or alteration requires separate notice to the FAA.

Obstruction marking and lighting recommendations for wind turbine farms are based on the scheme for the entire project. ANY change to the height, location or number of turbines within this project will require a reanalysis of the marking and lighting recommendation for the entire project. In particular, the removal of previously planned or built turbines/turbine locations from the project will often result in a change in the marking/lighting recommendation for other turbines within the project. It is the proponent's responsibility to contact the FAA to discuss the process for developing a revised obstruction marking and lighting plan should this occur.

In order to ensure proper conspicuity of turbines at night during construction, all turbines should be lit with temporary lighting once they reach a height of 200 feet or greater until such time the permanent lighting configuration is turned on. As the height of the structure continues to increase, the temporary lighting should be relocated to the uppermost part of the structure. The temporary lighting may be turned off for periods when they would interfere with construction personnel. If practical, permanent obstruction lights should be installed and operated at each level as construction progresses. An FAA Type L-810 steady red light fixture shall be used to light the structure during the construction phase. If power is not available, turbines shall be lit with self-contained, solar powered LED steady red light fixture that meets the photometric requirements of an FAA Type L-810 lighting system. The lights should be positioned to ensure that a pilot has an unobstructed view of at least one light at each level. The use of a NOTAM (D) to not light turbines within a project until the entire project has been completed is prohibited.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (425) 227-2625. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-WTE-341-OE.

**Signature Control No: 320233808-324709073**

( DNE -WT )

Paul Holmquist  
Specialist

Attachment(s)  
Additional Information  
Map(s)



**Additional information for ASN 2017-WTE-341-OE**

OBSTRUCTION MARKING AND LIGHTING NOTE: A recommendation for white paint/synchronized red lights will be made for all turbines until such time as the proponent confirms that the layout is final (no changes, no additions, no removals) and all turbines can and will be built at their determined location and height. At that time, the proponent may contact this office and request a re-evaluation of the marking and lighting recommendations for the turbines within this project and a portion of the turbines may qualify for the removal of the lighting recommendation.



# Minnesota Airspace and Tall Structures

## In General

When planning to build or modify a structure in Minnesota, one of the considerations must be the impact of the structure on the national airspace system. This consideration is vitally important to Minnesota's public airports; navigational aids; and instrument approach flight procedures.

A number of federal, state, and local regulations exist to protect our airspace system. In the paragraphs below we discuss Federal Aviation

Administration (FAA) and Minnesota Regulations concerning airspace obstructions.

## FAA Notification

Federal law requires that the FAA must receive "prior notification" regarding construction or alteration of a structure, whether permanent or temporary, which meets specific criteria per 14 C.F.R. Part 77.

Whether or not the proposed structure meets these criteria depends on its location in relation to an aviation facility, navigational aid, or instrument procedure ground track. These structures may include but are not limited to highways, roads, railroads, waterways, traverse ways (parking or rest areas), bridges, overpasses, high-mast light poles, utility poles, antenna towers, buildings, signs or billboards, fences or gates, plus temporary-use construction materials or equipment, including dirt piles and cranes, as well as natural growth, vegetation, and landscaping.

For additional information to persons proposing to erect or alter an object that may affect the navigable airspace, see Advisory Circular 70/7460-2K, "Proposed Construction or Alteration of Objects That



May Affect the Navigable Airspace", on the FAA's Obstacle Evaluation/Airport Airspace Analysis (FAA OE/AAA) web site, <http://www.oaaaa.faa.gov>.

If FAA notification is required, the project sponsor must submit FAA Form 7460-1, "Notice of Proposed Construction or Alteration," electronically via FAA's OE/AAA web site or submit hard copy documents to:

Express Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Air Traffic Airspace Branch, ASW-520  
2601 Meacham Boulevard  
Fort Worth, TX 76137-0520

Submitting FAA Form 7460-1 to any other FAA address may significantly delay the OE/AAA process.

Notification must be submitted at least 30 days before the earlier of two dates: the date the proposed construction or alteration is to begin, or the date an application for a construction permit is to be filed.

## Notification to FAA for Large Projects

A large project, such as a power line or a road or maybe a bridge, includes the submittal of at least 12 or more study points. If the structure is a building, FAA will want the latitude and longitude for the corner of the building that is closest to the nearest public use runway, the latitude and longitude for all other corners, as well as the appropriate elevations, a picture and/or a diagram. In addition, file the highest height of any of the points and let the FAA build a worst case scenario.

If you are planning a large project in Minnesota, consider contacting the FAA Southern Region Technician at 718-553-2611. He/She may provide



guidance which will save you and the FAA time during the aeronautical study process. In addition, time and money spent on a professional aviation consultant may benefit you greatly.

## FAA OE/AAA Web Site

The FAA OE/AAA web site has become the single source for all OE/AAA case studies and information. You may view proposed, determined and circularized cases, as well as supplemental notices. Mn/DOT Aeronautics highly recommends all airports sign up for automatic notification of circularized cases. <http://www.coaaa.faa.gov>

Once a username and password has been set up, submitting structures for analysis becomes very simple, especially if there are multiple structures. In addition, you may track the progress of your case studies by logging onto the OE/AAA web site. You may also submit additional materials to the FAA electronically. All OE/AAA related information and instructions are just a click away.

## FAA Supplemental Notification

If the FAA advises that supplemental notice is required, the sponsor of the notice of construction or alteration is also required to submit a supplemental notice (FAA Form 7460-2, Part 1) to the FAA Southwest Regional Office in Fort Worth, Texas within 48 hours of the start of construction. Also, within five days after the construction or alteration reaches its greatest height, the sponsor must notify the FAA Southwest Regional Office using FAA Form 7460-2, Part 2.

## FAA Emergency Notification

In the case of an emergency involving essential public services, public health, or public safety that requires immediate construction or alteration, the 30-day advance notice requirement does not apply. In such a case, the required notification may be sent by telephone (800-992-7433) or any expeditious means to the nearest FAA Flight Service Station. Within five days thereafter, the sponsor must submit a completed copy of FAA Form 7460-1 to the FAA Southwest Regional Office in Fort Worth, Texas.

## FAA Notification for On-Airport Structures

For structures to be located on a public-use airport, the airport sponsor must notify the FAA's Airports District Office (ADO). For additional information pertaining to submitting on airport structures, please contact your Minneapolis Airports District Office representative at 612-713-4350.

## FAA Determinations

After receiving a notice of proposed construction or alteration, the FAA conducts an aeronautical study to determine the structure's potential impact on the navigable airspace. That study results in an FAA determination of "hazard" or "no hazard," and the FAA indicates whether or not the proposed construction exceeds the FAA's standards. In some cases, the FAA determination is "no hazard" even though the structure exceeds the standards. If the FAA indicates the proposed construction poses no hazard *and* does not exceed standards, then refer to Minnesota Structure Heights Regulations for permits that may be required from the state of Minnesota or from a local authority. If, however, the proposed construction *does* exceed standards (even if it poses "no hazard"), then the sponsor must apply for a permit from the state or from a local government, if a local ordinance governs the matter.



## MnDOT Aeronautics Airspace Obstruction Permit

Minnesota law protects the national airspace in Minnesota by preventing airport hazards and by preventing inappropriate uses of land near public-use airports. Minnesota law also gives Mn/DOT Aeronautics the responsibility and authority to issue an airspace obstruction permit for any proposed structure.

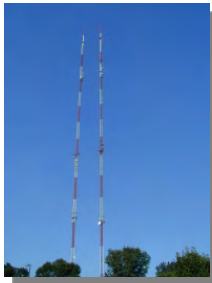
A permit from Mn/DOT Aeronautics may be required for the following wind turbines and other tall, non-transmitting structures located outside the zoned territory of any public use airports with airport zoning in place:

- that are more than **500' AGL** any place in the state, or
- when the structure is more than 200' AGL or more than 200 feet above the established airport elevation, whichever gives the highest elevation, within three nautical miles of an airport and increasing by 100' for each additional mile out to six miles and 500', or
- that would increase an instrument approach minimum flight altitude or increase its flight visibility minimums, or
- that would increase the minimum obstruction clearance altitude of a federal airway, or
- that penetrates any of the following imaginary surfaces: primary, horizontal, conical, approach, or transitional surfaces.

Note: Mn/DOT Aeronautics is not authorized to issue a permit for a tower greater than 1000' with a few exceptions.

A permit from Mn/DOT Aeronautics is not required for tall structures

- that transmit, and therefore require a permit from the FCC, or
- that are within the zoned territory of any public-use airport that has airport zoning.



**Note:** A letter of "non-objection" from the FAA as a result of their airspace study does not constitute an "erection permit" nor does an "objection letter" to the tower proponent by the FAA constitute denial of an "erection permit."

It is imperative for every airport manager to understand their local airport zoning ordinance and which department is responsible for its enforcement. In addition, every airport manager should also verify that the FAA has the most current runway endpoint data (including planned runways and runway extensions). Every FAA OE/AAA aeronautical case study depends on the accuracy of this data.

### Application for Permit

To apply for this permit, the proponent should send their request by formal letter or email.

The written request should contain the proponents information, a point of contact, the exact location of the structures, a diagram of its location relative to the nearest airport runway, the elevation of the structure above ground level, the ground elevation at the base of the structure, the plans for marking and lighting the structure and a GIS shapefile. If the proposed structure is a wind turbine the elevation should include the maximum height at the top of the rotating blades, and the marking and lighting should contain the plans for illuminating or marking the blades in addition to the tower. The request should also contain a copy of the Federal Aviation Administration's airspace determination.

