

**Short-billed Dowitcher** *Limnodromus griseus*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9480>

**Western Grebe** *aechmophorus occidentalis*

Breeds Jun 1 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/6743>

**Willet** *Tringa semipalmata*

Breeds Apr 20 to Aug 5

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

## Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .

3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (I)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

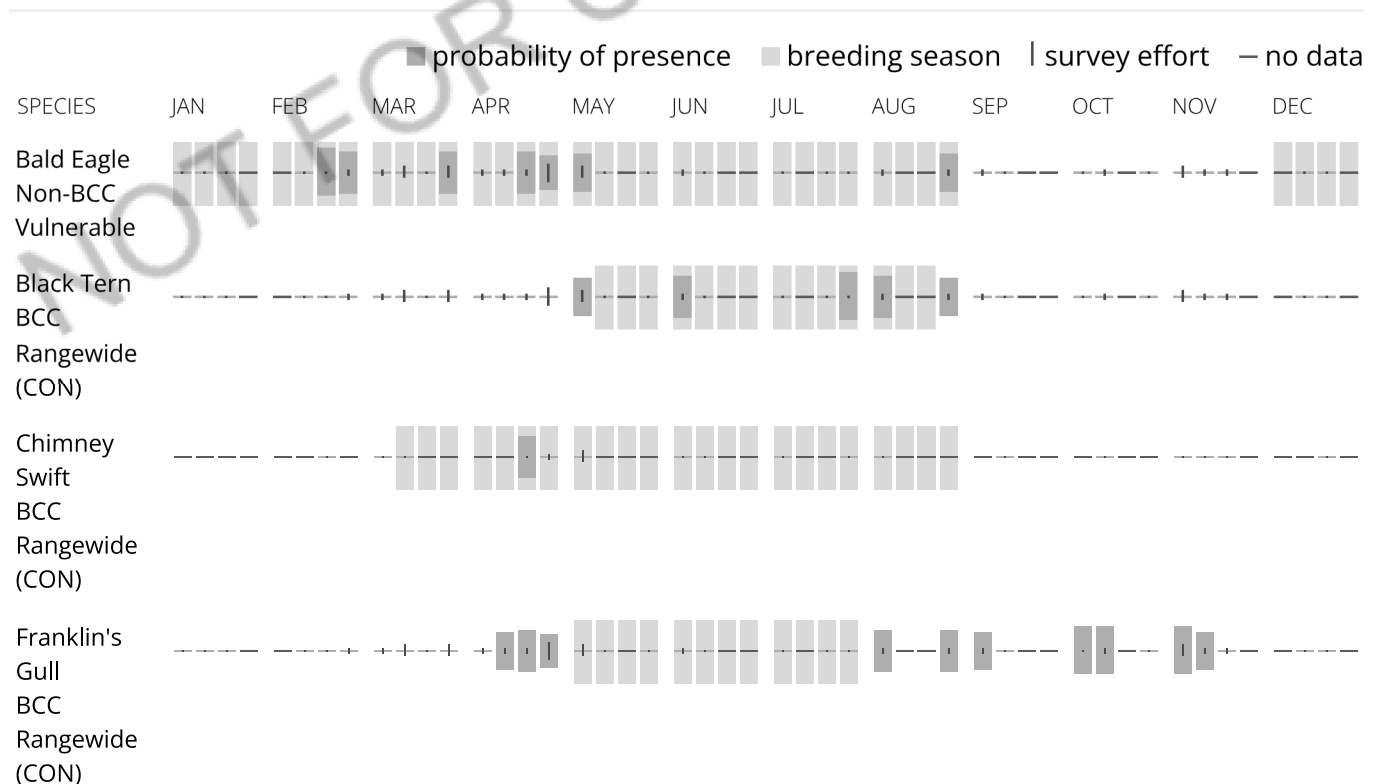
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

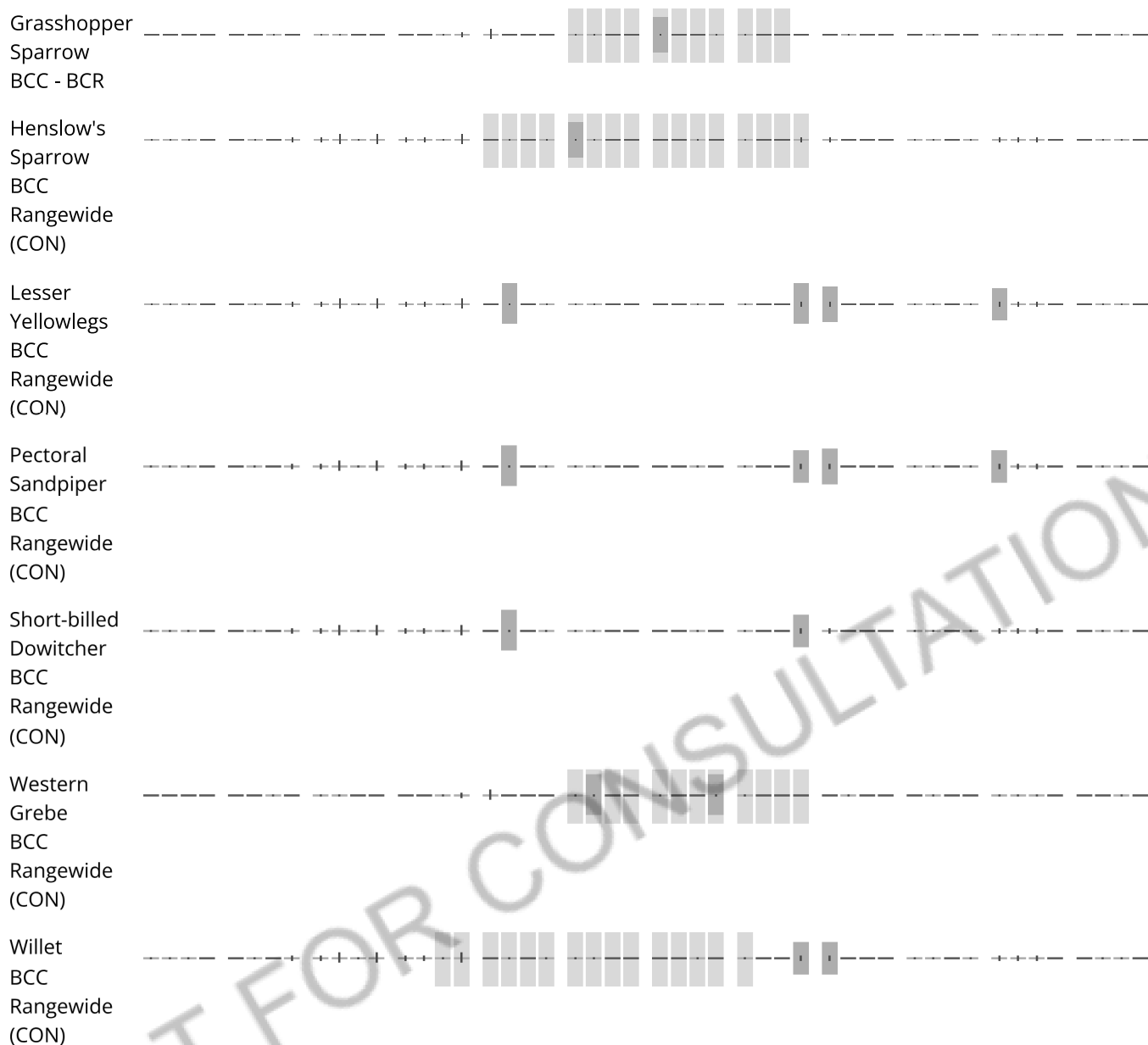
No Data (—)

A week is marked as having no data if there were no survey events for that week.

## Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.



## Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

## What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

## Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

# Facilities

## National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

This location overlaps the following National Wildlife Refuge lands:

LAND	ACRES
LYON COUNTY WATERFOWL PRODUCTION AREA	395.89 acres

## Fish hatcheries

There are no fish hatcheries at this location.

## Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

## Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

### Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

#### **Data exclusions**

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

#### **Data precautions**

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

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# **Appendix C-4**

## **Agency and Tribal Nation Responses**

### **Minnesota Historical Society and State Historic Preservation Office**

May 16, 2024 Letter from Coneflower

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May 16, 2024

Kelly Gragg-Johnson, Environmental Review Specialist  
State Historic Preservation Office  
Administration Building #203  
50 Sherburne Ave.  
Saint Paul, MN 55155

Transmitted via email to [kelly.graggjohnson@state.mn.us](mailto:kelly.graggjohnson@state.mn.us) & [MNSHPO@state.mn.us](mailto:MNSHPO@state.mn.us)

**Re: Summary of Archaeological and Architectural Resource Studies and Request for  
Comment on Coneflower Solar Project  
Lyon County, Minnesota**

Dear Kelly Gragg-Johnson:

Coneflower Energy, LLC (Coneflower, Coneflower Solar, or Applicant), an indirect wholly owned subsidiary of Apex Clean Energy Holdings, LLC (Apex) is proposing to construct an up to 235 megawatt (MW) alternating current (AC) solar electric generation system and associated facilities (Project) in Custer Township, Lyon County, Minnesota (**Exhibit 1**).

The Project requires a Site Permit from the Minnesota Public Utilities Commission (MPUC) prior to construction under the Minnesota Power Plant Siting Act (MN Statute 216E). Coneflower anticipates submitting the Site Permit Application to the MPUC in mid-2024.

Coneflower is gathering information and requesting agency comments for the proposed Project. The Project encompasses approximately 2,305 acres (Project Area) of mainly cultivated croplands and pasture lands with scattered farmsteads throughout the Project Area. The Project Area is in Township 109N, Range 41W, Sections 7, 16-22, and 27. The Project is generally south of Marshall, MN. Specifically, the Project is north and west of Garvin and US Highway 59 and east of Balaton. US Highway 14 bisects the Project Area.

Coneflower continues to collect information to inform Project design. The site plan has not been finalized. In general, the Project's permanent facilities will include:

- Solar modules, inverters, and racking
- Security fencing
- Gravel access roads
- Underground electrical collection lines
- A project substation
- An operations and maintenance building

As part of the Project due diligence, Coneflower's contractor, Impact7G, Inc., performed a Phase I records review and archaeological field survey for cultural resources following survey methodology in accordance with the Office of State Archaeologist's Manual for Archeological

Projects in Minnesota (2011). The survey included an archeological and historical records search of the Project Area plus a 1-mile buffer using information from the Minnesota State Historic Preservation Office (SHPO); the request was submitted to SHPO on May 11, 2023. Additional sources used for the records review included the National Register of Historic Places (NRHP), National Historic Landmarks, local historic societies, and other appropriate sources. The Phase I records review indicated two known cultural resources within the Project Area, both of which are considered not eligible for the NRHP. The Phase I cultural resources field survey of the Project Area was conducted November 7-11, 2023, and January 30-31, 2024. Prior to initiating the field effort, 11 Minnesota tribes and the Minnesota Indian Affairs Council (MIAC) were informed about the Project and invited to join the field survey work. Tribal Cultural Specialists (TCS) Drew Brockman and Cameron Stennes of the Upper Sioux Community took part in the survey. During the field survey, two newly recorded Euro-American cultural resources were identified. Both sites consist of historic homestead artifact scatters and are recommended not eligible for the NRHP. The TCSs that participated in the inventory located two Traditional Cultural Properties (TCPs), which have been given avoidance buffers and which will be avoided with Project facilities. The results of the Phase I archaeological surveys are detailed in the attached *Phase I Reconnaissance Survey of the Coneflower Solar Project*.

