

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

November 16, 2020

Correspondence # ERDB 20180232-0002

Mr. Lucas Wandrie Westwood Professional Services, Inc 12701 Whitewater Drive, Suite 300 Minnetonka, MN 55343

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

County	Township (N)	Range (W)	Section(s)
Murray	106	43	13 and 24
Murray	106	42	15-17, 19-22, 272 and 30

Dear Mr. Wandrie,

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 multiple Sites of Biodiversity Significance within and adjacent to the proposed project. Sites of Biodiversity Significance have varying levels of native biodiversity and are ranked based on the relative significance of this biodiversity at a statewide level. Factors taken into account during the ranking process include the number of rare species documented within the site, the quality of the native plant communities in the site, the size of the site, and the context of the site within the landscape. GIS shapefiles of MBS Sites of Biodiversity Significance and DNR Native Plant Communities can be downloaded from the MN Geospatial Commons. Please contact me if you do not have access to the appropriate mapping services. For information on interpreting the data, reference the MBS Site Biodiversity Significance and Native Plant Community websites. Given the ecological significance of these Sites, we recommend minimizing disturbance with and adjacent to the areas as much as possible.

Indirect impacts from surface runoff or the spread of invasive species should also be considered during project design and implementation.

When last visited, the MBS Site within T106N R43W Section 24 contained a Prairie Wetland Complex and Dry Hill Prairie (Southern) native plant community. 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.

If the Wetland Conservation Act (WCA) is applicable to this project, please note the Prairie Wetland Complex within T106N R43W Section 24 may qualify as a "rare natural community" under this Act. Minnesota Rules, part 8420.0515, subpart 3 states that a wetland replacement plan for activities that modify a rare natural community must be denied if the local government unit determines the proposed activities will permanently adversely affect the natural community.

- For additional information regarding solar projects, please see <u>Commercial Solar Siting Guidance</u>
 and <u>Prairie Establishment & Maintenance Technical Guidance for Solar Projects</u> documents.
- 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. This letter does not address potential impacts to state-listed species of special concern. This is a temporary modification as we transition to a new process. If needed, contact your DNR Regional Environmental Assessment Ecologist to determine whether there are other

natural resource concerns associated with the proposed project. Please be aware that additional site assessments or review may be required. To ensure compliance with federal law, the DNR recommends you conduct a federal regulatory review using the U.S. Fish and Wildlife Service's (USFWS) online Information for Planning and Consultation (IPaC) tool.

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

Samantha.Bump@state.mn.us

Links: DNR Regional Environmental Assessment Ecologist Contact Info

http://www.dnr.state.mn.us/eco/ereview/erp_regioncontacts.html

USFWS IPaC Tool

https://ecos.fws.gov/ipac/

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

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

MN Geospatial Commons

https://gisdata.mn.gov/

BWSR Native Vegetation/Seed Mixes

http://www.bwsr.state.mn.us/native_vegetation/

Cc: Joanna Boettcher, Jennie Skancke, Megan Benage, Tom Kresko

Meeting Minutes

Meeting Date: September 15, 2021

Project Number: R0012861.01

Project Name: Lake Wilson Solar Project, Murray County, MN

Meeting Location: Online via Teams

Meeting Topic: Introduce Project and the Project Team to the U.S. Fish & Wildlife Services (FWS)

and Minnesota Department of Natural Resources (DNR)

The purpose of the meeting was to introduce the Lake Wilson Solar Project (a proposed 150 megawatt (MW) solar generation and 50 MW storage energy facility) planned for construction and operation in Murray County, MN, and the Project team to FWS and DNR staff. Invenergy, Inc. is leading development of the Project with the Project entity (Lake Wilson Solar Energy LLC). Invenergy staff made a brief PowerPoint presentation which covered a summary of the Project and Invenergy experience in developing and constructing solar energy generation/storage and other renewable energy projects.