Please direct your request to:

**Mn/DOT Aeronautics**  
**Darlene Dahlseide**  
**222 Plato Blvd. E.**  
**St. Paul, MN 55107**

Email: [darlene.dahlseide@state.mn.us](mailto:darlene.dahlseide@state.mn.us)  
Or 651-234-7248, fax: 651-296-9089

### Mn/DOT Aeronautics Coordination

While the responsibility for filing notifications and permit applications or variances rests with the project sponsor, the Mn/DOT Aeronautics is available to provide additional guidance for projects that may

impact the national airspace system in Minnesota. In addition, Mn/DOT Aeronautics is also available to provide technical assistance to local governments and airports.

### Marking and Lighting Requirements

Any marking and/or lighting of a structure that is considered an airspace obstruction—and that has been recommended by the FAA in its aeronautical study in order to enhance pilot visual awareness of the structure's presence and location—is a mandatory requirement to be included on the structure by Minnesota law. All airspace obstruction permits contain provisions which require obstruction marking and lighting. Advisory Circular 70/7460-1K, "Obstruction Marking and Lighting", describes the standards for marking and lighting structures such as buildings, chimneys, antenna towers, cooling towers, storage tanks, supporting structures of overhead wires, etc. and is available on FAA's OE/AAA web site listed below.



### Airspace Regulations and Information

- FAA's OE/AAA web site is <http://www.oecaa.faa.gov>
- 14 C.F.R., Part 77, "Objects Affecting Navigable Airspace", Federal Aviation Regulations, is available at [http://www.access.gpo.gov/nara/cfr/waisidx\\_04/14cfr77\\_04.html](http://www.access.gpo.gov/nara/cfr/waisidx_04/14cfr77_04.html)
- Mn/DOT Minnesota Structure Height Regulations: <http://www.dot.state.mn.us/aero/avoffice/alltowers.html>



## Chad R. Anderson

---

**From:** GraggJohnson, Kelly (ADM) <kelly.graggjohnson@state.mn.us>  
**Sent:** Wednesday, September 18, 2019 1:53 PM  
**To:** Joe Sedarski  
**Cc:** Mark Wengierski; Pat Landess; Zach Lasek; Mike Greczyn; Chad R. Anderson; Abraham Ledezma  
**Subject:** RE: Three Waters Wind Project - Cultural Resources Literature Review (Sept. 16, 2019)

[CAUTION: This email originated from outside of the organization.]

Great – thanks.



Kelly Gragg-Johnson | Environmental Review Specialist  
State Historic Preservation Office  
50 Sherburne Avenue, Suite 203  
Saint Paul, MN 55155  
(651) 201-3285  
kelly.graggjohnson@state.mn.us

---

**From:** Joe Sedarski <jsedarski@wenck.com>  
**Sent:** Wednesday, September 18, 2019 1:45 PM  
**To:** GraggJohnson, Kelly (ADM) <kelly.graggjohnson@state.mn.us>  
**Cc:** Mark Wengierski <mark@scoutcleanenergy.com>; Pat Landess <pat@scoutcleanenergy.com>; Zach Lasek <Zach@scoutcleanenergy.com>; Mike Greczyn <mgreczyn@altisenergy.com>; Chad R. Anderson <chad.anderson@wenck.com>; Abraham Ledezma <ALedezma@insitucrm.com>  
**Subject:** RE: Three Waters Wind Project - Cultural Resources Literature Review (Sept. 16, 2019)

Hi Ms. Gragg-Johnson,

We'll prepare and send a hardcopy to Ms. Beimers as indicated below, and will include SHPO Project Number on the submittal.

Thanks,  
Joe

**Joe Sedarski, JD, PE**  
*Senior Project Manager*



[jsedarski@wenck.com](mailto:jsedarski@wenck.com) | D 763.252.6890 | C 612.214.6658  
7500 Olson Memorial Highway | Suite 300 | Golden Valley, MN 55427

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**From:** GraggJohnson, Kelly (ADM) <[kelly.graggjohnson@state.mn.us](mailto:kelly.graggjohnson@state.mn.us)>  
**Sent:** Wednesday, September 18, 2019 11:47 AM  
**To:** Joe Sedarski <[jsedarski@wenck.com](mailto:jsedarski@wenck.com)>  
**Subject:** RE: Three Waters Wind Project - Cultural Resources Literature Review (Sept. 16, 2019)

**[CAUTION: This email originated from outside of the organization.]**

Mr. Sedarski -

We do not accept email submittals of project materials. Please submit a hard copy of this report to:

Sarah Beimers, Environmental Review  
State Historic Preservation Office  
MN Dept of Administration.  
50 Sherburne Avenue, Suite 203  
Saint Paul, MN 55155

Please be sure to reference the SHPO Project No. on all correspondence.

Thanks,

Kelly



Kelly Gragg-Johnson | Environmental Review Specialist  
State Historic Preservation Office  
50 Sherburne Avenue, Suite 203  
Saint Paul, MN 55155  
(651) 201-3285  
[kelly.graggjohnson@state.mn.us](mailto:kelly.graggjohnson@state.mn.us)

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**From:** Joseph Sedarski <[notifications@filetransfers.net](mailto:notifications@filetransfers.net)>  
**Sent:** Tuesday, September 17, 2019 2:33 PM  
**To:** GraggJohnson, Kelly (ADM) <[kelly.graggjohnson@state.mn.us](mailto:kelly.graggjohnson@state.mn.us)>  
**Subject:** Three Waters Wind Project - Cultural Resources Literature Review (Sept. 16, 2019)

## Files Available on the Wenck Associates, Inc. File Transfer Site

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**A message from Joseph Sedarski:**

SHPO Number: 2019-2340

Dear Ms. Gragg-Johnson and Ms. Beimers,

Good afternoon. I am writing to acknowledge receipt of the comment letter sent by Sarah Beimers dated September 10, 2019, and attached here for reference. Sarah's letter was in response to Scout Clean Energy's request for comments regarding the Three Waters Wind Project in Jackson County, MN (SHPO Project Number 2019-2340)

The letter recommended that Scout Clean Energy undertake a Phase 1a Literature Review and Archaeological Assessment. The literature review was conducted by In Situ Archaeological Consulting, LLC earlier this year, and the report can be downloaded from this link for your review. Please let me know if you can't access the link and we will make other arrangements.

Mike Greczyn  
Altis Energy Services  
[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)  
785-393-6505

From: **Joseph Sedarski**  
Workspace: **Sedarski\_Joe**  
Date: **09/17/19 at 02:33 pm CDT**

**Three Waters\_Cultural Resource Literature Search Report\_Update\_09162019 (1).pdf**  
(40.34 MB) in Sedarski\_Joe  
<https://wenck.filetransfers.net/downloadPublic/iwx7tkkz5b4qxir>

**2. MN SHPO Letter RE Three Waters Sep 10 2019.PDF** (479.59 KB) in Sedarski\_Joe  
<https://wenck.filetransfers.net/downloadPublic/mhui9wze4hcllft>

These links will expire on **10/17/19 at 02:33 pm CDT**

This email was sent to the following recipients: [kelly.graggjohnson@state.mn.us](mailto:kelly.graggjohnson@state.mn.us), [mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com), [mark@scoutcleanenergy.com](mailto:mark@scoutcleanenergy.com), [pat@scoutcleanenergy.com](mailto:pat@scoutcleanenergy.com), [chad.anderson@wenck.com](mailto:chad.anderson@wenck.com), [jsedarski@wenck.com](mailto:jsedarski@wenck.com)

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<https://wenck.filetransfers.net/userQuickStart>

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**Transaction Source:** Wenck Associates, Inc. FILETRANSFER SITE, <https://wenck.filetransfers.net>

**Time/Date of Transaction:** 09/17/19 at 02:33 pm CDT



September 10, 2019

Mr. Mike Greczyn  
Altis Energy  
301 South Bermont Avenue  
Lafayette, CO 80026

RE: Three Waters Wind Project  
Jackson County, Minnesota  
SHPO Number: 2019-2340

Dear Mr. Greczyn:

Thank you for the opportunity to comment on the above project. Information received in our office on August 15, 2019 has been reviewed pursuant to the responsibilities given the State Historic Preservation Office by the Minnesota Historic Sites Act (Minn. Stat. 138.665-666) and the Minnesota Field Archaeology Act (Minn. Stat. 138.40).

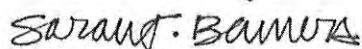
Due to the nature and location of the proposed project, we recommend that a Phase IA literature review and archaeological assessment be completed to assess the potential for intact archaeological sites in the project area. If, as a result of this assessment, a Phase I archaeological survey is recommended, this survey should be completed. The survey must meet the requirements of the Secretary of the Interior's Standards for Identification and Evaluation and should include an evaluation of National Register eligibility for any properties that are identified. For a list of consultants who have expressed an interest in undertaking this type of research and archaeological surveys, please visit the website <http://www.mnhs.org/shpo/preservation-directory>, and select "Archaeologists, Contract" in the "Specialties" box. We will reconsider the need for survey if the project area can be documented as previously surveyed or disturbed. Any previous survey work must meet contemporary standards. **Note:** plowed areas and right-of-way are not automatically considered disturbed. Archaeological sites can remain intact beneath the plow zone and in undisturbed portions of the right-of-way.

Per state statute, the literature review and assessment should also include an analysis of project effects on any above-ground historic properties that are listed in the National Register of Historic Places and/or the State Register of Historic Places.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36 CFR § 800. If this project is considered for federal financial assistance, or requires a federal permit or license, then review and consultation with our office will need to be initiated by the lead federal agency. Be advised that comments and recommendations provided by our office for this state-level review may differ from findings and determinations made by the federal agency as part of review and consultation under Section 106.

