Appendix B-6: Minnesota Pollution Control Agency (MPCA) Response Letter

John Howard

From: Livingston, Brian (MPCA) [Brian.Livingston@state.mn.us]
Sent: Thursday, November 10, 2011 12:06 PM
To: Dan Bowar
Subject: Stoneray Wing Energy Project

Thank you for your Nov. 3rd letter. We find that all projects of this type fail to comply with Part III. C of the construction stormwater general permit. Permanent treatment does not need to be done at each pad. We have worked with project proposers to strategically site a permenant BMP at a site parking lot/out building, etc. If you have any questions or concerns, staff engineers in my unit can help you with details.

Brian Livingston
Supervisor
Stormwater Policy and Technical Assistance Unit
Minnesota Pollution Control Agency
651-757-2532

Appendix B-7: Minnesota Board of Water & Soil Resources (BWSR) Response Letter

John Howard

From: Radel, Kane (BWSR) [Kane.Radel@state.mn.us]
Sent: Thursday, November 10, 2011 10:49 AM
To: Dan Bowar
Cc: hkonkol@co.murray.mn.us; Krier, Kyle - Pipestone, MN
Subject: Stoneray Wind Energy Project

Dan,

I received your letter regarding the future wind energy project in Pipestone and Murray Counties. The only information that I would like to share for consideration in the development of the project is that you work closely with the LGU's in both counties regarding the procedures to identify wetlands and what can be done to avoid wetland impacts to the extent possible. The contact for Murray County is Howard Konkol and for Pipestone is Kyle Krier. They have been copied on the email.

Kane Radel
Wetland Specialist
MN Board of Water & Soil Resources
1400 E. Lyon St.
Marshall, MN 56258
(507)537-7069 (Office)
(507)430-6211 (Cell)
(507)537-6368 (Fax)
kane.radel@state.mn.us

Appendix B-8: Pipestone County Response Letter

John Howard

From: Krier, Kyle - NRCS-CD, Pipestone, MN [Kyle.Krier@mn.nacdnet.net]
Sent: Monday, November 07, 2011 3:16 PM
To: Dan Bowar
Subject: Pipestone County Wind Project
Attachments: doc20111107151059.pdf

Dan, attached is a site map and cover page of a project within you proposed project area, which has had a CUP hearing held and permit issued, but nothing has been built as of yet. Not sure where there are at with this project. Kyle

Kyle Krier
Pipestone County Conservation and Zoning Office
119 2nd Ave SW, Suite 13
Pipestone, MN 56164
phone (507) 825-6765
cell (507) 215-0937
fax (507) 825-6782

Pipestone County Application for a Conditional Use Permit to construct a Wind Energy Conversion System