Architectural field surveys for the Project Area plus a 1-mile radius were conducted November 10-11, 2023 and are detailed in the attached *Phase I Reconnaissance Historic Architecture Survey of the Coneflower Solar Project* (Architectural Report). Seventeen previously recorded architectural sites were identified in the record search and were recommended not eligible or were unevaluated for inclusion in the NRHP. All seventeen sites were revisited during the survey and after evaluation were all recommended not eligible. During the field survey, an additional fifty locations were determined to have structures old enough to be evaluated for listing on the NRHP. Of those sites, forty-eight are recommended not eligible and/or contained structures that are considered unevaluated due to lack of access. Two of the newly recorded sites contain one or more structures that are recommended eligible for the NRHP. Of the two sites recommended eligible, neither will experience any visual or direct impacts due to shelter belts, topography, and distance from the Project. There are no effects identified on any of the recorded sites within the Project Area.

The enclosed map shows the Project Area within which the Project will be located. We welcome any comments you may have at this time and throughout the Site Permit Application process. Please provide comments within 30 days of receipt of this letter. Any written comments provided in response to this letter will be incorporated into the MPUC's review process. Additionally, if you agree with the findings of the Cultural and Architectural Reports, we would appreciate your written approval of the documents.

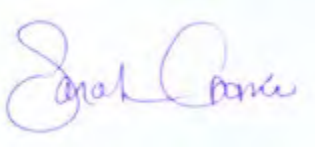


May 16, 2024

Page 2

If you require further information or have questions regarding this matter, please contact Sarah Cromie at [sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com) or (434) 270-3131.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sarah Cromie", is displayed on a light blue rectangular background.

Sarah Cromie  
Environmental Permitting Manager  
Apex Clean Energy, Inc.

Enclosures (3):

Exhibit 1 - Project Location Map

Phase I Reconnaissance Survey of the Coneflower Solar Project

Phase I Reconnaissance Historic Architecture Survey of the Coneflower Solar Project











## Coneflower Solar Project

Lyon County, Minnesota

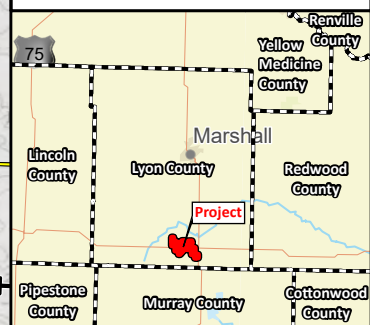
Project Location &  
USGS Topography

Exhibit 1

### Legend

-  Project Area
-  State Boundary
-  County Boundary
-  PLSS Township
-  PLSS Section
-  Municipal Township
-  Municipal Boundary
-  Major Road
-  Road
-  Railroad

Data Source(s): Westwood (2024); ESRI WMS Topo & World Streets Basemaps (Accessed 2024); PLSS (2022); U.S. Census Bureau (2021, 2022, & 2023).



# **Appendix C-4**

## **Agency and Tribal Nation Responses**

### **Minnesota Department of Natural Resources - Region 4**

May 5, 2024 (dated) Agency Response, (received) June 5, 2024

May 9, 2024 Letter from Coneflower

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## Utility Scale Solar Early Coordination

**Date:** May 05, 2024

**To:** Sarah Cromie  
Senior Environmental Permitting Manager  
Apex Clean Energy  
120 Garrett Street, Suite 700  
Charlottesville, VA 22902

**From:** Haley Byron  
Regional Environmental Assessment Ecologist - South Region  
117 Rogers St.  
Mankato, MN 56001

### RE: Coneflower Solar & Natural Resource Considerations

Thank you for the opportunity to engage in early coordination for the proposed Coneflower Solar project. The following comments are offered for your consideration. The [DNR Commercial Solar Siting Guidance](#) provides additional siting and development guidance to avoid, minimize, and mitigate natural resource impacts. Please refer to the Natural Heritage Review issued on April 29, 2024, for information regarding:

- Minnesota Biological Survey
- State-protected species
- Required measures and surveys

#### Native Plant Communities & Minnesota Prairie Conservation Plan

The proposed location is a high priority area for prairie conservation and reestablishment. The [Minnesota Prairie Conservation Plan](#) identifies core areas, corridors, and strategic habitat complexes to help guide conservation activities. The proposed project lies within the Altamont Moraine corridor and Garvin Park strategic habitat complex. These corridors connect core areas, moderate the effects of a highly fragmented landscape, and function as dispersal corridors that allow an exchange of individuals and genetics between populations. Strategic habitat complexes function as habitat “stepping stones” for mobile wildlife species within the corridors.

Given the importance of this area for prairie conservation, we strongly recommend conducting a native prairie survey within the project footprint. If native prairie is found, avoidance and protection strategies must be included in the Vegetation Management Plan or as part of a separate Native Prairie Protection Plan. Additionally, we recommend a minimum 100-foot management buffer between panel placement and native plant communities, as well as adjacent sites of biodiversity significance. This buffer will enable DNR staff to carry



out prairie management practices and prevent unintended negative impacts from solar management activities such as herbicide spraying.

## **Vegetation Management Plan**

A vegetation management plan will be required for the proposed project. Please reference the following material:

- [MN Dept. of Commerce Guidance for Developing a Vegetation Establishment Management Plan for Solar Facilities](#)
- [DNR Prairie Establishment & Maintenance Technical Guidance for Solar Projects](#) – This document is being updated, and staff are available to discuss revisions that apply to the proposed project.
- [BWSR Minnesota Habitat Friendly Solar Program](#)

## **Wildlife, Wildlife Management Areas & Recreation on Public Lands**

Wildlife Management Areas (WMA) are the backbone of DNR's wildlife management efforts in Minnesota. WMAs provide a wide range of habitats supporting hundreds of species, including deer, birds, bats, amphibians, insects, and plants. They also provide many recreational opportunities, such as fishing, hunting, hiking, bird watching, and educational opportunities. Avoidance of WMAs is strongly encouraged. State, federal, and non-profit conservation groups have expended a considerable amount of time and money to acquire and manage these properties for the conservation of natural resources and recreational use by the public.

Large-scale developments in close proximity to WMAs threaten the ability to perpetuate wildlife populations and provide robust recreational opportunities. Local wildlife management staff anticipate that prairie specialists or obligate species will either avoid or decline on public and private land adjacent to the proposed project. Discussions are being held with USFWS to evaluate potential impacts on adjacent WMAs and Waterfowl Production Areas. A preferred minimum setback distance from adjacent WMAs and potential best management practices are currently being evaluated and will be provided shortly.

The Garvin WMA access road extends across a section of the proposed project footprint. If utility infrastructure is proposed to cross the WMA, a [Utility License](#) is required. The DNR Division of Lands and Minerals (LAM) is the permitting authority. State-owned land can not be used to access the project site without a formal agreement. If needed, please work with Karla Ihns on the utility license and access agreement. A license from LAM can not be issued until Public Utilities Commission proceedings are complete and a site permit has been issued.

Karla Ihns  
DNR Division of Lands and Minerals  
Sr. Realty Specialist  
[karla.ihns@state.mn.us](mailto:karla.ihns@state.mn.us)  
507-233-1210

Surrounding wetlands with solar panels is not recommended as it may deter wildlife use. Some species will avoid wetlands due to the structures, glare, vehicular traffic, and human disturbances. A limited number of facilities in other states have reported that birds mistake the glare or polarized light reflection as water. Fatalities may occur to birds attempting to land on or within the panels. This is of particular concern for the proposed project given

the proximity to WMAs, Waterfowl Production Areas, Lake of the Hill, and Conservation Reserve Enhancement Program easements within and adjacent to the project boundary. Impacts can be minimized by using less reflective panels or non-polarizing white grids between the panels to break up the polarized reflection of light. Another mechanism to reduce the potential for wildlife impacts is to place the panels away from water bodies.

## Large Block Habitats

Multiple large block habitats (greater than 40 acres) are within and adjacent to the proposed project. Large block habitats should be avoided as they provide an increased diversity of species, higher species populations, and more resilient and complex ecological communities. Siting solar projects in large blocks of forested or grassland habitat causes habitat loss and fragmentation that is detrimental to area-sensitive species.

The *DNR Commercial Solar Siting Guidance* “Large Block and Other Habitats” section contains a list of available data layers to help identify these habitat areas. A minimum setback distance of 300ft from large block habitats is strongly recommended.

## Perimeter Fencing

Fences pose a risk of entanglement, injuries, or death for birds and other animals. To avoid or reduce injuries and fatalities, barbed wire should not be used at the top of the fence. To increase perceptibility, high-visibility markers are recommended to avoid bird or other wildlife engagement. A special PUC permit condition requiring the permittee to develop a fencing plan in consultation with the DNR may be recommended.

To exclude deer, the DNR’s [Fencing Handbook for 10ft Woven Wire Deer Exclusion Fence](#) recommends an eight-foot, woven wire fence topped with two strands of smooth, high-tensile wire. Conservation officers or DNR wildlife staff will not be deployed to assist a solar operator, and the DNR will not issue a white-tailed deer removal permit for facilities with woven wire fences lower than 10 feet.

## Facility Lighting

To minimize visual and ecological impacts, security lights, substations, operations, and/or maintenance buildings should use shielded and downward-facing lighting. The DNR also recommends that projects using LED lighting follow [MnDOT’s approved products for luminaries](#), which limit the maximum nominal color temperature to 4000K. MnDOT specifications also limit the uplight rating to 0 (no light is directed upward above the light fixture’s top).

## Surface & Groundwater

If dewatering is necessary, a [Water Appropriations Permit](#) will be required if more than 10,000 gallons per day or 1.0 million gallons per year are pumped.

If public water courses need to be crossed or altered, the following permits may be required:

- [Utility Crossing License](#) - utility crossings over, under, or across public waters.
- [Public Waters Work Permit](#) - temporary or permanent crossing and impacts to the course, current, or cross-section.

## Dust Control

The DNR recommends avoiding chemical dust suppressants containing chloride. Chloride products released into the environment do not break down and can accumulate to toxic levels for plants and wildlife.

## Next Steps

DNR staff are available to discuss this memo and options to avoid, minimize, and mitigate natural resource impacts. Please contact Haley Byron, Regional Environmental Assessment Ecologist, to arrange future discussions.

Haley Byron  
Regional Environmental Assessment Ecologist, South Region  
[haley.byron@state.mn.us](mailto:haley.byron@state.mn.us)  
507-389-8813

## Attachments

- Standard Erosion Control and Invasive Species Prevention Best Practices



## Standard Erosion Control and Invasive Species Prevention Best Practices

Take precautions when working near waterbodies to prevent sedimentation and erosion:

- Erodible surfaces should not be left exposed for greater than one day. For example, work should not commence late in the week if it will be left unfinished over a weekend.
- Work should not commence if rain is predicted.
- All wheeled or tracked construction equipment should be restricted to work areas above the stream bank.
- Fill material should not be stockpiled in the floodplain.
- Backfill placed below Ordinary High Water (OHW) should consist of clean granular material free of fines, silts, soils, and mud.
- Use [Best Practices for DNR General Public Waters Work Permit GP 2004-0001: Species Protection](#). Refer to pages: 3, 11, 14, 16, 25, 33, and 34 as relevant to a particular project.
- Vegetative “grout” should be incorporated with any installed rip rap (see page 33 of above link).
- [Native species planting/seeding](#) should be used.
- DNR Public Waters Work Permit may be required. Permit requirements must be followed.

Use wildlife friendly erosion control:

- Biodegradable netting should be used, preferably natural materials with short degradation periods.

Erosion control blankets should be limited to bio-netting or natural netting types due to the risk of entanglement and death of small animals.

- Identify acceptable materials in Category 3N or 4N mulches. See [Standard Specifications for Construction - MnDOT \(state.mn.us\)](#)
- Do not use products that require UV-light to degrade (also called “photodegradable”), as they do not degrade properly when covered/shaded.
- Do not use products containing plastic mesh netting or other plastic components.
- Do not use mulch products that contain synthetic (plastic) fiber additives near waterbodies.
- See [Wildlife Friendly Erosion Control](#) for more information.