If you have any questions regarding our review of this project, please contact Kelly Gragg-Johnson, Environmental Review Specialist, at (651) 201-3285 or [kelly.graggjohnson@state.mn.us](mailto:kelly.graggjohnson@state.mn.us).

Sincerely,



Sarah J. Beimers  
Environmental Review Program Manager



Mike Greczyn <mgreczyn@altisenergy.com>

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## Three Waters Wind Farm follow up and meeting notes

2 messages

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**Mike Greczyn** <mgreczyn@altisenergy.com>

Fri, Jul 19, 2019 at 4:08 PM

To: Tim Stahl <tim.stahl@co.jackson.mn.us>

Tim, I'd like to thank you for meeting with us on June 17th to discuss the Three Waters Wind Farm. Our notes from that meeting are attached here, in case you find them helpful.

We look forward to discussing more detailed project plans with you as they come together. Have a great weekend and please don't hesitate to reach out if you have any questions.

Mike Greczyn  
Altis Energy Services  
[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)  
785-393-6505



Three Waters Wind Farm - Jackson County Engineer meeting 6172019\_notes.docx  
15K

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**Mike Greczyn** <mgreczyn@altisenergy.com>

Fri, Jul 19, 2019 at 4:09 PM

To: Mark Wengierski <mark@scoutcleanenergy.com>, Pat Landess  
<pat@scoutcleanenergy.com>

Forgot to add you guys on the CC line for this one. Apologies.

Mike Greczyn  
Altis Energy Services  
[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)  
785-393-6505

[Quoted text hidden]



Three Waters Wind Farm - Jackson County Engineer meeting 6172019\_notes.docx  
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## Jackson County Engineer Meeting 17 June 2019

- Attending
  - o Scout – Mark W, Mike G
  - o Jackson County
    - Tim Stahl
    - Jared Baloun (GIS)
    - Cole – Asst Maintenance Supervisor
    - Dave Lumen – Maintenance Supervisor
    - Drainage supervisor
- Discussion
  - o County grading
    - From church past school is graded
    - They will do another 2 miles this year
  - o Tim is POC for County JDA / RUA / DUA.
    - Has slightly updated RUA
      - Doesn't think there are many changes
  - o Scout should go out for BOP contract late summer
    - Nov execution
  - o Jared (GIS) requested Scout's infrastructure map
    - Scout to provide when available
  - o No walking heavy lift crane down county roads
    - If no other option, Tim is open to the discussion
    - But, would likely be a full rebuild in his opinion
      - Gravel ~\$50k/mi
      - Paved ~\$600k/mi
      - Township ~\$25k/mi
    - Even crossings have resulted in reconstructs in the past
    - Potential for crane to be on inflatable tires
      - Was of interest to the engineers
  - o Will need to pass resolutions at township level
    - Attached to RUA
    - Otherwise townships can go it alone. Easier for all if resolutions are passed
      - Tim thinks the townships will go along with Resolutions
  - o They are familiar with Westwood and happy Scout is working with them
  - o AET (American Engineering and Testing) recommended for road testing and engineering
  - o Geotech this fall
  - o Gave us a map of sight corners and a county road map



Mike Greczyn <mgreczyn@altisenergy.com>

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## Three Waters Wind Farm meeting follow up and project update

2 messages

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**Mike Greczyn** <mgreczyn@altisenergy.com> Tue, Jul 16, 2019 at 1:30 PM  
To: Andy.Geiger@co.jackson.mn.us, Mark Wengierski <mark@scoutcleanenergy.com>, Pat Landess <pat@scoutcleanenergy.com>, Zach Lasek <Zach@scoutcleanenergy.com>

Andy,

Thank you for meeting with us on June 17<sup>th</sup> to discuss the Three Waters Wind Farm. Three Waters is making steady progress and the project is on track to submit a Certificate of Need to the Minnesota Public Utilities Commission in late summer of 2019 and a Site Permit Application by fall 2019.

We should be able to provide more detailed project maps showing the expected locations of specific improvements to you for review in early August, at which time we would like to begin discussing any potential impacts to the resources that you manage.

In the meantime, please consider us to be a resource and don't hesitate to reach out if you have questions.

Mark Wengierski

Scout Clean Energy | Senior Project Manager

4865 Sterling Drive, Suite 200 | Boulder, CO 80301

C: (832) 646-7730 | O: (720) 592-0512

Mike Greczyn

Altis Energy Services Development Consultant

C: (785)393-6505

Mike Greczyn

Altis Energy Services

[mgreczyn@altisenergy.com](mailto:mgreczyn@altisenergy.com)

785-393-6505

---

**Andy Geiger** <andy.geiger@co.jackson.mn.us> Tue, Jul 16, 2019 at 2:40 PM  
To: Mike Greczyn <mgreczyn@altisenergy.com>  
Cc: Mark Wengierski <mark@scoutcleanenergy.com>, Pat Landess <pat@scoutcleanenergy.com>, Zach Lasek <Zach@scoutcleanenergy.com>

Hi Mike,

Thanks for the update! I'll be looking forward to receiving the maps sometime in August.

Andy Geiger

Jackson County

Land Management Office

603 South Highway 86

Lakefield, MN 56150

(507)662-6682 ext. 4

[andy.geiger@co.jackson.mn.us](mailto:andy.geiger@co.jackson.mn.us)

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Scout Clean Energy  
Three Waters Wind Farm

Jackson County Commission Meeting  
March 19, 2019

# Overview



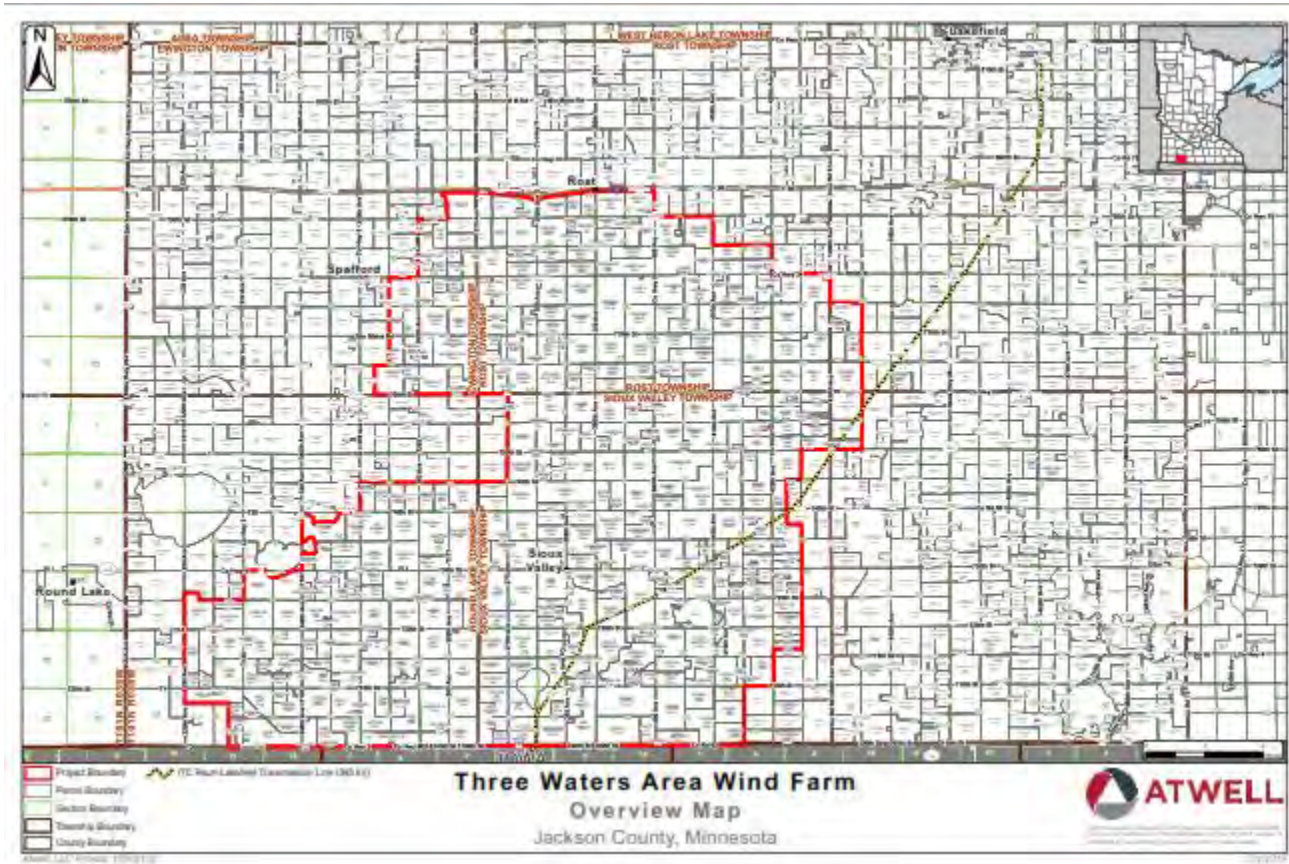
2

- ❑ Three Waters Wind Farm- Project Update
- ❑ Three Waters Wind Farm- Timeline
- ❑ Three Waters Wind Farm- Community Outreach
- ❑ Three Waters Wind Farm- Questions

# Three Waters Wind Farm- Overview



3





# Three Waters Wind Farm- Update



4

- Development Update:
  - Westwood Professional Services, project engineering and surveying
  - Ling Drainage, Inc., drainage tile identification
  - Wenck Associates, Inc., PUC application preparation
  - Fredrickson & Byron P.A., Minnesota counsel
  - Permitting
    - Certificate of Need, Exemption of Information
    - PUC application, in progress
  - Land Acquisition
    - Last call for Wind Leases
    - Good Neighbor Agreements

# Three Waters Wind Farm- Timeline



5

- PUC Application, summer 2019
  - PUC Application and Certificate of Need, process takes approx. 1 year (summer 2020)
- Power Purchase Agreement (offtake), spring 2019
- Field Surveys
  - Cultural & Wetland (after harvest), fall 2019
  - Avian & Bat, ongoing
- Geotech, fall 2019
- Engineering (layout of wind turbines and infrastructure), ongoing

# Three Waters Wind Farm



6

## **2019 Community Involvement:**

- Jackson County Farm & Home Show- Exhibitor
- Get Up and Bowl (Special Olympics)- Sponsor
- Dwaine Hanson Race Car- Sponsor
- More announcements to come...