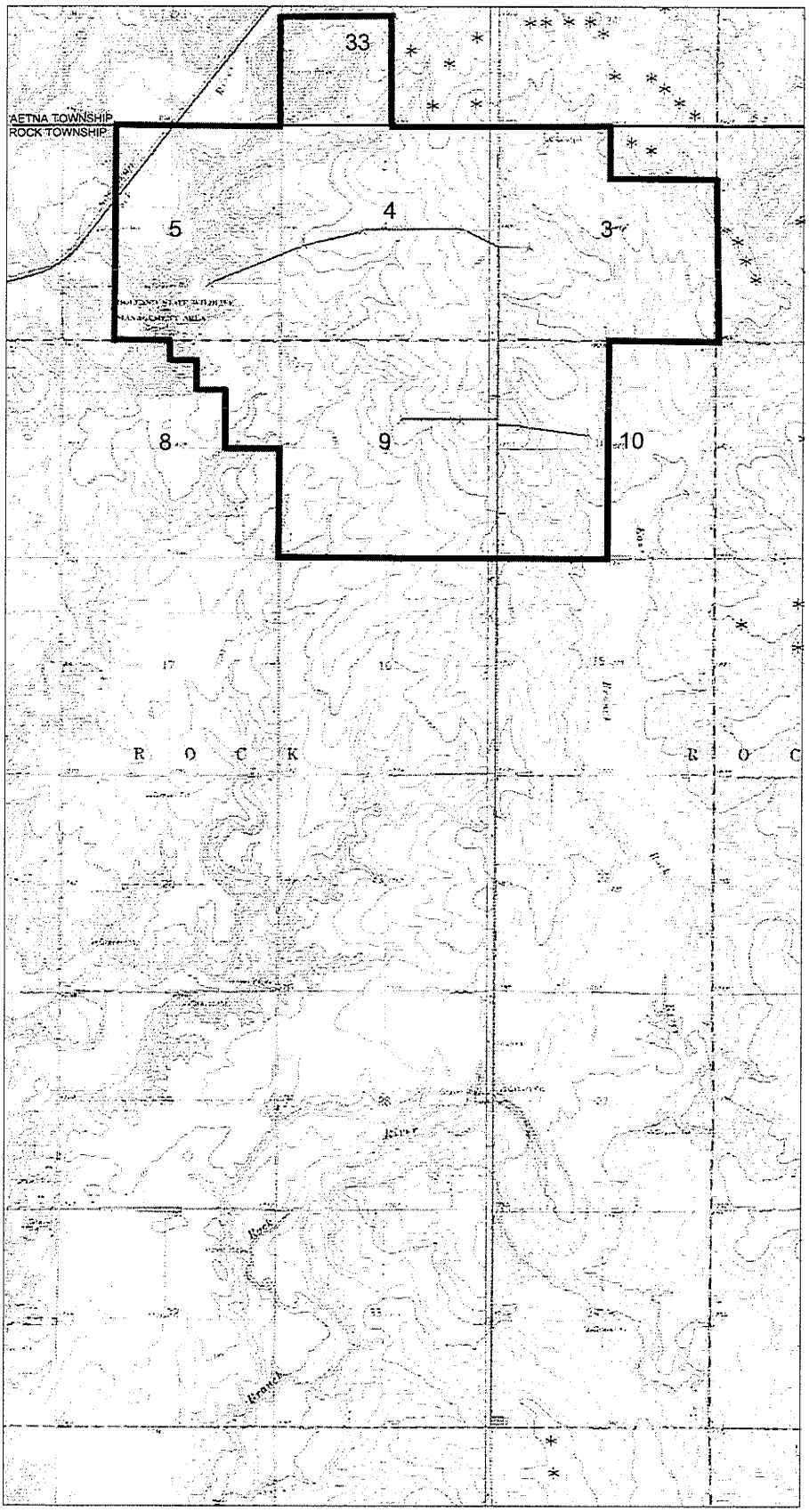
Rock Aetna Wind Power Plant

Prepared for:

Project Resources Corporation on behalf of
Rock/Aetna Power Partners, LLC

Dated:

February 16, 2009

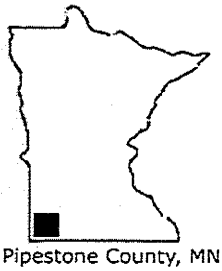


LEGEND

- 9 SiemensTurbines
- Existing Turbines
- Roads
- Electrical cable
- Interconnect point

4000 0 2000 4000

NOTE:
THE SCALE SHOWN IS APPROXIMATE



Pipestone County, MN

N

NOTE:
GENERAL PROJECT DESIGN
SUBJECT TO CHANGE.

DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES

Project Mngr: JLS	Project No. 41087734
Drawn By: JLM (41)	Scale: AS SHOWN
Checked By: JLS	File No. 41087734 fig2-3
Approved By: JLS	Date: 02/11/09

Terracon
Consulting Engineers and Scientists
3535 HOFFMAN ROAD EAST WHITE BEAR LAKE, MN 55110
PH. (651) 770-1500 FAX. (651) 770-1657

PROJECT SITE MAP

ROCK AETNA WIND POWER PLANT
PROJECT RESOURCES CORPORATION
NORTHWEST OF WOODSTOCK
PIPESTONE COUNTY MINNESOTA

FIG. No. 3

Appendix B-9: Chanarambie Township Response Letter

John Howard

From: Connie Post [conniepost@ureach.com]
Sent: Monday, November 07, 2011 8:52 PM
To: Dan Bowar
Subject: Chanarambie Township, RE: Stoneray Wind Energy Project

Dear Dan,

We received your letter regarding the Stoneray Wind Energy Project requesting any specific concerns that we would have regarding this. At this time, we are not aware of any specific concerns other than our township roads being maintained if and when construction begins.

Thank you,

Connie Post
Chanarambie Township Clerk
Murray County, MN

Connie Post
ConniePost@ureach.com
Phone (507) 879-3133
Cell (507) 227-7076

Appendix B-10: Project Study Plan Letter to MDNR (March 26, 2012)

March 26, 2012

Mr. Kevin Mixon
Minnesota Department of Natural Resources
261 Highway 15 South
New Ulm, Minnesota 56073

Stoneray Wind Energy Project Study Plan
Burns & McDonnell Project No. 62823

Dear Mr. Mixon:

As a result of meetings with you and Richard Davis of the U.S. Fish and Wildlife Service (USFWS), enXco Development Corporation's (enXco) is preparing to conduct various field studies for the Stoneray Wind Project (Project) starting this April (2012). On behalf of enXco, and with support of EVS, Inc. (EVS), Burns & McDonnell Engineering Company, Inc. (Burns & McDonnell) is proposing to conduct the following three proposed field studies for the general Project area, starting in April 2012.