Take active steps to prevent invasive species introduction and spread:

- Clean all equipment (including but not limited to: vehicles, clothing, and gear) at a site prior to moving to another site. All soil, aggregate material, mulch, vegetation, seeds, animals, etc. need to be removed using a hand tool, brush, compressed air, pressure washer, or otherwise.
- If equipment is not cleaned before arriving to a work site, then clean the equipment in the parking or staging area, ensuring no material is deposited at the new site. Material cleaned from equipment should be disposed of legally.
- All equipment (including but not limited to: waders, tracked vehicles, barges, boats, turbidity curtain, sheet pile, and pumps) used for work in an “infested water” must be adequately decontaminated. See [Watercraft Decontamination Manual](#) for more information.
- See [Come Clean, Leave Clean](#) for more detailed guidance. This guidance is required for those working on DNR lands as part of grant or contract or are working under a permit, your grant, contract, or permit.

### Additional Referenced Links

[https://files.dnr.state.mn.us/waters/watermgmt\\_section/pwpermits/gp\\_2004\\_0001\\_chapter1.pdf](https://files.dnr.state.mn.us/waters/watermgmt_section/pwpermits/gp_2004_0001_chapter1.pdf) <https://bwsr.state.mn.us/seed-mixes>

<https://files.dnr.state.mn.us/eco/nongame/wildlife-friendly-erosion-control.pdf>

<http://www.dot.state.mn.us/pre-letting/spec/2018/2018-spec-book-final.pdf>

<https://www.dnr.state.mn.us/invasives/dnrlands.html>

<https://www.dnr.state.mn.us/invasives/dnrlands.html>

[https://files.dnr.state.mn.us/natural\\_resources/invasives/mndnr\\_ais\\_decontamination\\_handbook.pdf](https://files.dnr.state.mn.us/natural_resources/invasives/mndnr_ais_decontamination_handbook.pdf)

MPCA Perimeter Control Guidance Factsheet: <https://www.pca.state.mn.us/sites/default/files/wq-strm2-26.pdf>

MPCA Sediment control practices - Perimeter controls for disturbed areas: [https://stormwater.pca.state.mn.us/index.php/Sediment\\_control\\_practices\\_-\\_Perimeter\\_controls\\_for\\_disturbed\\_areas](https://stormwater.pca.state.mn.us/index.php/Sediment_control_practices_-_Perimeter_controls_for_disturbed_areas)

**From:** [Byron, Haley \(DNR\)](#)  
**To:** [Sarah Cromie](#); [Warzecha, Cynthia \(DNR\)](#)  
**Cc:** [Carol Guy-Stapleton](#); [Jennie Geiger](#)  
**Subject:** Re: Request for Comments - Coneflower Solar  
**Date:** Thursday, May 9, 2024 3:04:20 PM  
**Attachments:** [image001.jpg](#)

---

Hi Sarah,

Our review is almost complete and anticipated sending it out in two weeks once finalized.

Best,

Haley Byron

---

**From:** Sarah Cromie <sarah.cromie@apexcleanenergy.com>  
**Sent:** Thursday, May 9, 2024 3:33:54 PM  
**To:** Byron, Haley (DNR) <Haley.Byron@state.mn.us>; Warzecha, Cynthia (DNR) <cynthia.warzecha@state.mn.us>  
**Cc:** Carol Guy-Stapleton <carol.guystapleton@apexcleanenergy.com>; Jennie Geiger <jennie.geiger@apexcleanenergy.com>  
**Subject:** Request for Comments - Coneflower Solar

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Hello Haley and Cynthia,

Coneflower Energy LLC will seek a Site Permit from the Minnesota Public Utilities Commission (MPUC) prior to construction of the proposed Coneflower Solar Project under the Minnesota Power Plant Siting Act (MN Statute 216E). Coneflower anticipates submitting the Site Permit Application to the MPUC in mid-2024. We are in the process of gathering information and requesting agency comments for the proposed Project; please find a request for comments attached. As you are both aware, Coneflower is working in parallel with your Natural Heritage Information System (NHIS) staff to receive comments on the Project; the attached request is for the MPUC Site Permit process and separate from the NHIS review. Should you have questions or need clarification on any of this please reach out to me anytime. If you could please reply to this email so I know you received it I would greatly appreciate it.

I hope this email finds you both doing well and enjoying some spring weather!

Best Always,

~Sarah

SARAH CROMIE

Environmental Permitting Manager

Apex Clean Energy

120 Garrett Street, Suite 700, Charlottesville, VA 22902

cell: 434-270-3131 | fax: 434-220-3712

[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com) | [www.apexcleanenergy.com](http://www.apexcleanenergy.com)



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May 9, 2024

**Minnesota Department of Natural Resources**

Haley Byron, Regional Environmental Assessment Ecologist

117 Rogers Street

Mankato, MN 56001

*Transmitted via email: [Haley.Byron@state.mn.us](mailto:Haley.Byron@state.mn.us)*

Cynthia Warzecha, Energy Projects Planner

500 Lafayette Road

St. Paul, MN 55155

*Transmitted via email: [cynthia.warzecha@state.mn.us](mailto:cynthia.warzecha@state.mn.us)*

**Re: USFWS Meeting Summary and Request for Comment on Coneflower Solar Project  
Lyon County, Minnesota**

Dear Haley Byron and Cynthia Warzecha:

Coneflower Energy, LLC (Coneflower, Coneflower Solar, or Applicant), an indirect wholly owned subsidiary of Apex Clean Energy Holdings, LLC (Apex) is proposing to construct an up to 235 megawatt (MW) alternating current (AC) solar electric generation system and associated facilities (Project) in Custer Township, Lyon County, Minnesota. The Project encompasses approximately 2,305 acres (Project Area) of mainly cultivated croplands and pasture lands with scattered farmsteads throughout the Project Area. The Project Area is in Township 109N, Range 41W, Sections 7, 16-22, and 27. The Project is generally south of Marshall, MN; north and west of Garvin and US Highway 59; and east of Balaton. US Highway 14 bisects the Project Area (**Exhibit 1**).

The Project requires a Site Permit from the Minnesota Public Utilities Commission (MPUC) prior to construction under the Minnesota Power Plant Siting Act (MN Statute 216E). Coneflower anticipates submitting the Site Permit Application to the MPUC in mid-2024.

Coneflower is in the process of gathering information and requesting agency comments for the proposed Project. As part of the outreach efforts, Coneflower met with you and other representatives from the Minnesota Department of Natural Resources (MNDNR) and U.S. Fish & Wildlife (USFWS) to provide an overview of the proposed Project on December 19, 2023.

The purpose of the December 19<sup>th</sup> meeting was to introduce the Project, present results from the studies completed to date, and agree on appropriate minimization/avoidance measures. Coneflower indicated that the entire project is located on private land (89% of which is agricultural or developed), it has been sited to avoid all state and federally protected lands, and that no facilities will be placed within 200 feet of public conservation lands. Federally protected species with the potential to occur within the Project area include the northern long-eared bat, tri-colored bat, bald and golden eagles, and migratory birds. No eagle or raptor nests were documented within the Project area or 0.25 mile buffer, suggesting minimal suitable nesting habitat, and minimal to no tree clearing is anticipated for the Project. If minimal tree clearing is

necessary, it will be completed in the winter during the inactive season for bats from November 1<sup>st</sup> through April 14<sup>th</sup><sup>1</sup>. In addition, the Project will be designed to avoid and minimize impacts to waterbodies and wetlands to the extent practicable. A vegetation management plan is currently being developed for the Project.

Coneflower continues to collect information to inform Project design. The site plan has not been finalized. In general, the Project's permanent facilities will include:

- Solar modules, inverters, and racking
- Security fencing
- Gravel access roads
- Underground electrical collection lines
- A project substation
- An operations and maintenance facility

The enclosed map shows the Project Area within which the Project will be located. We welcome any comments you may have at this time and throughout the Site Permit Application process. Please provide comments within 30 days of receipt of this letter. Any written comments provided in response to this letter will be incorporated into the MPUC's review process. Coneflower is working in parallel with your Natural Heritage Information System (NHIS) staff to receive comments on the Project; this request is for the MPUC Site Permit process and separate from the NHIS review.

If you require further information or have questions regarding this matter, please contact Sarah Cromie, [Sarah.Cromie@apexcleanenergy.com](mailto:Sarah.Cromie@apexcleanenergy.com), and/or 434-270-3131.

Sincerely,



Sarah Cromie  
Environmental Permitting Manager  
Apex Clean Energy, Inc.

Enclosure (1):  
Exhibit 1 - Project Location Map

---

<sup>1</sup> Date range from USFWS April 2, 2024, *Northern Long-eared Bat and Tricolored Bat Voluntary Environmental Review Process for Development Projects* which recommends to use the most recent USFWS March 2024 *Range-wide Indiana Bat and Northern Long-eared Bat Survey Guidelines*.













## Coneflower Solar Project

Lyon County, Minnesota

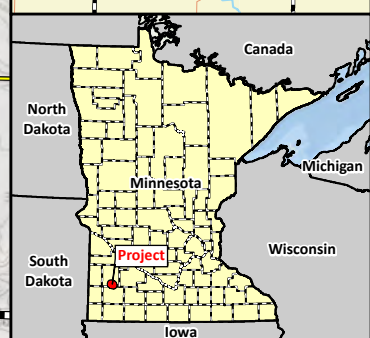
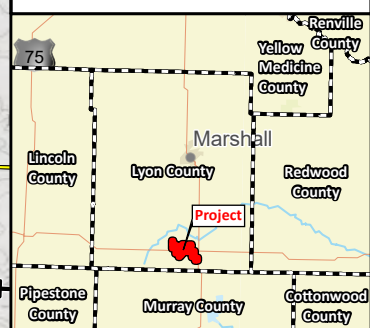
Project Location &  
USGS Topography

Exhibit 1

### Legend

-  Project Area
-  State Boundary
-  County Boundary
-  PLSS Township
-  PLSS Section
-  Municipal Township
-  Municipal Boundary
-  Major Road
-  Road
-  Railroad

Data Source(s): Westwood (2024); ESRI WMS Topo & World Streets Basemaps (Accessed 2024); PLSS (2022); U.S. Census Bureau (2021, 2022, & 2023).



# **Appendix C-4**

## **Agency and Tribal Nation Responses**

### **Minnesota Department of Natural Resources - NHIS**

May 3, 2024 Agency Response

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## Formal Natural Heritage Review - Cover Page

See next page for results of review. A draft watermark means the project details have not been finalized and the results are not official.

**Project Name:** Coneflower Solar

**Project Proposer:** Coneflower Energy, LLC

**Project Type:** Power, Solar

**Project Type Activities:** Tree Removal

**TRS:** T109 R41 S15, T109 R41 S16, T109 R41 S17, T109 R41 S18, T109 R41 S19, T109 R41 S20, T109 R41 S21, T109 R41 S22, T109 R41 S27, T109 R41 S28, T109 R41 S29, T109 R41 S7 +

**County(s):** Lyon

**DNR Admin Region(s):** South

**Reason Requested:** PUC Site or Route Application

**Project Description:** Proposed commercial scale solar project up to 235MW capacity on approximately 2,305-acres. Construction activities will include installation of solar panels ...

**Existing Land Uses:** The majority of land use at the site is agriculturally developed with corn fields.

**Landcover / Habitat Impacted:** Habitat is dominated by cultivated crops (81.5%), developed/open space (7.2%), herbaceous (6.1%), and hay/pasture (3.8%) within the Project area.

**Waterbodies Affected:** We have conducted an aquatic resources delineation for the Project and plan to avoid aquatic resources to the extent practicable.