## **2018 Community Involvement:**

- Jackpot Hog Show- Sponsor
- Jackson County Fair- Beer Garden Sponsor
- Jackson County Youth 4H Livestock Auction- Participant
- Purple Ribbon Auction- Sponsor
- Jackson County Food 4 Kids- Sponsor
- Farmer's Appreciation Days- Sponsor
- Jackson Motorplex- Sponsor
- Skylar Prochaska Sprint Car- Sponsor
- Lakefield Oktoberfest- Sponsor
- Chamber of Commerce- Member



# Three Waters Wind Farm- Questions?



8



114 3<sup>rd</sup> Avenue, Suite A  
Jackson, MN 56143  
(507) 849-7473

# Contact Information



## Mark Wengierski

Project Manager  
4865 Sterling Drive, Suite 200  
Boulder, CO 80301  
832-646-7730  
mark@scoutcleanenergy.com

## Pat Landess

Associate Project Manager  
4865 Sterling Drive, Suite 200  
Boulder, CO 80301  
757-763-9489  
pat@scoutcleanenergy.com

## Sheridan Martin

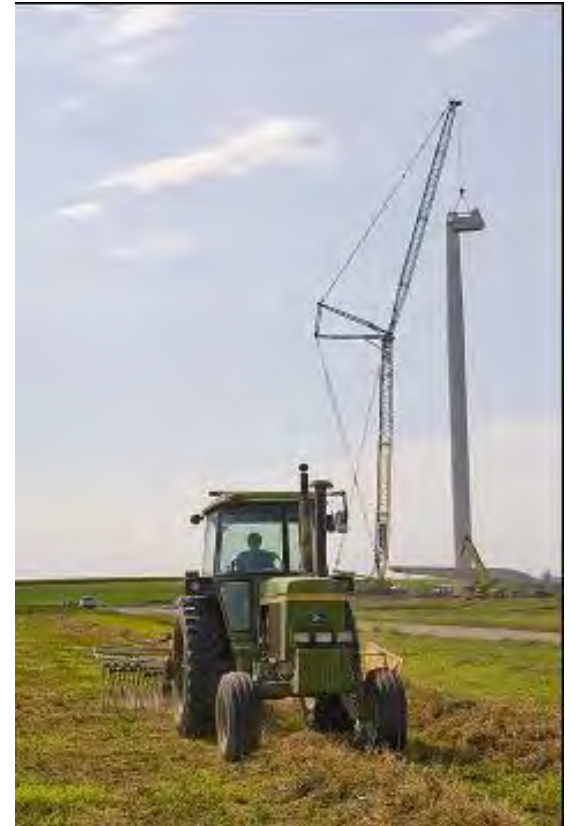
Land Agent  
114 3<sup>rd</sup> Avenue, Suite A  
Jackson, MN 56143  
307-632-2945  
smartin@atwell-agent.com

## Jeff Rubritius

Land Agent  
114 3<sup>rd</sup> Avenue, Suite A  
Jackson, MN 56143  
231-633-8897  
jrubritius@atwell-agent.com

## Ken Hallengren

Land Agent  
114 3<sup>rd</sup> Avenue, Suite A  
Jackson, MN 56143  
712-299-2078  
khallengren@atwell-agent.com





## Scout Clean Energy Three Waters Wind Farm

Jackson County, MN County Commission Meeting

October 16, 2018

**Mark Wengierski**  
Project Manager  
Scout

**Pat Landess**  
Assoc. Project Manager  
Scout

**Sheridan Martin**  
Land Agent  
Atwell

**Jeff Rubritius**  
Land Agent  
Atwell

# Overview



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- ❑ Scout Clean Energy Background
- ❑ Scout Team Experience
- ❑ Three Waters Wind Farm- Project Overview
- ❑ Three Waters Wind Farm- Community Involvement
- ❑ Three Waters Wind Farm- Questions



PROPRIETARY AND CONFIDENTIAL



# Scout Clean Energy Background



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- Scout Clean Energy was formed in July of 2016 and is located in Boulder, Colorado. Scout is a renewable energy development company focused on utility scale wind development.
- Scout Clean Energy is committed to working closely with property owners and local stakeholders to develop responsible wind energy projects, with experience across dozens of communities and thousands of property owners.
- The Scout team has an extensive track record developing large-scale wind energy projects. The most recent, Persimmon Creek 1 Wind Farm in Oklahoma is currently under construction, scheduled for COD in the summer of 2018.
- The portfolio comprises 12 projects across 10 states in active development.
- Scout Clean Energy is an affiliate of Harvest Energy Services whose focus is on operation and maintenance services. Harvest has over 100-employees providing construction management and operation and maintenance services in 23 states and 3 Latin American countries



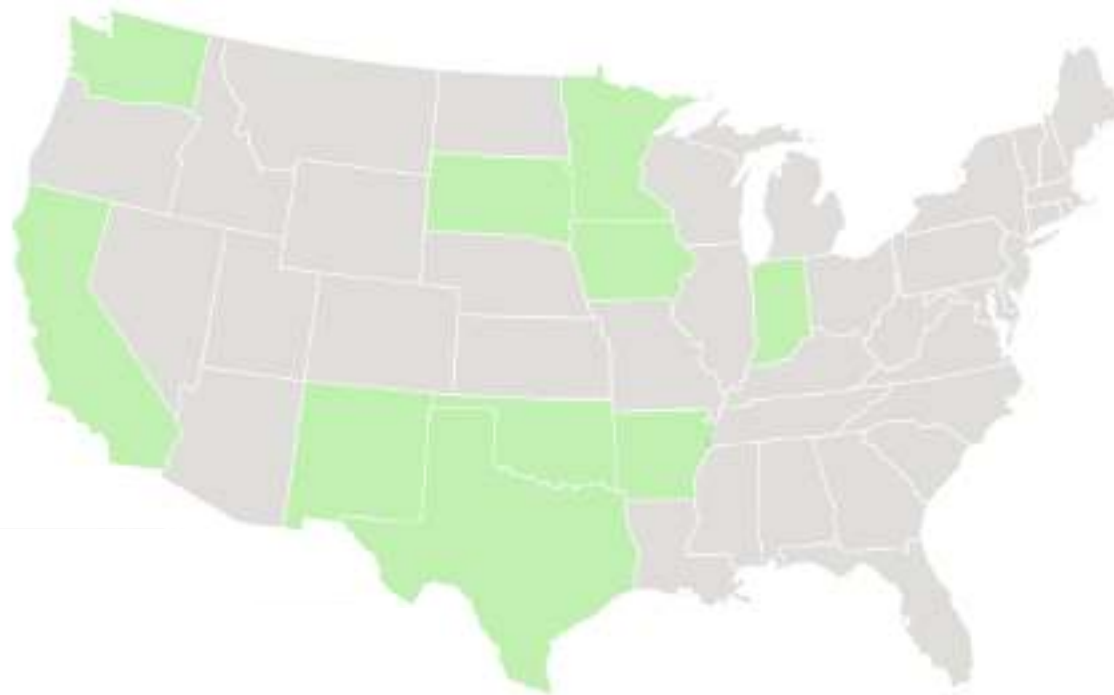
PROPRIETARY AND CONFIDENTIAL

# Scout Clean Energy Experience



4

The Scout team is actively developing a 2.1 GW portfolio of 100% PTC qualified wind projects in 10 states