- Avian stick nest survey
- Acoustic bat survey
- Avian point-count survey

As result, Burns & McDonnell is requesting your expedited review of the general methodologies for these three surveys. Other studies may be conducted in the future, but for now this request is for the three studies indicated above.

Avian Stick Nest Survey

Per suggestion from the USFWS via correspondence letter and from meetings with the USFWS and Minnesota Department of Natural Resources (MDNR), an avian stick nest survey will be completed for the proposed Project area (22,400 acres), including a two-mile buffer around the Project boundary (Figure 1). The survey will be performed from public roadways. The survey is scheduled for April 9 - 12, 2012, prior to trees gaining most of their foliage. The purpose of the nest survey is to identify and inventory stick nests in the vicinity of the Project that are constructed by raptors or large waterbirds (i.e., rookeries constructed and used by great blue herons) with particular attention given to those species that are protected under the Migratory Bird Treaty Act (MBTA) or the Bald and Golden Eagle Protection Act (BGEPA).

Burns & McDonnell staff, equipped with a global positioning system (GPS) unit, laptop computer, binoculars, spotting scope, digital camera, maps, etc. will conduct a windshield survey of the Project area and two-mile buffer to identify avian stick nests. Observed nests will be recorded on maps and to the extent practicable, their locations will be recorded using a GPS unit. In addition, observed birds will also be recorded down to species level (if possible). enXco does not have access to all parcels within the project area, therefore it may not be possible to determine if all identified nests are active or not. If a bird (or young) is seen on the nest, the nest will be considered active. enXco will consider additional raptor activity monitoring based on the results of this nest inventory.

Following the survey a letter report will be prepared that will summarize the survey and include a figure depicting the location of identified stick nests. Depending upon the eventual timing of Project construction, an additional avian stick nest survey and monitoring plan may be developed. Future survey and plan development will also be coordinated with the USFWS and MDNR.

Acoustic Bat Survey

Per recommendation of both the USFWS and MDNR an acoustic bat survey will be completed for the Project by Burns & McDonnell, which is being proposed in two phases. Phase 1 is scheduled from approximately April 10 through June 30, 2012 while Phase 2 is scheduled from July 1 through October 31, 2012 (only if necessary). In order to collect data for a representative turbine location, such as in open uplands, and including the potential rotor swept area, Burns & McDonnell proposes to use two existing meteorological (MET) towers that were installed for the Project. These include MET tower locations 0315 and 0375 (Figure 1). One additional acoustic monitoring location was also selected along a riparian corridor area northwest of MET tower location 0375 (Figure 1). This location could change depending upon current field conditions and landowner access permission.

A Song Meter SM2BAT+ recording device and associated accessories will be installed at the three locations mentioned above. The units installed at the MET towers will utilize a dual-microphone system; one microphone will be placed at a lower height (7-10 meters (m)), while the other will be placed at a height that would be anticipated to be within a typical wind turbine rotor swept area (approximately 25-30 m). The third monitoring device will be placed along the riparian area at chest height. Data will be retrieved manually from the devices once approximately every seven to 14 days. The monitors will be set to record daily from approximately one-half hour prior to sunset to one-half hour after sunrise. Analysis software, SonoBat 2.9.6 or newer, will be used to determine bat activity within the survey location. Bat call data will be analyzed per three frequency levels (low, medium, and high) in order to characterize groups of bat species that fall within known frequency levels. Since the northern long-eared myotis has the potential to become federally listed in the near future, bat calls will be analyzed specifically to identify calls belonging to this species the extent practicable[1].

Data will be collected and analyzed through mid-June 2012, followed by a brief letter report that will be prepared that discusses the results of the survey. Particular emphasis will be given to the northern long-eared myotis (*Myotis septentrionalis*) as this species has the potential to become federally listed in the near future. Ongoing consultation followed by this letter summary report will be provided to both the USFWS and MDNR to determine if monitoring should be continued into late summer and fall (phase 2) or if data suggest that monitoring could be terminated due to a lack of bat activity. Due to the length of time required for analysis of the acquired data, preliminary information may be necessary to be used in determinations for additional monitoring.

