Appendix H-2 – Agency Correspondence

Minnesota
State Historic Preservation Office (SHPO)

From: Jesse Kling <jesse.kling@mnhs.org>
Sent: Friday, October 6, 2017 1:19 PM
To: Data Requests to SHPO
Cc: Ryan Grohnke
Subject: Re: Database Search Lake Wilson East
Attachments: MurrayHistoric.rtf

THIS EMAIL IS NOT A PROJECT CLEARANCE.

This message simply reports the results of the cultural resources database search you requested. The database search produced results for only previously known archaeological sites and historic properties. Please read the note below carefully.

No archaeological sites were identified in a search of the Minnesota Archaeological Inventory and Historic Structures Inventory for the search area requested. **A report containing the history/architecture properties identified is attached.**

The result of this database search provides a listing of recorded archaeological sites and historic architectural properties that are included in the current SHPO databases. Because the majority of archaeological sites in the state and many historic architectural properties have not been recorded, important sites or structures may exist within the search area and may be affected by development projects within that area. Additional research, including field survey, may be necessary to adequately assess the area's potential to contain historic properties.

Properties that are listed in the National Register of Historic Places (NRHP) or have been determined eligible for listing in the NRHP are indicated on the reports you have received. The following codes on the reports you received are:

NR – National Register listed. The properties may be individually listed or may be within the boundaries of a National Register District.

CEF – Certified Eligible to the National Register findings are usually made during the federal review process, these properties have been evaluated as being eligible for listing in the National Register.

SEF – Staff eligible findings to the National Register are properties that have been determined eligible by SHPO staff.
DOE – Determination of Eligibility is made by the National Park Service and typically refers to properties deemed eligible but the owner objects to the listing.

CNEF – Certified Not Eligible to the National Register. SHPO has begun to record properties that have been evaluated as **not eligible** for listing in the National Register. If the box on the form has a check the property has been determined to be **not eligible.**

Properties without **NR, CEF, SEF, DOE, or CNEF** designations in the reports you received may not have been evaluated and therefore no assumption to their eligibility can be made.

If you require a comprehensive assessment of a project's potential to impact archaeological sites or historic architectural properties, you may need to hire a qualified archaeologist and/or historian. If you need assistance with a project review, please contact Kelly Gragg-Johnson in Review and Compliance @ 651-259-3455 or by email at kelly.graggjohnson@mnhs.org.

The Minnesota SHPO Survey Manuals and Database Metadata can be found at http://www.mnhs.org/shpo/survey/inventories.htm
SHPO research hours are 8:30 AM – 4:00 PM Tuesday-Friday.

The Office is closed on Mondays.

On Friday, October 6, 2017 at 10:51:54 AM UTC-5, Ryan Grohnke wrote:

> Hello,
>
> Could you do a database search for the following area:
>
> Township 106, Range 42, Sections 8, 9, 10, 15, 16, 17, 20, 21, 22, 27, 28, 29
>
> Thank you,
>
> Ryan
>
> **Ryan P. Grohnke**
> **CULTURAL RESOURCES FIELD DIRECTOR/PROJECT MANAGER**
> ryan.grohnke@westwoodps.com
>
> Direct (952) 906-7403
> Main (952) 937-5150
> Cell (612) 209-3352
>
> **Westwood Multi-Disciplined Surveying & Engineering**
> 7699 Anagram Drive | Eden Prairie, MN 55344
>
> **westwoodps.com**
> (888) 937-5150

From: Jesse Kling <jesse.kling@mnhs.org>
Sent: Friday, October 6, 2017 1:21 PM
To: Data Requests to SHPO
Cc: Ryan Grohnke
Subject: Re: Database Search Request - Lake Wilson West
Attachments: MurrayArchaeology2.rtf; MurrayHistoric2.rtf

THIS EMAIL IS NOT A PROJECT CLEARANCE.

This message simply reports the results of the cultural resources database search you requested. The database search produced results for only previously known archaeological sites and historic properties. Please read the note below carefully.

Archaeological sites and Historic properties were identified in a search of the Minnesota Archaeological Inventory and Historic Structures Inventory for the search area requested. A r**eport containing the results of the searches is attached.**

The result of this database search provides a listing of recorded archaeological sites and historic architectural properties that are included in the current SHPO databases. Because the majority of archaeological sites in the state and many historic architectural properties have not been recorded, important sites or structures may exist within the search area and may be affected by development or construction projects within that area. Additional research, including field survey, may be necessary to adequately assess the area's potential to contain historic properties.

Properties that are listed in the National Register of Historic Places (NRHP) or have been determined eligible for listing in the NRHP are indicated on the reports you have received. The following codes on the reports you received are:

NR – National Register listed. The properties may be individually listed or may be within the boundaries of a National Register District.

CEF – Certified Eligible to the National Register findings are usually made during the federal review process, these properties have been evaluated as being eligible for listing in the National Register.

SEF – Staff eligible findings to the National Register are properties that have been determined eligible by SHPO staff.

DOE – Determination of Eligibility is made by the National Park Service and typically refers to properties deemed eligible but the owner objects to the listing.

CNEF – Certified Not Eligible to the National Register. SHPO has begun to record properties that have been evaluated as **not eligible** for listing in the National Register. If the box on the form has a check the property has been determined to be **not eligible.**

Properties without **NR, CEF, SEF, DOE, or CNEF** designations in the reports you received may not have been evaluated and therefore no assumption to their eligibility can be made.

If you require a comprehensive assessment of a project's potential to impact archaeological sites or historic architectural properties, you may need to hire a qualified archaeologist and/or historian. If you need assistance with a project review, please contact Kelly Gragg-Johnson in Review and Compliance @ 651-259-3455 or by email at kelly.graggjohnson@mnhs.org.

The Minnesota SHPO Survey Manuals and Database Metadata can be found at
http://www.mnhs.org/shpo/survey/inventories.htm

SHPO research hours are 8:30 AM – 4:00 PM Tuesday-Friday.

The Office is closed on Mondays.

On Friday, October 6, 2017 at 10:50:12 AM UTC-5, Ryan Grohnke wrote:

> Good morning,
>
> Could you please do a database search for the following area:
>
> Township 106, Range 43, Sections 11, 12, 13, 14, 23, 24, 25, 26, 36
>
> Township 106, Range 42, Sections 7, 8, 17, 18, 19, 20, 29, 30, 31, 32
>
> Thank you,
> Ryan
>
> **Ryan P. Grohnke**
> **CULTURAL RESOURCES FIELD DIRECTOR/PROJECT MANAGER**
> ryan.grohnke@westwoodps.com
>
> Direct (952) 906-7403
> Main (952) 937-5150
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> **Westwood Multi-Disciplined Surveying & Engineering**
> 7699 Anagram Drive | Eden Prairie, MN 55344
>
> **westwoodps.com**
> (888) 937-5150

From: Jesse Kling <jesse.kling@mnhs.org>
Sent: Tuesday, January 2, 2018 1:17 PM
To: Data Requests to SHPO
Cc: Ryan Grohnke
Subject: Re: Database Search Lake Wilson West - revised
Attachments: MurrayArchaeology3.xls; MurrayHistoric3.xls

THIS EMAIL IS NOT A PROJECT CLEARANCE

This information has recently been updated, please read the note below carefully.

This message simply reports the results of the cultural resources database search you requested. The database search produced results for only previously known archaeological sites and historic properties.

Archaeological sites and historic/architectural properties were identified in a search of the Minnesota Archaeological Inventory and Historic and Architectural Inventory for the search area requested. **A report containing the results of the searches is attached.**

The result of this database search provides a listing of recorded archaeological sites and historic/architectural properties that are included in the current MN SHPO databases. Because the majority of archaeological sites in the state and many historic/architectural properties have not been recorded, important sites or properties may exist within the search area and may be affected by development or construction projects within that area. Additional research, including field survey, may be necessary to adequately assess the area's potential to contain historic properties.

Properties that are listed in the National Register of Historic Places (NRHP) or have been determined eligible for listing in the NRHP are indicated on the reports you have received. The following codes on the reports you received are:

NR – National Register listed. The properties may be individually listed or may be within the boundaries of a National Register District.

CEF – Considered Eligible Findings are made when a federal agency has recommended that a property is eligible for listing in the National Register and MN SHPO has accepted the recommendation for the purposes of the Review and Compliance Process. There properties need to be further assessed before they are officially listed in the National Register.

SEF – Staff eligible Findings are those properties the MN SHPO staff considers eligible for listing in the National Register, in circumstances other than the Review and Compliance process.

DOE – Determination of Eligibility is made by the National Park Service and are those properties that are eligible for listing in the National Register, but have not been officially listed.

CNEF – Considered Not Eligible Findings are made during the course of a Review and Compliance process. For the purposes of the review a property is considered not eligible for listing in the National Register. These properties may need to be reassessed for eligibility under additional or alternate contexts.

Properties without **NR, CEF, SEF, DOE, or CNEF** designations in the reports you received may not have been evaluated and therefore no assumption to their eligibility can be made. Integrity and contexts change over time, therefore any eligibility determination made ten (10) or more years for the date of the current survey are considered out of date and the property will need to be reassessed.

If you require a comprehensive assessment of a project's potential to impact archaeological sites or historic architectural properties, you may need to hire a qualified archaeologist and/or historian. If you need assistance with a project review, please contact Kelly Gragg-Johnson in Review and Compliance @ 651-259-3455 or by email at kelly.graggjohnson@mnhs.org.

The Minnesota SHPO Survey Manuals and Database Metadata can be found at http://www.mnhs.org/shpo/survey/inventories.htm

MN SHPO research hours are 8:30 AM – 4:00 PM Tuesday-Friday. Please call ahead at 651-59-3450 to ensure staff is available to assist you, if necessary.

The Office is closed on Mondays.

On Tuesday, January 2, 2018 at 10:02:29 AM UTC-6, Ryan Grohnke wrote:

> Good morning,
>
> Could you please do a database search for the following area:
>
> Township 106, Range 43, Sections 11, 12, 13, 14, 23, 24, 25, 26, 36
>
> Township 106, Range 42, Sections 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 29, 30, 31, 32
>
> Thank you,
> Ryan
>
> **Ryan P. Grohnke**
> **CULTURAL RESOURCES FIELD DIRECTOR/PROJECT MANAGER**
> ryan.grohnke@westwoodps.com

Direct (952) 906-7403
Main (952) 937-5150
Cell (612) 209-3352

Westwood Multi-Disciplined Surveying & Engineering
7699 Anagram Drive | Eden Prairie, MN 55344

westwoodps.com
(888) 937-5150

From: MN_MNIT_Data Request SHPO <DataRequestSHPO@state.mn.us>
Sent: Wednesday, September 1, 2021 6:19 PM
To: Ryan Grohnke
Subject: RE: Database Request_LakeWilson
Attachments: Archaeology.xls; History.xls

Hello Ryan,

Please see attached.