PROPRIETARY AND CONFIDENTIAL

# Capital & Ownership Structure



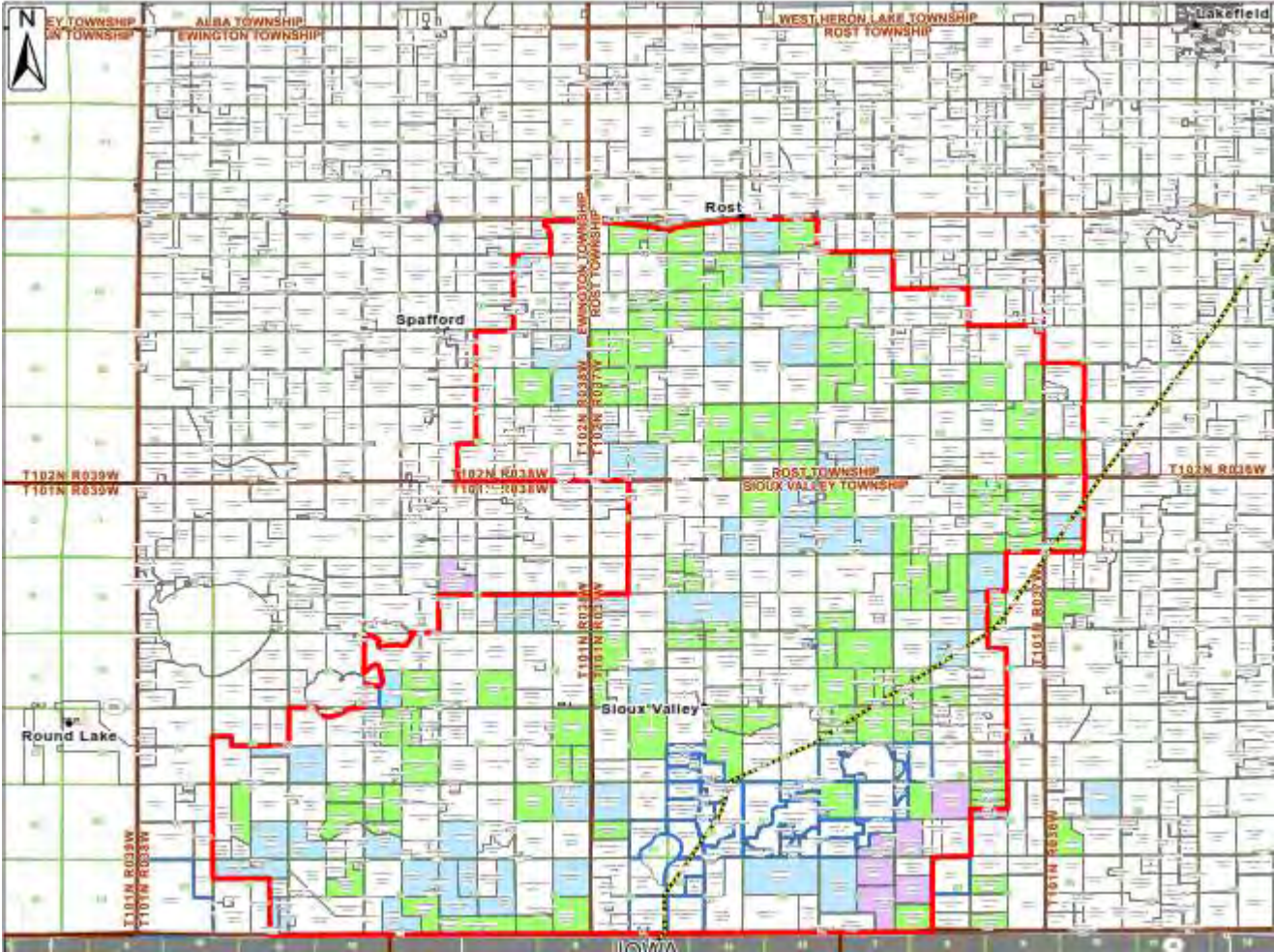
5

- In April of 2017, Scout and Quinbrook Infrastructure Partners (QIP) closed a transaction that made Scout a portfolio company of QIP.
  - ▣ QIP is a well-capitalized private equity fund with operations in the US, Europe and Australia.
  - ▣ QIP specializes in placing capital in low carbon technologies by investing in highly qualified and experienced renewable platforms and teams.
- Together with QIP, Scout has the financial strength to fund project development for the entire Scout portfolio over the next three years and provide up to \$1 B in sponsor capital to own and operate the wind farm assets.



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# Three Waters Wind Farm- Overview



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# Three Waters Wind Farm- Overview



7

- Development Efforts:
  - ▣ COD target: Q4 2020
  - ▣ Land Acquisition
  - ▣ Meteorological Assessment
  - ▣ Permitting
  - ▣ Tier 3 environmental studies underway in 2017 and 2018



PROPRIETARY AND CONFIDENTIAL

# Three Waters Wind Farm- Overview



**Three Waters Wind Farm  
Estimated Tax Revenue Projections  
Jackson County, MN  
Project Size 200.0 MW**

Year	Production Tax \$1.20 /MWh/yr	
	Total Revenue	Townships County
1	\$1,000,000	\$200,000 \$800,000
2	\$1,000,000	\$200,000 \$800,000
3	\$1,000,000	\$200,000 \$800,000
4	\$1,000,000	\$200,000 \$800,000
5	\$1,000,000	\$200,000 \$800,000
6	\$1,000,000	\$200,000 \$800,000
7	\$1,000,000	\$200,000 \$800,000
8	\$1,000,000	\$200,000 \$800,000
9	\$1,000,000	\$200,000 \$800,000
10	\$1,000,000	\$200,000 \$800,000
11	\$1,000,000	\$200,000 \$800,000
12	\$1,000,000	\$200,000 \$800,000
13	\$1,000,000	\$200,000 \$800,000
14	\$1,000,000	\$200,000 \$800,000
15	\$1,000,000	\$200,000 \$800,000
16	\$1,000,000	\$200,000 \$800,000
17	\$1,000,000	\$200,000 \$800,000
18	\$1,000,000	\$200,000 \$800,000
19	\$1,000,000	\$200,000 \$800,000
20	\$1,000,000	\$200,000 \$800,000
21	\$1,000,000	\$200,000 \$800,000
22	\$1,000,000	\$200,000 \$800,000
23	\$1,000,000	\$200,000 \$800,000
24	\$1,000,000	\$200,000 \$800,000
25	\$1,000,000	\$200,000 \$800,000
26	\$1,000,000	\$200,000 \$800,000
27	\$1,000,000	\$200,000 \$800,000
28	\$1,000,000	\$200,000 \$800,000
29	\$1,000,000	\$200,000 \$800,000
30	\$1,000,000	\$200,000 \$800,000
31	\$1,000,000	\$200,000 \$800,000
32	\$1,000,000	\$200,000 \$800,000
33	\$1,000,000	\$200,000 \$800,000
34	\$1,000,000	\$200,000 \$800,000
35	\$1,000,000	\$200,000 \$800,000
<b>Total</b>	<b>330,000,000</b>	<b>\$7,000,000 \$28,000,000</b>

\* Taxes to be apportioned by the county treasurer or county auditor by 20% to Townships with wind towers, and 80% to the County.  
 \* Tax revenue projections are estimates based on project development area for land application.



# Three Waters Wind Farm



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## **2018 Community Involvement:**

- Jackpot Hog Show- Sponsor
- Jackson County Fair- Beer Garden Sponsor
- Jackson County Youth 4H Livestock Auction- Participant
- Purple Ribbon Auction- Sponsor
- Jackson County Food 4 Kids- Sponsor
- Farmer's Appreciation Days- Sponsor
- Jackson Motorplex- Sponsor
- Skylar Prochaska Sprint Car- Sponsor
- Lakefield Oktoberfest- Sponsor
- Chamber of Commerce- Member



PROPRIETARY AND CONFIDENTIAL

# Three Waters Wind Farm- Questions?



10



PROPRIETARY AND CONFIDENTIAL



# Contact Information



11

**Mark Wengierski**

Project Manager  
2919 Valmont Road, Suite 209  
Boulder, CO 80301  
832-646-7730  
mark@scoutcleanenergy.com

**Pat Landess**

Associate Project Manager  
2919 Valmont Road, Suite 209  
Boulder, CO 80301  
757-763-9489  
pat@scoutcleanenergy.com

**Sheridan Martin**

Land Agent  
114 3<sup>rd</sup> Avenue, Suite A  
Jackson, MN 56143  
307-632-2945  
smartin@atwell-agent.com

**Jeff Rubritius**

Land Agent  
114 3<sup>rd</sup> Avenue, Suite A  
Jackson, MN 56143  
231-633-8897  
jrubritius@atwell-agent.com



## Chad R. Anderson

---

**From:** Mark Wengierski <mark@scoutcleanenergy.com>  
**Sent:** Monday, September 16, 2019 2:42 PM  
**To:** Andy Geiger; Joe Sedarski  
**Cc:** Pat Landess; Zach Lasek; LMO@co.jackson.mn.us; Mike Greczyn; Chad R. Anderson  
**Subject:** RE: Three Waters Wind Project - Jackson Co Ordinance and Approvals

[CAUTION: This email originated from outside of the organization.]

Andy,

We are preparing the wind turbine setbacks for inclusion in the Site Permit Application (to be submitted to the MNPUC at the end of the month). As the Three Waters Wind Farm is greater than 25 MWs (LWECS) and will be permitted by the MNPUC I want to confirm once more that the State's required setbacks govern the siting of the wind turbines? Thanks!

### Mark Wengierski

Scout Clean Energy | Senior Project Manager  
4865 Sterling Drive, Suite 200 | Boulder, CO 80301  
C: (832) 646-7730 | O: (720) 592-0512



[www.scoutcleanenergy.com](http://www.scoutcleanenergy.com)

**From:** Andy Geiger <andy.geiger@co.jackson.mn.us>  
**Sent:** Monday, September 9, 2019 10:23 AM  
**To:** Joe Sedarski <jsedarski@wenck.com>  
**Cc:** Mark Wengierski <mark@scoutcleanenergy.com>; Pat Landess <pat@scoutcleanenergy.com>; Zach Lasek <Zach@scoutcleanenergy.com>; LMO@co.jackson.mn.us; Mike Greczyn <mgreczyn@altisenergy.com>; Chad R. Anderson <chad.anderson@wenck.com>  
**Subject:** Re: Three Waters Wind Project - Jackson Co Ordinance and Approvals

Joe,

I agree that your email accurately sums up our conversation this morning.

Thanks and feel free to contact me with any further questions.

*Andy Geiger*

Jackson County

Land Management Office

603 South Highway 86

Lakefield, MN 56150

(507)662-6682 ext. 4

[andy.geiger@co.jackson.mn.us](mailto:andy.geiger@co.jackson.mn.us)

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On Mon, Sep 9, 2019 at 11:14 AM Joe Sedarski <[jsedarski@wenck.com](mailto:jsedarski@wenck.com)> wrote:

Good morning Mark, Pat, and Zach,

Andy Geiger (Director, Land Management/SWCD, Jackson County) and I held a telephone discussion this morning to review which parts of the planned Three Waters Wind Project (Project) will require County approvals.