[1] A current assumption associated with North American bat acoustic monitoring presents a difficulty in distinguishing different *Myotis* species by echolocation (e.g., little brown bats (*Myotis lucifugus*), Indiana bats (*Myotis sodalist),* and cave myotis (*Myotis velifer*)). To decipher bat calls down to a species level, a full call sequence is needed; whereas, partial call sequences may not be sufficient for determining to a species level.

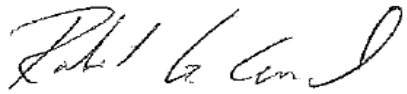
Avian Point-Count Survey

Per USFWS correspondence and meeting, and in order to collect general avian information within the Project area, Burns & McDonnell will conduct a spring time avian point-count survey to take advantage of the spring migration period. This survey will be conducted at 10 locations (Figure 1) within the Project area, with an emphasis on riparian corridors and larger grasslands and potential wetland areas per discussions with the USFWS and MDNR. The point-count locations were preliminarily chosen from a desktop review, thus they may be adjusted during the initial field visit based on current habitat and field conditions. Each point-count location will be visited twice by two wildlife biologist over a two-day period every three weeks, proposed to start in mid-April (week of April 9, 2012), and extending until approximately mid-June (estimated to be June 14, 2012). Species will be identified by visual observation or noted audible observation during the survey period. Any unidentifiable or questionable species will be indicated as such with practicable attempts made to determine the appropriate species. It is anticipated that the surveys will start at sunrise and last until approximately 10 AM each survey day. The results of the avian point-count survey will be summarized in a letter report that will discuss the methodologies, species recorded and number, data log, etc.

If a bald eagle is observed during any of these surveys, an attempt will be made to determine its nest location or if the individual is migrant or floater.

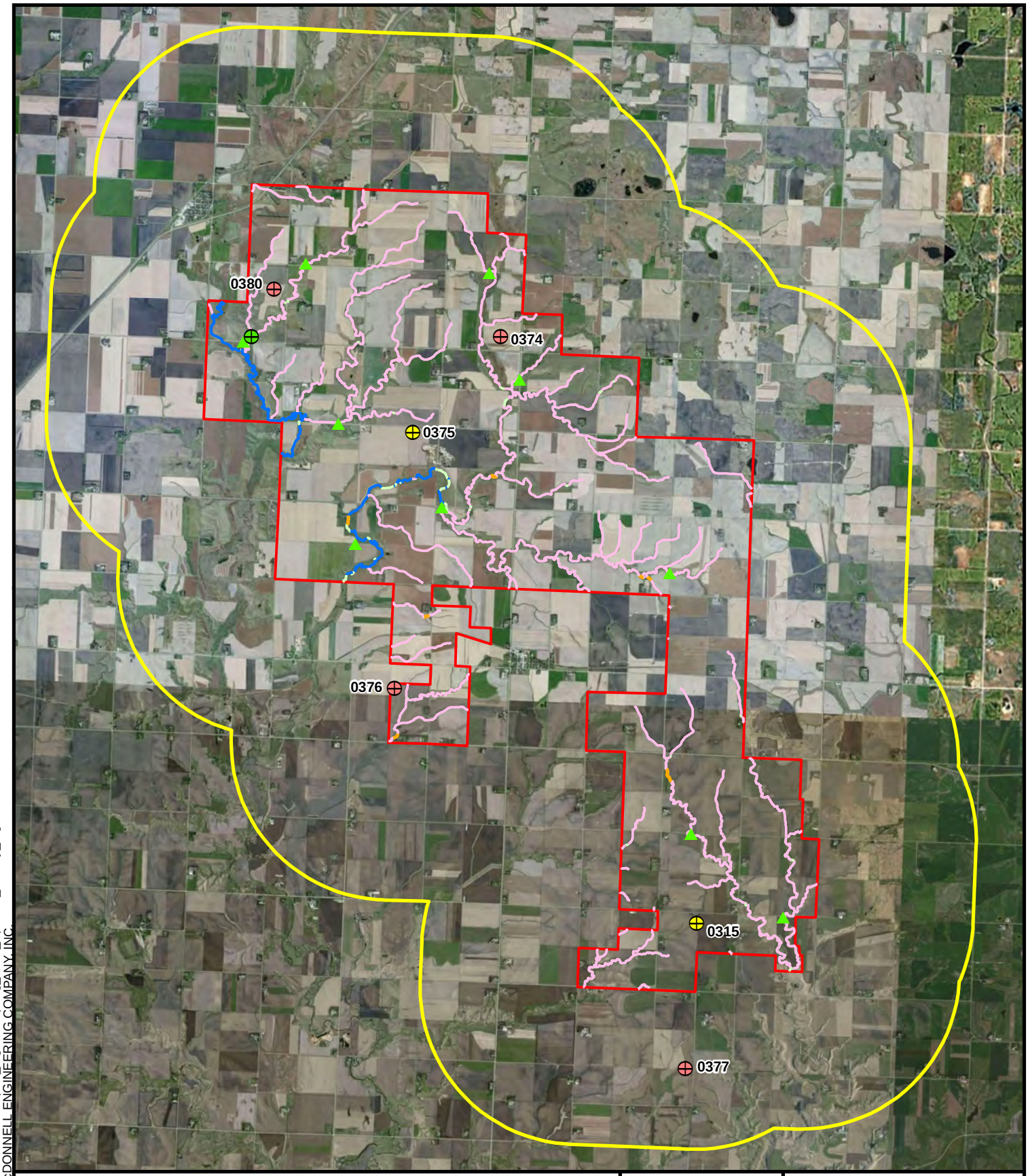
If you have any questions or require any additional information, please contact me by phone at (816) 363-7251 or by email at reverard@burnsmcd.com.