**Groundwater Resources Affected:** The Project is not anticipated to impact groundwater resources.

**Previous Natural Heritage Review:** No

**Previous Habitat Assessments / Surveys:** No

### SUMMARY OF AUTOMATED RESULTS

Category	Results	Response By Category
Project Details	Comments	Tree Removal - Recommendations
Ecologically Significant Area	Comments	MBS Sites - Recommendations Local Conservation Value - Comment Potential RNC - Will Require Consultation
State-Listed Endangered or Threatened Species	No Comments	No Further Review Required
State-Listed Species of Special Concern	Comments	Recommendations
Federally Listed Species	No Records	Visit IPaC For Federal Review



Minnesota Department of Natural Resources  
Division of Ecological & Water Resources  
500 Lafayette Road, Box 25  
St. Paul, MN 55155-4025

May 3, 2024

Project ID: MCE #2024-00422

Sarah Cromie  
Apex Clean Energy  
120 Garrett Street, Suite 700  
Charlottesville, VA 22902

RE: Automated Natural Heritage Review of the proposed Coneflower Solar  
See Cover Page for location and project details.

Dear Sarah Cromie,

As requested, the above project has been reviewed for potential effects to rare features. Based on this review, the following rare features may be adversely affected by the proposed project:

*Project Type and/or Project Type Activity Comments*

- The Natural Heritage Information System (NHIS) tracks bat roost trees and hibernacula plus some acoustic data, but this information is not exhaustive. Even if there are no bat records listed below, all of Minnesota's bats, including the federally endangered northern long-eared bat ([\*Myotis septentrionalis\*](#)), can be found throughout Minnesota. During the active season (approximately April-November) bats roost underneath bark, in cavities, or in crevices of both live and dead trees. Tree removal can negatively impact bats by destroying roosting habitat, especially during the pup rearing season when females are forming maternity roosting colonies and the pups cannot yet fly. To minimize these impacts, the DNR recommends that tree removal be avoided from June 1 through August 15.

*Ecologically Significant Area*

- The Minnesota Biological Survey (MBS) has identified one or more Sites of Biodiversity Significance within or adjacent to the project boundary. Sites of Biodiversity Significance have varying levels of native biodiversity and are ranked based on the relative significance of this biodiversity at a statewide level. Factors taken into account during the ranking process include the number of rare species documented within the site, the quality of the native plant communities in the site, the size of the site, and the context of the site within the landscape.

High or Moderate MBS Site - One or more MBS Sites of Biodiversity Significance ranked High or Moderate may be impacted by the proposed project. Sites ranked as High contain very good quality occurrences of the rarest species, high quality examples of the rare native plant communities, and/or important functional landscapes. Sites ranked as Moderate contain occurrences of rare species

and/or moderately disturbed native plant communities, and/or landscapes that have a strong potential for recovery. The DNR recommends that the project be designed to avoid impacts to these ecologically significant areas. Actions to avoid or minimize disturbance include, but are not limited to, the following recommendations:

- Retain a buffer between proposed activities and the MBS Site,
- Minimize project footprint within the MBS Site,
- Operate within already-disturbed areas,
- Minimize vehicular disturbance within the MBS Site,
- Do not park equipment or stockpile supplies within the MBS Site,
- Do not place spoil within the MBS Site,
- Inspect and clean equipment prior to operating within the MBS Site, and follow other recommendations to [prevent the spread of invasive species](#),
- Conduct the work under frozen ground conditions,
- Use effective erosion prevention and sediment control measures,
- Revegetate disturbed soil with native [seed mixes](#) suitable to the local habitat as soon after construction as possible,
- Use only weed-free mulches, topsoils, and seed mixes.

Areas with Potential Local Conservation Value - The proposed project may impact one or more areas that have local conservation value. These areas are ranked as Below in the MBS Sites of Biodiversity Significance layer, and are retained in the layer as negative data. These areas do not meet the minimum biodiversity threshold for statewide significance but may have conservation value at the local level as habitat for native plants and animals, corridors for animal movements, buffers surrounding higher quality natural areas, or as areas with high potential for restoration of native habitat.

- One or more DNR Native Plant Communities have been identified within or adjacent to the proposed project (for a list of all the native plant community types, please run a Conservation Planning Report; spatial data can be viewed on the Explore Page). DNR Native Plant Community types and subtypes are given a [Conservation Status Rank](#) that reflects the relative rarity and endangerment of the community type in Minnesota. Conservation Status Ranks range from S1 (critically imperiled) to S5 (secure, common, widespread, and abundant).

Rare Native Plant Communities - One or more rare native plant communities may be impacted by the proposed project. Native plant communities with a Conservation Status Rank of S1 to S3 are considered rare in the state, and the DNR recommends avoidance of these ecologically significant areas. In addition, please note that native plant communities with a conservation status rank of S1 to S3 may qualify as Rare Natural Communities under the Wetland Conservation Act (WCA). If the proposed project includes a wetland replacement plan under WCA, please contact your [DNR Regional Ecologist](#) for further evaluation. For technical guidance on Rare Natural Communities, please visit [WCA Program Guidance and Information](#).

#### *State-Listed Endangered or Threatened Species*

No state-listed endangered or threatened species have been documented in the vicinity of the project.

#### *State-Listed Species of Special Concern*

Taxonomic Group	Common Name	Scientific Name	Water Regime	Habitat	Federal Status
Vascular Plant	Prairie Mimosa	Desmanthus illinoensis	terrestrial	Lake Shore, Upland Prairie	
Vascular Plant	Snow Trillium	Trillium nivale	terrestrial	Floodplain Forest, Mesic Hardwood Forest	

- The above table identifies state-listed species of special concern that have been documented in the vicinity of your project. If suitable habitat for any of these species occurs within your project footprint or activity impact area, the project may negatively impact those species. To avoid impacting state-listed species of special concern, the DNR recommends modifying the location of project activities to avoid suitable habitat or modifying the timing of project activities to avoid the presence of the species. Please visit the [DNR Rare Species Guide](#) for more information on the habitat use of these species and recommended measures to avoid or minimize impacts. Species-specific comments, if any, appear below.

#### *Federally Listed Species*

The Natural Heritage Information System does not contain any records for federally listed species within one mile of the proposed project. Please note, however, that not all federally listed species are tracked within the NHIS. To ensure compliance with federal law, please conduct a federal regulatory review using the U.S. Fish and Wildlife Service's online [Information for Planning and Consultation \(IPaC\) tool](#).

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist within the project area. If additional information becomes available regarding rare features in the vicinity of the project, further review may be necessary.

For environmental review purposes, the results of this Natural Heritage Review are valid for one year; the results are only valid for the project location and the project description provided on the cover page. If project details change or construction has not occurred within one year, please resubmit the project for review before initiating project activities.

The Natural Heritage Review does not constitute project approval by the Department of Natural Resources. Instead, it identifies issues regarding known occurrences of rare features and potential impacts to these rare features. For information on the environmental review process or other natural resource concerns, you may contact your [DNR Regional Environmental Assessment Ecologist](#).

Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources.

Sincerely,

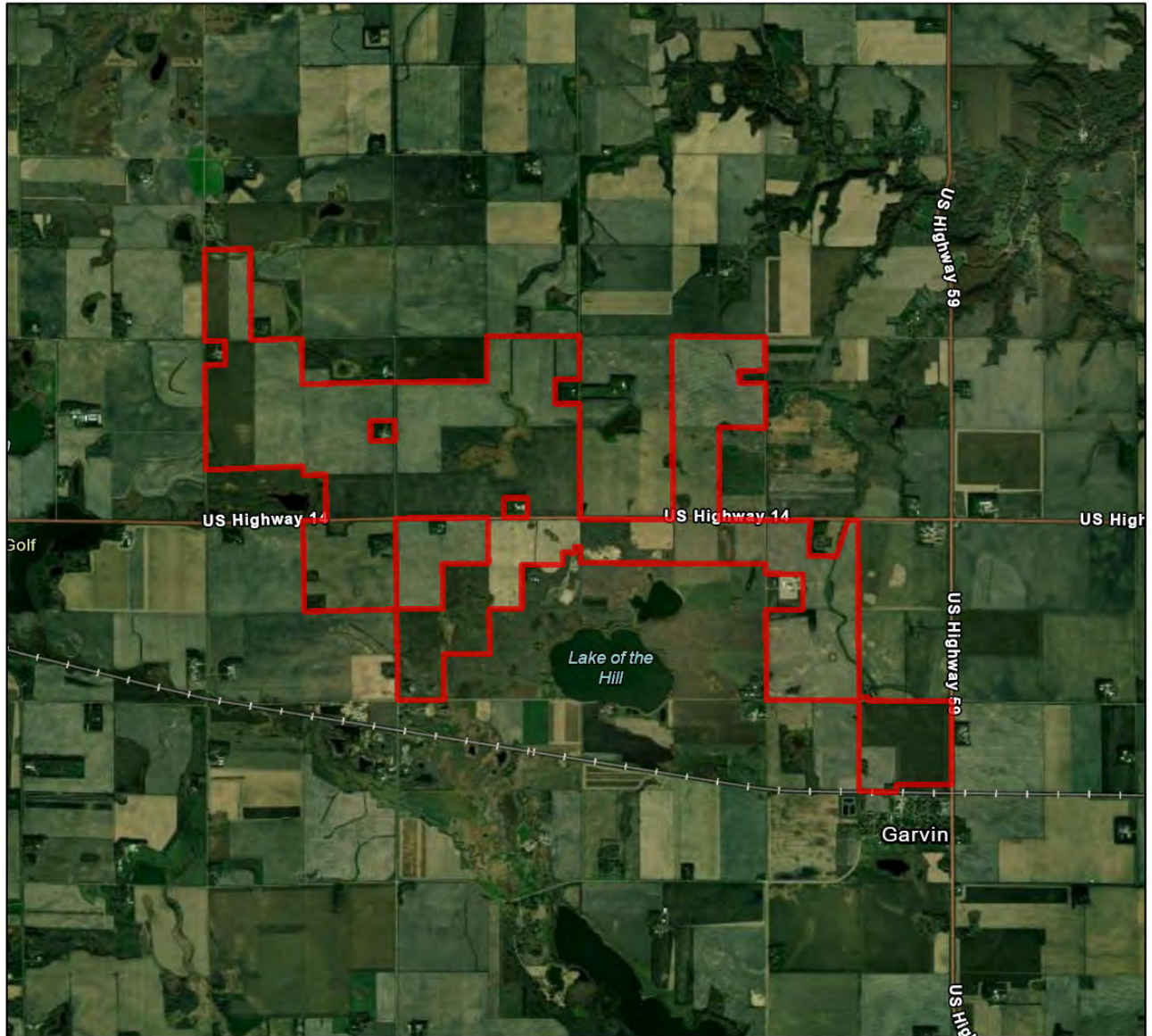
*Jim Drake* Jim Drake  
Natural Heritage Review Specialist  
[James.F.Drake@state.mn.us](mailto:James.F.Drake@state.mn.us)

Links: USFWS Information for Planning and Consultation (IPaC) tool  
[Information for Planning and Consultation \(IPaC\) tool](#)  
DNR Regional Environmental Assessment Ecologist Contact Info  
[https://www.dnr.state.mn.us/eco/ereview/erp\\_regioncontacts.html](https://www.dnr.state.mn.us/eco/ereview/erp_regioncontacts.html)