While the Agricultural Preservation zoning district (see Section 603 of the Jackson County Zoning Ordinance) includes conditional use provisions for power transmission lines (in excess of 35 kilovolt) and electrical substation, Andy indicated that the County considers these parts of a Large Wind Energy Conversion System (LWECS) project as part of the Minnesota Public Utilities Commission (MPUC) approval process, and the County does not require a conditional use permit (CUP) for such.

The County does require a CUP for other parts of a LWECS project that involve longer land use, such as meteorological towers and an O&M facility; for the Project, the County has issued a CUP for met towers, and would do so for new met towers under consideration. If the O&M facility for the Project is located in Jackson County, the County would also issue a CUP for that. Other County approvals would include road use and driveway access.

Andy, thanks for your time earlier today to review this and to confirm our understanding of County approvals needed for the Project. This will inform us in drafting the Site Permit Application (SPA) that will be filed with the MPUC. We will contact you if other questions arise concerning these matters.

Thanks again,

Joe

**Joe Sedarski, JD, PE**

*Senior Project Manager*



[jsedarski@wenck.com](mailto:jsedarski@wenck.com) | D **763.252.6890** | C **612.214.6658**

7500 Olson Memorial Highway | Suite 300 | Golden Valley, MN 55427



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Telecommunications and**  
**Information Administration**  
Washington, D.C. 20230

June 17, 2019

Mr. Frank O'Brien  
COMSEARCH  
19700 Janelia Farm Blvd.  
Ashburn, VA 20147

Re: Three Waters Project: Jackson County, MN

Dear Mr. O'Brien:

In response to your request on April 24, 2019, the National Telecommunications and Information Administration provided to the federal agencies represented in the Interdepartment Radio Advisory Committee (IRAC) the plans for the Three Waters Wind Farm, located in Jackson County, Minnesota.

After a 45+ day period of review, no agencies had issues with turbine placement in this area.

While the IRAC agencies did not identify any concerns regarding radio frequency blockage, this does not eliminate the need for the wind energy facilities to meet any other requirements specified by law related to these agencies. For example, this review by the IRAC does not eliminate any need that may exist to coordinate with the Federal Aviation Administration concerning flight obstruction.

Thank you for the opportunity to review these proposals.

Sincerely,

**John R.  
McFall**

Digitally signed by  
John R. McFall  
Date: 2019.06.19  
14:24:24 -04'00'

John R. McFall  
Deputy Chief, Spectrum Services Division  
Office of Spectrum Management



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Telecommunications and**  
**Information Administration**  
Washington, D.C. 20230

JUL 12 2017

Mr. Frank O'Brien  
COMSEARCH  
19700 Janelia Farm Blvd.  
Ashburn, VA 20147

Re: Three Waters Project: Jackson County, MN

Dear Mr. O'Brien:

In response to your request on May 4, 2017, the National Telecommunications and Information Administration provided to the federal agencies represented in the Interdepartment Radio Advisory Committee (IRAC) the plans for the Three Waters Wind Farm, located in Jackson County, Minnesota.

After a 45 day period of review, no agencies had issues with turbine placement in this area.

While the IRAC agencies did not identify any concerns regarding radio frequency blockage, this does not eliminate the need for the wind energy facilities to meet any other requirements specified by law related to these agencies. For example, this review by the IRAC does not eliminate any need that may exist to coordinate with the Federal Aviation Administration concerning flight obstruction.

Thank you for the opportunity to review these proposals.

Sincerely,

Peter A. Tenhula  
Deputy Associate Administrator  
Office of Spectrum Management

## Chad R. Anderson

---

**From:** Jared Beck <jaredbeck38@gmail.com>  
**Sent:** Wednesday, November 14, 2018 1:46 PM  
**To:** Shannon Klundt  
**Subject:** Re: Three Waters Wind Farm

I can send over a draft from one of the other projects we have done with Geronimo Energy. Will you guys be able to identify the crossings with my shapefile?

On Wed, Nov 14, 2018 at 1:44 PM Shannon Klundt <[Shannon.Klundt@westwoodps.com](mailto:Shannon.Klundt@westwoodps.com)> wrote:

Typically it is the utility company that would send the agreement form to the Developer when the time comes. I don't have one to send.

### Shannon Klundt

**SENIOR PROJECT MANAGER**

[shannon.klundt@westwoodps.com](mailto:shannon.klundt@westwoodps.com)

**Direct** (320) 229-2307  
**Main** (320) 253-9495  
**Cell** (320) 333-0663

### Westwood Multi-Disciplined Surveying & Engineering

3701 12th St. N, Suite 206 | St. Cloud, MN 56303

---

**westwoodps.com**

(888) 937-5150

**From:** Jared Beck [mailto:[jaredbeck38@gmail.com](mailto:jaredbeck38@gmail.com)]  
**Sent:** Wednesday, November 14, 2018 1:43 PM  
**To:** Shannon Klundt <[Shannon.Klundt@westwoodps.com](mailto:Shannon.Klundt@westwoodps.com)>  
**Subject:** Re: Three Waters Wind Farm

Shannon,

You can send that agreement to me and I can have our legal take a look at it and then get the appropriate signatures.

On Wed, Nov 14, 2018 at 1:40 PM Shannon Klundt <[Shannon.Klundt@westwoodps.com](mailto:Shannon.Klundt@westwoodps.com)> wrote:

Thanks, who would the contact be should we need crossing agreement?

**Shannon Klundt**

**SENIOR PROJECT MANAGER**

shannon.klundt@westwoodps.com

**Direct** (320) 229-2307

**Main** (320) 253-9495

**Cell** (320) 333-0663

**Westwood Multi-Disciplined Surveying & Engineering**

3701 12th St. N, Suite 206 | St. Cloud, MN 56303

---

**westwoodps.com**

(888) 937-5150

**From:** Jared Beck [mailto:[jaredbeck38@gmail.com](mailto:jaredbeck38@gmail.com)]

**Sent:** Wednesday, November 14, 2018 1:12 PM

**To:** Shannon Klundt <[Shannon.Klundt@westwoodps.com](mailto:Shannon.Klundt@westwoodps.com)>

**Subject:** Re: Three Waters Wind Farm

Shannon,

A request was made to provide your company information regarding Lincoln-Pipestone Rural Water System's distribution network in areas where work will be performed. Attached is a compressed shapefile created containing existing pipe layer information within the sections noted. Two notes need to be mentioned:

1. **Limitations of Use:** The utility information provided is considered to be of a sensitive nature and its use is intended for **Westwood Multi-Disciplined Surveying & Engineering** and its staff, and is not to be disseminated to outside entities without authorization from Lincoln-Pipestone Rural Water.

2. **Spatial Accuracy:** Due to the method(s) of data acquisition, much of the spatial data depicted are approximations, and are not necessarily accurate to surveying/engineering standards. This data should not be utilized in lieu of proper procedures for locating underground facilities/utilities.

The following is the shapefile metadata:



NAD 1983 UTM Zone 15N  
Projection: Transverse Mercator  
False Easting: 500,000.000000  
False Northing: 0.000000  
Central Meridian: -93.000000  
Scale Factor: 0.999600  
Latitude of Origin: 0.000000

If you have any questions, please call [\(507\)368-4248](tel:5073684248) or email [jaredbeck38@gmail.com](mailto:jaredbeck38@gmail.com) .

Sincerely,

Jared Beck

*Water Resource/GIS Tech*

*Lincoln-Pipestone Rural Water*

*East Hwy 14*

*Lake Benton, MN 56149*

On Fri, Nov 9, 2018 at 12:35 PM Shannon Klundt <[Shannon.Klundt@westwoodps.com](mailto:Shannon.Klundt@westwoodps.com)> wrote:

Jared, please find attached a pdf and kmz file showing the project boundary of the Three Waters Wind Project. This project is in Jackson County, Minnesota. If you could supply plans of your facilities in this area to assist us in our design and crossing agreements it would be greatly appreciated.

Please let me know if I need to speak to someone else about this request.

Thanks, Shannon

**Shannon Klundt**  
**SENIOR PROJECT MANAGER**  
shannon.klundt@westwoodps.com

**Direct** (320) 229-2307  
**Main** (320) 253-9495  
**Cell** (320) 333-0663

**Westwood Multi-Disciplined Surveying & Engineering**  
3701 12th St. N, Suite 206 | St. Cloud, MN 56303

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**westwoodps.com**  
(888) 937-5150

--

*Jared Beck*

**Water Resource / GIS Technician**

Lincoln-Pipestone Rural Water

415 E. Benton St.

Lake Benton, MN 56149

[\(507\)368-4248](tel:(507)368-4248)

[jaredbeck38@gmail.com](mailto:jaredbeck38@gmail.com)

---

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--

*Jared Beck*

**Water Resource / GIS Technician**

Lincoln-Pipestone Rural Water

415 E. Benton St.

Lake Benton, MN 56149

[\(507\)368-4248](tel:(507)368-4248)

[jaredbeck38@gmail.com](mailto:jaredbeck38@gmail.com)

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--

*Jared Beck*

**Water Resource / GIS Technician**

Lincoln-Pipestone Rural Water

415 E. Benton St.

Lake Benton, MN 56149

[\(507\)368-4248](tel:(507)368-4248)

[jaredbeck38@gmail.com](mailto:jaredbeck38@gmail.com)

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## Chad R. Anderson

---

**From:** Patrick Deering <patrick.deering@dgr.com>  
**Sent:** Wednesday, November 21, 2018 8:44 AM  
**To:** Shannon Klundt  
**Cc:** 'jeremyredrock@centurytel.net'; 'dominicrock@centurytel.net'  
**Subject:** RE: Red Rock Waterlines

Shannon,

You can contact Red Rock's Operations Manager Jeremy Nerem at [jeremyredrock@centurytel.net](mailto:jeremyredrock@centurytel.net) or by phone at 507-628-4201.

