

**STATE OF MINNESOTA  
PUBLIC UTILITIES COMMISSION**

Beverly Heydinger Chair  
Dan Lipschultz Commissioner  
David C. Boyd Commissioner  
Nancy Lange Commissioner  
Betsy Wergin Commissioner

December 2, 2014

In the Matter of the SWS Wind Substation, LLC; Site Permit for a 20-Megawatt Large Wind Energy Conversion System Project in SWS County

ISSUE DATE: September 23, 2008; October 12, 2011  
DOCKET NO. IP-6666/WS-08-208

Honorable Commissioners:

Results of a FOIA regarding Sibley Wind Substation and United States Fish and Wildlife Service are attached. A copy of documents already on the MPUC docket that were included in the FOIA responses have not been recopied in this submittal. Below is a list of those FOIA response items already on the Sibley Wind Substation MPUC docket (08-208).

- Sibley Native Prairie Report: Doc ID 201112-69606-03; 12/23/11
- Sibley Wetland Survey Report: Doc ID 201112-69606-05; 12/23/11
- Rare Species Field Report: Doc ID 201112-69606-06; 12/23/11
- Citizen report of new eagle nest: Doc ID 20142-96859-01; 2/27/14

Sincerely,

Barb Wenninger



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

5600 American Boulevard West, Suite 990  
Bloomington, Minnesota 55437-1458



IN REPLY REFER TO

FWS-2014-01203

October 29, 2014

Ms. Barb Wenninger  
29770 State Highway 15  
Winthrop, MN 55396

Dear Ms. Wenninger,

This is a response to your Freedom of Information Act (FOIA) request. In your request, you sought "...the following records related to the "Project":

- 1) any correspondence between FWS and the project developer, Wesco Wind Distributed Energy and/or Sibley Wind Substation, regarding environmental and/or natural resources impacts, including without limitation, the bird and bat impacts of the proposed project.
- 2) any correspondence between FWS and Westwood Professional Services regarding environmental and/or natural resources impacts, including without limitation, the bird and bat impacts of the proposed project.
- 3) any correspondence between FWS and any consultants hired by the developer to study environmental and/or natural resources impacts, including without limitation, the bird and bat impacts of the proposed project.
- 4) all information from the developer showing survey's generated for the purpose of informing the FWS on the potential impacts to environmental and/or natural resources, including and without limitation, to birds and bats at the proposed project site.
- 5) any correspondence between the FWS and the developer or their consultants generated in response to wildlife information provided either directly to the FWS or posted to the MPUC dockets by citizens participating in the processes as they relate to the proposed Sibley Wind Project doing business under Sibley Wind Substation, LLC, Wesco Wind, LLC, and Star Distributed Energy.
- 6) any notes related to phone calls received from Wesco Wind, Star Distributed Energy or Sibley Wind Substation by FWS personnel.

7) any correspondence, comments or data submitted to FWS by state wildlife agencies participating in the process by providing data or comments to the bird and bat impacts of the proposed wind project.”

The U.S. Fish and Wildlife Service (FWS) Midwest Region (3) FOIA Office received your FOIA request, dated August 6, 2014, on August 6, 2014 and assigned control number FWS-2014-01203. Please cite this number in any future communications with our office regarding your request.

We are writing to partially respond to your request. We have enclosed one digital file in Adobe Acrobat Portable Document Format (PDF) consisting of three pages, which is being released to you in part. We are continuing to review additional records that are responsive to your request.

You may appeal this response to the Department’s FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal **no later than 30 workdays** from the date of this letter. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

**Your appeal must be made in writing.** You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or e-mail. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe the FWS’s response is in error. You must also include with your appeal copies of all correspondence between you and the FWS concerning your FOIA request, including your original FOIA request and the FWS 's response. Failure to include with your appeal all correspondence between you and the FWS will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer’s sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), e-mail address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

*DOI FOIA/Privacy Act Appeals Office Contact Information*

Department of the Interior  
Office of the Solicitor  
1849 C Street, N.W.  
MS-6556 MIB  
Washington, DC 20240

Attn: FOIA/Privacy Act Appeals Office

Telephone: (202) 208-5339  
Fax: (202) 208-6677  
E-mail: <mailto:FOIA.Appeals@sol.doi.gov>

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. See [5 U.S.C. 552\(c\)](#). This response is limited to those records that are subject to the requirements of FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road - OGIS  
College Park, MD 20740-6001  
E-mail: [ogis@nara.gov](mailto:ogis@nara.gov)  
Web: <https://ogis.archives.gov>  
Telephone: 202-741-5770  
Fax: 202-741-5769  
Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer.

If you have any questions about our response to your request, you may contact me by phone at 612-713-5466; by e-mail at [mark\\_hogeboom@fws.gov](mailto:mark_hogeboom@fws.gov); or by mail at U.S. Fish and Wildlife Service, Attention: Mark Hogeboom, 5600 American Blvd. West, Suite 990, Bloomington, MN 55437-1458.

Sincerely,



Mark Hogeboom  
Region 3 FOIA Coordinator

Enclosure



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

5600 American Boulevard West, Suite 990  
Bloomington, Minnesota 55437-1458



IN REPLY REFER TO:

FWS-2014-01203

November 25, 2014

Ms. Barb Wenninger  
29770 State Highway 15  
Winthrop, MN 55396

Dear Ms. Wenninger,

We have located 11 pages of records that substantially concern the U.S. Department of Agriculture (USDA). We have contacted the USDA, and they will issue a response directly to you. You do not have to contact the USDA at this time, but should you need to do so in the future, you may do so at:

Alexis Graves  
1400 Independence Ave., SW  
Room 428-W, Whitten Building  
Washington, DC 20250-0706  
[USDAFOIA@ocio.usda.gov](mailto:USDAFOIA@ocio.usda.gov)

This is a final response to your Freedom of Information Act (FOIA) request. In your request, you sought "...the following records related to the "Project":

LAW OFFICES

**FRYBERGER, BUCHANAN, SMITH & FREDERICK, P.A.**

**ST. PAUL OFFICE**

FIRST NATIONAL BANK BUILDING  
332 MINNESOTA STREET  
SUITE W-1260  
ST. PAUL, MINNESOTA 55101  
TELEPHONE (651)221-1044  
FAX [651]221-1035

**DULUTH OFFICE**

700 LONSDALE BUILDING  
302 WEST SUPERIOR STREET  
DULUTH, MINNESOTA 55802  
TELEPHONE (218)722-0881  
FAX [218]725-6800

June 3, 2004

Laurie Fairchild  
U.S. Fish & Wildlife Service  
4101 E. 80<sup>th</sup> Street  
Bloomington, MN 55425

**Re: Wind Energy Development Projects – Cornish Township, Sibley County, Minnesota**

Dear Ms. Fairchild:

Just a brief note to follow-up on our recent conversation and transmit additional information regarding the wind energy development projects proposed in Cornish Township, Sibley County, Minnesota.