Jim

DEPARTMENT OF ADMINISTRATION
STATE HISTORIC PRESERVATION OFFICE

SHPO Data Requests
Minnesota State Historic Preservation Office
50 Sherburne Avenue, Suite 203
Saint Paul, MN 55155
(651) 201-3299
datarequestshpo@state.mn.us

Notice: This email message simply reports the results of the cultural resources database search you requested. The database search is only for previously known archaeological sites and historic properties. **IN NO CASE DOES THIS DATABASE SEARCH OR EMAIL MESSAGE CONSTITUTE A PROJECT REVIEW UNDER STATE OR FEDERAL PRESERVATION LAWS –** please see our website at https://mn.gov/admin/shpo/protection/ for further information regarding our Environmental Review Process.
Because the majority of archaeological sites in the state and many historic/architectural properties have not been recorded, important sites or properties may exist within the search area and may be affected by development projects within that area. Additional research, including field surveys, may be necessary to adequately assess the area's potential to contain historic properties or archaeological sites.
Properties that are listed in the National Register of Historic Places (NRHP) or have been determined eligible for listing in the NRHP are indicated on the reports you have received, if any. The following codes may be on those reports:
NR – National Register listed. The properties may be individually listed or may be within the boundaries of a National Register District.
CEF – Considered Eligible Findings are made when a federal agency has recommended that a property is eligible for listing in the National Register and MN SHPO has accepted the recommendation for the purposes of the Environmental Review Process. These properties need to be further assessed before they are officially listed in the National Register.
SEF – Staff eligible Findings are those properties the MN SHPO staff considers eligible for listing in the National Register, in circumstances other than the Environmental Review Process.
DOE – Determination of Eligibility is made by the National Park Service and are those properties that are eligible for listing in the National Register, but have not been officially listed.
CNEF – Considered Not Eligible Findings are made during the course of the Environmental Review Process. For the purposes of the review a property is considered not eligible for listing in the National Register. These properties may need to be reassessed for eligibility under additional or alternate contexts.
Properties without NR, CEF, SEF, DOE, or CNEF designations in the reports may not have been evaluated and therefore no assumption to their eligibility can be made. Integrity and contexts change over time, therefore any eligibility determination made ten (10) or more years from the date of the current survey are considered out of date and the property will need to be reassessed.
If you require a comprehensive assessment of a project's potential to impact archaeological sites or historic/architectural properties, you may need to hire a qualified archaeologist and/or historian. If you need assistance with a project review, please contact Kelly Gragg-Johnson, Environmental Review Specialist @ 651-201-3285 or by email at kelly.graggjohnson@state.mn.us.

The Minnesota SHPO Archaeology and Historic/Architectural Survey Manuals can be found at https://mn.gov/admin/shpo/identification-evaluation/.

Given the Governor's implementation of Stay Safe MN, SHPO staff will continue to work remotely and be available via phone and email, and the SHPO office will be closed to visitors and unable to accommodate in-person research and deliveries. Mail is being delivered to the office via USPS, FedEx and UPS, however, staff have limited weekly access to sort and process mail. Our office will continue to take file search requests via DataRequestSHPO@state.mn.us. Check SHPO's webpage for the latest updates and we thank you for your continued patience.

From: Ryan Grohnke <Ryan.Grohnke@westwoodps.com>
Sent: Monday, August 30, 2021 11:15 AM
To: MN_MNIT_Data Request SHPO <DataRequestSHPO@state.mn.us>
Subject: Database Request_LakeWilson

This message may be from an external email source.
Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Good morning,

Could you do a database request for the following areas?

Township 106, Range 43, Sections:11, 12, 13, 14, 23, 24, 25, 26, 36
Township 106, Range 42, Sections:7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35

Thank you,
Ryan

Ryan Grohnke
Cultural Resources Manager
ryan.grohnke@westwoodps.com

direct (952) 906-7403
main (952) 937-5150
cell (612) 209-3352

Westwood
12701 Whitewater Drive, Suite 300
Minnetonka, MN 55343

westwoodps.com
(888) 937-5150

August 29, 2022 **VIA EMAIL ONLY**

Monica Monterrosa
Manager, Renewable Development
Invenergy LLC

RE: Lake Wilson Solar Energy Project
Murray County
SHPO Number: 2022-0453

Dear Monica Monterrosa:

Thank you for continuing consultation on the above referenced project. Information received on July 29, 2022, has been reviewed pursuant to the responsibilities given the State Historic Preservation Office by the Minnesota Historic Sites Act (Minn. Stat. 138.666).

According to your submission, Lake Wilson LLC is proposing to develop a 150 MW Solar Energy Facility (Project) on approximately 1,581 acres in Murray County. The proposed project will include the installation of solar modules, inverters, and racking, onsite electrical collection lines, a substation, a main power transformer, a battery storage system, an overhead transmission line, a utility switchyard, fencing, an O&M building, and associated access roads.

We previously commented on this project in a letter December 15, 2021, recommending that a background literature review for architectural and archaeological resources be completed for this Project. We also recommended that a Phase Ia archaeological assessment be completed for this project. If, as a result of this assessment, a Phase I archaeological survey is recommended, this survey should be conducted. The survey must meet the requirements of the Secretary of the Interior's Standards for Identification and Evaluation and should include an evaluation of National Register eligibility for any properties that are identified. For a list of consultants who have expressed an interest in undertaking this type of research and archaeological surveys, please visit the website **http://www.mnhs.org/shpo/preservation-directory**, and select "Archaeologists, Contract" in the "Specialties" box.

The Project should consider not only direct impacts to cultural resources, but potential indirect impacts as well. The analysis completed for indirect impacts should take into account any introduction of visual, atmospheric or audible elements that may have an effect on cultural resources (including architectural resources that are listed in the National or State Register of Historic Places and archaeological sites). Indirect effects can also include changes to a historic property's use.

The resulting cultural resources report should include maps with clearly defined project areas including the location of the solar modules and associated equipment, any laydown yards, transmission lines, collector lines, access roads, and any other above-ground equipment structures (i.e. substations, operation and maintenance buildings, etc) in relation to any identified cultural resources (architectural properties and archaeological sites). The report should discuss ways in which the project will avoid impacting, both directly and indirectly, any cultural resources that are identified.

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

If you have any questions regarding our review of this project, please contact me at kelly.graggjohnson@state.mn.us.

Sincerely,

Kelly Gragg-Johnson

Kelly Gragg-Johnson
Environmental Review Program Specialist

U.S. Fish and Wildlife Service (FWS)

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
4101 American Blvd E
Bloomington, MN 55425-1665
Phone: (952) 252-0092 Fax: (952) 646-2873
http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html

In Reply Refer To: October 31, 2017
Consultation Code: 03E19000-2018-SLI-0095
Event Code: 03E19000-2018-E-00193
Project Name: Lake Wilson Solar Farm (33 MW)

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the action area the area that is likely to be affected by your proposed project. The list also includes any designated and proposed critical habitat that overlaps with the action area. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representatives) must consult with the Service if they determine their project may affect listed species or critical habitat. Agencies must confer under section 7(a)(4) if any proposed action is likely to jeopardize species proposed for listing as endangered or threatened or likely to adversely modify any proposed critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website http://ecos.fws.gov/ipac/ at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at -

http://www.fws.gov/midwest/endangered/section7/s7process/index.html. This website contains step-by-step instructions that will help you determine if your project will have an adverse effect on listed species or critical habitat and will help lead you through the Section 7 process.

For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within the action area.

Although no longer protected under the Endangered Species Act, be aware that bald eagles (Haliaeetus leucocephalus) are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.) and Migratory Bird Treaty Act (16 U.S.C. 703 et seq), as are golden eagles (Aquila chrysaetos). Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near a bald eagle nest or winter roost area, see our Eagle Permits website at http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html . The information available at this website will help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- Migratory Birds

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office
4101 American Blvd E
Bloomington, MN 55425-1665
(952) 252-0092

Project Summary

Consultation Code: 03E19000-2018-SLI-0095

Event Code: 03E19000-2018-E-00193

Project Name: Lake Wilson Solar Farm (33 MW)

Project Type: POWER GENERATION

Project Description: The Lake Wilson Solar Farm is a 33 MW solar development on approximately 600 acres of land east of Lake Wilson, MN.

Project Location:

Approximate location of the project can be viewed in Google Maps:
https://www.google.com/maps/place/43.9823523722898N95.89353001176381W

Counties: Murray, MN

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

Mammals

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Insects

NAME	STATUS
Dakota Skipper *Hesperia dacotae* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1028	Threatened

Critical habitats

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Topeka Shiner *Notropis topeka (=tristis)* For information on why this critical habitat appears for your project, even though Topeka Shiner is not on the list of potentially affected species at this location, contact the local field office. https://ecos.fws.gov/ecp/species/4122#crithab	Final

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service[3]. There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured. Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures, as described below.

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1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

MIGRATORY BIRD INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
4101 American Blvd E
Bloomington, MN 55425-1665
Phone: (952) 252-0092 Fax: (952) 646-2873
http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html

In Reply Refer To: October 31, 2017
Consultation Code: 03E19000-2018-SLI-0096
Event Code: 03E19000-2018-E-00195
Project Name: Large Lake Wilson Solar Farm (150 MW)

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the action area the area that is likely to be affected by your proposed project. The list also includes any designated and proposed critical habitat that overlaps with the action area. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representatives) must consult with the Service if they determine their project may affect listed species or critical habitat. Agencies must confer under section 7(a)(4) if any proposed action is likely to jeopardize species proposed for listing as endangered or threatened or likely to adversely modify any proposed critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website http://ecos.fws.gov/ipac/ at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at -

http://www.fws.gov/midwest/endangered/section7/s7process/index.html. This website contains step-by-step instructions that will help you determine if your project will have an adverse effect on listed species or critical habitat and will help lead you through the Section 7 process.

For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within the action area.

Although no longer protected under the Endangered Species Act, be aware that bald eagles (Haliaeetus leucocephalus) are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.) and Migratory Bird Treaty Act (16 U.S.C. 703 et seq), as are golden eagles (Aquila chrysaetos). Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near a bald eagle nest or winter roost area, see our Eagle Permits website at http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html . The information available at this website will help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- Migratory Birds

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office
4101 American Blvd E
Bloomington, MN 55425-1665
(952) 252-0092

Project Summary

Consultation Code: 03E19000-2018-SLI-0096

Event Code: 03E19000-2018-E-00195

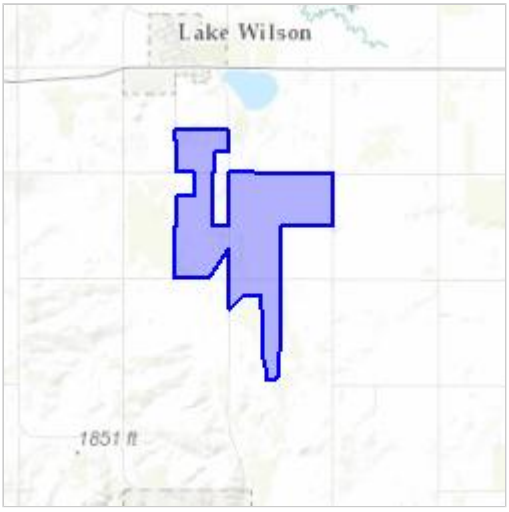
Project Name: Large Lake Wilson Solar Farm (150 MW)

Project Type: POWER GENERATION

Project Description: The Large lake Wilson Solar Farm is an approximately 150 MW solar energy development project proposed on approximately 1,000 acres of agricultural land south of Lake Wilson, MN

Project Location:

Approximate location of the project can be viewed in Google Maps:
https://www.google.com/maps/place/43.96759847453315N95.93859945540034W



Counties: Murray, MN

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

Mammals

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Insects

NAME	STATUS
Dakota Skipper *Hesperia dacotae* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1028	Threatened

Critical habitats

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Topeka Shiner *Notropis topeka (=tristis)* For information on why this critical habitat appears for your project, even though Topeka Shiner is not on the list of potentially affected species at this location, contact the local field office. https://ecos.fws.gov/ecp/species/4122#crithab	Final

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service[3]. There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured. Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures, as described below.

---

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

MIGRATORY BIRD INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
4101 American Blvd E
Bloomington, MN 55425-1665
Phone: (952) 252-0092 Fax: (952) 646-2873
http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html

In Reply Refer To: December 11, 2017
Consultation Code: 03E19000-2018-SLI-0178
Event Code: 03E19000-2018-E-00363
Project Name: Lake Wilson 33 MW Solar Farm

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the action area the area that is likely to be affected by your proposed project. The list also includes any designated and proposed critical habitat that overlaps with the action area. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representatives) must consult with the Service if they determine their project may affect listed species or critical habitat. Agencies must confer under section 7(a)(4) if any proposed action is likely to jeopardize species proposed for listing as endangered or threatened or likely to adversely modify any proposed critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website http://ecos.fws.gov/ipac/ at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at -

http://www.fws.gov/midwest/endangered/section7/s7process/index.html. This website contains step-by-step instructions that will help you determine if your project will have an adverse effect on listed species or critical habitat and will help lead you through the Section 7 process.