Thanks,

**Patrick Deering, PE**

## DGR Engineering

---

**From:** Shannon Klundt <Shannon.Klundt@westwoodps.com>  
**Sent:** Wednesday, November 21, 2018 8:37 AM  
**To:** Patrick Deering <patrick.deering@dgr.com>  
**Cc:** 'jeremyredrock@centurytel.net' <jeremyredrock@centurytel.net>; 'dominicrock@centurytel.net' <dominicrock@centurytel.net>  
**Subject:** RE: Red Rock Waterlines

Thanks Patrick, who would be the contact should we need a crossing agreement?

**Shannon Klundt**  
**SENIOR PROJECT MANAGER**  
shannon.klundt@westwoodps.com

**Direct** (320) 229-2307  
**Main** (320) 253-9495  
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**Westwood Multi-Disciplined Surveying & Engineering**  
3701 12th St. N, Suite 206 | St. Cloud, MN 56303

**westwoodps.com**  
(888) 937-5150

---

**From:** Patrick Deering [<mailto:patrick.deering@dgr.com>]  
**Sent:** Wednesday, November 21, 2018 8:28 AM  
**To:** Shannon Klundt <[Shannon.Klundt@westwoodps.com](mailto:Shannon.Klundt@westwoodps.com)>  
**Cc:** 'jeremyredrock@centurytel.net' <[jeremyredrock@centurytel.net](mailto:jeremyredrock@centurytel.net)>; 'dominicrock@centurytel.net' <[dominicrock@centurytel.net](mailto:dominicrock@centurytel.net)>  
**Subject:** Red Rock Waterlines

Shannon,

At the request of Dominic Jones, Manager of the Red Rock Rural Water System, I am providing you with the attached shapefile of Red Rock's waterline locations within your Three Waters project area. The shapefile contains information on

the pressure class, diameter, and location accuracy of the pipelines. The shapefile is in a Nad83\_UTM Zone 15N\_Meters coordinate System.

The waterline locations are privileged information and should not be distributed without the consent of Red Rock Rural Water System. I ask that you use discretion in how the information is applied and displayed to help ensure the security of the water system.

Please note that the majority of your project area is within the Lincoln-Pipestone Rural Water service area. You should also be contacting them for their waterline locations if you haven't already done so.

Feel free to contact me if you have any questions.

Thanks,

**Patrick Deering, PE**



1302 South Union Street  
Rock Rapids, IA 51246  
phone: 712-472-2531  
cell: 406-690-9349

[www.dgr.com](http://www.dgr.com)

***Trusted. Professional. Solutions.***



FOR IMMEDIATE RELEASE

CONTACT: Chad Thompson  
[chad@scoutcleanenergy.com](mailto:chad@scoutcleanenergy.com)  
901.331.0779

**Scout Clean Energy Announces Completion of Power Purchase Agreement (PPA) with Minnesota Municipal Power Agency (MMPA) for the Three Waters Wind Farm**  
*20-year agreement for entire 200 MW capacity; Construction anticipated in 2021*

**Jackson County, MN** – Scout Clean Energy (“Scout”), is pleased to announce the completion of a Power Purchase Agreement (PPA) with Minnesota Municipal Power Agency (MMPA) for the purchase of 200 megawatts (MW) of renewable energy from the Three Waters Wind Farm (“Three Waters”) in Jackson County, Minnesota.

The project calls for the installation of up to 71 2.82 MW GE wind turbines to be located across approximately 45,000 acres in Jackson County.

“We are excited to announce our agreement with Minnesota Municipal Power Agency to purchase power from the Three Waters Wind Farm,” said Michael Rucker, CEO and founder of Scout Clean Energy. “MMPA has agreed to purchase the entire capacity that will be generated by the Three Waters Wind Farm. The project distinguishes MMPA as a renewable energy leader in Minnesota.”

“This purchase of renewable energy contributes to MMPA’s renewable portfolio and reduces MMPA’s carbon footprint in a cost-effective manner” said Oncu Er, Chief Operating Officer of Avant Energy, Inc., MMPA’s management partner.

The project is expected to begin construction in 2021 with an anticipated in-service date of late 2021. Three Waters is being developed and will be owned and operated by Scout Clean Energy. Scout is a portfolio company of Quinbrook Infrastructure Partners a leading private equity infrastructure fund.

“The agreement with MMPA for the Three Waters Wind Farm is an important step for the project,” explained Rucker. “We hope that working together we will help bring this economic benefit to Jackson County.”

--30--

## **About Minnesota Municipal Power Agency**

The Minnesota Municipal Power Agency (MMPA) provides wholesale electricity to twelve member communities, which in turn deliver and sell power to their residential and business customers. Members include municipal utilities in Anoka, Arlington, Brownton, Buffalo, Chaska, East Grand Forks, Elk River, Le Sueur, North St. Paul, Olivia, Shakopee, and Winthrop. MMPA's management partner is Avant Energy, a Minneapolis-based energy management company and an innovative supplier of energy project development, management, trading, consulting, and utility operations services.

## **About Scout Clean Energy**

Scout Clean Energy is a renewable energy development company headquartered in Boulder, Colorado. Scout is developing a 2,400 MW portfolio of wind energy projects across 10 US states. Scout is an owner-operator with expertise in all aspects of wind development, permitting, power marketing, finance, construction and asset management. Scout is a portfolio company of Quinbrook Infrastructure Partners.

[www.scoutcleanenergy.com](http://www.scoutcleanenergy.com)

## **About Quinbrook Infrastructure Partners**

Quinbrook Infrastructure Partners is a specialist investment manager focused exclusively on lower carbon and renewable energy infrastructure investment and operational asset management in the US, UK and Australia. Quinbrook is led and managed by a senior team of power industry professionals who have collectively invested over US\$ 17 billion in energy infrastructure assets since the early 1990's, representing over 30GW of power supply capacity. Quinbrook's investment and asset management team has offices in Houston, London, Jersey, and the Gold Coast of Australia. Quinbrook has completed multiple investments in both utility and distributed scale wind power, gas fired power reserve and 'smart grid' projects in the US, UK and Australia and currently manages Cape Byron Power ([www.capebyronpower.com](http://www.capebyronpower.com)), one of Australia's largest base-load 100% renewable power generators.

<https://www.quinbrook.com/>

# THREE WATERS WIND FARM

JACKSON COUNTY, MINNESOTA  
OSCEOLA COUNTY, IOWA  
DICKINSON COUNTY, IOWA

A project of



July 8, 2019



# Overview



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- ❑ Introductions
- ❑ Scout Clean Energy
  - ❑ Background
  - ❑ Experience
- ❑ Three Waters Wind Farm
  - ❑ Project Overview
  - ❑ Permitting Timeline
  - ❑ Project Studies
  - ❑ Community Involvement
- ❑ Questions



# Scout Clean Energy Background



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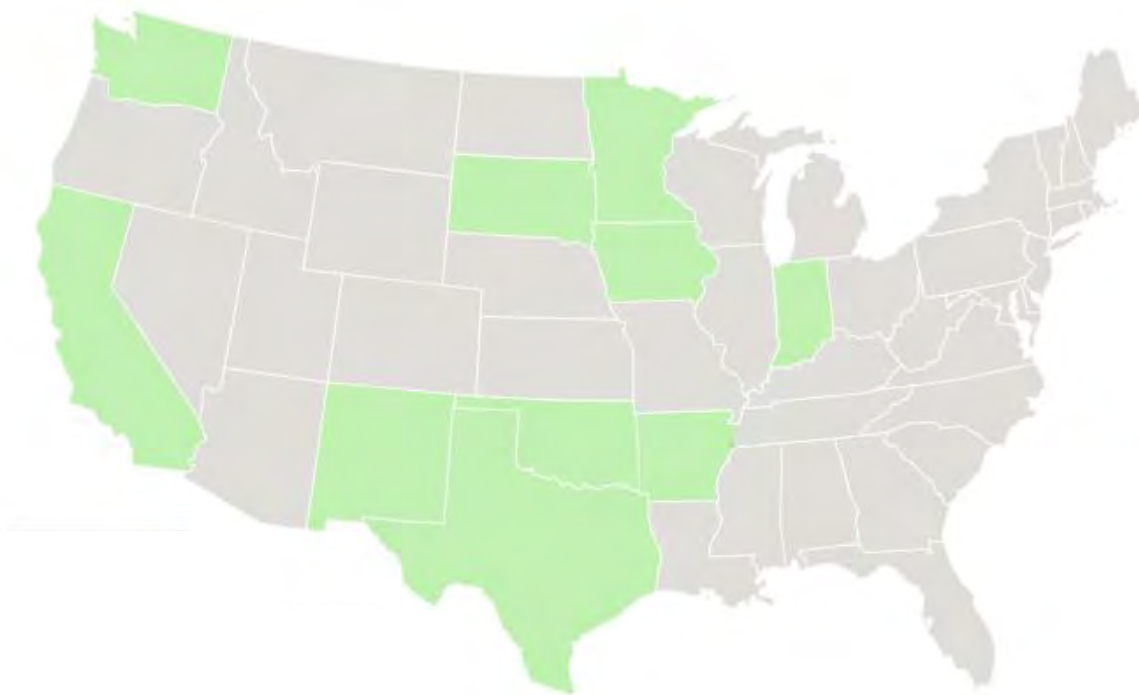
- ❑ Scout Clean Energy was formed in July of 2016 and is located in Boulder, Colorado. Scout is a renewable energy development company focused on utility scale wind development.
- ❑ Scout Clean Energy is committed to working closely with property owners and local stakeholders to develop responsible wind energy projects, with experience across dozens of communities and thousands of property owners.
- ❑ The Scout team has an extensive track record developing large-scale wind energy projects. The most recent, Persimmon Creek 1 Wind Farm in Oklahoma went into commercial operations in 4Q- 2018 and the Ranchero Wind Farm in Texas is currently under construction.
- ❑ The portfolio comprises 12 projects across 10 states in active development and is focused is on developing, constructing and operating wind farms.