Attached for your consideration is a map of the site with the approximate locations where 10 towers and turbines will be sited. Also attached is material indicating the dimensions of the towers and turbines which will be located at this site.

Please note that each of the 10 towers/turbines is a separate project for purposes of seeking renewable energy grant funds from the United States Department of Agriculture.

The 10 limited liability companies which will be located at the site include the following:

**NAME OF LLC**

**PRINCIPAL**

Breezy Bucks-I LLC  
Breezy Bucks-II LLC  
Salty Dog-I LLC  
Salty Dog-II LLC  
Windy Dog-I LLC  
Windy Dog-II LLC  
Roadrunner-I LLC  
Jan Marie's Wind Machine LLC  
Mark's Money Machine LLC  
Wally's Wind Farm LLC

Dave Norgaard  
Renata Norgaard  
Wayne Hesse  
Sheri Hesse  
Amos Schwarzrock  
Dolores Schwarzrock  
Jerry Schwarzrock  
Jan Schwarzrock  
Mark Schwarzrock  
Paul Schwarzrock

**FRYBERGER, BUCHANAN, SMITH & FREDERICK, P.A.**

Page 2  
Laurie Fairchild  
June 3, 2004

Thank you for reviewing the endangered species/wildlife impacts of these projects. The project principals will take into account the U.S. Fish & Wildlife Services guidelines for minimizing impacts on wildlife. The developers will share pertinent information with their construction and maintenance contractors in order to mitigate any adverse impacts for wildlife.

Correspondence regarding wildlife impacts associated with these projects may be forwarded to my St. Paul office at the address indicated above. If you have any questions or would like additional information regarding the proposed projects, please give me a call at (651) 221-1044 or send me an e-mail at [kevinwalli@integraonline.com](mailto:kevinwalli@integraonline.com).

With best wishes.

Sincerely,

A handwritten signature in cursive script that reads "Kevin Walli". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Kevin Walli

KW/kmd  
Enclosures

**FRYBERGER, BUCHANAN, SMITH & FREDERICK, P.A.**

**ST. PAUL OFFICE**

FIRST NATIONAL BANK BUILDING  
332 MINNESOTA STREET  
SUITE W-1260  
ST. PAUL, MINNESOTA 55101  
TELEPHONE (651)221-1044  
FAX (651)221-1035

**DULUTH OFFICE**

700 LONSDALE BUILDING  
302 WEST SUPERIOR STREET  
DULUTH, MINNESOTA 55802  
TELEPHONE (218)722-0861  
FAX (218)725-6800

May 17, 2004

Dan Stinnett, Field Supervisor  
U.S. Fish & Wildlife Service  
4101 E. 80<sup>th</sup> Street  
Bloomington, MN 55425

**Re: Request for Letter on Wildlife Impacts of Wind Generation Facilities**

Dear Mr. Stinnett:

Developers of a wind powered electrical generation facility in Sibley County are preparing an application for a United States Department of Agriculture grant in response to a formal Notice of Funds Availability (NOFA) inviting applications for the USDA Renewable Energy Systems and Energy Efficiency Improvements Grant Program. One of the requirements in this grant process is an environmental review which seeks information regarding impacts on wildlife and endangered species. Specifically, in the instructions for preparing a Form RD 1940-20 (page 4), the applicants are asked to provide specific information regarding wildlife resources. USDA officials have advised us that securing a letter from the U.S. Fish & Wildlife Service indicating the wildlife or endangered species information for this area would be helpful to the application.

These towers are to be located in Cornish Township, Sibley County, Minnesota. The legal descriptions for the properties are:

The Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) of Section 13, Township 112 North, Range 30 West; and

The Southeast Quarter of the Northeast Quarter (SE 1/4 of NE 1/4) of Section 14, Township 112 North, Range 30 West.

The East Half of the Northwest Quarter (E 1/2 of NW 1/4) less one-half acre for the town hall, and the East Half of the Southwest Quarter of the Northwest Quarter (E 1/2 of SW 1/4 of NW 1/4), all in Section 14, Township 112 North, Range 30 West; and



**FRYBERGER, BUCHANAN, SMITH & FREDERICK, P.A.**

Page 2  
Dan Stinnett  
May 17, 2004

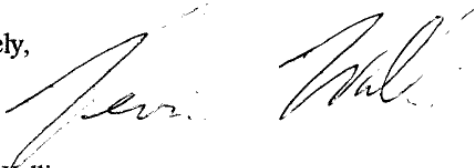
The West Half of the West Half (W ½ of W ½) of Section 11, Township 112 North, Range 30 West.

All in Sibley County, Minnesota.

The developers are not aware of any significant impact which their wind generation facilities would have on wildlife in the project area. Your willingness to review this matter and provide correspondence indicating wildlife impacts would be greatly appreciated. This application process was only recently announced and comes with very tight timelines. Your prompt review and response to this request will be greatly appreciated.

With best wishes.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Walli". The signature is written in a cursive style with a large initial "K".

Kevin Walli

KW/kmd

<b>For Agency Use Only:</b>			
Received _____	Due _____	RUSH	
Related ERDB# _____			
Search Radius _____ mi.	ER/All _____	Map'd _____	EOs _____
NoR/ NoC/ NoE/ Std/ Sub _____	Let _____	Inv _____	Log out _____

**MINNESOTA NATURAL HERITAGE INFORMATION SYSTEM (NHIS) DATA REQUEST FORM**

DATE OF REQUEST March 10, 2008

WHO IS REQUESTING THE INFORMATION?

Name and Title Kevin Walli, Counsel for the Sibley Wind Project  
 Agency/Company Fryberger, Buchanan, Smith & Frederick, P.A.  
 Mailing Address 332 Minnesota Street, Suite West 1260 St. Paul MN 55101  
(Street) (City) (State) (Zip Code)  
 Phone 651-221-1044 FAX 651-221-1035 e-mail kwalli@fryberger.com

WHAT INFORMATION DO YOU NEED?