Sincerely,



Robert G. Everard
Environmental Project Manager

Enclosures
Cc: Richard Davis, USFWS
Chris Sternhagen, enXco
Andy Kim, EVS
Bryan Gasper, Burns & McDonnell



NORTH

0 1 2 Miles

Legend

- Proposed Project Boundary
- Two Mile Buffer of Project Boundary
- Avian Survey Point Count
- Met Towers Used for Bat Survey
- Met Towers Unused
- Additional Acoustic Bat Survey Point
- Potential Wooded Riparian Area
- Perennial Stream
- Intermittent Stream
- Other Waterway

Burns & McDonnell SINCE 1898

Figure 1

Stoneray Wind Project
Bat/Avian Survey Map
Murray & Pipestone Counties, Minnesota

Source: NHD (2010), MnDNR (1983), ESRI (2012), and Burns & McDonnell (2012)

Issued: 3/27/2012

Appendix B-11: Summary Letter of Completed Field Studies to MDNR and USFWS (March 13, 2013)

March 13, 2013

Mr. Kevin Mixon
Minnesota Department of Natural Resources
261 Hwy 15 S
New Ulm, Minnesota 56073

Re: Field Studies Associated with the EDF Renewable Energy Stoneray Wind Project
Burns & McDonnell Project No. 62823

Dear Mr. Mixon:

Burns & McDonnell Engineering Company, Inc. (Burns & McDonnell) is providing environmental support services for the EDF Renewable Energy (EDF) proposed 100-megawatt (MW) wind energy facility, the Stoneray Wind Project (Project), to be located in Pipestone and Murray counties in southwestern Minnesota. The Project area is generally located north, east, and southeast of Woodstock, Minnesota (Figure 1). The Project was anticipated to initially consist of up to 67 wind turbine generators (WTGs); however, based on the revised layout, the number of WTGs is now anticipated to be a maximum of 55 (Figure 1 includes a preliminary layout for only 50 WTGs). In addition, the original Project area was approximately 22,400 acres in size. However, the buildable land portion of this Project area has been extensively reduced because of siting constraints being considered, including sensitive ecological resources (based on desktop and field studies), current land lease agreements, and adhering to state set-back requirements from residences and public roadways. Considering all constraints, the buildable land portion of the Project area consists of approximately 1,750 acres. When considering the constraints and buildable land, the preliminary layout is not optimal and does not provide flexibility for relocating or including alternative WTG locations. As a result, EDF is expanding the general Project area further to the south. This will allow greater flexibility and provide for alternative WTG locations to be considered. Only preferred buildable land would be targeted, which would consider the avoidance of sensitive natural resources, such as expansive wetlands, prairie remnants, wet meadows, etc., along with all state set-back requirements.

For the purpose of continuing coordination with the U.S. Fish and Wildlife Service (USFWS) and Minnesota Department of Natural Resources (MDNR) regarding the Project, we are providing the results of field studies that were conducted in 2012 for Project area. These studies were recommended by both the USFWS and MDNR, and were conducted by Burns & McDonnell on behalf of EDF.

These studies include:

1. Avian Stick Nest Survey
2. Spring and Fall Avian Point Count Survey
3. Acoustic Bat Survey
4. Orchid and Skipper Field Habitat Assessment

These four specific letter reports (Attachments 1-4) were completed for the Project area and are briefly summarized below.