# Coneflower Solar

## Aerial Imagery With Locator Map



0 0.33 0.65 1.3 1.95 2.6 Miles

 Project\_Boundary

Project Type: Power, Solar

Project Size (acres): 2,305.35

County(s): Lyon

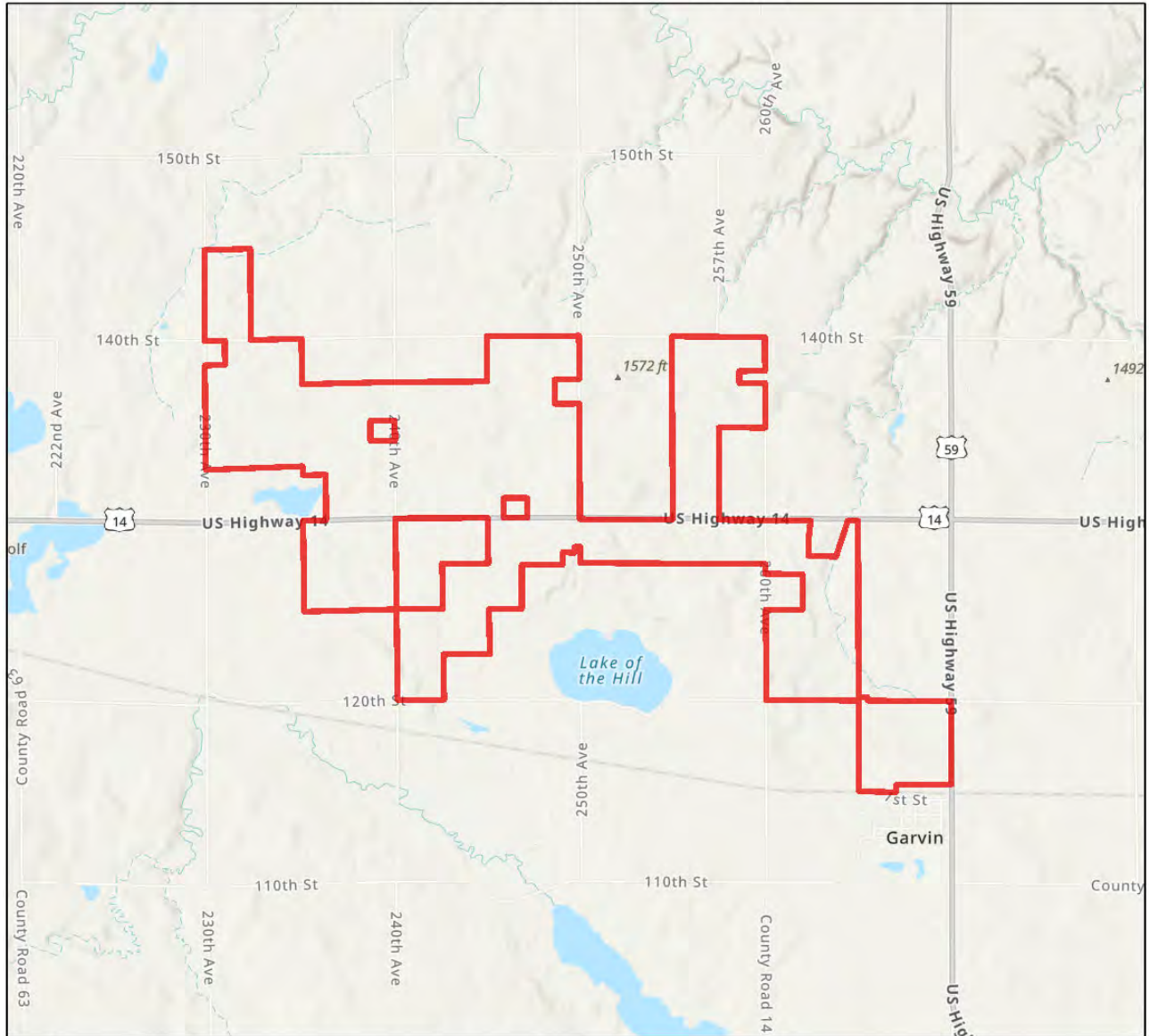
TRS: T109 R41 S15, T109 R41 S16, T109 R41 S17, T109 R41 S18, T109 R41 S19 +

Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS  
Earthstar Geographics  
Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,



# Coneflower Solar

## USA Topo Basemap With Locator Map



0 0.330.65 1.3 1.95 2.6 Miles

 Project\_Boundary

Project Type: Power, Solar

Project Size (acres): 2,305.35

County(s): Lyon

TRS: T109 R41 S15, T109 R41 S16, T109 R41 S17, T109 R41 S18, T109 R41 S19 +

Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS  
Esri, NASA, NGA, USGS  
Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,



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# **Appendix C-4**

## **Agency and Tribal Nation Responses**

### **Southwest Regional Development Commission**

May 16, 2024 Agency Response

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**From:** [Kathy Schreiber](#)  
**To:** [Garrick Valverde](#)  
**Subject:** Re: Project Review for Coneflower Solar Project  
**Date:** Wednesday, May 22, 2024 7:57:30 AM  
**Attachments:** [image002.png](#)

---

I will let our executive director know that. It might not be until September.

Kathy

Get [Outlook for iOS](#)

---

**From:** Garrick Valverde <[garrick.valverde@apexcleanenergy.com](mailto:garrick.valverde@apexcleanenergy.com)>  
**Sent:** Tuesday, May 21, 2024 3:40:55 PM  
**To:** Kathy Schreiber <[srdc@swrdc.org](mailto:srdc@swrdc.org)>  
**Subject:** RE: Project Review for Coneflower Solar Project

**SECURITY NOTICE:**

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Kathy,

Apex Clean Energy would appreciate the opportunity to present at a future meeting, if one were to occur.

Thank you,

GARRICK VALVERDE  
Senior Development Manager

Apex Clean Energy  
8665 Hudson Boulevard North, Suite 200, Lake Elmo, MN 55042  
office: 612-315-6173 | cell: 785-979-9701  
[Garrick.Valverde@apexcleanenergy.com](mailto:Garrick.Valverde@apexcleanenergy.com) | [www.apexcleanenergy.com](http://www.apexcleanenergy.com)



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**From:** Kathy Schreiber <[srdc@swrdc.org](mailto:srdc@swrdc.org)>

**Sent:** Monday, May 20, 2024 10:10 AM  
**To:** Garrick Valverde <[garrick.valverde@apexcleanenergy.com](mailto:garrick.valverde@apexcleanenergy.com)>  
**Subject:** RE: Project Review for Coneflower Solar Project

The meeting was May 9, 2024 in Balaton, MN.

---

**From:** Garrick Valverde <[garrick.valverde@apexcleanenergy.com](mailto:garrick.valverde@apexcleanenergy.com)>  
**Sent:** Monday, May 20, 2024 9:50 AM  
**To:** Kathy Schreiber <[srdc@swrdc.org](mailto:srdc@swrdc.org)>  
**Subject:** RE: Project Review for Coneflower Solar Project

**SECURITY NOTICE:**

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Hi Kathy,

When and where is this meeting to take place?

Thanks,

GARRICK VALVERDE  
Senior Development Manager

Apex Clean Energy  
8665 Hudson Boulevard North, Suite 200, Lake Elmo, MN 55042  
office: 612-315-6173 | cell: 785-979-9701  
[Garrick.Valverde@apexcleanenergy.com](mailto:Garrick.Valverde@apexcleanenergy.com) | [www.apexcleanenergy.com](http://www.apexcleanenergy.com)



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**From:** Kathy Schreiber <[srdc@swrdc.org](mailto:srdc@swrdc.org)>  
**Sent:** Thursday, May 16, 2024 3:15 PM  
**To:** Garrick Valverde <[garrick.valverde@apexcleanenergy.com](mailto:garrick.valverde@apexcleanenergy.com)>  
**Subject:** Project Review for Coneflower Solar Project

**Kathy Schreiber** | Administrative Specialist  
**Southwest Regional Development Commission**  
2401 Broadway Ave, Suite 1, Slayton, MN 56172  
P: 507-836-1640 | F: 507-836-8866 | [srdc@swrdc.org](mailto:srdc@swrdc.org)  
[www.swrdc.org](http://www.swrdc.org) | [Facebook](#) | [LinkedIn](#)



## **Southwest Regional Development Commission Project Review**

**Agenda Item:**

**Meeting Date:**

**Project Name:** Coneflower Solar Project (235 MW) in Lyon County, MN

**Project Description:**

Coneflower Energy, LLC, an indirectly wholly owned subsidiary of Apex Clean Energy Holdings, LLC, is planning to file for a site permit in mid-2024 for a 235 megawatt (MW) solar facility in Lyon County. The project encompasses approximately 2,305 acres of mainly cultivated croplands and pasture lands with scattered farmsteads throughout the Project Area. The project area is north and west of Garvin and US Highway 59 and east of Balaton. US Highway 14 bisects the project area. See the map on the next page (the reviewer added color highlights at key landmarks). The solar project is contained inside the thick black lines.

**Staff Notes:**

1. During a Lyon County Commission meeting in February 2024, commissioners had concerns about taking farmland out of production and the panels being unsightly for neighbors.
2. Viewshed: Based on the provided map, travelers along HWY 59 north of Garvin, and travelers along HWY 14 between Balaton and HWY 59 would see the panels as they drive past. Neighbors who will have panels abutting their property, but who are not receiving direct economic benefits, may not appreciate having solar panels visible from their windows. Apex could consider different types of vegetative screening for portions of the project.
3. The footprint of the project winds around the Sherman Waterfowl Production Area, Lyon County Waterfowl Production Area, Garvin State Wildlife Management Area, and Lake of the Hill.
4. Economic benefits to the region: Production tax revenue from the project is estimated at \$500,000 per year for Lyon County subject to change based on curtailment, maintenance, or other issues that may arise.

**Project Review Time:** 1 Hour

**Income to the SRDC for this Review:** \$0

**Reviewer:** Jason Walker, Development, Community Development Director



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# **Appendix C-4**

## **Agency and Tribal Nation Responses**

### **Lower Sioux Indian Community**

October 3, 2023 Response

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**From:** [Cheyanne St. John](#)  
**To:** [Sarah Cromie](#)  
**Cc:** [Brie Anderson](#); [Carol Guy-Stapleton](#)  
**Subject:** RE: Proposed Coneflower Energy Project Notification  
**Date:** Tuesday, October 3, 2023 1:05:13 PM  
**Attachments:** [image002.png](#)

---

Thank-you for notifying our office of your proposed undertaking in Lyon County. We will add this to our review roster and contact you if any concerns arise.

Cheyenne St. John | THPO /Director  
507.697.8672 office  
Lower Sioux Indian Comm. | 39527 Res. Hwy 1  
Morton, MN 56270 | [Cheyanne.stjohn@lowersioux.com](mailto:Cheyanne.stjohn@lowersioux.com)



---

**From:** Sarah Cromie <[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com)>  
**Sent:** Friday, September 22, 2023 3:41 PM  
**To:** Cheyanne St. John <[cheyanne.stjohn@lowersioux.com](mailto:cheyanne.stjohn@lowersioux.com)>  
**Cc:** Brie Anderson <[brie.anderson@apexcleanenergy.com](mailto:brie.anderson@apexcleanenergy.com)>; Carol Guy-Stapleton <[carol.guystapleton@apexcleanenergy.com](mailto:carol.guystapleton@apexcleanenergy.com)>  
**Subject:** RE: Proposed Coneflower Energy Project Notification

You don't often get email from [sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com). [Learn why this is important](#)

Hello Cheyanne St. John,  
Please accept my apologies, I inadvertently sent you a copy of the notification letter that did not have a map of the project attached, please use the attached version.  
Thank you!  
~Sarah

SARAH CROMIE  
Senior Environmental Permitting Manager

Apex Clean Energy  
cell: 434-270-3131

---

**From:** Sarah Cromie  
**Sent:** Friday, September 22, 2023 4:29 PM  
**To:** [cheyanne.stjohn@lowersioux.com](mailto:cheyanne.stjohn@lowersioux.com)  
**Cc:** Brie Anderson <[brie.anderson@apexcleanenergy.com](mailto:brie.anderson@apexcleanenergy.com)>; Carol Guy-Stapleton

<[carol.guystapleton@apexcleanenergy.com](mailto:carol.guystapleton@apexcleanenergy.com)>

**Subject:** Proposed Coneflower Energy Project Notification

Hello Cheyanne St. John,

I hope this email finds you doing well. Please find attached a letter notification for you and your community about the proposed Coneflower Energy Project, a utility-scale solar energy facility in Lyon County, Minnesota. I will send this letter out to you via USPS mail next week so you have a hard copy as well.