Preferred Reply Method: Email  US Mail

- Printouts of known occurrences of federally and state listed plants and animals; native plant communities; and aggregation sites such as bat hibernacula, colonial waterbird nesting sites, and prairie chicken booming grounds.
  - With Environmental Review
  - Printouts Only; No Review Needed
- Printouts of information listed above, plus geological features and state rare species with no legal status.
  - With Environmental Review
  - Printouts Only; No Review Needed
- Other (describe) \_\_\_\_\_

INFORMATION WE NEED FROM YOU:

- 1) Enclose a map of the project boundary (topographic maps or aerial photos are preferred).
- 2) If possible, please provide a GIS shapefile (NAD 83, UTM Zone 15N) of the project area.
- 3) List the following locational information (attach additional sheets if necessary):

County	Township #	Range #	Section(s) (please list all sections)
<u>Sibley</u>	<u>Cornish</u>	<u>30</u>	<u>2, 9, 10, 11, 13, 14, 15</u>

- 4) Please provide the following information (attach additional sheets if necessary):

Project Name <u>Sibley County Wind Project</u>
Project Proposer <u>David Norgaard</u>
Detailed Project Description (see instructions, please) <u>The Sibley County Community Based Energy Development Project is a 20 megawatt project located in Cornish Township, Sibley County, Minnesota. The developer will be installing 10 Suzlon S88 turbines, derated to 2.0 megawatts each. The project will conduct soil borings to determine appropriateness of site for foundations to support towers/turbines. See Attached.</u>
Current/Past Land-Use of Project Site _____ Agricultural Use _____

5) You will be provided with a response letter, an index database printout, and a detailed database printout. **Describe how you plan to use this information, including** in what form and detail, if any, you wish to publish this information. (Please note that we do not generally give permission to publish the detailed database printout.)

We will be submitting this information to the Minnesota Department of Commerce in conjunction with the Site Permit Application process.

**TURN-AROUND TIME**

Requests generally take **3 weeks** from date of receipt to process, and are processed in the order received. Rush requests are processed in 2 weeks or less, and include an extra fee.

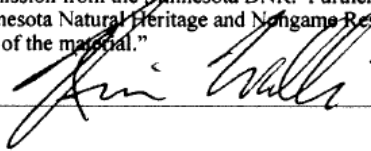
**FEEs**

For-profit organizations, including consultants working for governmental agencies, are charged a fee for this service. In addition, **a fee may be charged for large requests from any source. A surcharge of \$50 is applied for ALL rush orders;** if this is a rush order, please check the blank below. All fees are subject to change. Please do not include payment with your request; an invoice will be sent to you.

**Rush - (\$50 fee for ALL rush orders)**

"The information supplied above is complete and accurate. I understand that material supplied to me from the Minnesota Natural Heritage Information System is copyrighted and that I am not permitted to reproduce or publish any of this copyrighted material without prior written permission from the Minnesota DNR. Further, if permission to publish is given, I understand that I must credit the Minnesota Natural Heritage and Nongame Research Program, Minnesota Department of Natural Resources as the source of the material."

Signature  
(required)



Mail or email completed forms to:

For further information call:

Lisa Joyal (for projects associated with environmental reviews; e.g., EAWs)  
Endangered Species Environmental Review Coordinator  
[lisa.joyal@dnr.state.mn.us](mailto:lisa.joyal@dnr.state.mn.us)

(651) 259-5109

or

Sharron Nelson (for general requests)  
Assistant Database Manager  
[sharron.nelson@dnr.state.mn.us](mailto:sharron.nelson@dnr.state.mn.us)

(651) 259-5123

at

Natural Heritage and Nongame Research Program  
Minnesota Department of Natural Resources  
500 Lafayette Road, Box 25  
St. Paul, Minnesota 55155

Or FAX completed forms to: (651) 296-1811

Additional information about the Natural Heritage & Nongame Research Program is available at  
<http://www.dnr.state.mn.us/eco/nhnrp/>

**For Agency Use Only:**

EO's requiring comment \_\_\_\_\_

Sources contacted	Topic	Response
_____	_____	_____
_____	_____	_____
_____	_____	_____

Response Summary \_\_\_\_\_

\_\_\_\_\_ Responder \_\_\_\_\_



## Minnesota Department of Natural Resources

Division of Ecological Resources, Box 25

500 Lafayette Road

St. Paul, Minnesota 55155-4025

Phone: (651) 259-5107 Fax: (651) 296-1811 E-mail: [krista.larson@dnr.state.mn.us](mailto:krista.larson@dnr.state.mn.us)

April 1, 2008

Mr. Kevin Walli  
Fryberger, Buchanan, Smith, and Frederick, P.A.  
332 Minnesota Street, Suite West 1260  
Saint Paul, MN 55101

Re: Request for Natural Heritage information for vicinity of proposed Sibley County Wind Project,  
T112N R30W Sections 2, 9, 10, 11, 13, 14, & 15, Sibley County  
NHNRP Contact #: ERDB 20040924-0002

Dear Mr. Walli,

As requested, the Minnesota Natural Heritage Information System has been queried to determine if any rare species or other significant natural features are known to occur within an approximate one-mile radius of the proposed project. Based on this query, there are no known occurrences of rare features in the area searched.

The Natural Heritage Information System (NHIS), a collection of databases that contain information about Minnesota's rare natural features, is maintained by the Division of Ecological 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 on the project area.

Please be aware that this letter focuses only on potential effects to *rare natural features*; there may be other natural resource concerns associated with the proposed project. This letter does not constitute review or approval by the Department of Natural Resources as a whole. If you would like further information on the environmental review process, please contact your Regional Environmental Assessment Ecologist, Todd Kolander, at (507) 359-6073.

An invoice in the amount of \$71.68 will be mailed to you under separate cover within two weeks of the date of this letter. You are being billed for the database search and printouts, and staff scientist review. Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources.

Sincerely,

A handwritten signature in black ink that reads 'Krista A. Larson'.

Krista A. Larson  
Endangered Species Environmental Review Technician

Copy of Email from Minnesota DNR.

**From:** Joyal, Lisa (DNR) [mailto:[Lisa.Joyal@state.mn.us](mailto:Lisa.Joyal@state.mn.us)]  
**Sent:** Thursday, January 19, 2012 10:46 AM  
**To:** [info@grahamenvironmental.com](mailto:info@grahamenvironmental.com)  
**Cc:** Schrenzel, Jamie (DNR); Mixon, Kevin (DNR); Steinhauer, Suzanne (COMM)  
**Subject:** Sibley Wind

Thank you for notifying us of the attached field assessment, and for the opportunity to provide additional comments. We concur with your evaluation regarding native prairie and rare species.