# Scout Clean Energy Experience



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The Scout team is actively developing a 2.1 GW portfolio of 100% PTC qualified wind projects in 10 states



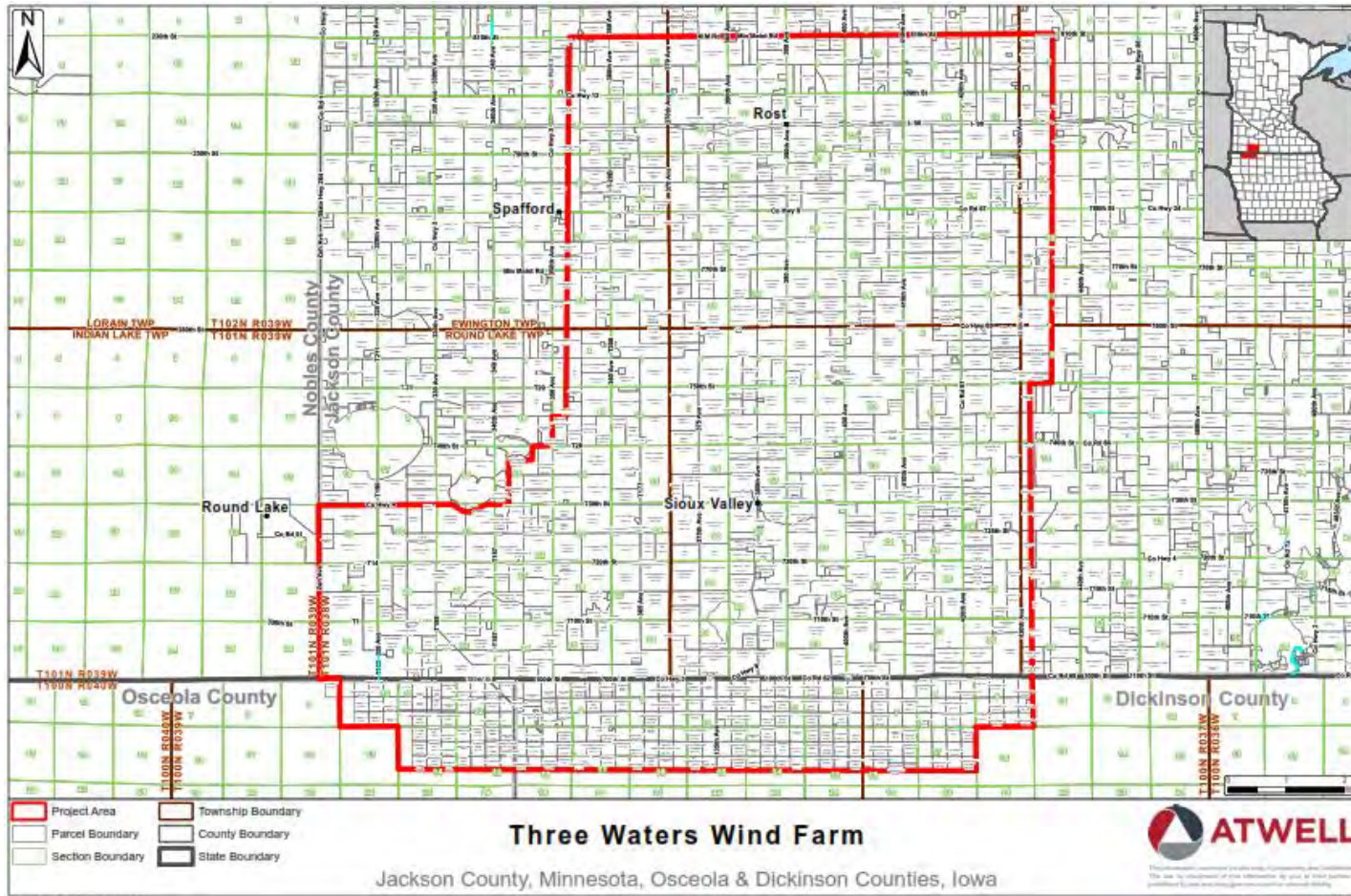
# Capital & Ownership Structure



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- In April of 2017, Scout and Quinbrook Infrastructure Partners (QIP) closed a transaction that made Scout a portfolio company of QIP.
  - ▣ QIP is a well-capitalized private equity fund with operations in the US, Europe and Australia.
  - ▣ QIP specializes in placing capital in low carbon technologies by investing in highly qualified and experienced renewable platforms and teams.
- Together with QIP, Scout has the financial strength to fund project development for the entire Scout portfolio over the next three years and provide up to \$1B in sponsor capital to own and operate the wind farm assets.

# Three Waters Wind Farm Overview



Southwest of Lakefield, MN; South of I-90

# Three Waters Wind Farm Overview



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- **Capacity:**
  - Approximately 200- megawatts (MWs).
- **Land:**
  - Project comprised of voluntary Wind Leases and Good Neighbor Agreements comprising 45,000 acres (approx.).
- **Proposed Project Footprint to Include:**
  - Up to 71 wind turbines plus alternate turbine locations
  - Access roads, underground 34.5-kV collector lines, underground fiber-optic cables for turbine communications, etc.
  - An operations and maintenance (O&M) facility.
  - Up to four permanent meteorological (MET) towers.
- **Proposed Project Substation:**
  - A 34.5 to 345-kv collection substation.
- **Point of Interconnection**
  - ITC (Lakefield to Raun) 345-kV transmission line.
- **Project Off-take:**
  - PPA with Minnesota Municipal Power Agency (MMPA).
- **Schedule:**
  - Commercial Operations Date (COD): Q4 2021

# Three Waters Wind Farm- Permitting Timeline



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- Certificate of Need
  - Fredrikson & Byron, P.A.
  - Westwood P.S. (Engineering & Surveying)
  - Targeted submittal: July 31, 2019
- Site Permit Application
  - Fredrikson & Byron, P.A.
  - Wenck
  - RSG Inc. (Noise), EAPC Wind Energy (Flicker)
  - Westwood P.S. (Engineering & Surveying)
  - Targeted submittal: September 30, 2019
- No overhead transmission



# Three Waters Wind Farm- Project Studies



Study	Date	Status
Baseline Avian Study, Year 1 Studies	March 2017 to February 2018	Complete
Baseline Avian Study, Year 2 Studies	March 2018 to February 2019	Ongoing
Bat Activity Study 2017 Report	July to November 2017	Complete
Bat Activity Study 2018 Report	April to October 2018	Complete
Bat Summer Presence/Absence Survey Report	June 2017	Complete
Eagle and Raptor Nest Surveys 2017 (Year 1) Report	March and May 2017	Complete
Eagle and Raptor Nest Surveys 2018 (Year 2) Report	April and May 2018	Complete
Habitat Mapping (included with SCS)	May 2017	In Review
Site Characterization Study	March 2019	In Review
Bird and Bat Conservation Strategy	March to April 2019	In Review
Native Grassland Habitat Report	Fall- 2019	Ongoing
Wetland Delineation Report	Fall- 2019	Ongoing
Cultural Resources Survey	Fall- 2019	Ongoing
Historical/Architectural Survey	Fall- 2019	Ongoing
AM and FM Radio Report	June 2019	Complete
TV Report	April 2019	Complete
Mobile & Emergency Services Report	April 2019	Complete
Microwave Study	April 2019	Complete
Mobile Phone Report	April 2019	Complete
Obstruction Analysis & Airspace Analysis	August 2018	Complete
Sound Study	July 2019	Ongoing
Shadow Flicker Analysis	July 2019	Ongoing
Jobs and Economic Development Impact (JEDI) Model	September 2019	Ongoing

- Additional consultation with Minnesota DNR and USFWS to discuss year 2 study results.



# Three Waters Wind Farm- Community Involvement



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## **2018 Community Involvement:**

- Jackpot Hog Show- Sponsor
- Jackson County Fair- Beer Garden Sponsor
- Jackson County Youth 4H Livestock Auction- Participant
- Purple Ribbon Auction- Sponsor
- Jackson County Food 4 Kids- Sponsor
- Farmer's Appreciation Days- Sponsor
- Jackson Motorplex- Sponsor
- Skylar Prochaska Sprint Car- Sponsor
- Lakefield Oktoberfest- Sponsor
- Chamber of Commerce- Member

## **2019 Year To Date:**

- Updates to County Commissioners and Township Board Members
- Ten direct mailers to landowners
- Print ads in local papers (Jackson Co. Pilot, Livewire, Lakefield Standard, Lake News Shopper)
- Radio ads on KKOJ (Linder Farm Network) ran through June
- Okabena July 4<sup>th</sup> Fireworks Sponsor

## **2019 Future Plans:**

- Minnesota State Pork Chop Open Hole Sponsor
- Jackpot Hog Show Sponsor
- Rhythm of the River Event Sponsor
- Jackson County Fair: Beer Garden & Jacob Daniel Concert Sponsor
- Jackson County 4H Livestock Auction Participant

# Three Waters Wind Farm- Questions?



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# Contact Information



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