Avian Stick Nest Survey

Per recommendations of USFWS and MDNR, Burns & McDonnell conducted an avian stick nest survey from April 5-12, 2012 for the initial Project area, including a two-mile buffer around the Project boundary. As a result of the survey, two potential raptor nests were identified within the initial Project area, with one additional raptor nest observed within a portion of the new expanded area. Other raptor stick nests were observed within the two mile buffer area around the initial Project area, but are not within the new expanded area. The raptor nests within the initial Project area are located approximately 1.0 mile north-northeast and 0.3 miles west and south of the identified buildable land. Other stick nests were observed, but were likely those belonging to the American crow (*Corvus brachyrhynchos*), as determined by the nests small size and the number of observations of this species during the 2012 spring and fall avian point count survey (Attachment 1).

Spring and Fall Avian Point Count Survey

Per recommendations of the USFWS and MDNR, Burns & McDonnell conducted spring and fall avian point count surveys in 2012 for the Project area. A total of 67 species were observed during the surveys. None of the observed species were identified as being protected under the Federal Endangered Species Act or Bald and Golden Eagle Protection Act in Pipestone and Murray counties. Sixty-three of the 67 observed species have federal protection under the Migratory Bird Treaty Act. Raptors were not observed in high numbers or large concentrations within the study area.

Acoustic Bat Survey

Per recommendations of the USFWS and MDNR, Burns & McDonnell conducted an acoustic bat survey for three locations within the Project area. The survey was conducted from April 9 to October 31, 2012. The purpose of the acoustic bat survey was to record general bat activity in the vicinity of the Project. Acoustic monitoring locations consisted of three locations. Two of the locations were on meteorological (MET) towers (M1 and M2), while one was located on a contrivance within a riparian zone (M3) in the western portion of the initial Project area. Throughout the entirety of the study, 26 *Myotis* bat species were recorded. Given the call data and sequences retrieved, no specific call sequences stood out as indicative of the northern long-eared bat (*Myotis septentrionalis*). Seven of the recorded *Myotis* species occurred at both M1 and M2, thus a total of 14 *Myotis* species were recorded at MET tower locations. The remaining 12 *Myotis* species were recorded at the riparian monitoring location (M3).

Western Prairie Fringed Orchid, Poweshiek Skipperling, and Dakota Skipper Field Habitat Assessment

In addition, and per recommendation of USFWS, Burns & McDonnell conducted a desktop review, followed by a field habitat assessment from July 9-11, 2012 for the western prairie fringed orchid (*Platanthera praeclara*), Dakota skipper (*Hesperia dacotae*), and poweshiek skipperling (*Oarisma poweshiek*). Based on the buildable land and preliminary turbine arrays for the initial Project area, the potential habitats for these three species have been avoided as potential construction locations. Also, Critical Habitat for the Topeka shiner is present within Pipestone and Murray counties; however, all turbine locations avoid these areas. If there is potential for orchid, skipper, skipperling, or shiner habitat to be impacted by access roads or collection systems, coordination with the USFWS will be initiated.

Conclusions

Although the Project area has been extended considerably, it is anticipated that additional field studies will not need to be completed for the expanded Project area because it is likely that the studies conducted to-date are representative of the general area; the exception being the avian stick nest survey and the orchid and skipper habitat assessments. A stick nest survey has not been completed for most of the expanded area, however, it is possible that a stick nest survey could be completed prior to Project construction. For the expanded Project area, EDF and Burns & McDonnell will use available background data and windshield surveys to identify areas containing potential orchid or skipper habitat, which will be avoided during the identification of buildable land assessments. EDF does anticipate conducting a wetland delineation when a revised wind turbine array and Project layout containing access roads and collection system is prepared.

If you have any questions regarding the submitted field study reports or if you recommend the field studies be continued for 2013, or portions thereof, or other studies should be completed, please let us know as soon possible. We have also scheduled a meeting with your office on March 26, 2013 to discuss these Project changes, provided reports, and the potential need for additional field studies.

If you have questions or need additional information, please contact Robert Everard at (816) 363-7251 or reverard@burnsmcd.com at your convenience. However for other components of the Project to remain on schedule, we request a response from your office as soon as possible.