*Lisa Joyal*

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Lisa Joyal  
Natural Heritage Review Coordinator

NHIS Data Distribution Coordinator

Division of Ecological and Water Resources

Minnesota Department of Natural Resources  
500 Lafayette Road, Box 25  
St. Paul, MN 55155

phone: 651-259-5109  
[lisa.joyal@state.mn.us](mailto:lisa.joyal@state.mn.us)

[www.mndnr.gov/eco](http://www.mndnr.gov/eco)



Rheude, Margaret &lt;margaret\_rheude@fws.gov&gt;

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**Fwd: information on possible wind projects**

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Davis, Richard <richard\_davis@fws.gov>  
To: Margaret Rheude <margaret\_rheude@fws.gov>

Wed, Mar 13, 2013 at 3:25 PM

Hi Mags,

This a wind project list Deb's office sent over. I didn't see a High Country project on there, so they may not have even started the permit or CN process.

Rich

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

From: **Sullins, Tony** <tony\_sullins@fws.gov>  
Date: Fri, Mar 1, 2013 at 11:43 AM  
Subject: Fwd: information on possible wind projects  
To: Richard Davis <richard\_davis@fws.gov>

fyi

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

From: **Kahrmann, Cynthia (COMM)** <Cynthia.Kahrmann@state.mn.us>  
Date: Fri, Mar 1, 2013 at 11:40 AM  
Subject: RE: information on possible wind projects  
To: "Sullins, Tony" <tony\_sullins@fws.gov>, "Pile, Deborah (COMM)" <deborah.pile@state.mn.us>  
Cc: Rick Amidon <rick\_amidon@fws.gov>

Tony and Rick, attached is the list of wind projects, sorted by

- permit unissued, pending
- permit issued, unconstructed
- permit issued, built

Please let me know if you have any questions. I'd be happy to help you. Regards,



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**From:** Sullins, Tony [mailto:[tony\\_sullins@fws.gov](mailto:tony_sullins@fws.gov)]  
**Sent:** Wednesday, February 27, 2013 3:46 PM  
**To:** Pile, Deborah (COMM)  
**Cc:** Kahrmann, Cynthia (COMM); Rick Amidon  
**Subject:** Re: information on possible wind projects

Thank you Deb. And thank you advance Cynthia. Cynthia, the person in my Regional Office who really needs this information is Rick Amidon. So, you could cut out the middle-man entirely by just sending the info. directly to Rick at

[Rick\\_Amidon@fws.gov](mailto:Rick_Amidon@fws.gov). I copied Rick on this email, so a reply to all would be great. Thanks again. Tony

On Wed, Feb 27, 2013 at 11:44 AM, Pile, Deborah (COMM) <[deborah.pile@state.mn.us](mailto:deborah.pile@state.mn.us)> wrote:

Hi Tony,

I talked with Cindi about your request. She is currently updating our list of built, permitted and in-process projects and will be able to send you information that should help with your effort tomorrow. Information will include project name, size and location by county.

Given that the latest extension of the production tax credit applies to projects that commence construction by the end of 2014, we might see a few additional projects filing applications this year in an attempt to qualify. We can provide you with an update later in the year if helpful.

Hope this will fit your planning needs,

Deb.

Deborah R. Pile, Director

Energy Facility Permitting

Minnesota Department of Commerce

651-297-2375

10/7/2014

DEPARTMENT OF THE INTERIOR Mail - Fwd: information on possible wind projects

[Deborah.pile@state.mn.us](mailto:Deborah.pile@state.mn.us)

--

Richard Davis  
Fish and Wildlife Biologist  
U.S. Fish and Wildlife Service  
Twin Cities Field Office  
4101 American Blvd. E.  
Bloomington, MN 55425  
(612)725-3548 ext. 2214



**WIND BY COUNTY, RESPONSE TO TONY SULLINS 03012013.pdf**

57K





Rheude, Margaret &lt;margaret\_rheude@fws.gov&gt;

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**FW: Sibley map**

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**Lisa Mandell** <lisa\_mandell@fws.gov>  
To: Margaret Rheude <margaret\_rheude@fws.gov>

Mon, Dec 9, 2013 at 1:38 PM

Lisa Mandell  
Deputy Project Leader  
Ecological Services Field Office for MN and WI  
U.S. Fish and Wildlife Service  
4101 American Blvd. East  
Bloomington, Minnesota 55425-1665  
612-725-3548 x2201; 612-725-3609 fax

---

**From:** Steven Estes [mailto:[sestes@stardistributedenergy.com](mailto:sestes@stardistributedenergy.com)]  
**Sent:** Friday, December 06, 2013 9:50 PM  
**To:** [lisa\\_mandell@fws.gov](mailto:lisa_mandell@fws.gov)  
**Cc:** 'Eric Johnston'; 'John Wiltzer'; 'Kate Valentine'  
**Subject:** Sibley map

FYI, here is the map of the project from Westwood.

I will send out the meeting invite shortly.

Thanks now,

Steven G. Estes

President

P - 260.694.6240

C- 260.410.0945

10/7/2014

DEPARTMENT OF THE INTERIOR Mail - FW: Sibley map

F- 260.694.6241

[sestes@stardistributedenergy.com](mailto:sestes@stardistributedenergy.com)


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



 Please consider the environment before printing this e-mail

*The information contained in this email, and in any accompanying documents, constitutes confidential information, which belongs to Star Distributed Energy LLC. This information is intended for the use of the individual(s) or entity named above. You are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on this information, is strictly prohibited.*

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 **SW\_NHIS01B\_131206.pdf**  
849K



Rheude, Margaret &lt;margaret\_rheude@fws.gov&gt;

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**FW: USF&WS - Project Timeline -- Part1**

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**Lisa Mandell** <lisa\_mandell@fws.gov>  
To: Margaret Rheude <margaret\_rheude@fws.gov>

Mon, Dec 9, 2013 at 1:38 PM

Lisa Mandell

Deputy Project Leader

Ecological Services Field Office for MN and WI

U.S. Fish and Wildlife Service

4101 American Blvd. East

Bloomington, Minnesota 55425-1665

612-725-3548 x2201; 612-725-3609 fax

---

**From:** Steven Estes [mailto:[sestes@stardistributedenergy.com](mailto:sestes@stardistributedenergy.com)]  
**Sent:** Friday, December 06, 2013 12:01 PM  
**To:** [lisa\\_mandell@fws.gov](mailto:lisa_mandell@fws.gov)  
**Cc:** 'John Wiltzer'; 'Eric Johnston'; 'Kate Valentine'  
**Subject:** USF&WS - Project Timeline -- Part1

Ms. Mandell,

Per our discussions on the Sibley Wind Project in Sibley County, Minnesota, we have put together a timeline of our correspondence with the USF&WS along with copies of the studies that we have conducted relative to vegetation, wildlife and wetlands. We have attached the file (one of 2 e-mails) for your review.