For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within the action area.

Although no longer protected under the Endangered Species Act, be aware that bald eagles (Haliaeetus leucocephalus) are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.) and Migratory Bird Treaty Act (16 U.S.C. 703 et seq), as are golden eagles (Aquila chrysaetos). Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near a bald eagle nest or winter roost area, see our Eagle Permits website at http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html . The information available at this website will help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- Migratory Birds

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office
4101 American Blvd E
Bloomington, MN 55425-1665
(952) 252-0092

Project Summary

Consultation Code: 03E19000-2018-SLI-0178

Event Code: 03E19000-2018-E-00363

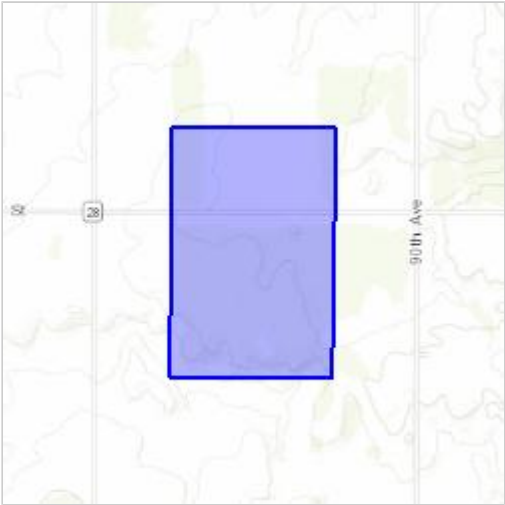
Project Name: Lake Wilson 33 MW Solar Farm

Project Type: POWER GENERATION

Project Description: The Lake Wilson 33 MW Solar Farm is a solar energy generation facility proposed on approximately 250 acres of agricultural land in Leeds Township, Murray county, Minnesota.

Project Location:

Approximate location of the project can be viewed in Google Maps:
https://www.google.com/maps/place/43.97699353441489N95.89377224704884W



Counties: Murray, MN

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

Mammals

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Insects

NAME	STATUS
Dakota Skipper *Hesperia dacotae* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1028	Threatened

Critical habitats

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Topeka Shiner *Notropis topeka (=tristis)* For information on why this critical habitat appears for your project, even though Topeka Shiner is not on the list of potentially affected species at this location, contact the local field office. https://ecos.fws.gov/ecp/species/4122#crithab	Final

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service[3]. There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured. Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures, as described below.

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1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or are known to have particular vulnerabilities in your project location. To learn more about the levels of concern for birds on your list, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your specific project area. To see maps of where birders and the general public have sighted birds in and around your project area, visit E-bird tools such as the E-bird data mapping tool (search for the scientific name of a bird on your list to see specific locations where that bird has been reported to occur within your project area over a certain time-frame) and the E-bird Explore Data Tool (perform a query to see a list of all birds sighted in your county or region and within a certain time-frame). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list can be found below.

NAME	BREEDING SEASON
American Bittern *Botaurus lentiginosus* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/6582	Breeds Apr 1 to Aug 31
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC), but is of concern in this area either because of the Eagle Act, or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Mar 20 to Sep 15
Black Tern *Chlidonias niger*	Breeds

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/3093	May 15 to Aug 20
Bobolink *Dolichonyx oryzivorus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
Franklin's Gull *Leucophaeus pipixcan* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Golden Eagle *Aquila chrysaetos* This is not a Bird of Conservation Concern (BCC), but is of concern in this area either because of the Eagle Act, or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Apr 1 to Aug 31
Lesser Yellowlegs *Tringa flavipes* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Nelson's Sparrow *Ammodramus nelsoni* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 15 to Sep 5
Red-headed Woodpecker *Melanerpes erythrocephalus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Smith's Longspur *Calcarius pictus* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere

Additional information can be found using the following links:

- Birds of Conservation Concern http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php
- Measures for avoiding and minimizing impacts to birds http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php
- Nationwide conservation measures for birds http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeas

United States Department of the Interior

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http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html

In Reply Refer To: December 11, 2017
Consultation Code: 03E19000-2018-SLI-0179
Event Code: 03E19000-2018-E-00365
Project Name: Large Lake Wilson 150 MW Solar Farm

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the action area the area that is likely to be affected by your proposed project. The list also includes any designated and proposed critical habitat that overlaps with the action area. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

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Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at -

http://www.fws.gov/midwest/endangered/section7/s7process/index.html. This website contains step-by-step instructions that will help you determine if your project will have an adverse effect on listed species or critical habitat and will help lead you through the Section 7 process.

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Although no longer protected under the Endangered Species Act, be aware that bald eagles (Haliaeetus leucocephalus) are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.) and Migratory Bird Treaty Act (16 U.S.C. 703 et seq), as are golden eagles (Aquila chrysaetos). Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near a bald eagle nest or winter roost area, see our Eagle Permits website at http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html . The information available at this website will help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- Migratory Birds

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

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4101 American Blvd E
Bloomington, MN 55425-1665
(952) 252-0092

Project Summary

Consultation Code: 03E19000-2018-SLI-0179

Event Code: 03E19000-2018-E-00365

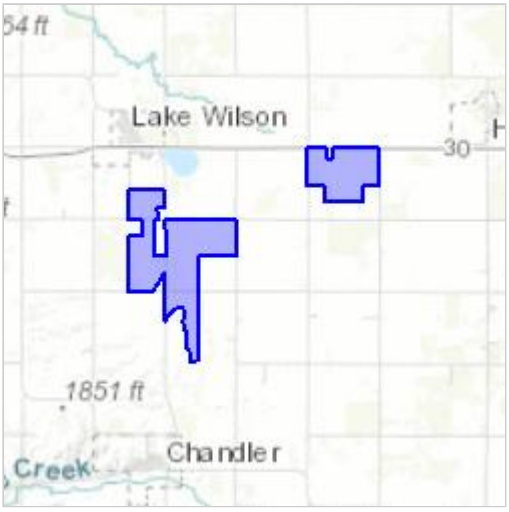
Project Name: Large Lake Wilson 150 MW Solar Farm

Project Type: POWER GENERATION

Project Description: The Large Lake Wilson 150 MW Solar Farm is a solar energy generating facility proposed on approximately 1,380 acres of agricultural land in Leeds and Chanarambie Townships in Murray County, Minnesota.

Project Location:

Approximate location of the project can be viewed in Google Maps:
https://www.google.com/maps/place/43.987964520775435N95.89364700194193W



Counties: Murray, MN

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

Mammals

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Insects

NAME	STATUS
Dakota Skipper *Hesperia dacotae* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1028	Threatened

Critical habitats

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Topeka Shiner *Notropis topeka (=tristis)* For information on why this critical habitat appears for your project, even though Topeka Shiner is not on the list of potentially affected species at this location, contact the local field office. https://ecos.fws.gov/ecp/species/4122#crithab	Final

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

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1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
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The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or are known to have particular vulnerabilities in your project location. To learn more about the levels of concern for birds on your list, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your specific project area. To see maps of where birders and the general public have sighted birds in and around your project area, visit E-bird tools such as the E-bird data mapping tool (search for the scientific name of a bird on your list to see specific locations where that bird has been reported to occur within your project area over a certain time-frame) and the E-bird Explore Data Tool (perform a query to see a list of all birds sighted in your county or region and within a certain time-frame). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list can be found below.

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Black Tern *Chlidonias niger*	Breeds

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/3093	May 15 to Aug 20
Bobolink *Dolichonyx oryzivorus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
Franklin's Gull *Leucophaeus pipixcan* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Golden Eagle *Aquila chrysaetos* This is not a Bird of Conservation Concern (BCC), but is of concern in this area either because of the Eagle Act, or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds Apr 1 to Aug 31
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Smith's Longspur *Calcarius pictus* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere

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United States Department of the Interior

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http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html

In Reply Refer To: June 22, 2020
Consultation Code: 03E19000-2020-SLI-1642
Event Code: 03E19000-2020-E-04861
Project Name: Large Lake Wilson Solar

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the action area the area that is likely to be affected by your proposed project. The list also includes any designated and proposed critical habitat that overlaps with the action area. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

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Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - http://www.fws.gov/midwest/endangered/section7/s7process/index.html. This website contains step-by-step instructions that will help you

determine if your project will have an adverse effect on listed species or critical habitat and will help lead you through the Section 7 process.

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Although no longer protected under the Endangered Species Act, be aware that bald eagles (*Haliaeetus leucocephalus*) are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*) and Migratory Bird Treaty Act *(*16 U.S.C. 703 *et seq*), as are golden eagles (*Aquila chrysaetos*). Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near a bald eagle nest or winter roost area, see our Eagle Permits website at http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html. The information available at this website will help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- Migratory Birds

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office
4101 American Blvd E
Bloomington, MN 55425-1665
(952) 252-0092

Project Summary

Consultation Code: 03E19000-2020-SLI-1642

Event Code: 03E19000-2020-E-04861

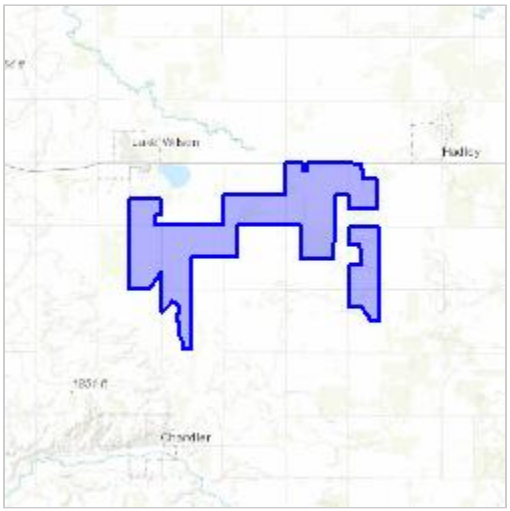
Project Name: Large Lake Wilson Solar

Project Type: POWER GENERATION

Project Description: Utility-scale Solar Project

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/43.97178271405058N95.93633055129621W



Counties: Murray, MN

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Insects

NAME	STATUS
Dakota Skipper *Hesperia dacotae* There is **final** critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1028	Threatened

Critical habitats

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Topeka Shiner *Notropis topeka (=tristis)* For information on why this critical habitat appears for your project, even though Topeka Shiner is not on the list of potentially affected species at this location, contact the local field office. https://ecos.fws.gov/ecp/species/4122#crithab	Final

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

---

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

Migratory Birds FAQ

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 and/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 migratory birds potentially occurring 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 AKN Phenology 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, migrating or present year-round in my project 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 refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. 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.

From: Marsh, Dawn S <dawn_marsh@fws.gov>
Sent: Wednesday, October 6, 2021 9:54 AM
To: Joe Sedarski; Boettcher, Joanne (DNR); Warzecha, Cynthia (DNR)
Cc: Giampoli, Andrea; O'Connor, Aidan; Crowl, Mark; Jake Schaffer; David Kuhlmann
Subject: Re: [EXTERNAL] Lake Wilson Solar Project, Murray Co, MN - - Informal T&E Review Request

Good morning,

Thank you for the opportunity to comment on the proposed Lake Wilson Solar site location and project in Murray County, Minnesota. The U.S. Fish and Wildlife Service (Service) provides comments on the proposed location described in your email dated September 27, 2021. Because the proposed project could impact federal trust resources, we are providing the following comments pursuant to the Endangered Species Act (ESA) and the Bald and Golden Eagle Protection Act to help inform project planning and development.

The Service provides the following specific comments for species that could occur in the proposed project area.