Thank you for your time and I look forward to hearing back from you.

Very Best,

~Sarah

SARAH CROMIE

Senior Environmental Permitting Manager

Apex Clean Energy

120 Garrett Street, Suite 700, Charlottesville, VA 22902

cell: 434-270-3131 | fax: 434-220-3712

[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com) | [www.apexcleanenergy.com](http://www.apexcleanenergy.com)



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# **Appendix C-4**

## **Agency and Tribal Nation Responses**

### **Upper Sioux Community**

October 11, 2023 Response

February 2, 2024 Response

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**From:** [Samantha Odegard](#)  
**To:** [Lance Rom](#); [Sarah Cromie](#)  
**Cc:** [Brie Anderson](#); [Carol Guy-Stapleton](#); [Reuben Weston](#); [Corey Yates](#)  
**Subject:** RE: Proposed Coneflower Energy Project Notification  
**Date:** Saturday, October 21, 2023 4:35:32 PM

---

Hello Lance,

We don't have a large crew, I can work on having 1 TCS the week of the 30<sup>th</sup>, a second could be available around November 7<sup>th</sup> but we have other projects going on as well that have already set their dates and we'll be working around.

**Samantha Odegard**

Tribal Historic Preservation Officer |Upper Sioux Community | Phone: 320-564-6334

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---

**From:** Lance Rom <lrom@impact7g.com>  
**Sent:** Friday, October 20, 2023 9:46 AM  
**To:** Samantha Odegard <samanthao@uppersiouxcommunity-nsn.gov>; Sarah Cromie <sarah.cromie@apexcleanenergy.com>  
**Cc:** Brie Anderson <brie.anderson@apexcleanenergy.com>; Carol Guy-Stapleton <carol.guystapleton@apexcleanenergy.com>; Reuben Weston <rweston@impact7g.com>; Corey Yates <cyates@impact7g.com>  
**Subject:** RE: Proposed Coneflower Energy Project Notification

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Greetings Samantha –

Currently we are expecting most crops to be harvesting in the Coneflower project area by the end of next week. So we would be able to start field inventories shortly after that. It will probably require one to two weeks of field work.

When do you think you could have two to four of your tribal cultural specialists available to participate in the inventory? We can finalize the schedule early next week.

Thank you!

Lance  
**Lance Rom**

*Senior Project Manager, Department Head*

**Office:** [605.388.5309](tel:605.388.5309) • **Mobile:** [605.209.0265](tel:605.209.0265)

---

**From:** Samantha Odegard <[samanthao@uppersiouxcommunity-nsn.gov](mailto:samanthao@uppersiouxcommunity-nsn.gov)>  
**Sent:** Tuesday, October 17, 2023 8:07 AM  
**To:** Lance Rom <[lrom@impact7g.com](mailto:lrom@impact7g.com)>; Sarah Cromie <[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com)>  
**Cc:** Brie Anderson <[brie.anderson@apexcleanenergy.com](mailto:brie.anderson@apexcleanenergy.com)>; Carol Guy-Stapleton <[carol.guystapleton@apexcleanenergy.com](mailto:carol.guystapleton@apexcleanenergy.com)>; Reuben Weston <[rweston@impact7g.com](mailto:rweston@impact7g.com)>  
**Subject:** RE: Proposed Coneflower Energy Project Notification

Sounds good, thank you Lance

**Samantha Odegard**

Tribal Historic Preservation Officer |Upper Sioux Community | Phone: 320-564-6334

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---

**From:** Lance Rom <[lrom@impact7g.com](mailto:lrom@impact7g.com)>  
**Sent:** Wednesday, October 11, 2023 8:40 AM  
**To:** Sarah Cromie <[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com)>; Samantha Odegard <[samanthao@uppersiouxcommunity-nsn.gov](mailto:samanthao@uppersiouxcommunity-nsn.gov)>  
**Cc:** Brie Anderson <[brie.anderson@apexcleanenergy.com](mailto:brie.anderson@apexcleanenergy.com)>; Carol Guy-Stapleton <[carol.guystapleton@apexcleanenergy.com](mailto:carol.guystapleton@apexcleanenergy.com)>; Reuben Weston <[rweston@impact7g.com](mailto:rweston@impact7g.com)>  
**Subject:** RE: Proposed Coneflower Energy Project Notification

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Greetings Samantha!

We don't have a start date yet for the cultural resources inventory fieldwork. Next week Reuben or I will contact you about scheduling the fieldwork with availability of your staff.

Thank you!



Lance  
**Lance Rom**

*Senior Project Manager, Department Head*

**Office:** [605.388.5309](tel:605.388.5309) • **Mobile:** [605.209.0265](tel:605.209.0265)

---

**From:** Sarah Cromie <[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com)>  
**Sent:** Wednesday, October 11, 2023 4:00 AM  
**To:** Samantha Odegard <[samanthao@uppersiouxcommunity-nsn.gov](mailto:samanthao@uppersiouxcommunity-nsn.gov)>; Lance Rom <[lrom@impact7g.com](mailto:lrom@impact7g.com)>  
**Cc:** Brie Anderson <[brie.anderson@apexcleanenergy.com](mailto:brie.anderson@apexcleanenergy.com)>; Carol Guy-Stapleton <[carol.guystapleton@apexcleanenergy.com](mailto:carol.guystapleton@apexcleanenergy.com)>  
**Subject:** RE: Proposed Coneflower Energy Project Notification

Hello Samantha,  
Wonderful to hear from you and that you would like to be involved. I added our consultant Lance Rom to this email; he is coordinating the field work and can assist in getting you set up if y'all are able to work this into your schedule. Looking forward to working with you!  
Thank you,  
~Sarah

SARAH CROMIE  
Senior Environmental Permitting Manager

Apex Clean Energy  
cell: 434-270-3131

---

**From:** Samantha Odegard <[samanthao@uppersiouxcommunity-nsn.gov](mailto:samanthao@uppersiouxcommunity-nsn.gov)>  
**Sent:** Wednesday, October 11, 2023 1:21 AM  
**To:** Sarah Cromie <[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com)>  
**Cc:** Brie Anderson <[brie.anderson@apexcleanenergy.com](mailto:brie.anderson@apexcleanenergy.com)>; Carol Guy-Stapleton <[carol.guystapleton@apexcleanenergy.com](mailto:carol.guystapleton@apexcleanenergy.com)>  
**Subject:** Re: Proposed Coneflower Energy Project Notification

Good Evening Sarah,

USC THPO has reviewed the project area and we would like to be involved in continued consultation and possibly the field work, if we are able to work it into our schedule.

There are a number of sites to the east and west of the project area in locations that have had archaeological work. It appears it is likely there are unrecorded sites in the APE.

What would we need to have in place to be able to have a TCS in the field?

**Samantha Odegard**

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---

**From:** Sarah Cromie <[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com)>  
**Sent:** Friday, September 22, 2023 3:32 PM  
**To:** Samantha Odegard <[samanthao@uppersiouxcommunity-nsn.gov](mailto:samanthao@uppersiouxcommunity-nsn.gov)>  
**Cc:** Brie Anderson <[brie.anderson@apexcleanenergy.com](mailto:brie.anderson@apexcleanenergy.com)>; Carol Guy-Stapleton <[carol.guystapleton@apexcleanenergy.com](mailto:carol.guystapleton@apexcleanenergy.com)>  
**Subject:** Proposed Coneflower Energy Project Notification

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Hello Samantha Odegard,  
I hope this email finds you doing well. Please find attached a letter notification for you and your community about the proposed Coneflower Energy Project, a utility-scale solar energy facility in Lyon County, Minnesota. I will send this letter out to you via USPS mail next week so you have a hard copy as well.  
Thank you for your time and I look forward to hearing back from you.  
Very Best,  
~Sarah

SARAH CROMIE  
Senior Environmental Permitting Manager

Apex Clean Energy  
120 Garrett Street, Suite 700, Charlottesville, VA 22902  
cell: 434-270-3131 | fax: 434-220-3712  
[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com) | [www.apexcleanenergy.com](http://www.apexcleanenergy.com)



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**From:** [Corey Yates](#)  
**To:** [Sarah Cromie](#)  
**Subject:** FW: Apex Coneflower Tribal recommendation of avoidance  
**Date:** Thursday, May 16, 2024 4:30:25 PM  
**Attachments:** [image001.png](#)

---

Tribal site avoidance distance recommendations below.

## Corey Yates

*Principal Archaeologist*

**Office:** [605.388.5309](#) **Cell:** [406.214.2461](#)

---

**From:** Samantha Odegard <[samanthao@uppersiouxcommunity-nsn.gov](mailto:samanthao@uppersiouxcommunity-nsn.gov)>  
**Sent:** Friday, February 2, 2024 7:23 AM  
**To:** Reuben Weston <[rweston@impact7g.com](mailto:rweston@impact7g.com)>  
**Cc:** Corey Yates <[cyates@impact7g.com](mailto:cyates@impact7g.com)>  
**Subject:** RE: Apex Coneflower Tribal recommendation of avoidance

Good Morning,

It is a bit of a wide open question, it really depends on the type of site, the size of it and what the components are to it. We usually go between 50-100ft to start with and decide if that fits through further discussion and consultation. 50ft would be for a single or a few resources and 100ft is if we are getting a grouping of them, we will include them all into one large site and do the larger buffer around the entire thing. That is also for the more sensitive types of sites, like a cairn. If it is a single artifact find or lithic scatter it can be smaller. Not sure if that is helpful...

## Samantha Odegard

Tribal Historic Preservation Officer | Upper Sioux Community | Phone: 320-564-6334

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---

**From:** Reuben Weston <[rweston@impact7g.com](mailto:rweston@impact7g.com)>  
**Sent:** Thursday, February 1, 2024 3:06 PM  
**To:** Samantha Odegard <[samanthao@uppersiouxcommunity-nsn.gov](mailto:samanthao@uppersiouxcommunity-nsn.gov)>  
**Cc:** Corey Yates <[cyates@impact7g.com](mailto:cyates@impact7g.com)>  
**Subject:** Apex Coneflower Tribal recommendation of avoidance

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Good Afternoon Samantha,

What is your recommendation for avoidance in terms of distance of a cultural resource site on the Apex Coneflower project? I realize that this is a wide open question. If you have any questions please let me know.

**Reuben Weston**

*Tribal Liaison*

**Office:** [605.388.5309](tel:605.388.5309) • **Mobile:** [605.407.1220](tel:605.407.1220)

**Quality Services. Inc., An Impact7G Company**

1621 Sheridan Lake Road, Suite A

Rapid City, SD 57702

<http://www.qualityservices.us.com>

[www.impact7g.com](http://www.impact7g.com)



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# **Appendix C-4**

## **Agency and Tribal Nation Responses**

### **Shakopee Mdewakanton Indian Community**

September 25, 2023 Response

June 24, 2024 Response

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**From:** [Leonard Wabasha \(TO\)](#)  
**To:** [Sarah Cromie](#)  
**Cc:** [Brie Anderson](#); [Carol Guy-Stapleton](#)  
**Subject:** RE: Proposed Coneflower Energy Project Notification  
**Date:** Monday, September 25, 2023 6:15:22 AM  
**Attachments:** [image002.png](#)

---

Thank you for the opportunity to consult with you on this proposed project, when the archaeological work is complete, please send a copy for review, Thanks



**LEONARD WABASHA**  
Director of Cultural Resources • Cultural Resources  
Shakopee Mdewakanton Sioux Community  
d: 952.496.6120  
[shakopeedakota.org](http://shakopeedakota.org)  
[Leonard.Wabasha@shakopeedakota.org](mailto:Leonard.Wabasha@shakopeedakota.org)

The Shakopee Mdewakanton Sioux Community is a federally recognized, sovereign Indian tribe located southwest of Minneapolis/St. Paul. With a focus on being a good neighbor, good steward of the earth, and good employer, the SMSC is committed to charitable donations, community partnerships, a healthy environment, and a strong economy.