Westwood is still working on the Sibley county map and we will forward it separately.

I am looking forward to speaking with you next Tuesday on these files.

Sincerely,

Steven

Steven G. Estes

President

P - 260.694.6240

C- 260.410.0945

F- 260.694.6241

[sestes@stardistributedenergy.com](mailto:sestes@stardistributedenergy.com)


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



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 **Sibley Wind Project Timeline Part 1.zip**  
16814K



Rheude, Margaret &lt;margaret\_rheude@fws.gov&gt;

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**FW: Part 2 Sibley county**

---

Lisa Mandell <lisa\_mandell@fws.gov>  
To: Margaret Rheude <margaret\_rheude@fws.gov>

Mon, Dec 9, 2013 at 1:38 PM

Lisa Mandell  
Deputy Project Leader  
Ecological Services Field Office for MN and WI  
U.S. Fish and Wildlife Service  
4101 American Blvd. East  
Bloomington, Minnesota 55425-1665  
612-725-3548 x2201; 612-725-3609 fax

---

**From:** Steven Estes [mailto:[sestes@stardistributedenergy.com](mailto:sestes@stardistributedenergy.com)]  
**Sent:** Friday, December 06, 2013 12:08 PM  
**To:** [lisa\\_mandell@fws.gov](mailto:lisa_mandell@fws.gov)  
**Cc:** 'John Wiltzer'; 'Eric Johnston'; 'Kate Valentine'  
**Subject:** Part 2 Sibley county

Ms. Mandell,

Here is the second of 2 e-mails on the project.

Thanks now and you have a great weekend,

Steven G. Estes

President

P - 260.694.6240

C- 260.410.0945

F- 260.694.6241

[sestes@stardistributedenergy.com](mailto:sestes@stardistributedenergy.com)


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 **Sibley Wind Project Timeline Part 2.zip**  
11030K



WESCO Wind is Subsidiary of Star Distributed Energy

## SIBLEY WIND PROJECT

### Timeline of Actions on Environmental Reports

- |   |            |
|---|------------|
| 1.) USF&WS Follow Letter with Map of Project                              | 6/03/2004  |
| 2.) Letter to MDNR - Natural Heritage – Request for Data                  | 3/10/2008  |
| 3.) MDNR – Clearance Letter for Natural Heritage                          | 4/01/2008  |
| 4.) Native Prairie Report   | 11/11/2011 |
| 5.) Wetland Report  | 11/11/2011 |
| 6.) Letter to MDNR – Endangered Species and Environmental Review          | 11/28/2011 |
| 7.) Email from MDNR – Concurrence on Prairie Report and Rare Species      | 1/19/2012  |
| 8.) Minn. Soil and Water Conservation Districts – Non-wetland Concurrence | 4/12/2012  |

10/7/2014

DEPARTMENT OF THE INTERIOR Mail - FW: Sibley Wind project



Rheude, Margaret <margaret\_rheude@fws.gov>

---


## FW: Sibley Wind project

---

Lisa Mandell <lisa\_mandell@fws.gov>  
To: Margaret Rheude <margaret\_rheude@fws.gov>

Mon, Dec 9, 2013 at 1:39 PM

---

 **invite.ics**  
6K

**From:** [Unknown](#)  
**To:** [Margaret Rheude](#)  
**Subject:** FW: Sibley Wind project

---

Here is the call invite....

-----Original Appointment-----

From: HYPERLINK "mailto:lisa\_mandell@fws.gov"lisa\_mandell@fws.gov [mailto:lisa\_mandell@fws.gov] On Behalf Of Steven Estes  
Sent: None  
To: Steven Estes; Lisa Mandell; HYPERLINK "mailto:jwiltzer@stardistributedenergy.com"jwiltzer@stardistributedenergy.com; Eric Johnston; HYPERLINK "mailto:vthompson@stardistributedenergy.com"vthompson@stardistributedenergy.com; Kate Valentine; HYPERLINK "mailto:eric.hansen@westwoodps.com"eric.hansen@westwoodps.com  
Subject: Sibley Wind project  
When: Tuesday, December 10, 2013 2:00 PM-3:00 PM (UTC-06:00) Central Time (US & Canada).  
Where: phone con

Please call into [REDACTED]

Thanks now,

Steven



Rheude, Margaret &lt;margaret\_rheude@fws.gov&gt;

---

## Sibley Wind Review

---

Steven Estes <sestes@stardistributedenergy.com>  
To: "Rheude, Margaret" <margaret\_rheude@fws.gov>

Mon, Dec 9, 2013 at 3:58 PM

Great; I just got an e-mail, you will have it before our call tomorrow.

Steven G. Estes

President

P - 260.694.6240

C- 260.410.0945

F- 260.694.6241

[sestes@stardistributedenergy.com](mailto:sestes@stardistributedenergy.com)

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**From:** Rheude, Margaret [mailto:[margaret\\_rheude@fws.gov](mailto:margaret_rheude@fws.gov)]

**Sent:** Monday, December 09, 2013 4:54 PM

**To:** Steven Estes

**Subject:** Re: Sibley Wind Review



Dear Steven,

great - I appreciate it. Once I can put the GIS layer in a map I can double check it against any new eagle nests that we may know of, as well as any FWS interest lands.

Sincerely,

Mags

On Mon, Dec 9, 2013 at 3:22 PM, Steven Estes <[sestes@stardistributedenergy.com](mailto:sestes@stardistributedenergy.com)> wrote:

Good day Mags,

The map is being worked on, as soon as soon as they let me know the turnaround I will share with you.

Have a great afternoon,

Steven G. Estes

President

P - 260.694.6240

C- 260.410.0945

F- 260.694.6241

[sestes@stardistributedenergy.com](mailto:sestes@stardistributedenergy.com)

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**From:** Rheude, Margaret [mailto:[margaret\\_rheude@fws.gov](mailto:margaret_rheude@fws.gov)]  
**Sent:** Monday, December 09, 2013 3:50 PM  
**To:** [sestes@stardistributedenergy.com](mailto:sestes@stardistributedenergy.com)  
**Subject:** Sibley Wind Review

Hi Steven,

in order to expedite a review of your project, can you send me an updated project footprint and turbine locations in a GIS layer?