Attendees:	Company Name:	Contact Info (email/phone)
Dawn Marsh – Endangered Species Biologist, Renewables Contact	FWS	<u>Dawn Marsh@fws.gov</u> ; 952-252-0092, ext. 202
Cynthia Warzecha (Energy Projects Planner – coordination with DOC/PUC) Joanne Boettcher – Regional Ecologist of SW MN	DNR	cynthia.warzecha@state.mn.us; 651-259-5078 Joanne.Boettcher@state.mn.us; 507-389-8813
Aidan O'Conner Andrea Giampoli Mark Crowl Robert Young James Hartsig Brad Plunkett	Lake Wilson Solar Energy LLC (Invenergy)	aoconnor@invenergy.com AGiampoli@invenergy.com MCrowl@invenergy.com RYoung@invenergy.com JHartsig@invenergy.com BPlunkett@invenergy.com
Jeremy Duehr, Esq.	Fredrikson & Byron, P.A.	JDuehr@fredlaw.com; 612-492-7413

- ~ 1 1.	<pre>@westwoodps.com; 952-207-7631 r@westwoodps.com; 952-906-</pre>
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Meeting Notes

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Item:	Discussion:			
1	Introductions of Project team (Invenergy staff, Fredrikson & Byron, Westwood) and FWS and DNR contacts.			
	Invenergy and Overall Invenergy Experience –			
2	World's Leading Privately Held Sustainable Energy Company with a foundation in wind energy (109 projects; 17,276 megawatts), solar energy (48 projects; 5,832 megawatts), storage (18 projects; 486 megawatts, 1,611 megawatt hours), and natural gas (12 projects; 5,661 megawatts).			
2	Invenergy has two projects in Minnesota, totaling 407 megawatts. The Freeborn Wind Project and a Natural Gas Project power 69,000 homes and employ 6 full-time staff in the State. Invenergy projects in MN invest \$1.3 million annually in local taxes and provide \$516 million in annual landowner payments.			
	Battery Storage & Invenergy Battery Storage Experience –			
	Invenergy provided recent examples of Wisconsin solar + storage projects (permitting and construction) and will use applicable experience with this Project.			
3	Battery Energy Storage System overview explained via an analogy to a tank storing water. The Battery Energy Storage System will be used for surplus interconnection, enabling solar PV projects to fully utilize available transmission capacity by pairing solar with battery storage. This allows for greater control and value by making it easier for utilities and large energy users to manage intermittent resources while maintaining energy reliability, also reducing minute-to-minute variations in output, controlling ramp rates, and allowing generation to be predictable in hourly blocks.			
	Lake Wilson Solar Project Overview –			
4	 Murray County, MN 150 MW Solar + 50 MW Battery Single-axis tracking system First lease signed in 2014 Over 3,000 acres leased Originally introduced project to EERA + PUC in 2017 MISO queue position in DPP-2017 cycle with soon to-be executed GIA and DPP-2018 position is post-DPP2 Target 2024 COD 			
	Invenergy provided an explanation of further site specific environmental studies conducted, further in depth on the VMP (e.g., developing specific goals and objectives for VMP, soil			

Item:	Discussion:
	samples being collected and analyzed by the University of Minnesota Extension Office, etc.) and AIMP.
5	Project Timeline & Schedule – • 2016-2022 Development • 2023-2024 Construction • Operation beginning in 2024
	Q&A Session:
	Cynthia – Stated she was happy to hear about soils evaluation and pairing seed mixes for the VMP. Cynthia would like to see a draft VMP submittal to the interagency working group (goal to provide consistent feedback).
	Cynthia – Farmland/Prime Farmland, Asked if the team has a sense of much % farmland/prime farmland within the Project Area. Joe responded the Project Area is predominantly prime farmland (~80% prime farmland with remaining area mostly agricultural non-prime farmland). Cynthia stated that this could be beneficial in the sense that this site is easier drained than the marginal prime farmland areas.
6	Cynthia – Asked if the Project requires a transmission line permit (Route Permit Application); Jeremy responded that we do believe a Route Permit will be needed for the Project, however, transmission facilities are still being determined at this time.
	Cynthia – Asked if wetlands identified on site for the Project are mostly small. Joe responded yes and they are relatively small and not very numerous; also the Project site should be manageable in terms of working the design around wetlands and waterways.
	Cynthia – Commented that the State of MN will be looking for complete information regarding the BESS (battery storage) portion of the Project (since the State is relatively unfamiliar of BESS in terms of permitting). Cynthia is looking forward to seeing this and learning more.
7	Aidan provided a detailed overview of the proposed BESS and the proposed system for the Lake Wilson Solar Project.
8	Joanne – Stated she is looking for wetlands, calcareous fens, prairies, and more biological resources shapefiles and descriptions to provide information to include in the Site/Route Permit applications. She will need ~30 days to circulate this internally for agencies at the State to review and further comment.
	Joe asked if this addressed the formal MnDNR NHIS request for the Project; Joanne responded this is an informal early coordination step/request to help with planning and permit preparation. However, she recommended to do both the formal MnDNR NHIS request and this informal early T&E coordination.
	Joe indicated the team would send this information & copy Cynthia too.
	Andrea asked for a deadline (when MN agencies would like to see this early informal coordination). Joanne responded the sooner the better and she would likely need 30 days of