---

**From:** Sarah Cromie <[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com)>  
**Sent:** Friday, September 22, 2023 3:48 PM  
**To:** Leonard Wabasha (TO) <[leonard.wabasha@shakopeedakota.org](mailto:leonard.wabasha@shakopeedakota.org)>  
**Cc:** Brie Anderson <[brie.anderson@apexcleanenergy.com](mailto:brie.anderson@apexcleanenergy.com)>; Carol Guy-Stapleton <[carol.guystapleton@apexcleanenergy.com](mailto:carol.guystapleton@apexcleanenergy.com)>  
**Subject:** Proposed Coneflower Energy Project Notification

You don't often get email from [sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com). [Learn why this is important](#)

This message came from **outside the organization**. Do Not click on links, open attachments or respond unless you know the content is safe.

Hello Leonard Wabasha,  
I hope this email finds you doing well. Please find attached a letter notification for you and your community about the proposed Coneflower Energy Project, a utility-scale solar energy facility in Lyon County, Minnesota. I will send this letter out to you via USPS mail next week so you have a hard copy as well.

Thank you for your time and I look forward to hearing back from you.

Very Best,

~Sarah

SARAH CROMIE  
Senior Environmental Permitting Manager

Apex Clean Energy  
120 Garrett Street, Suite 700, Charlottesville, VA 22902  
cell: 434-270-3131 | fax: 434-220-3712  
[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com) | [www.apexcleanenergy.com](http://www.apexcleanenergy.com)



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**From:** [Leonard Wabasha \(TO\)](#)  
**To:** [Sarah Cromie](#)  
**Cc:** [Carol Guy-Stapleton](#); [Jennie Geiger](#); [Brie Anderson](#)  
**Subject:** RE: Update on Proposed Coneflower Solar Project  
**Date:** Monday, June 24, 2024 12:18:45 PM  
**Attachments:** [image002.png](#)

---

Thank you for the update, Please keep me informed, Have a Great Day!!



**LEONARD WABASHA**

Tribal Historic Preservation Officer • Cultural Resources  
Shakopee Mdewakanton Sioux Community  
d: 952.496.6120  
[shakopeedakota.org](http://shakopeedakota.org)  
[Leonard.Wabasha@shakopeedakota.org](mailto:Leonard.Wabasha@shakopeedakota.org)

The Shakopee Mdewakanton Sioux Community is a federally recognized, sovereign Indian tribe located southwest of Minneapolis/St. Paul. With a focus on being a good neighbor, good steward of the earth, and good employer, the SMSC is committed to charitable donations, community partnerships, a healthy environment, and a strong economy.

---

**From:** Sarah Cromie <[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com)>  
**Sent:** Monday, June 24, 2024 12:05 PM  
**To:** Leonard Wabasha (TO) <[leonard.wabasha@shakopeedakota.org](mailto:leonard.wabasha@shakopeedakota.org)>  
**Cc:** Carol Guy-Stapleton <[carol.guystapleton@apexcleanenergy.com](mailto:carol.guystapleton@apexcleanenergy.com)>; Jennie Geiger <[jennie.geiger@apexcleanenergy.com](mailto:jennie.geiger@apexcleanenergy.com)>; Brie Anderson <[brie.anderson@apexcleanenergy.com](mailto:brie.anderson@apexcleanenergy.com)>  
**Subject:** Update on Proposed Coneflower Solar Project

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Hello Leonard Wabasha,  
Attached to this email, please find an update on the proposed Coneflower Solar Project.  
Should you have any questions or concerns please reach out anytime.  
I hope this communication find you doing well and I thank you for your time.  
Very Best,  
~Sarah

SARAH CROMIE  
Senior Environmental Permitting Manager

Apex Clean Energy  
120 Garrett Street, Suite 700, Charlottesville, VA 22902  
cell: 434-270-3131 | fax: 434-220-3712  
[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com) | [www.apexcleanenergy.com](http://www.apexcleanenergy.com)



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# **Appendix C-4**

## **Agency and Tribal Nation Responses**

### **Leech Lake Band of Ojibwe**

September 25, 2023 Response

September 26, 2023 Coneflower Response

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**From:** [Sarah Cromie](#)  
**To:** [Amy Burnette](#)  
**Cc:** [Brie Anderson](#); [Carol Guy-Stapleton](#); [samanthao@uppersiouxcommunity-nsn.gov](mailto:samanthao@uppersiouxcommunity-nsn.gov); [Cheyanne St. John](#)  
**Subject:** RE: Proposed Coneflower Energy Project Notification  
**Date:** Tuesday, September 26, 2023 10:07:00 AM

---

Hello Amy,  
Thank you very much for your reply. I sent the letter to both folks you included in the cc list as well as several other tribes/communities, so we should be covered.  
Thank you again!  
Best,  
~Sarah

SARAH CROMIE  
Senior Environmental Permitting Manager

Apex Clean Energy  
cell: 434-270-3131

---

**From:** Amy Burnette <[amy.burnette@llojibwe.net](mailto:amy.burnette@llojibwe.net)>  
**Sent:** Monday, September 25, 2023 6:05 PM  
**To:** Sarah Cromie <[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com)>  
**Cc:** Brie Anderson <[brie.anderson@apexcleanenergy.com](mailto:brie.anderson@apexcleanenergy.com)>; Carol Guy-Stapleton <[carol.guystapleton@apexcleanenergy.com](mailto:carol.guystapleton@apexcleanenergy.com)>; [samanthao@uppersiouxcommunity-nsn.gov](mailto:samanthao@uppersiouxcommunity-nsn.gov); Cheyanne St. John <[cheyanne.stjohn@lowersioux.com](mailto:cheyanne.stjohn@lowersioux.com)>  
**Subject:** RE: Proposed Coneflower Energy Project Notification

Hello Sarah,

Lyon is not one of the counties I review. That would be Upper Sioux Community, and Lower Sioux Indian Community. I am sure there are other tribes.

Amy Burnette  
Leech Lake Tribal Historic Preservation Officer  
190 Sailstar Drive NW  
Cass Lake, MN 56633

Desk (218) 335-2940  
Email [amy.burnette@llojibwe.net](mailto:amy.burnette@llojibwe.net)

---

**From:** Sarah Cromie <[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com)>  
**Sent:** Friday, September 22, 2023 3:55 PM  
**To:** Amy Burnette <[amy.burnette@llojibwe.net](mailto:amy.burnette@llojibwe.net)>  
**Cc:** Brie Anderson <[brie.anderson@apexcleanenergy.com](mailto:brie.anderson@apexcleanenergy.com)>; Carol Guy-Stapleton <[carol.guystapleton@apexcleanenergy.com](mailto:carol.guystapleton@apexcleanenergy.com)>

**Subject:** Proposed Coneflower Energy Project Notification

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Hello Amy Burnette,

I hope this email finds you doing well. Please find attached a letter notification for you and your community about the proposed Coneflower Energy Project, a utility-scale solar energy facility in Lyon County, Minnesota. I will send this letter out to you via USPS mail next week so you have a hard copy as well.

Thank you for your time and I look forward to hearing back from you.

Very Best,

~Sarah

SARAH CROMIE  
Senior Environmental Permitting Manager

Apex Clean Energy  
120 Garrett Street, Suite 700, Charlottesville, VA 22902  
cell: 434-270-3131 | fax: 434-220-3712  
[sarah.cromie@apexcleanenergy.com](mailto:sarah.cromie@apexcleanenergy.com) | [www.apexcleanenergy.com](http://www.apexcleanenergy.com)



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# **Appendix C-4**

## **Agency and Tribal Nation Responses**

### **Minnesota Indian Affairs Council**

October 17, 2023 Response

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**From:** [Reynolds, John \(MIAC\)](#)  
**To:** [Sarah Cromie](#); [Brie Anderson](#)  
**Cc:** [Cerde, Melissa \(MIAC\)](#); [Goetsch, Dylan \(MIAC\)](#)  
**Subject:** MIAC Review: Coneflower Energy, Lyon Co., MN, 10-17-23  
**Date:** Tuesday, October 17, 2023 12:45:06 PM

---

Hello,

The Minnesota Indian Affairs Council (MIAC) has reviewed the provided materials for the proposed Coneflower Energy Solar Project, in Lyon County, Minnesota. The project's location either intersects with, or is very near several state archaeological sites, and is within an area likely to contain cultural resources. MIAC recommends: further research and cultural resource management fieldwork with monitoring, and tribal consultation to regional Tribal Historic Preservation Offices. For any questions regarding this review, please do not hesitate to contact MIAC's Cultural Resource Office.

Thank you.

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# **Appendix C-5**

## Agency Meeting Notes

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# **Appendix C-5**

## **Agency Meeting Notes**

**Pre-Application Meeting: PUC and EERA Staff**  
March 15, 2024

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March 15, 2024 Pre-Application Meeting

**Apex Clean Energy:** Brie Anderson, Garrick Valverde

**Fredrikson & Byron:** Christy Brusven, Ryan Cox

**State of Minnesota:** Bret Eknes, Ray Kirsch, Richard Dornfeld, Craig Jonezich

- Introductions
- Coneflower Solar Project Introduction
  - 235 MW solar Project in Lyon County
  - MISO queue position (2022) and potential for interconnection at Xcel Energy's Minnesota Energy Connection terminal substation
  - ~2,300 acres signed (16 landowner agreements)
  - Permitting timeline
    - EERA review of Site Permit in June 2024
    - PUC submittal in July 2024

**Questions from the State of Minnesota:**

- What is Apex/Coneflower's relationship with Lyon County?
  - We have been engaged with the county for nearly three years with Coneflower Solar and a wind project that is also under development.
- What has the engagement been with small landowners surrounded by the project?
  - Coneflower Solar has contacted all residences within and adjacent to the Project. Only one landowner has voiced objection to the project.
- Will a route permit be required?
  - At this time, a route permit is not anticipated.
- Will the timelines between the two interconnection opportunities vary?
  - Permitting and development timelines between the MISO interconnection and Xcel's Terminal Sub, as currently anticipated, will be more or less on the same timeline respective to project COD
- Will the timing of Coneflower receiving its permit come far ahead of Xcel's MN Energy Connection permit?
  - AS of today, we anticipate that both projects could finish the PUC permitting process next summer. It's possible that the Minnesota Energy Connection permit slides, pending public involvement in the PUC process, PUC/EERA staffing, etc.

**Comments:**

- The state has another solar project which has faced resistance and experienced tension from local tenant farmers with some tension being felt at local meetings.