Thanks,

MAGs

--

Mags Rheude

US Fish and Wildlife Service

Twin Cities Field Office

4101 American Blvd E

Bloomington MN 55425

612-725-3548 x2202

[margaret\\_rheude@fws.gov](mailto:margaret_rheude@fws.gov)

\*Work Schedule: M-Th, 8:15-4:45



Rheude, Margaret <margaret\_rheude@fws.gov>

---

## Sibley Wind Project GIS Drawings

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**John Wiltzer** <jwiltzer@stardistributedenergy.com>  
To: Margaret Mag Rheude <margaret\_rheude@fws.gov>  
Cc: Steven Estes <sestes@stardistributedenergy.com>

Tue, Dec 10, 2013 at 7:31 AM

Good Morning Mag:

Attached are the GIS drawings that you requested for the Sibley Wind Project in Sibley County, Minnesota.

Please let me know if you need anything further.

--

John J. Wiltzer, P.E.  
Star Distributed Energy  
10055 County Road 633  
Buckley, MI 49620  
(231)631-5803

---

 **Drawings.zip**  
112K



Rheude, Margaret &lt;margaret\_rheude@fws.gov&gt;

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## Sibley Wind

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Rheude, Margaret &lt;margaret\_rheude@fws.gov&gt;

Tue, Dec 10, 2013 at 4:35 PM

To: Steven Estes &lt;sestes@stardistributedenergy.com&gt;, Lisa Mandell &lt;lisa\_mandell@fws.gov&gt;

Hello Steve,

Thanks again for talking with the FWS today about the Sibley Wind project. Attached is the map I generated of the Sibley Wind project and the 10-mile buffer. I delineated the project footprint as the minimum convex hull around the turbines, which is what the FWS delineates as the project footprint in the Eagle Conservation Plan Guidance. As we stated on the phone call, the lack of any bald eagle records could be either a product of a genuine lack of eagle nests in the area, or a lack of data coverage in that area of the state.

With regard to the citizen letter about bird records in the project site - I reviewed my emails and determined that the letter I had been sent was a draft copy and has not yet been submitted to the PUC. The citizens who wrote the letter are planning on submitting it in a few days - at that time I can send you the copy.

The FWS has committed to preparing a letter summarizing our conference call today to highlight the important issues, as well as providing recommendations for eagle and bat survey protocol for this coming year. The letter will also summarize the extent of technical assistance and recommendations the FWS will be able to provide to you.

Thank you for contacting the Fish and Wildlife Service, and we look forward to working with you on this wind project.

Sincerely,  
Mags Rheude

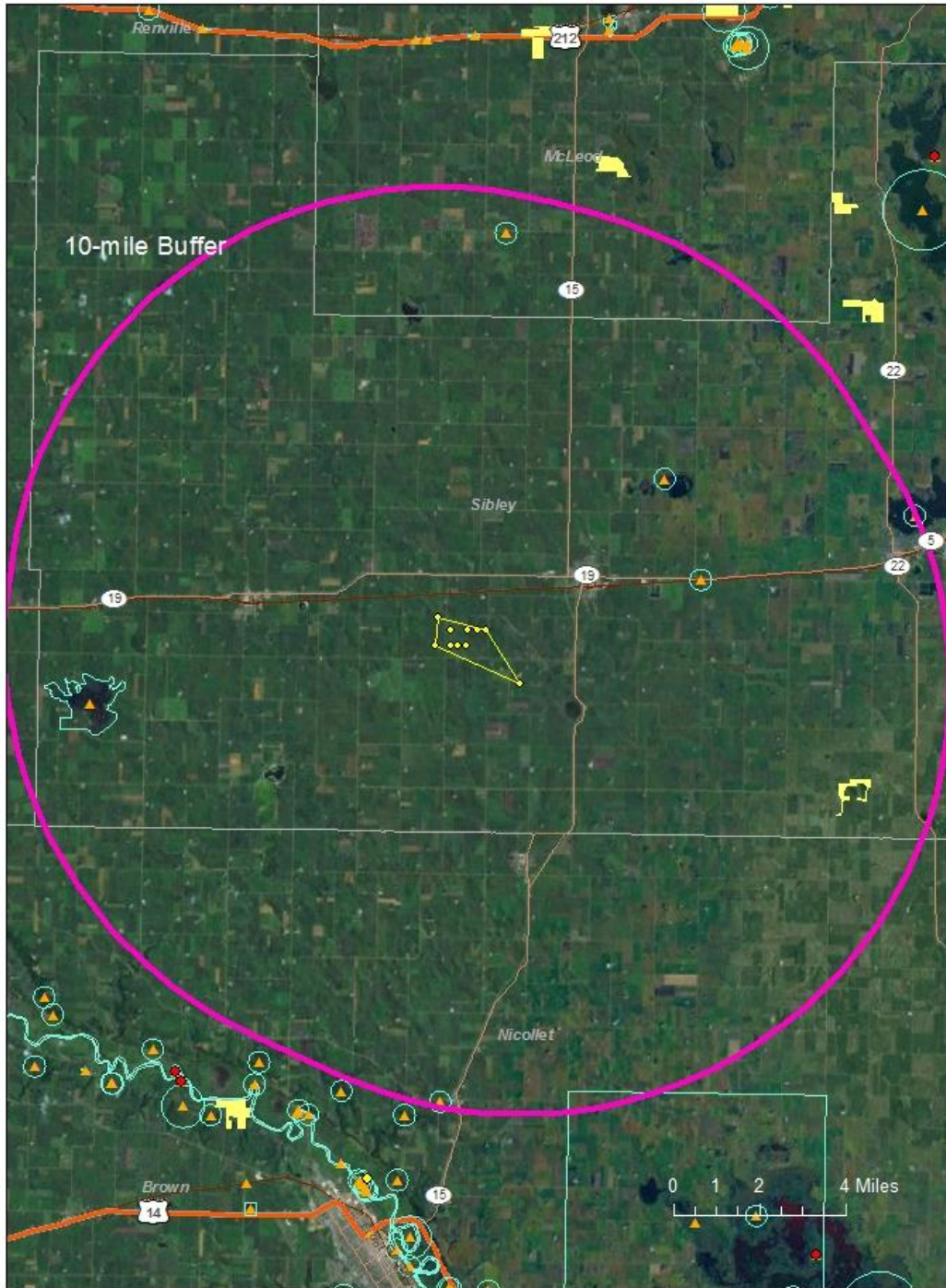
—

Mags Rheude  
US Fish and Wildlife Service  
Twin Cities Field Office  
4101 American Blvd E  
Bloomington MN 55425  
612-725-3548 x2202  
[margaret\\_rheude@fws.gov](mailto:margaret_rheude@fws.gov)  
\*Work Schedule: M-Th, 8:15-4:45



