

Appendix J. Agency correspondence for development of the repowered Elm Creek II Wind Project.

Date	Description
July 14, 2023	A Natural Heritage Information System (NHIS) review request for the leased lands within the Site Permit Boundary was submitted to the Minnesota Department of Natural Resources (MNDNR). These leased lands would include the repower Project's infrastructure and construction limits of disturbance.
August 10, 2023	Introductory agency letters were mailed to the U.S. Army Corps of Engineers, Minnesota Department of Agriculture, MNDNR, Minnesota Department of Health, Minnesota Department of Transportation, Minnesota Pollution Control Agency requesting comments on the proposed repower Project. A copy of the letter was resent to MNDNR via email on October 23, 2023.
September 6-7, 2023	Introductory agency letters mailed to the State Historic Preservation Office, Minnesota Office of the State Archaeologist, Minnesota Indian Affairs Council, Tribes, and county/township agencies requesting comments on the proposed repower Project.
September 8, 2023	Meeting with the Minnesota Department of Commerce Energy Environmental Review and Analysis (EERA) unit to introduce the proposed repower Project.
September 12, 2023	Response from Martin County Soil Water Conservation District technician. Elm Creek II consultant provided a response on September 19, 2023 confirming future coordination on wetland impacts.
September 22, 2023	Response from Shakopee Mdewakanton Sioux Community Director of Cultural Resources. Elm Creek II consultant provided a response on November 14, 2023 confirming receipt and future coordination.
September 26, 2023	Response from the Flandreau Santee Tribal Historic Preservation Assistant. Elm Creek II consultant provided a response on November 6, 2023 requesting a follow-up meeting. A phone call was held on November 21, 2023.
November 7, 2023	Response letter from the State Historic Preservation Office confirming no properties listed in the National or State Registers of Historical Places, no significant archaeological sites, and no additional archaeological survey is warranted unless design changes divert from the submitted report.
November 14, 2023	A letter was mailed to the U.S. Fish and Wildlife Service (USFWS) requesting comments on the proposed repower Project.
December 5, 2023	MNDNR provided a response letter from the NHIS database review noting records of three species in the vicinity of the Project. The NHIS review also noted the Artz Wildlife Management Area (WMA) and three sites of biodiversity significance (SBS) as occurring within the Project.

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December 29, 2023	MNDNR's Regional Environmental Assessment Ecologist (REAE) in the MNDNR's South Region provided comments on the proposed repower Project. Comments noted the setback from the Artz WMA and the requirement for an Avian and Bat Protection Plan [ABPP], curtailment between April and October, and a request for past post-construction monitoring data.
January 5, 2024	USFWS provided comments on the proposed repower Project. Recommendations included that Elm Creek II conduct an evaluation of risk factors to listed or proposed listed bat species at the Project, and additional fatality monitoring.
January 19, 2024	Meeting with the MNDNR to introduce the proposed repower Project and obtain feedback on the NHIS review. The MNDNR recommended repower activities ideally avoid SBS within the Project. The MNDNR indicated they would need to review additional information (updated ABPP, post-construction monitoring data from the original Project), in order to provide comments on the Artz WMA. Avangrid committed to a 3.0 m/s cut-in speed at sunset and sunrise between April and October as well as providing a summary of the post-construction monitoring completed at the site in 2011 as part of the revised ABPP.
March 6, 2024	Meeting with the Flandreau Santee Sioux Tribal Historic Preservation Officers to introduce the proposed repower Project in more detail and obtain feedback. The Flandreau Santee Sioux Tribal Historic Preservation Officers provided a response on March 7, 2024, stating no concerns with the repower Project.
September 20, 2024	Meeting with the USFWS and the MNDNR to provide additional background information on the proposed repower Project and included a summary of post-construction fatality results from the Project.
September 26, 2024	Meeting with the Minnesota Department of Commerce Energy EERA unit to discuss wind right buffers requirements for repower Projects.
November 6, 2024	Meeting requested with the MNDNR wildlife regional managers to provide additional background information on the proposed repower Project and to discuss MNDNR wildlife concerns with repowering of the turbines nearest to the Artz WMA. Elm Creek II proposed the opportunity for a wind rights agreement with the MNDNR regarding the Artz WMA since the repowered Project would overlap with the WMA's wind rights buffer. The MNDNR indicated they would need to review the updated ABPP and discuss internally whether a wind rights agreement would be possible.
December 11, 2024	The draft ABPP was provided to USFWS and MNDNR for their review and comment.

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January 8, 2025	USFWS provided their response to the ABPP. The USFWS did not provide any additional comments or project specific recommendations.
January 14, 2025	MNDNR emailed confirming they are still reviewing the ABPP and declined entering into a wind right agreement at this time.
February 3, 2025	DNR provided their response to the ABPP. The DNR did not provide any additional comments or project specific recommendations.