Impacts to Listed Species

Topeka Shiner (*Notropis topeka*, Endangered)
Critical habitat for Topeka shiner occurs within the proposed project boundary. The Service encourages Lake Wilson Solar to avoid impacts to the streams designated as critical habitat within the proposed project area (please see attached map). If this is not possible, we encourage Lake Wilson Solar to follow the Service's Recommendations for Projects Affecting Waters Inhabited by Topeka Shiners (Notropis topeka) in Minnesota) for all proposed construction activities in and around streams designated as critical habitat.

Northern Long-eared Bat (*Myotis septentrionalis*, Threatened)
The Northern long-eared bat (NLEB) has the potential to occur in Murray County and may occur within the proposed project boundary. The Service currently does not have any documented records of NLEB within the vicinity of the project, and there are no known records of hibernaculum within Murray County. Suitable habitat exists for NLEB within the project area and the Service recommends a 1,000-foot setback from wooded areas where NLEB may be foraging. This minimization measure will also benefit other bat species.

Impacts to Eagles

Bald eagles, golden eagles, and their nests are protected under the Eagle Act. The Eagle Act prohibits, except when authorized by a permit, the taking of bald and golden eagles and defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." The Eagle Act's implementing regulations define disturb as "…to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior."

Our National Bald Eagle Management Guidelines are intended to help people protect eagle nests and avoid "disturbance" of eagles as required by the Eagle Act. We have also developed guidance to help determine if you may need an incidental take permit for bald eagles if disturbance cannot be avoided. If your project may impact a bald eagle nest, or you anticipate that you will be unable to avoid disturbing bald eagles, please contact us regarding the Eagle Act permit process.

Site Selection and Layout Recommendations:

1. Select a site with the least wildlife value practicable. Sites such as vehicle parking areas (using elevated solar panels), commercial roof tops, brownfields, industrial developments, or municipal solid waste landfills may provide adequate space for a solar development and have no impact to existing wildlife habitat. Additionally, developing solar with compatible forms of agriculture (e.g., "dual-use farming") may allow for continued crop production or grazing by using elevated solar panels and minimize the potential for additional loss of wildlife habitat.

2. If low wildlife value sites are not feasible, we suggest avoiding or minimizing to the greatest degree the conversion of forested areas, native grasslands, and wetlands. These areas provide important habitat for a variety of species and help protect water quality.

3. Plan the site to help ensure bat habitat is adequately protected by minimizing the removal of forested habitat and protecting forested hedgerows or other forested corridors connecting areas of suitable bat habitat.

4. For other threatened or endangered species identified in the official IPaC Species List, determine if their habitat is present in the project action area. If suitable habitat is present, plan to avoid impacts to listed species' habitat. If habitat impacts cannot be avoided, we suggest conducting appropriate surveys to confirm species presence.

5. Identify bald eagle nests that are within or near the project site to help inform project layout. Bald eagle nests are large (4-6 feet in diameter and 3 feet deep, on average) and therefore noticeable, especially when in deciduous trees after leaf drop.

6. Plan the site to provide habitat for pollinators. Many pollinators are declining, including species that pollinate key agricultural crops and help maintain natural plant communities. Planting a diverse group of native plants around and under solar panels will help support the nutritional needs of Minnesota's pollinators. We recommend a mix of flowering trees, shrubs, and herbaceous plants so that something is always in bloom and pollen is available during the active periods of pollinators (mid-March to mid-October).

7. Incorporate a water source (e.g., ephemeral pool or low area) to provide additional resources for pollinators and bats.

Project Construction Recommendations:

1. When removing potential wildlife habitat is necessary, avoid spring and summer (March 15-August 15) when feasible to help prevent the loss of nests, non-mobile young, and help wildlife populations maintain productivity.

2. Consider voluntary mitigation in addition to any required mitigation to offset the loss of forested areas, wetlands, or native grasslands.

3. Use construction techniques and materials (wildlife friendly erosion control materials) that are not likely to cause additional harm to wildlife.

4. Implement measures to reduce the chances that equipment will exacerbate the spread of invasive species into natural habitats (e.g., cleaning equipment prior to accessing the site, post-site restoration monitoring, and invasive plant treatments, as necessary).

5. Any above ground electrical transmission lines or other equipment should follow the Avian Power Line Interaction Committee guidelines for minimizing avian electrocution and collision risk.

Thank you for the opportunity to comment on the proposed Lake Wilson Solar project. Should you have any questions or concerns, or if the status of any species that may be present in the project area changes, please do not hesitate to contact me.

Dawn

Dawn Marsh (she/her/hers) | Fish and Wildlife Biologist
U.S. Fish & Wildlife Service | Minnesota-Wisconsin Field Office
4101 American Blvd. E., Bloomington, MN 55425
Tel: (952) 252-0092 x 202*
*Teleworking - please email to schedule a call

From: Joe Sedarski <Joe.Sedarski@westwoodps.com>
Sent: Monday, September 27, 2021 2:37 PM
To: Boettcher, Joanne (DNR) <Joanne.Boettcher@state.mn.us>; Warzecha, Cynthia (DNR) <cynthia.warzecha@state.mn.us>; Marsh, Dawn S <dawn_marsh@fws.gov>
Cc: Giampoli, Andrea <AGiampoli@invenergy.com>; O'Connor, Aidan <aoconnor@invenergy.com>; Crowl, Mark <MCrowl@invenergy.com>; Jake Schaffer <Jake.Schaffer@westwoodps.com>; David Kuhlmann <David.Kuhlmann@westwoodps.com>
Subject: [EXTERNAL] Lake Wilson Solar Project, Murray Co, MN - - Informal T&E Review Request

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good afternoon Joanne, Cynthia and Dawn,

As a requested follow up to the Lake Wilson Solar Project (Project) meeting we held with you on September 15, 2021, we are sending you the shapefiles for the Project Area along with the earlier MnDNR Natural Heritage Review (NHR), Correspondence # ERDB 20180232-0002 (dated Nov 16, 2020), and the USFWS IPaC (dated Sept 15, 2021). Please use this information as needed for your review of the Project at this time.

Note we will also be making a formal request to the MnDNR (Lisa Joyal) for an updated NHIS review (the latest NHIS is dated Nov. 16, 2020).

We appreciate your review and assistance with this Project!

Should you have any questions or comments at this time, please let us know.

Best Regards,
Joe

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Westwood

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
4101 American Blvd E
Bloomington, MN 55425-1665
Phone: (952) 252-0092 Fax: (952) 646-2873

In Reply Refer To: October 06, 2022
Project Code: 2023-0001883
Project Name: Lake Wilson

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

This response has been generated by the Information, Planning, and Conservation (IPaC) system to provide information on natural resources that could be affected by your project. The U.S. Fish and Wildlife Service (Service) provides this response under the authority of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d), the Migratory Bird Treaty Act (16 U.S.C. 703-712), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 *et seq.*).

Threatened and Endangered Species
The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and may be affected by your proposed project. The species list fulfills the requirement for obtaining a Technical Assistance Letter from the U.S. Fish and Wildlife Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the ECOS IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS IPaC system by completing the same process used to receive the enclosed list.

Consultation Technical Assistance
Please refer to refer to our Section 7 website for guidance and technical assistance, including step-by-step instructions for making effects determinations for each species that might be present and for specific guidance on the following types of projects: projects in developed areas, HUD, CDBG, EDA, pipelines, buried utilities, telecommunications, and requests for a Conditional Letter of Map Revision (CLOMR) from FEMA.

Using the IPaC Official Species List to Make No Effect and May Affect Determinations for Listed Species

1. If IPaC returns a result of "There are no listed species found within the vicinity of the project," then project proponents can conclude the proposed activities will have **no effect** on any federally listed species under Service jurisdiction. Concurrence from the Service is not required for **no effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
2. If IPaC returns one or more federally listed, proposed, or candidate species as potentially present in the action area of the proposed project – other than bats (see below) – then project proponents must determine if proposed activities will have **no effect** on or **may affect** those species. For assistance in determining if suitable habitat for listed, candidate, or proposed species occurs within your project area or if species may be affected by project activities, you can obtain Life History Information for Listed and Candidate Species on our office website. If no impacts will occur to a species on the IPaC species list (e.g., there is no habitat present in the project area), the appropriate determination is **no effect**. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.
3. Should you determine that project activities **may affect** any federally listed, please contact our office for further coordination. Letters with requests for consultation or correspondence about your project should include the Consultation Tracking Number in the header. Electronic submission is preferred.

Northern Long-Eared Bats

Northern long-eared bats occur throughout Minnesota and Wisconsin and the information below may help in determining if your project may affect these species.

This species hibernates in caves or mines only during the winter. In Minnesota and Wisconsin, the hibernation season is considered to be November 1 to March 31. During the active season (April 1 to October 31) they roost in forest and woodland habitats. Suitable summer habitat for northern long-eared bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (i.e., live trees and/or snags ≥3 inches dbh for northern long-eared bat that have exfoliating bark, cracks, crevices, and/or hollows), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure. Individual trees may be considered suitable habitat when they exhibit the characteristics of a potential roost tree and are located within 1,000 feet (305 meters) of forested/wooded habitat. Northern long-eared bats have also been observed roosting in human-made structures, such as buildings, barns, bridges, and bat houses; therefore, these structures should also be considered potential summer habitat and evaluated for use by bats. If your project will impact caves or mines or will involve clearing forest or woodland habitat containing suitable roosting habitat, northern long-eared bats could be affected.

Examples of unsuitable habitat include:

- Individual trees that are greater than 1,000 feet from forested or wooded areas,
- Trees found in highly developed urban areas (e.g., street trees, downtown areas),

- A pure stand of less than 3-inch dbh trees that are not mixed with larger trees, and
- A stand of eastern red cedar shrubby vegetation with no potential roost trees.

If IPaC returns a result that northern long-eared bats are potentially present in the action area of the proposed project, project proponents can conclude the proposed activities **may affect** this species **IF** one or more of the following activities are proposed:

- Clearing or disturbing suitable roosting habitat, as defined above, at any time of year,
- Any activity in or near the entrance to a cave or mine,
- Mining, deep excavation, or underground work within 0.25 miles of a cave or mine,
- Construction of one or more wind turbines, or
- Demolition or reconstruction of human-made structures that are known to be used by bats based on observations of roosting bats, bats emerging at dusk, or guano deposits or stains.

If none of the above activities are proposed, project proponents can conclude the proposed activities will have **no effect** on the northern long-eared bat. Concurrence from the Service is not required for **No Effect** determinations. No further consultation or coordination is required. Attach this letter to the dated IPaC species list report for your records.

If any of the above activities are proposed, please use the northern long-eared bat determination key in IPaC. This tool streamlines consultation under the 2016 rangewide programmatic biological opinion for the 4(d) rule. The key helps to determine if prohibited take might occur and, if not, will generate an automated verification letter. No further review by us is necessary.

Please note that on March 23, 2022, the Service published a proposal to reclassify the northern long-eared bat as endangered under the Endangered Species Act. The U.S. District Court for the District of Columbia has ordered the Service to complete a new final listing determination for the bat by November 2022 (Case 1:15-cv-00477, March 1, 2021). The bat, currently listed as threatened, faces extinction due to the range-wide impacts of white-nose syndrome (WNS), a deadly fungal disease affecting cave-dwelling bats across the continent. The proposed reclassification, if finalized, would remove the current 4(d) rule for the NLEB, as these rules may be applied only to threatened species. Depending on the type of effects a project has on NLEB, the change in the species' status may trigger the need to re-initiate consultation for any actions that are not completed and for which the Federal action agency retains discretion once the new listing determination becomes effective (anticipated to occur by December 30, 2022). If your project may result in incidental take of northern long-eared bats after the new listing goes into effect this will first need to addressed in an updated consultation that includes an Incidental Take Statement. If your project may require re-initiation of consultation, please contact our office for additional guidance.

Whooping Crane

Whooping crane is designated as a non-essential experimental population in Wisconsin and consultation under Section 7(a)(2) of the Endangered Species Act is only required if project activities will occur within a National Wildlife Refuge or National Park. If project activities are proposed on lands outside of a National Wildlife Refuge or National Park, then you are not required to consult. For additional information on this designation and consultation requirements, please review "Establishment of a Nonessential Experimental Population of

Whooping Cranes in the Eastern United States."