**Sibley 10 mile.jpg**  
560K

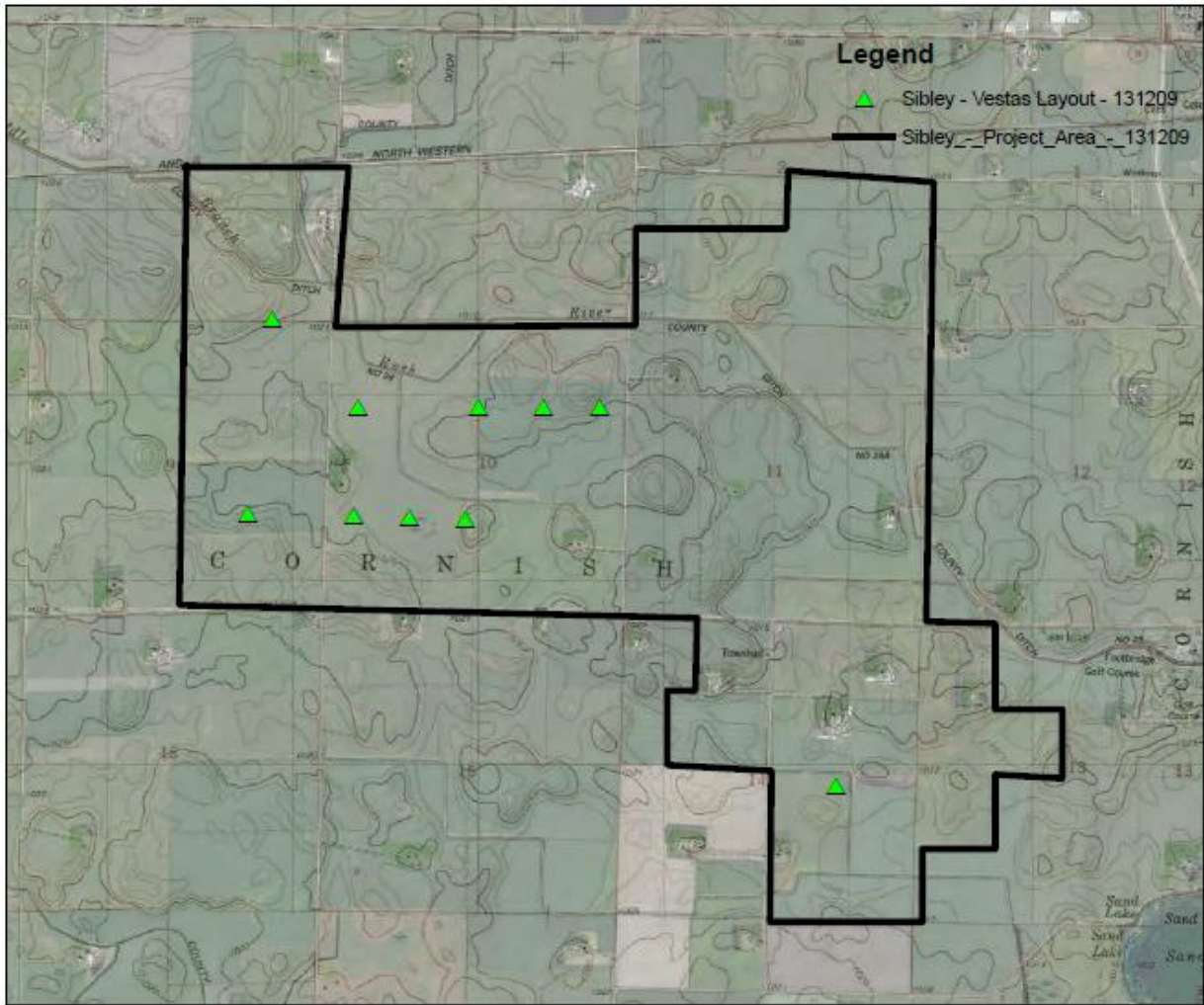
# Sibley Wind 10-mile Buffer



 =FWS Interest Lands

 =DNR Interest Lands

 =Eagle Nests



Sibley Wind Project

Confidential



Rheude, Margaret &lt;margaret\_rheude@fws.gov&gt;

---

**Eagle nest being built**

---

**Schrenzel, Jamie (DNR)** <jamie.schrenzel@state.mn.us>

Wed, Mar 12, 2014 at 1:22 PM

To: "Rheude, Margaret (margaret\_rheude@fws.gov)" &lt;margaret\_rheude@fws.gov&gt;

---

**From:** Mary Hartman [mailto:[hartmanmary98@yahoo.com](mailto:hartmanmary98@yahoo.com)]**Sent:** Sunday, February 23, 2014 10:14 PM**To:** Margaret Rheude; Davis, Richard (COMM); Schrenzel, Jamie (DNR)**Subject:** Eagle nest being built

Hi All,

I am awaiting photo's of a pair of bald eagles engaged in nest building about 1.5 miles from turbine #10 at the Sibley project, as well as photo's of the nest as it appeared today. I asked for cross streets, GPS (if possible) and the name of the landowner whose land the nest is being constructed on so FWS, DNR, the developer or all of the above can easily locate the nest and consider it's location in the final turbine siting plan. Kristi Rosenquist took the photo's and helped the citizens find the nest. I consider Kristi to be very reliable.

Two family's have been monitoring the flight paths of these birds over the winter. I will provide that contact information to Mags so she can contact them to arrange to get that information to the developer's biologist's.

Hope you were all safe during the last storms.

Mary H



Rheude, Margaret <margaret\_rheude@fws.gov>

---

## FW: map with nest and turbines

---

Schrenzel, Jamie (DNR) <jamie.schrenzel@state.mn.us>

Wed, Mar 12, 2014 at 1:22 PM

To: "Rheude, Margaret (margaret\_rheude@fws.gov)" <margaret\_rheude@fws.gov>

---

**From:** mary hartman [mailto:m.petras@hotmail.com]

**Sent:** Monday, February 24, 2014 12:39 PM

**To:** margaret\_rheude@fws.gov; Davis, Richard (COMM); Schrenzel, Jamie (DNR)

**Subject:** FW: map with nest and turbines

Sibley Wind has at least one new eagle nest! Here's a map generated by Kristi. The red dots are the turbines.

Fun!