Item:	Discussion:
	review prior to application submittal. The agencies will provide written feedback that the Lake Wilson Solar Project team can use to for the SPA/RPA. A follow-up meeting could be scheduled if there is additional information available to present to the State or if further clarification is needed.

Action Items

Item:	Person:	Comments:
1	Westwood/Joe Sedarski	Early Coordination for Biological Resources: Westwood will prepare and send an informal T&E consultation request to Joanne/Cynthia (this will include a Project Area GIS shapefile and available T&E information we have gathered from MnDNR and USFWS to date). Westwood will also prepare and send a formal MnDNR NHIS request (to Lisa Joyal) to refresh earlier NHIS reviews (this will include a completed Data Request Form, applicable Project figures/maps and GIS shapefiles of the Project Area). Responses to the above requests will be used in preparing the SPA/RPA.

From: Boettcher, Joanne (DNR) < Joanne.Boettcher@state.mn.us>

Sent: Tuesday, November 2, 2021 4:24 PM

To: Joe Sedarski; Giampoli, Andrea; O'Connor, Aidan; Crowl, Mark; Jake Schaffer; David

Kuhlmann

Cc: Warzecha, Cynthia (DNR); Metzker, Kathleen (DNR); Miltich, Louise (COMM); Schuna, Bill

(DNR); Gelvin-Innvaer, Lisa A (DNR); Benage, Megan (DNR); Kresko, Tom (DNR); Ihns,

Karla A (DNR); Marsh, Dawn S; Joyal, Lisa (DNR)

Subject: Lake Wilson Solar Project, Murray Co, MN - DNR Early Coordination Comments

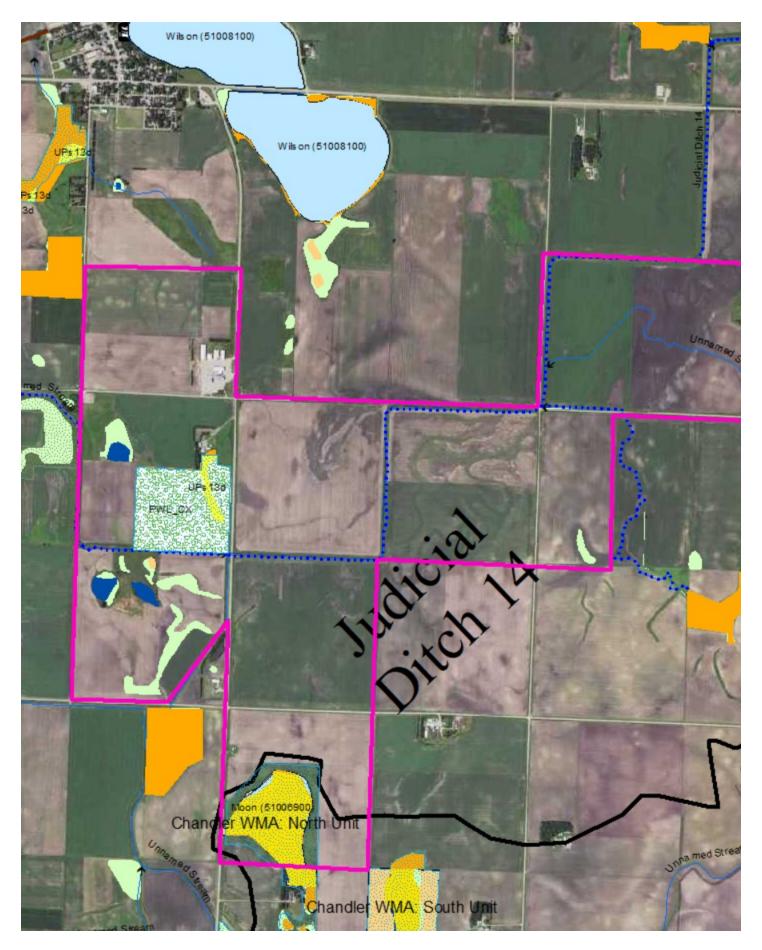
Attachments: Erosion_InvasiveSpecies_StandardGuidance_20200707.pdf