Other Trust Resources and Activities

Bald and Golden Eagles - Although the bald eagle has been removed from the endangered species list, this species and the golden eagle are protected by the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Should bald or golden eagles occur within or near the project area please contact our office for further coordination. For communication and wind energy projects, please refer to additional guidelines below.

Migratory Birds - The Migratory Bird Treaty Act (MBTA) prohibits the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests, except when specifically authorized by the Service. The Service has the responsibility under the MBTA to proactively prevent the mortality of migratory birds whenever possible and we encourage implementation of recommendations that minimize potential impacts to migratory birds. Such measures include clearing forested habitat outside the nesting season (generally March 1 to August 31) or conducting nest surveys prior to clearing to avoid injury to eggs or nestlings.

Communication Towers - Construction of new communications towers (including radio, television, cellular, and microwave) creates a potentially significant impact on migratory birds, especially some 350 species of night-migrating birds. However, the Service has developed voluntary guidelines for minimizing impacts.

Transmission Lines - Migratory birds, especially large species with long wingspans, heavy bodies, and poor maneuverability can also collide with power lines. In addition, mortality can occur when birds, particularly hawks, eagles, kites, falcons, and owls, attempt to perch on uninsulated or unguarded power poles. To minimize these risks, please refer to guidelines developed by the Avian Power Line Interaction Committee and the Service. Implementation of these measures is especially important along sections of lines adjacent to wetlands or other areas that support large numbers of raptors and migratory birds.

Wind Energy - To minimize impacts to migratory birds and bats, wind energy projects should follow the Service's Wind Energy Guidelines. In addition, please refer to the Service's Eagle Conservation Plan Guidance, which provides guidance for conserving bald and golden eagles in the course of siting, constructing, and operating wind energy facilities.

State Department of Natural Resources Coordination

While it is not required for your Federal section 7 consultation, please note that additional state endangered or threatened species may also have the potential to be impacted. Please contact the Minnesota or Wisconsin Department of Natural Resources for information on state listed species that may be present in your proposed project area.

Minnesota
Minnesota Department of Natural Resources - Endangered Resources Review Homepage
Email: Review.NHIS@state.mn.us

Wisconsin
Wisconsin Department of Natural Resources - Endangered Resources Review Homepage
Email: DNRERReview@wi.gov

We appreciate your concern for threatened and endangered species. Please feel free to contact our office with questions or for additional information.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Minnesota-Wisconsin Ecological Services Field Office
4101 American Blvd E
Bloomington, MN 55425-1665
(952) 252-0092

Project Summary

Project Code: 2023-0001883
Project Name: Lake Wilson
Project Type: Power Gen - Solar
Project Description: proposed solar project in Murray Co, Minnesota.
Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@43.975199450000005,-95.88114500604958,14z

Counties: Murray County, Minnesota

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Insects

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

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.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

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1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle *Haliaeetus leucocephalus* This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Black Tern *Chlidonias niger* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093	Breeds May 15 to Aug 20

NAME	BREEDING SEASON
Black-billed Cuckoo *Coccyzus erythropthalmus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink *Dolichonyx oryzivorus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
Chimney Swift *Chaetura pelagica* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25
Lesser Yellowlegs *Tringa flavipes* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Short-billed Dowitcher *Limnodromus griseus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Willet *Tringa semipalmata* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 5

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 and understand the FAQ "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.

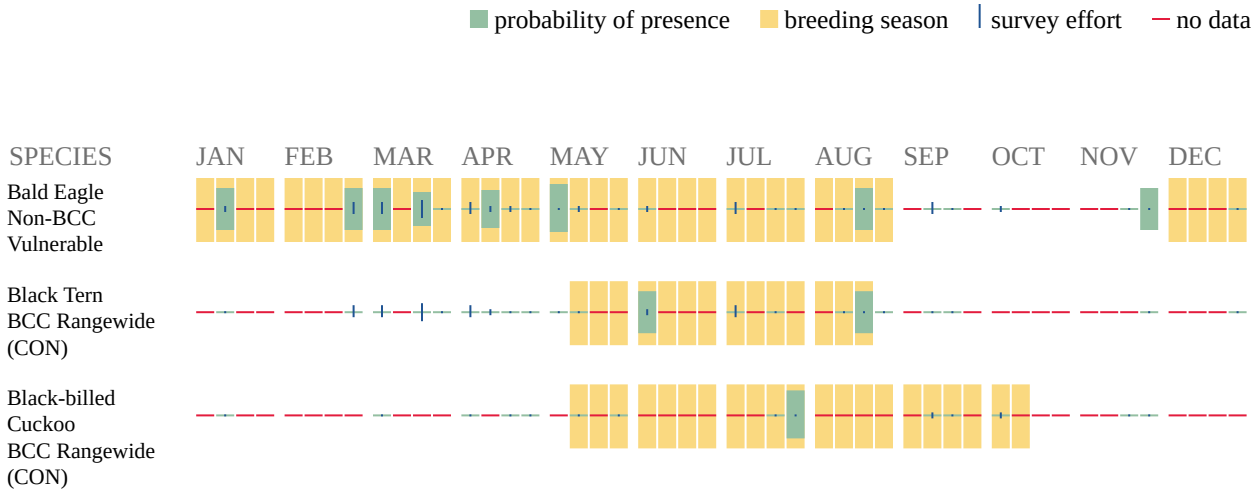
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 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.

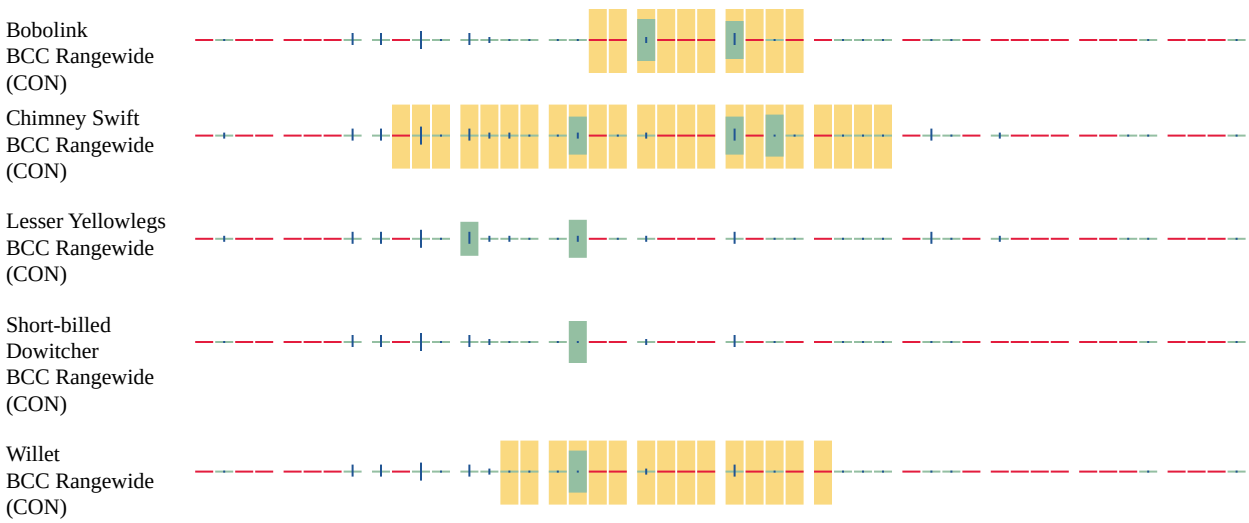
Breeding Season (■)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
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.

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.





Additional information can be found using the following links:

- Birds of Conservation Concern https://www.fws.gov/program/migratory-birds/species
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf

Migratory Birds FAQ

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.

Wetlands

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.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE VISIT HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

IPaC User Contact Information

Agency:	Westwood Professional Services
Name:	Sarah Rosche
Address:	127001 Whitewater Dr
Address Line 2:	Suite 300
City:	Minnetonka
State:	MN
Zip:	55343
Email	sarah.rosche@westwoodps.com
Phone:	4342227832

Minnesota
Department of Natural Resources (DNR)

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

December 21, 2017
Correspondence # ERDB 20180232

Ms. Kelly Kunst
Westwood Professional Services, Inc.
7699 Anagram Drive
Eden Prairie, MN 55344

RE: Natural Heritage Review of the proposed Lake Wilson West Solar Project,

County	Township (N)	Range (W)	Section(s)
Murray	106	43	13 & 24
Murray	106	42	19 & 30

Dear Ms. Kunst,

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, rare features have been documented within the search area. Please note that the following rare features may be adversely affected by the proposed project:

- The Minnesota Biological Survey (MBS) has identified a Site of *Moderate* Biodiversity Significance within the proposed 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. 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. When last visited, this particular Site contained Dry Hill Prairie (Southern), which is considered imperiled in Minnesota, and Prairie Wetland Complex DNR Native Plant Communities. According to aerial photography, a portion or all of the MBS site within the proposed project area may have been altered since the MBS Site was delineated. However, given the rarity of these native plant communities, we recommend avoidance of any remaining native prairie remnants. (GIS shapefiles of MBS Sites of Biodiversity Significance and DNR Native Plant Communities can be downloaded from the MN Geospatial Commons at https://gisdata.mn.gov/.)

- Please include a copy of this letter in any state or local license or permit application. Please note that measures to avoid or minimize disturbance to the above rare features may be included as restrictions or conditions in any required permits or licenses.

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 (noted above) and the project description provided on the NHIS Data Request Form. Please contact me if project details change or for an updated review if construction has not occurred within one year.

The Natural Heritage Review does not constitute review or approval by the Department of Natural Resources as a whole. Instead, it identifies issues regarding known occurrences of rare features and potential effects to these rare features. If you have not done so already, please contact your DNR Regional Environmental Assessment Ecologist to determine whether there are other natural resource concerns associated with the proposed project (contact information available at http://www.dnr.state.mn.us/eco/ereview/erp_regioncontacts.html). Please be aware that additional site assessments or review may be required.

Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources. An invoice will be mailed to you under separate cover.

Sincerely,

Samantha Bump
Natural Heritage Review Specialist
Samantha.Bump@state.mn.us

Links: MBS Sites of Biodiversity Significance
http://www.dnr.state.mn.us/eco/mcbs/biodiversity_guidelines.html
DNR Native Plant Communities
http://www.dnr.state.mn.us/npc/index.html
Commercial Solar Siting Guidance
http://files.dnr.state.mn.us/publications/ewr/commercial_solar_siting_guidance.pdf
Prairie Establishment & Maintenance Technical Guidance for Solar Projects
http://files.dnr.state.mn.us/publications/ewr/prairie_solar_tech_guidance.pdf

Cc: Kevin Mixon

NO STAPLES PLEASE

2012	For Agency Use Only:	#Sec ____ Contact Rqsted? ____
	Received ____ Due ____ Inv ____	#EOs ____ Survey Rqsted? ____
	Search Radius ____mi. L / I / D EM Map'd ____	#Com ____
	NoR / NoF / NoE / Std / Sub Let ____ Log out ____	Related ERDB# ____

Minnesota DEPARTMENT OF NATURAL RESOURCES

NATURAL HERITAGE INFORMATION SYSTEM (NHIS) DATA REQUEST FORM

Please read the instructions on page 3 before filling out the form. Thank you!

WHO IS REQUESTING THE INFORMATION?