Sincerely,

Robert Everard
Environmental Project Manager

Enclosures

cc: Melissa Peterson, EDF Renewable Energy
Jeffrey C. Miller, Burns & McDonnell
Bryan Gasper, Burns & McDonnell
Andy Kim, EVS

March 13, 2013

Mr. Rich Davis
U.S. Fish and Wildlife Service
Twin Cities Field Office
4101 American Blvd. E.
Bloomington, Minnesota 55425

Re: Field Studies Associated with the EDF Renewable Energy Stoneray Wind Project
Burns & McDonnell Project No. 62823

Dear Mr. Davis:

Burns & McDonnell Engineering Company, Inc. (Burns & McDonnell) is providing environmental support services for the EDF Renewable Energy (EDF) proposed 100-megawatt (MW) wind energy facility, the Stoneray Wind Project (Project), to be located in Pipestone and Murray counties in southwestern Minnesota. The Project area is generally located north, east, and southeast of Woodstock, Minnesota (Figure 1). The Project was anticipated to initially consist of up to 67 wind turbine generators (WTGs); however, based on the revised layout, the number of WTGs is now anticipated to be a maximum of 55 (Figure 1 includes a preliminary layout for only 50 WTGs). In addition, the original Project area was approximately 22,400 acres in size. However, the buildable land portion of this Project area has been extensively reduced because of siting constraints being considered, including sensitive ecological resources (based on desktop and field studies), current land lease agreements, and adhering to state set-back requirements from residences and public roadways. Considering all constraints, the buildable land portion of the Project area consists of approximately 1,750 acres. When considering the constraints and buildable land, the preliminary layout is not optimal and does not provide flexibility for relocating or including alternative WTG locations. As a result, EDF is expanding the general Project area further to the south. This will allow greater flexibility and provide for alternative WTG locations to be considered. Only preferred buildable land would be targeted, which would consider the avoidance of sensitive natural resources, such as expansive wetlands, prairie remnants, wet meadows, etc., along with all state set-back requirements.

For the purpose of continuing coordination with the U.S. Fish and Wildlife Service (USFWS) and Minnesota Department of Natural Resources (MDNR) regarding the Project, we are providing the results of field studies that were conducted in 2012 for Project area. These studies were recommended by both the USFWS and MDNR, and were conducted by Burns & McDonnell on behalf of EDF.

9400 Ward Parkway • Kansas City, Missouri 64114-3319
Tel: 816-333-9400 • Fax: 816-333-3690 • www.burnsmcd.com

These studies include:

1. Avian Stick Nest Survey
2. Spring and Fall Avian Point Count Survey
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If you have any questions regarding the submitted field study reports or if you recommend the field studies be continued for 2013, or portions thereof, or other studies should be completed, please let us know as soon possible. We have also scheduled a meeting with your office on March 26, 2013 to discuss these Project changes, provided reports, and the potential need for additional field studies.