Hi Joe,

Thank you for providing project information for DNR review. We look forward to continued collaboration with the project to protect natural resources while developing sustainable energy resources in Minnesota. Let me know if you have any questions. Our comments so far include:

- Refer to the <u>DNR Commercial Siting Guidance</u> for a broad overview of DNR recommendations. Please note that the guidance is 5 years old, and our specific recommendations may have evolved. For example, our deer exclusion fencing recommendations are currently evolving, where we generally recommend 8-10 feet tall fencing for deer exclusion and may no longer recommend smooth wire (and definitely not barbed wire) as some entanglement issues have occurred. Once more specific infrastructure locations are identified, I will work with our wildlife staff to develop any potential fencing recommendations in more detail.
- Please refer to the <u>MNGeo site</u> for natural resource and other shapefiles referenced in these comments. An
 informal map is included below for quick reference. Note that non-public shapefiles (such as much of the NHIS
 database associated with listed species) are not available on this website.
- An updated NHIS review will eventually be necessary. Often times, requesting that review is best once the specific areas of impact and infrastructure are identified. For your planning purposes, please note that review request are taking approximately 4 months and the results are valid for one year.
- The project boundary contains native prairie, other native plant communities, MBS sites, as well as several areas identified on the "potentially undisturbed land" data layer. Since the project boundary contains native prairie, we recommend that a Native Prairie Protection Plan (PPP) be prepared. We recommend avoidance of all native plant communities, particularly prairie due to its rarity (whether identified in the native plant communities data or not yet identified). Any areas that may be impacted and have not been plowed should be assessed as potential prairie. Please submit the PPP including detailed assessment information for any potential prairie that may be affected and committed avoidance areas in a shapefile format for DNR review along with the PPP.
- We recommend that the project establish and manage native vegetation within the solar facility per the
 <u>Guidance for Develop a Vegetation Establishment and Management Plan for Solar Facilities</u>. The DNR would like
 to review and comment on the project's Vegetation Establishment and Management Plan.
- The area contains National Wetland Inventory (NWI) wetlands. We recommend avoiding these areas for development to avoid construction and maintenance problems. If any NWI or other wetland areas are planned for development, ensure that any Wetland Conservation Act (WCA) requirements are met by contacting the appropriate WCA authority.
- We recommend siting solar panel infrastructure sufficiently away from bodies of water to minimize the chance of "crash landings" of birds mistaking panels for water bodies.
- WMAs and a sufficient buffer to protect wildlife resources and recreational opportunities should be treated as exclusion areas.

- The project study area contains public ditches. As a subset of public waters, any crossing would require a Utility
 Crossing Permit and any work within the Ordinary High Water Level (OHWL) would require a public waters work
 permit.
- Some flow paths (identified as unnamed streams in the below map) occur in the project area. We recommend avoiding these areas and careful erosion protection within these areas.
- We would like to reiterate the habitat protection recommendations provided by the USFWS (refer to 10/6/21 email from Dawn Marsh) to minimize impacts to wildlife habitat generally, nesting and rearing habitat, and rare species habitat. We also recommend wildlife friendly erosion control and invasive species best practices (handout attached).
- Please send in more specific infrastructure locations (or updated info if the project study boundary changes) via shapefile when identified for DNR review. Please expect that the DNR will request updated shapefile (if any changes were made) at formal review points.