Mr. / Ms. Name and Title Lucas Wandrie Senior Wildlife Biologist

Agency/Company Westwood Professional Services

Mailing Address 12701 Whitewater Drive, STE 300 Minnetonka MN 55343
(Street) (City) (State) (Zip Code)

Phone 701-446-6323 e-mail lucas.wandrie@westwoodps.c Responses will be sent via email. If you prefer US Mail check here: ☐

THIS INFORMATION IS BEING REQUESTED FOR A:

☐ Federal EA ☑ State EAW ☑ PUC Site or Route Application ☐ Watershed Plan ☐ BER

☐ Federal EIS ☐ State EIS ☐ Local Government Permit ☐ Research Project

☐ NEPA Checklist ☐ Other (describe) ____

☐ Check here if this project is funded through any of the following grant programs: Lessard-Sams Outdoor Heritage Council (L-SOHC), Conservation Partners Legacy (CPL), or Legislative-Citizen Commission on Minnesota Resources (LCCMR).

INFORMATION WE NEED FROM YOU:

1) **Enclose a map** of the project boundary/area of interest (topographic maps or aerial photos are preferred).

2) Please **provide a GIS shapefile*** (NAD 83, UTM Zone 15N) of the project boundary/area of interest.

3) List the following locational information* (attach additional sheets if necessary):

For Agency Use: TRS Confirmed ☐

For Agency Use: Region / MBS Status	County	Township #	Range #	Section(s) (please list **all** sections)
	Murray	106	43	13, 24
	Murray	106	42	15, 16, 17, 19, 20, 21, 22, 27, 30

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

Project Name: Large Lake Wilson Solar Project

Project Proposer: Large Lake Wilson, LLC

Description of Project (including types of disturbance anticipated from the project):

Invenergy Solar Development North America LLC (Invenergy) is considering the development of the Large Lake Wilson Solar Farm (Project) in Murray County on approximately 2,865 acres (Project Area) south of the town of Lake Wilson (Figures 1-0a and 1-0b). The facility will consist of a series of polycrystalline silicon photovoltaic (PV) modules fixed to a single-axis solar tracker and an associated transmission line and will have an installed capacity of up to 150 megawatts alternating current (MWac).

* Please see the instructions on page 3.

Describe the existing land use of the project site. What types of land cover / habitat will be impacted by the proposed project? Most (86%) of the Project Area is currently used for row crop production, followed by herbaceous (4%), developed open space (4%), hay/pasture (4%), emergent herbaceous wetland (1%). All other land cover types encompass less than 1% (Figure 3-1a).

List any waterbodies (e.g., rivers, intermittent streams, lakes, wetlands) that may be affected by the proposed project, and discuss how they may be impacted (e.g., dewatering, discharge, riverbed disturbance).
There are approximately 72.2 acres of wetlands identified within the Project Area. Also approximately 4.6 miles of unnamed drainage ditches and 2.2 miles of judicial ditch number 14 are within the Project Area.

Does the project have the potential to affect any groundwater resources (e.g., groundwater appropriation, change in recharge, or contamination)?
No.

To your knowledge, has the project undergone a previous Natural Heritage review? If so, please list the correspondence #: ERDB # 20180232. How does this request differ from the previous request (e.g., change in scope, change in boundary, project being revived, project expansion, different phase)?

Also ERDB 20180233. Project is being revived and additional sections have been added.

To your knowledge, have any native plant community or rare species surveys been conducted within the site? If so, please list: A potential native prairie assessment was conducted within the old boundary but will need to be expanded to the new boundary. No native prairie areas were identified in the old boundary.

List any DNR Permits or Licenses that you will be applying for or have already applied for as part of this project:

Unknown at this point of development.

INFORMATION WE PROVIDE TO YOU:

1) The response will include a Natural Heritage letter. If applicable, the letter will discuss potential effects to rare features.

☐ Check here if you are interested in a list of rare features in the vicinity of the area of interest but you do **not** need a review of potential effects to rare features. Please list the reason a review is not needed:

2) Depending on the results of the query or review, the response may include an Index Report of known aggregation sites and known occurrences of federally and state-listed plants and animals* within an approximate one-mile radius of the project boundary/area of interest. The Index Report and Natural Heritage letter can be included in any public environmental review document.

3) A Detailed Report that contains more information on each occurrence may also be requested. Please note that the Detailed Report may contain specific location information that is protected under *Minnesota Statutes*, section 84.0872, subd. 2, and, as such, the Detailed Report may not be included in any public document (e.g., an EAW).

☐ Check here if you would like to request a Detailed Report. Please note that if the results of the review are 'No Effects' or a standard comment, a Detailed Report may not be available.

FEES / TURNAROUND TIME

There is a fee* for this service. Requests generally take **3-4 weeks** from date of receipt to process, and are processed in the order received.

I have read the entire form and instructions, and the information supplied above is complete and accurate. I understand that material supplied to me from the 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 DNR. Further, if permission to publish is given, I understand that I must credit the Minnesota Division of Ecological and Water Resources, Minnesota Department of Natural Resources, as the source of the material.

Signature (**required**)	Note: Digital signatures representing the name of a person shall be sufficient to show that such person has signed this document.

Mail or email completed form to:
Lisa Joyal, Endangered Species Review Coordinator
Division of Ecological and Water Resources
Minnesota Department of Natural Resources
500 Lafayette Road, Box 25
St. Paul, Minnesota 55155
Review.NHIS@state.mn.us

Online version of the form

Revised March 2, 2012

* Please see the instructions on page 3.

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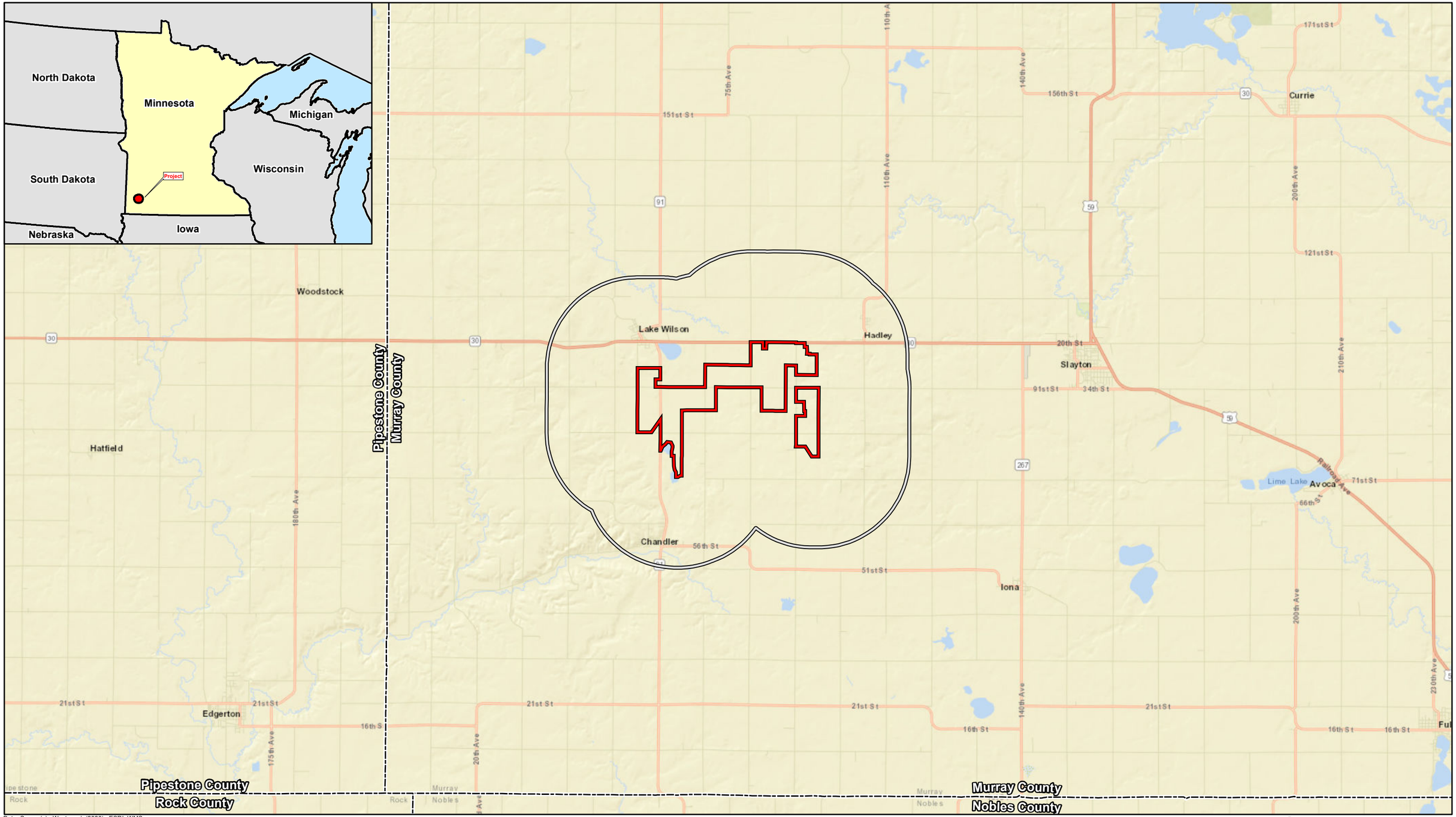

Data Source(s): Westwood (2020); ESRI WMS World Streets Basemap (Accessed 2020); U.S. Census Bureau (2017).

Legend

- Project Boundary
- County Boundary
- 2-Mile Buffer
- State Boundary

N

0 2 Miles

Large Lake Wilson Solar Project

Murray County, Minnesota

Project Area Vicinity Map

FIGURE 1-0a

Westwood
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Westwood Professional Services, Inc.

Map Document: N:\0012861.01\GIS\SCS Exhibits\LakeWilson_SCS_Fig1_StudyAreaVicinity_200617.mxd 7/8/2020 7:56:32 AM SLKillbarda

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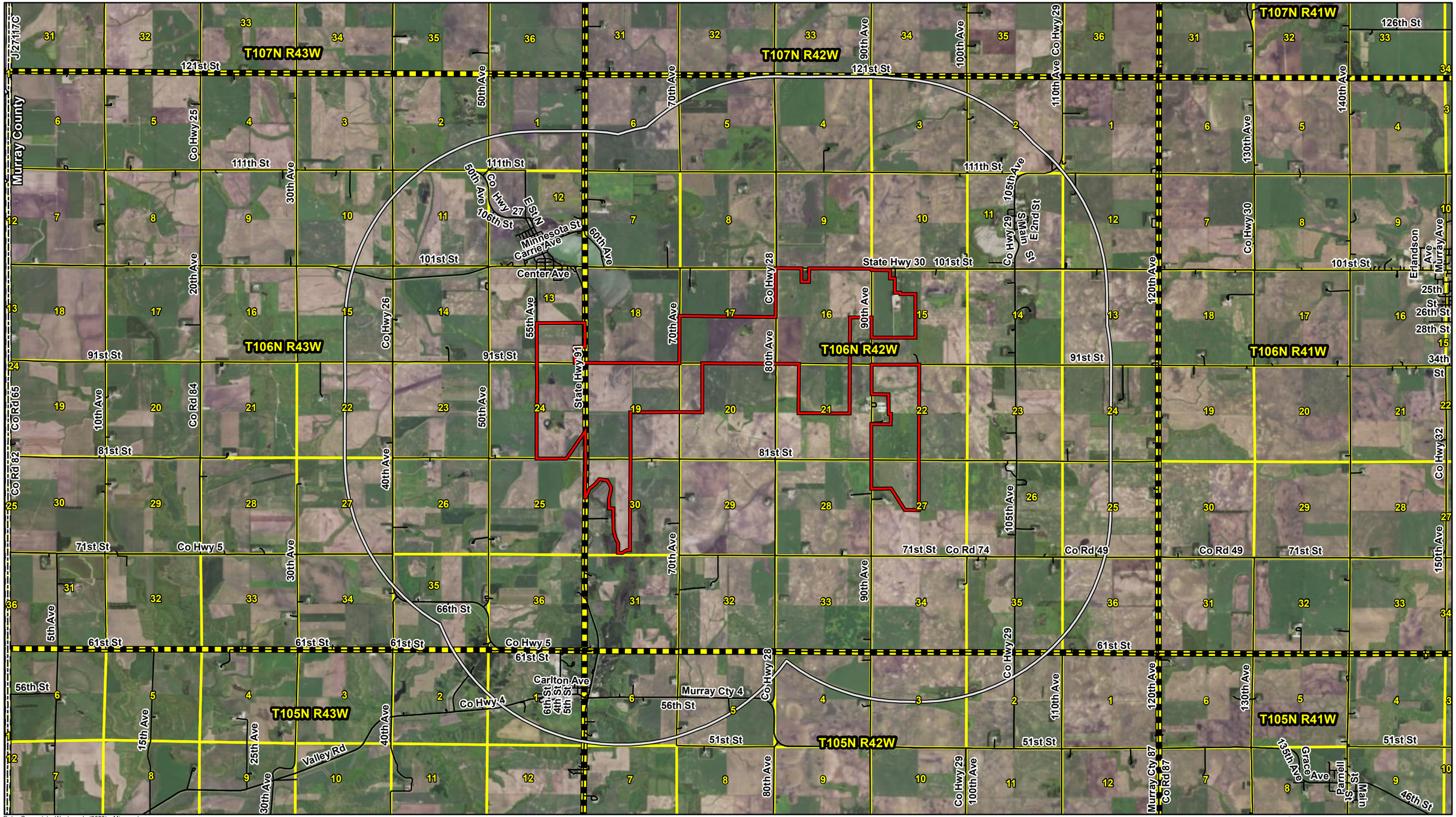

Data Source(s): Westwood (2020); Minnesota NAIP Imagery (Accessed 2020); U.S. Census Bureau (2017; 2019).