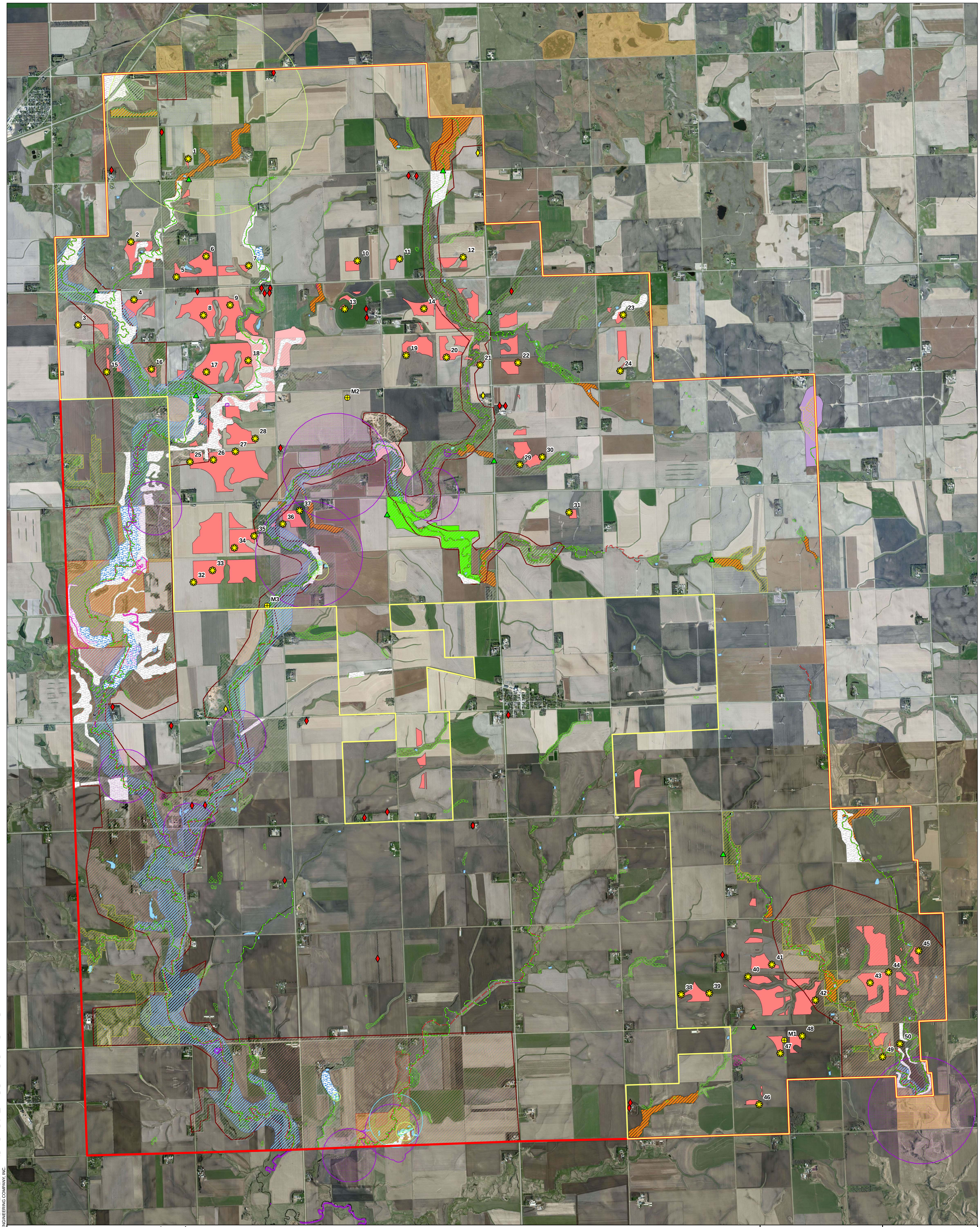
If you have questions or need additional information, please contact Robert Everard at (816) 363-7251 or reverard@burnsmcd.com at your convenience. However for other components of the Project to remain on schedule, we request a response from your office as soon as possible.

Sincerely,

Robert Everard
Environmental Project Manager

Enclosures

cc: Melissa Peterson, EDF Renewable Energy
Jeffrey C. Miller, Burns & McDonnell
Bryan Gasper, Burns & McDonnell
Andy Kim, EVS



Legend

- Current Project Boundary
- Previous Project Boundary
- Proposed Build Land v18
- Proposed Turbine Array v8
- Acoustic Monitoring Location*
- Raptor Stick Nest*
- Non-Raptor Stick Nest*
- Avian Point Count Location*
- Critical Habitat for Topeka Shiner
- Approximate Blanding's Turtle Priority Area
- Windshield Surveyed Wetland*
- Reinvest in MN Easement Area
- Wildlife Management Area
- FEMA Flood Area
- MN Public Water Wetland
- MN Public Water Stream

NWI Wetlands:

- Emergent Wetland
- Forested/Shrub Wetland
- Riverine Wetland
- Pond
- Dakota Skipper Habitat - Access*
- WPFO Habitat - Access*
- Dakota Skipper Habitat - No Access*

MCBS Biodiversity Sites:

- High Biodiversity Significance
- Moderate Biodiversity Significance
- Below Minimum Biodiversity Significance

Natural Plant Communities:

- Marsh
- Upland Prairie
- Wet Meadow
- Calcareous Fen

NHIS Data:

- Invertebrate Animal
- Vertebrate Animal
- Vascular Plant
- Community

NORTH

0 0.5 1 Miles

* Data Provided Is Applicable Only For The Previous Project Boundary And Has Yet To Be Updated For The Current Project Boundary

Source: ESRI 2013, MNDNR 2011, NWI (unk date), MCBS (unk date), BWSR (unk date), FEMA 1986, Bing Maps 2012, & BMCD 2013

Burns & McDonnell SINCE 1898

Figure 1
Proposed Build Lands v18 & Turbine Array v8
Potential Impacts to Sensitive Resources

Stoneray Wind Project
Murray & Pipestone Counties, Minnesota

Issued: 3/11/2013

Path: R:\enXco\62823\GIS\DataFiles\ArcDocs\Turbine_Layout_Impact_Maps\Stoneray_Cover_Letter_Figure__Turbine_v8_Buildland_v18_Sensitive_Resources_031113.mxd tbeemer Date: 3/11/2013