Regional Environmental Assessment Ecologist MNDNR – Mankato (507) 389-8813



From: Joe Sedarski < Joe. Sedarski@westwoodps.com >

Sent: Monday, September 27, 2021 2:38 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: Lake Wilson Solar Project, Murray Co, MN - - Informal T&E Review Request

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 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

Joseph Sedarski, PE, JD

Senior Project Manager joe.sedarski@westwoodps.com Licensed in MN

 direct main
 (952) 207-7631

 (952) 937-5150

 cell
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Westwood

12701 Whitewater Drive, Suite 300 Minnetonka, MN 55343

westwoodps.com (888) 937-5150

From: Jake Schaffer

Sent: Wednesday, October 6, 2021 12:48 PM

To: Review.NHIS@state.mn.us

Cc: Joe Sedarski; David Kuhlmann; Giampoli, Andrea; O'Connor, Aidan; Crowl, Mark

Subject: Lake Wilson NHIS Request

Attachments: Lake Wilson Project Boundary.zip; nhis_data_request_211006.pdf

Hello,

I would like to request site-specific NHIS data for a solar energy and battery storage development project in Murray County, MN. I have attached the data request form, maps and project boundary shapefile.

Please contact me or Joe Sedarski with any questions you may have.

Thank you,

Jake Schaffer

Environmental Scientist jake.schaffer@westwoodps.com

 direct
 (952) 906-7456

 main
 (952) 937-5150

 cell
 (651) 485-5826

Westwood

12701 Whitewater Drive, Suite 300 Minnetonka, MN 55343

westwoodps.com (888) 937-5150 NO STAPLES PLEASE



	For Agency Use Only:		#Sec Contact Rqsted?
7	Received Due	Inv	#EOs Survey Rqsted?
201	Search Radiusmi. L / I / D EM	Map'd	#Com
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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?					
Name and Title					
Agency/Company					
Mailing Address					
(Street) (City)	(State) (Zip Code	*)			
Phone e-mail	Responses will be sent vi				
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)					
1) Enclose a map of the project boundary/area of interest (topographic map 2) Please provide a GIS shapefile* (NAD 83, UTM Zone 15N) of the proj 3) List the following locational information* (attach additional sheets if near	ect boundary/area of inte				
2) 21st the following rocational information (attach additional sheets if the	cssary).				
Agency Use: ion / MBS County Township # Range # Section(s) (please list all section)		For Agency Use: TRS Confirmed			
Agency lise:		For Agency Use:			
Agency Use: ion / MBS County Township # Range # Section(s) (please list all section)		For Agency Use:			
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Agency Use: ion/MBS Status County Township # Range # Section(s) (please list all section for section f	ons)	For Agency Use:			
Agency Use: ion / MBS County Township # Range # Section(s) (please list all section Sectio	ons)	For Agency Use:			

^{*} Please see the instructions on page 3.

Describe the existing land use of the project site project?	e. What types of land cover / habitat will be impacted by the proposed
List any waterbodies (e.g., rivers, intermittent st discuss how they may be impacted (e.g., dewater	treams, lakes, wetlands) that may be affected by the proposed project, and ering, discharge, riverbed disturbance).
Does the project have the potential to affect any recharge, or contamination)?	groundwater resources (e.g., groundwater appropriation, change in
	a previous Natural Heritage review? If so, please list the correspondence #: uest differ from the previous request (e.g., change in scope, change in ion, different phase)?
To your knowledge, have any native plant commitst:	munity or rare species surveys been conducted within the site? If so, please
List any DNR Permits or Licenses that you will	be applying for or have already applied for as part of this project:
Check here if you are interested in a list	letter. If applicable, the letter will discuss potential effects to rare features. st of rare features in the vicinity of the area of interest but you do not need a tres. Please list the reason a review is not needed:
and known occurrences of federally and state-lis	ew, the response may include an Index Report of known aggregation sites sted plants and animals* within an approximate one-mile radius of the eport and Natural Heritage letter can be included in any public
3) A Detailed Report that contains more inform Detailed Report may contain specific location in	ation on each occurrence may also be requested. Please note that the information that is protected under <i>Minnesota Statutes</i> , section 84.0872, not be included in any public document (e.g., an EAW).
Check here if you would like to reques Effects' or a standard comment, a Deta	at a Detailed Report. Please note that if the results of the review are 'No niled Report may not be available.
FEES / TURNAROUND TIME	
There is a fee* for this service. Requests generated order received.	ally take 3-4 weeks from date of receipt to process, and are processed in the
e from the Natural Heritage Information System is c righted material without prior written permission fro	rmation supplied above is complete and accurate. I understand that material supplied opyrighted and that I am not permitted to reproduce or publish any of this om the DNR. Further, if permission to publish is given, I understand that I must desources, Minnesota Department of Natural Resources, as the source of the material.
ature sired) Schaffer	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