Mary H

---

Date: Mon, 24 Feb 2014 11:37:54 -0600

Subject: map with nest and turbines

From: sitingeagle@gmail.com

To: m.petras@hotmail.com

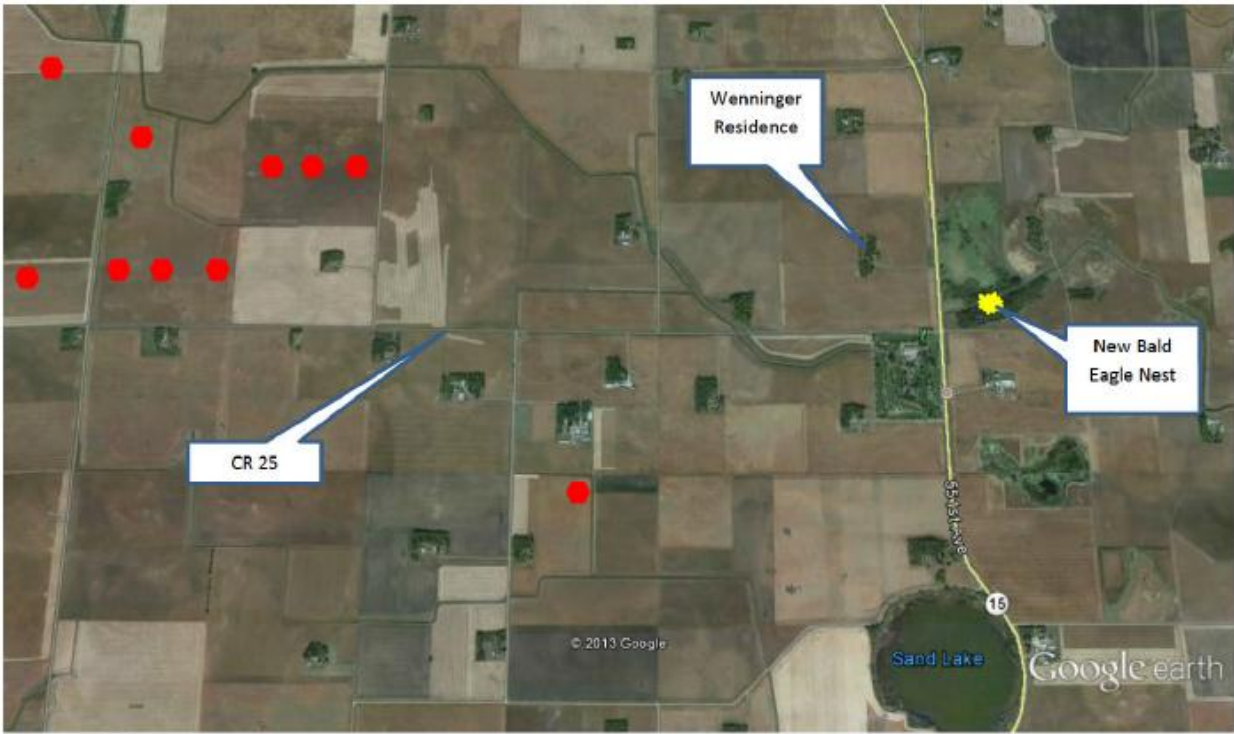
CC: barbawenninger@yahoo.com



**Sibley eagle nest 2 2014.pdf**

165K







Rheude, Margaret <margaret\_rheude@fws.gov>

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## Sibley Eagle Nest Map

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Schrenzel, Jamie (DNR) <jamie.schrenzel@state.mn.us>

Wed, Mar 12, 2014 at 1:21 PM

To: "Rheude, Margaret (margaret\_rheude@fws.gov)" <margaret\_rheude@fws.gov>

Hi Mags,

Here's an e-mail with a map and photos of eagles. I think there might be a few other e-mails that are similar. I'll check.

Jamie

---

**From:** mary hartman [mailto:m.petras@hotmail.com]

**Sent:** Thursday, February 27, 2014 9:15 PM

**To:** margaret\_rheude@fws.gov; Schrenzel, Jamie (DNR); Doperalski, Melissa (DNR); Davis, Richard (COMM)

**Subject:** FW: revised

---

Hi,

Traveling...again. This was in my Inbox. Thought you might like a heads' up. It is also on the Sibley docket.

There are some very eye-opening quotes from retired FWS biologists and law enforcement re:mortality at wind energy facilities in the new March/April Audubon Magazine.

Mary



**Sibley new eagle nest feb 2014.pdf**

827K



Rheude, Margaret <margaret\_rheude@fws.gov>

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## New Nest at Sibley Wind Farm?

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**Rheude, Margaret** <margaret\_rheude@fws.gov>

Wed, Mar 12, 2014 at 11:46 AM

To: "Schrenzel, Jamie (DNR)" <jamie.schrenzel@state.mn.us>

Hi Jamie,

I got a message from Mary Hartman - she said that she sent you a map of a new eagle nest near the Sibley Wind farm - she tried to send it to me but it didn't go through. Do you have the map she is talking about? Can you send it to me?

Thanks,  
mags

-

Mags Rheude  
US Fish and Wildlife Service  
Twin Cities Field Office  
4101 American Blvd E  
Bloomington MN 55425  
612-725-3548 x2202

[margaret\\_rheude@fws.gov](mailto:margaret_rheude@fws.gov)

\*Work Schedule: M-Th, 8:15-4:45



Rheude, Margaret &lt;margaret\_rheude@fws.gov&gt;

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## Sibley Wind: Snowy Owl?

---

**Davis, Richard (COMM)** <Richard.Davis@state.mn.us>

Mon, Mar 24, 2014 at 10:05 AM

To: mary hartman &lt;m.petras@hotmail.com&gt;, "margaret\_rheude@fws.gov" &lt;margaret\_rheude@fws.gov&gt;, "Edwards, Jaime L (DNR)" &lt;jaime.edwards@state.mn.us&gt;, "Schrenzel, Jamie (DNR)" &lt;jamie.schrenzel@state.mn.us&gt;

Hi Mary,

I don't claim to be an owl expert, but based on the photo provided I would lean more towards a barn owl versus a snowy owl. Both can be seen in Minnesota, but the rust coloration on the bird in the photo would make me think barn owl.

The photo is not perfect for identification, so I can't say my ID is 100% certain.

Thanks,

Rich

---

**From:** mary hartman [mailto:[m.petras@hotmail.com](mailto:m.petras@hotmail.com)]**Sent:** Saturday, March 22, 2014 12:24 AM**To:** [margaret\\_rheude@fws.gov](mailto:margaret_rheude@fws.gov); Davis, Richard (COMM); Edwards, Jaime L (DNR); Schrenzel, Jamie (DNR)**Subject:** Sibley Wind: Snowy Owl?

Hi All,

This amazing photo was sent to me by Barb Wenninger, one of the citizens involved in the Sibley Wind controversy. Is this a snowy owl? It's an awesome photo, taken this morning, in the proposed project footprint.

Mary