Legend

- Project Boundary
- PLS Township Boundary
- 2-Mile Buffer
- PLS Section Boundary
- County Boundary
- Road

N

0 5,000 Feet

Large Lake Wilson Solar Project

Murray County, Minnesota

Project Area Site Map

FIGURE 1-0b

Westwood
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Westwood Professional Services, Inc.

Map Document: N:\0012861.01\GIS\SCS Exhibits\LakeWilson_SCS_Fig2_StudyAreaSite_200618.mxd 7/8/2020 8:07:55 AM SLKlilibarda

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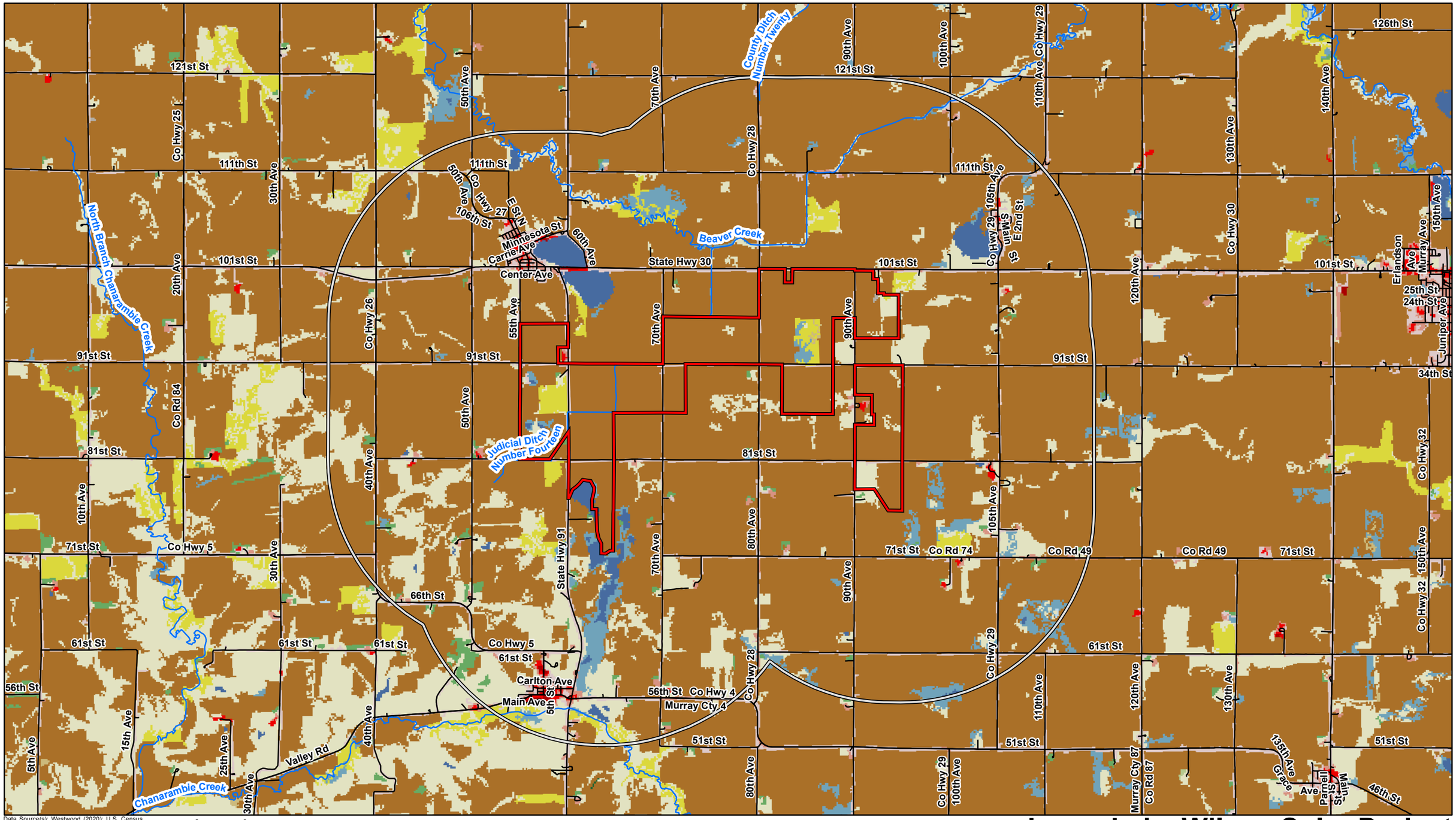

Data Source(s): Westwood (2020); U.S. Census Bureau (2017; 2019); USGS NHD Dataset (2013); U.S. Geological Survey (2011).

Legend

- Project Boundary
- 2-Mile Buffer
- County Boundary
- Road
- Major Drainage Feature
- Cultivated Crops (85.6%)
- Hay/Pasture (3.7%)
- Shrub/Scrub (0.2%)
- Herbaceuous (4.3%)
- Developed, Low Intensity (<0.1%)
- Developed, Open Space (4.0%)
- Deciduous Forest (0.1%)
- Emergent Herbaceuous Wetlands (1.5%)
- Open Water (0.4%)
- Barren Land (0.1%)

N

0 5,000 Feet

Large Lake Wilson Solar Project

Murray County, Minnesota

NLCD Land Cover Types

FIGURE 3-1a

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Westwood Professional Services, Inc.

Map Document: N:\0012861.01\GIS\SCS Exhibits\LakeWilson_SCS_Fig4_LandCoverTypesMap_20061 7.mxd 7/8/2020 8:11:00 AM SLKilbarda

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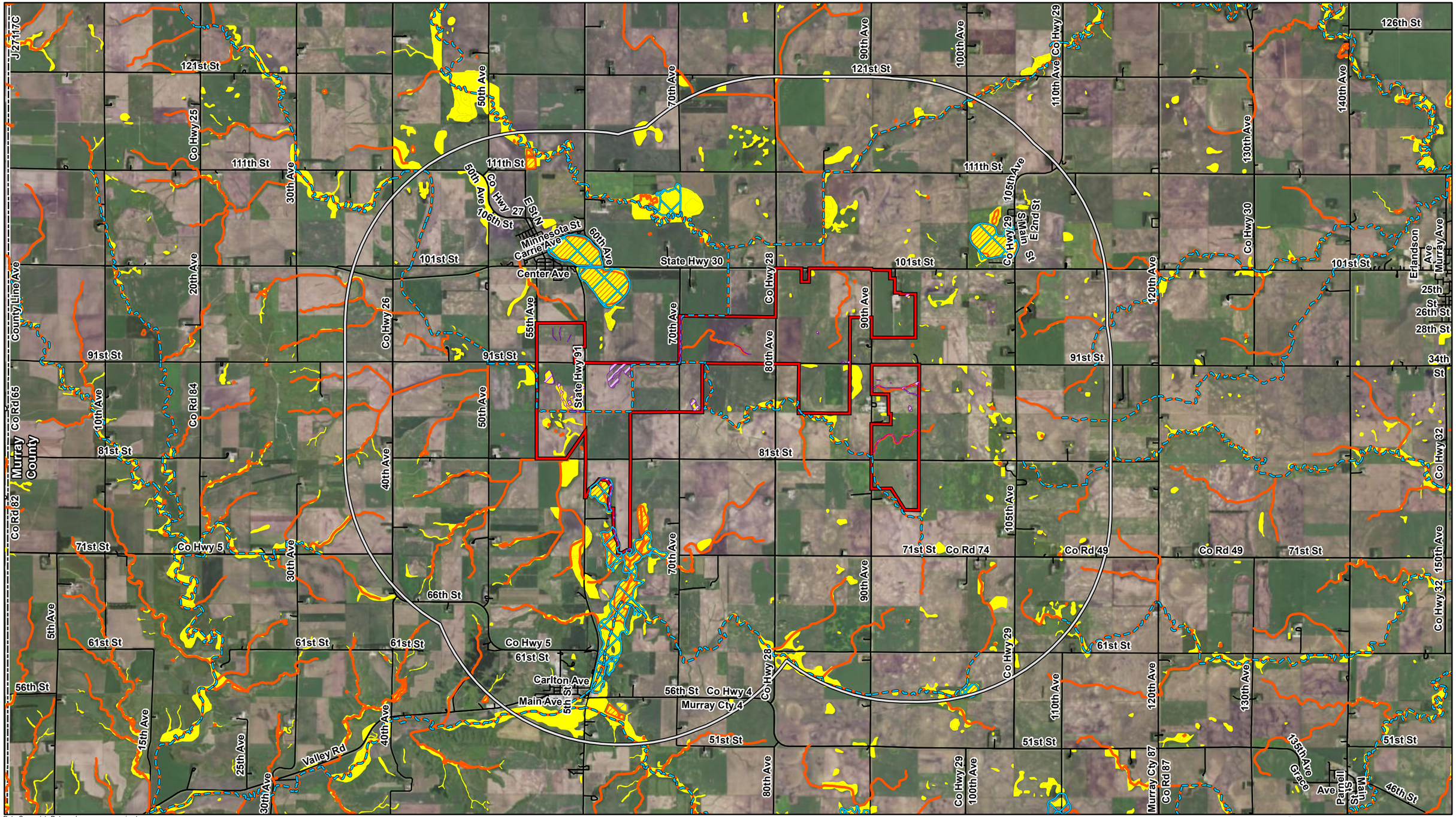

Data Source(s): Data and map are approximate. Westwood (2020); Wisconsin NAIP Imagery (Accessed 2020); U.S. Census Bureau (2017; 2019); MnDNR (2008); USGS NHD (various dates); USFWS NWI Wetland (2018).