# Coneflower Solar

## Pre-Application Meeting



March 15, 2024

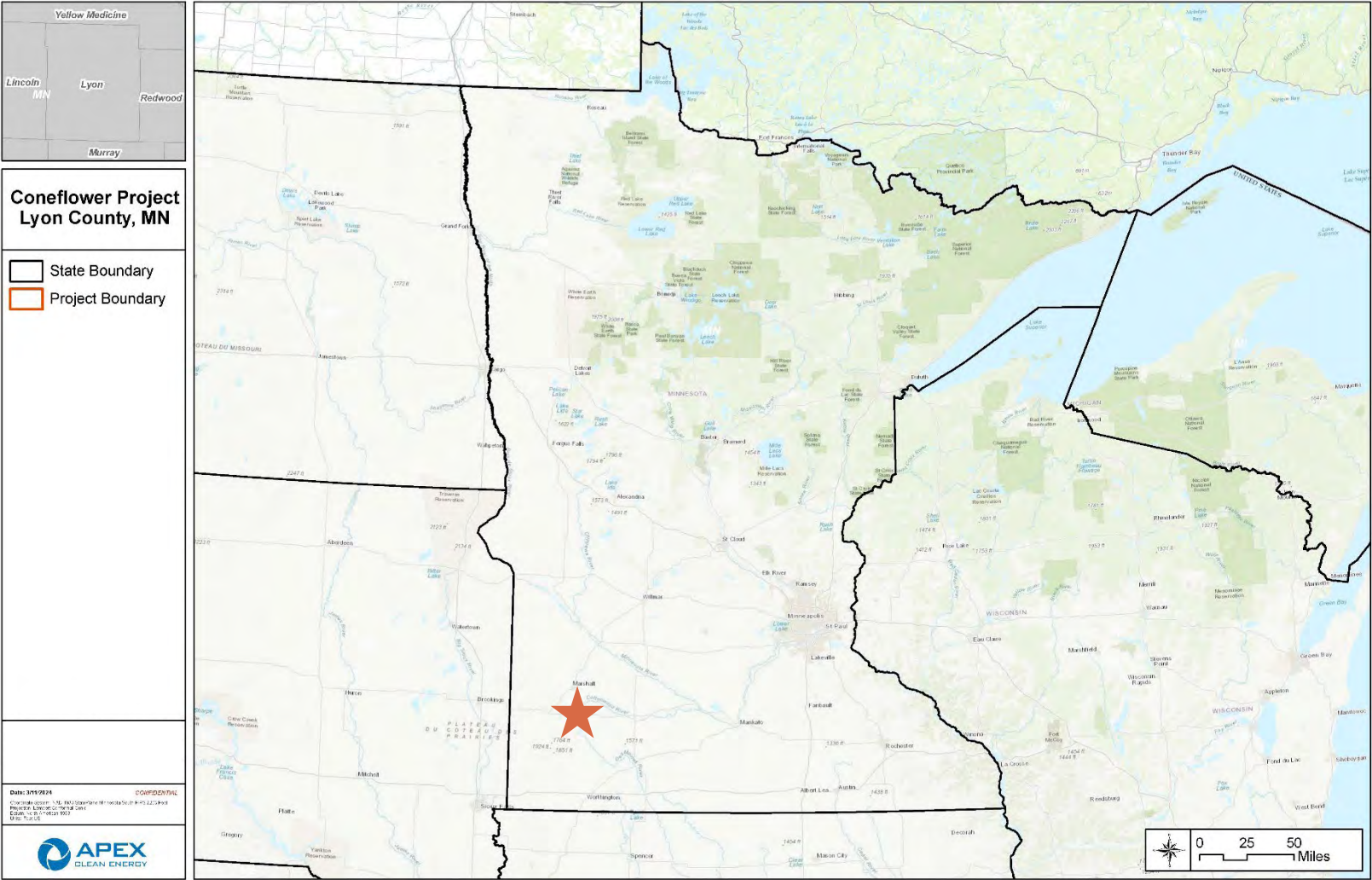


# Project Overview



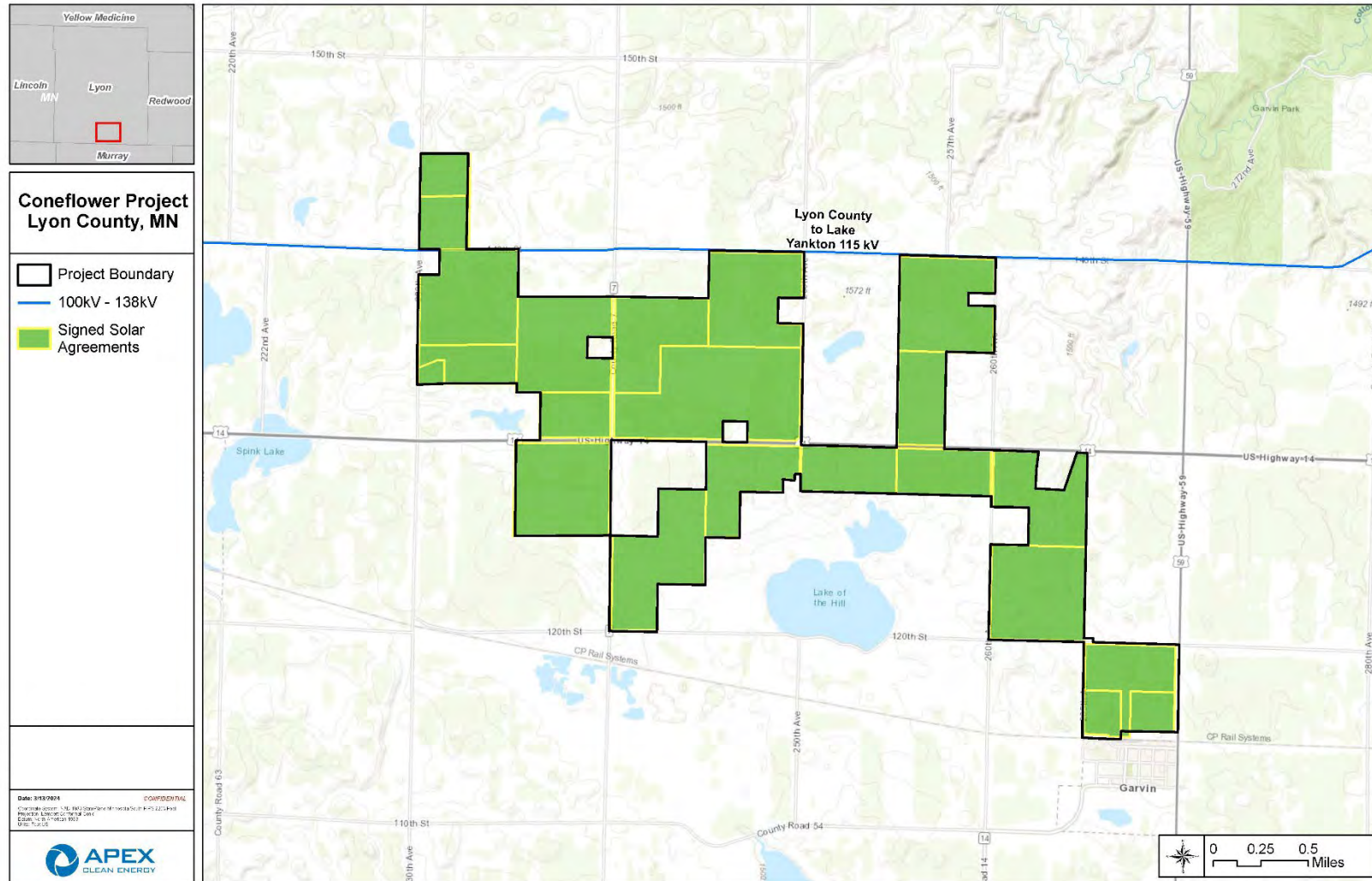
Project Filing Capacity	235 MWac
Interconnection	<ul style="list-style-type: none"><li>• 2022 MISO West Filing (Lake Yankton to Lyon County Line Tap)</li><li>• Xcel Minnesota Interconnection Terminal Sub</li></ul>
Acres Signed	2,277
Agreements Signed	16

# Project Location

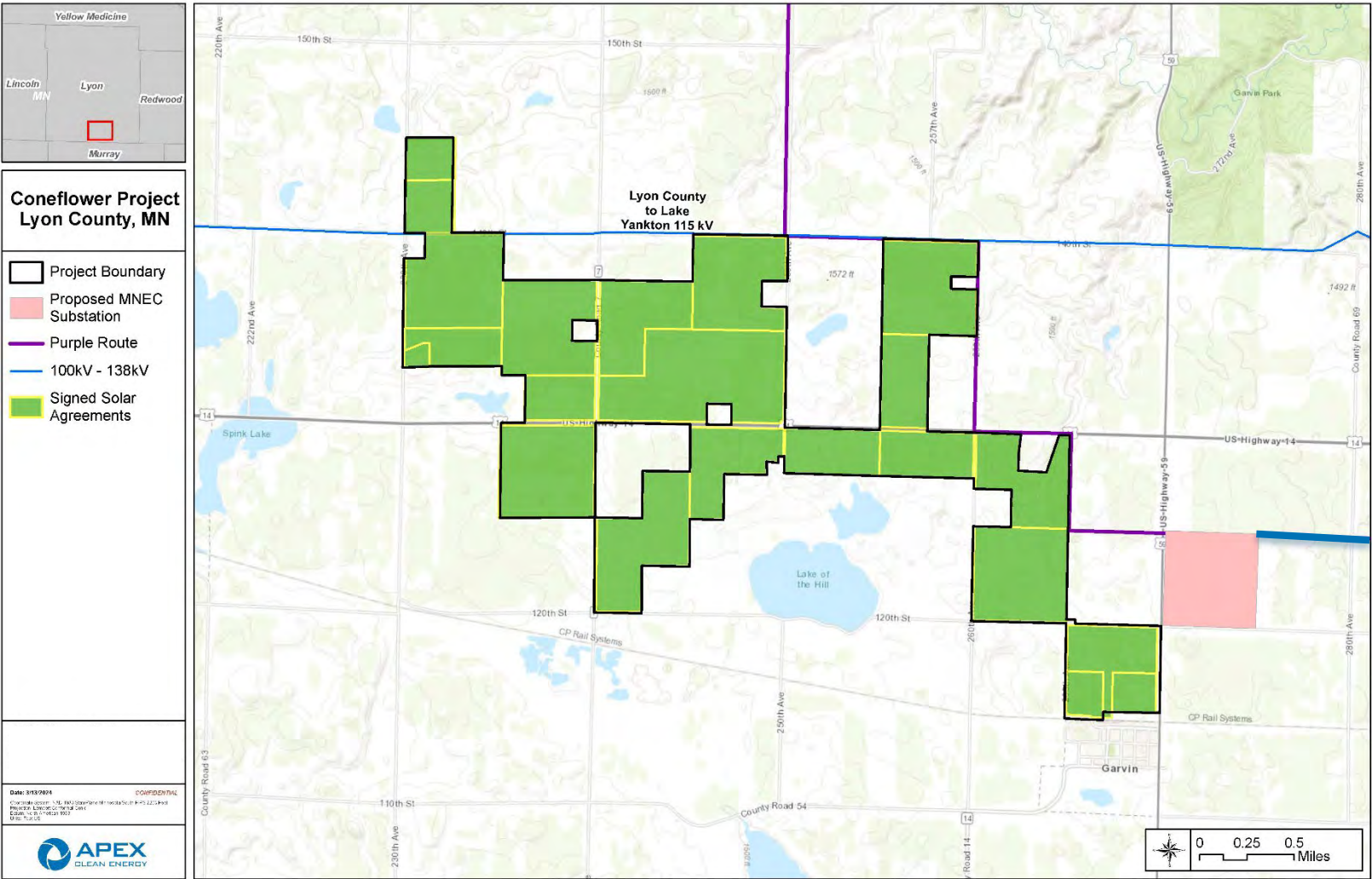




## Existing Transmission Line (MISO Filing)



# Planned Transmission Line



# Project Permitting Timeline



- Pre-Application Meeting (March 15)
- Pre-Application Review by DOC-EERA (Early June)
- Submit Site Permit Application to MN PUC (Mid-July)

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# **Appendix C-5**

## **Agency Meeting Notes**

### **USFWS and MnDNR Joint Meeting**

December 19, 2023

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