Legend

- Project Boundary
- 2-Mile Buffer
- County Boundary
- Road
- PWI Watercourse
- PWI Waterbasin
- NHD Flowline
- NHD Waterbody
- NWI Wetland
- Desktop Delineated Wetlands

N

0 5,000 Feet

Large Lake Wilson Solar Project

Murray County, Minnesota

Desktop Delineated Wetlands and Water Resources

FIGURE 3-2

Westwood
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

Map Document: N:\0012861.01\GIS\SCS Exhibits\LakeWilson_SCS_Fig6_SurfaceWater&Wetlands_200617.mxd 7/9/2020 8:51:09 AM SLKilbarda

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

December 21, 2017
Correspondence # ERDB 20180233

Ms. Kelly Kunst
Westwood Professional Services, Inc.
7699 Anagram Drive
Eden Prairie, MN 55344

RE: Natural Heritage Review of the proposed Lake Wilson East Solar Project,

County	Township (N)	Range (W)	Section(s)
Murray	106	42	16 & 21

Dear Ms. Kunst,

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, rare features have been documented within the search area. Please note that the following rare features may be adversely affected by the proposed project:

- The Minnesota Biological Survey (MBS) has identified a Site of *Moderate* Biodiversity Significance adjacent to the proposed 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. 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. This Site contains multiple rare native plant communities. Indirect impacts from surface runoff or the spread of invasive species should also be considered during project design and implementation. (GIS shapefiles of MBS Sites of Biodiversity Significance and DNR Native Plant Communities can be downloaded from the MN Geospatial Commons at https://gisdata.mn.gov/.)

- Please include a copy of this letter in any state or local license or permit application. Please note that measures to avoid or minimize disturbance to the above rare features may be included as restrictions or conditions in any required permits or licenses.

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 (noted above) and the project description provided on the NHIS Data Request Form. Please contact me if project details change or for an updated review if construction has not occurred within one year.

The Natural Heritage Review does not constitute review or approval by the Department of Natural Resources as a whole. Instead, it identifies issues regarding known occurrences of rare features and potential effects to these rare features. If you have not done so already, please contact your DNR Regional Environmental Assessment Ecologist to determine whether there are other natural resource concerns associated with the proposed project (contact information available at http://www.dnr.state.mn.us/eco/ereview/erp_regioncontacts.html). Please be aware that additional site assessments or review may be required.

Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources. An invoice will be mailed to you under separate cover.

Sincerely,

Samantha Bump
Natural Heritage Review Specialist
Samantha.Bump@state.mn.us

Links: MBS Sites of Biodiversity Significance
http://www.dnr.state.mn.us/eco/mcbs/biodiversity_guidelines.html
DNR Native Plant Communities
http://www.dnr.state.mn.us/npc/index.html
Commercial Solar Siting Guidance
http://files.dnr.state.mn.us/publications/ewr/commercial_solar_siting_guidance.pdf
Prairie Establishment & Maintenance Technical Guidance for Solar Projects
http://files.dnr.state.mn.us/publications/ewr/prairie_solar_tech_guidance.pdf

Cc: Kevin Mixon

NO STAPLES PLEASE

2012	For Agency Use Only:				#Sec _____	Contact Rqsted? _____
	Received _____	Due _____		Inv _____	#EOs _____	Survey Rqsted? _____
	Search Radius _____mi.	L / I / D	EM	Map'd _____	#Com _____	
	NoR / NoF / NoE / Std / Sub	Let _____		Log out _____	Related ERDB# _____	

NATURAL HERITAGE INFORMATION SYSTEM (NHIS) DATA REQUEST FORM

Please read the instructions on page 3 before filling out the form. Thank you!

WHO IS REQUESTING THE INFORMATION?

Mr.
Ms.

Name and Title Lake Wilson Solar Farm (33 MW)

Agency/Company Westwood Professional Services

Mailing Address 7699 Anagram Drive, Eden Prairie, MN 55344
(Street) (City) (State) (Zip Code)

Phone 952-906-7421 e-mail kelly.kunst@westwoodps.com Responses will be sent via email. If you prefer US Mail check here: ☐

THIS INFORMATION IS BEING REQUESTED FOR A:

☐ Federal EA ☐ State EAW ☐ PUC Site or Route Application ☐ Watershed Plan ☐ BER
☐ Federal EIS ☐ State EIS ☑ Local Government Permit ☐ Research Project
☐ NEPA Checklist ☐ Other (describe) _____

☐ Check here if this project is funded through any of the following grant programs: Lessard-Sams Outdoor Heritage Council (L-SOHC), Conservation Partners Legacy (CPL), or Legislative-Citizen Commission on Minnesota Resources (LCCMR).

INFORMATION WE NEED FROM YOU:

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

For Agency Use: TRS Confirmed ☐

For Agency Use: Region / MBS Status	County	Township #	Range #	Section(s) (please list **all** sections)
	Murray	106	42	Sections 16 and 21

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

Project Name: Lake Wilson Solar Farm (33MW)

Project Proposer: Invenergy, LLC

Description of Project (including types of disturbance anticipated from the project):

The Lake Wilson Solar Farm (33MW) is a 33MW solar energy generation facility proposed on portions of approximately 250 acres of agricultural land. Solar Project infrastructure will include solar modules mounted on a racking system, solar inverters, transformer pads, substation, access roads, underground electrical cables, and a perimeter fence.

* Please see the instructions on page 3.

Describe the existing land use of the project site. What types of land cover / habitat will be impacted by the proposed project?

The entire Project area is currently in row crop agricultural production.

List any waterbodies (e.g., rivers, intermittent streams, lakes, wetlands) that may be affected by the proposed project, and discuss how they may be impacted (e.g., dewatering, discharge, riverbed disturbance).

An unnamed MNDNR Public Watercourse crosses the far southwest corner of the Project area and the site also includes several farmed wetland areas. Water resources will be avoided to the degree practicable in the context of the Project.

Does the project have the potential to affect any groundwater resources (e.g., groundwater appropriation, change in recharge, or contamination)?

It is unlikley the Project will affect groundwater resources.

To your knowledge, has the project undergone a previous Natural Heritage review? If so, please list the correspondence #: ERDB # _____. How does this request differ from the previous request (e.g., change in scope, change in boundary, project being revived, project expansion, different phase)?

No

To your knowledge, have any native plant community or rare species surveys been conducted within the site? If so, please list:

I am not aware of any rare species or native plant surveys that have occurred on the site.

List any DNR Permits or Licenses that you will be applying for or have already applied for as part of this project:

No DNR permits have been applied for and it is unlikley a permit or license will be necessary for the project.

INFORMATION WE PROVIDE TO YOU:

1) The response will include a Natural Heritage letter. If applicable, the letter will discuss potential effects to rare features.

☐ Check here if you are interested in a list of rare features in the vicinity of the area of interest but you do **not** need a review of potential effects to rare features. Please list the reason a review is not needed:

_____

2) Depending on the results of the query or review, the response may include an Index Report of known aggregation sites and known occurrences of federally and state-listed plants and animals* within an approximate one-mile radius of the project boundary/area of interest. The Index Report and Natural Heritage letter can be included in any public environmental review document.

3) A Detailed Report that contains more information on each occurrence may also be requested. Please note that the Detailed Report may contain specific location information that is protected under *Minnesota Statutes*, section 84.0872, subd. 2, and, as such, the Detailed Report may not be included in any public document (e.g., an EAW).

☑ Check here if you would like to request a Detailed Report. Please note that if the results of the review are 'No Effects' or a standard comment, a Detailed Report may not be available.

FEES / TURNAROUND TIME

There is a fee* for this service. Requests generally take **3-4 weeks** from date of receipt to process, and are processed in the order received.

I have read the entire form and instructions, and the information supplied above is complete and accurate. I understand that material supplied to me from the 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 DNR. Further, if permission to publish is given, I understand that I must credit the Minnesota Division of Ecological and Water Resources, Minnesota Department of Natural Resources, as the source of the material.

Signature **(required)**	Note: Digital signatures representing the name of a person shall be sufficient to show that such person has signed this document.

Mail or email completed form to:
Lisa Joyal, Endangered Species Review Coordinator
Division of Ecological and Water Resources
Minnesota Department of Natural Resources
500 Lafayette Road, Box 25
St. Paul, Minnesota 55155
Review.NHIS@state.mn.us

Online version of the form

Revised March 2, 2012

* Please see the instructions on page 3.

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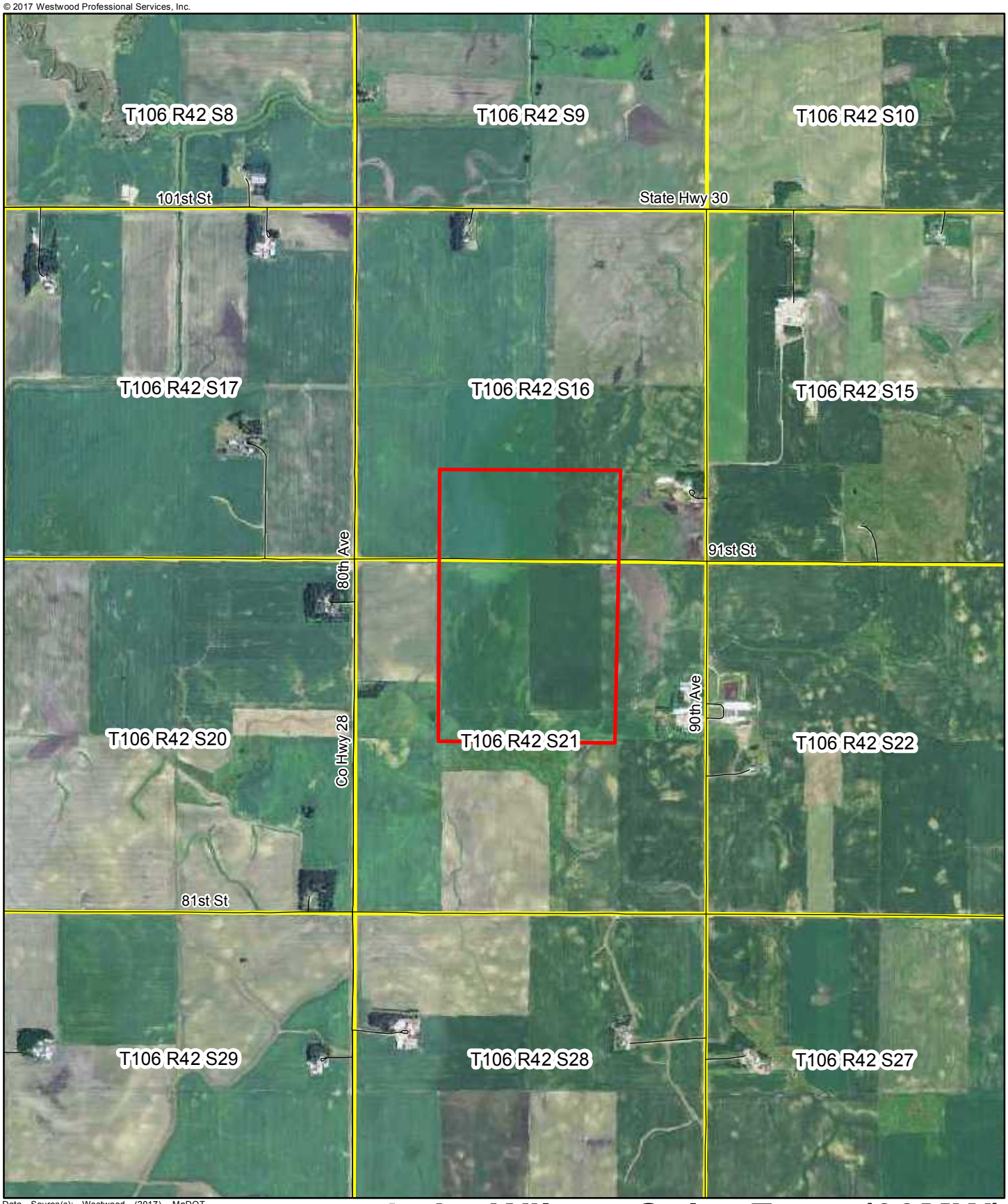

Data Source(s): Westwood (2017), MnDOT Roads (2014), MnGEO WMS (2015).

Lake Wilson Solar Farm (33MW)

Leeds Township, Murray County, MN

Legend

Section Line

Project Boundary

N

0 2,000 Feet

NHIS Data Request

Westwood
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

EXHIBIT A

Map Document: N:\0012861.00\GIS\LW_33MW_NHIS data request_rev171204.mxd 12/4/2017 1:01:23 PM KSKunst