

Appendix R
Agency and Tribal Correspondence

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Federal Agency Correspondence

Federal Agency Initial Outreach



June 24, 2024

United States Army Corps of Engineers
St. Paul District - Regulatory
332 Minnesota St., Suite E1500
St. Paul, MN 55101
651.290.5525
USACE_Requests_MN@usace.army.mil

Greetings;

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of 50 MW solar energy generation facility known as the Solway Solar Project. The Project will be located near Solway, MN adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

Otter Tail has completed initial environmental due diligence and expects to file a Site Permit Application with the Public Utility Commission of Minnesota (PUC) in the coming months. It is unknown at this time if the project will impact jurisdictional waters of the U.S.

At present, Otter Tail is conducting further agency outreach and would appreciate your review and comment on the project as it relates to the resources your agency manages. We are looking forward to hearing from you! If you require further information or have questions about the project, please contact me at (763) 278-5928 or Dan.schmidt@hdrinc.com.

Sincerely,

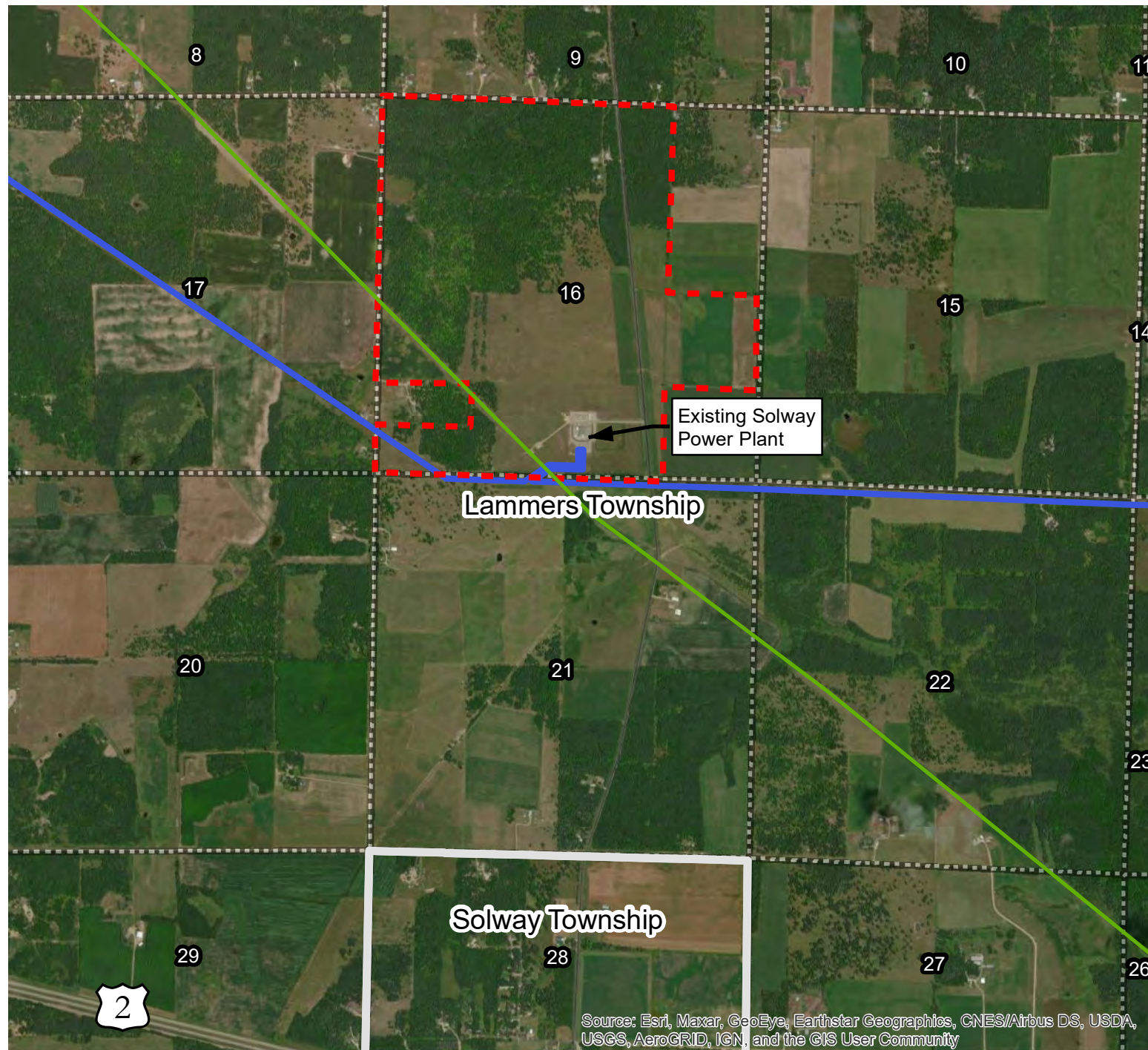
Dan Schmidt

HDR



LEGEND

- Project Area
- Existing 115 kV Transmission Line
- Existing Natural Gas Pipeline
- PLSS Section



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



June 24, 2024

U.S. Fish and Wildlife Service
Minnesota Ecological Services Field Office
3815 American Blvd. East
Bloomington, MN 55425-1665
TwinCities@fws.gov

Greetings;

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of 50 MW solar energy generation facility known as the Solway Solar Project. The Project will be located near Solway, MN adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

Otter Tail has completed initial environmental due diligence and expects to file a Site Permit Application with the Public Utility Commission of Minnesota (PUC) in the coming months. A review of the USFWS IPaC system identified the Grey Wolf as threatened, Northern Long-eared Bat as endangered, and the Tricolored Bat as proposed endangered, and the Monarch Butterfly as a candidate species that may be potential affected by the project. No critical habitats are present in this location.

At present, Otter Tail is conducting further agency outreach and would appreciate your review and comment on the project as it relates to the resources your agency manages. We are looking forward to hearing from you! If you require further information or have questions about the project, please contact me at (763) 278-5928 or Dan.schmidt@hdrinc.com.

Sincerely,

Dan Schmidt

HDR

U.S. Army Corps of Engineers



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
332 MINNESOTA STREET, SUITE E1500
ST. PAUL, MN 55101-1323

July 26, 2024

Regulatory File No. MVP-2024-00806-PJH

HDR, Inc.
c/o Dan Schmidt
1601 Utica Avenue South, Suite 600
St. Louis Park, Minnesota 55416-3400

Dear Dan Schmidt:

This letter responds to your request for comments about a project to develop a 50 MW solar energy generation facility. The project site is in Section 16, Township 147 North, Range 35 West, Beltrami County, Minnesota.

In lieu of a specific response, please consider the following general information concerning our regulatory program that may apply to the proposed project.

If the proposal involves activity in navigable waters of the United States, it may be subject to the Corps of Engineers' jurisdiction under Section 10 of the Rivers and Harbors Act of 1899 (Section 10). Section 10 prohibits the construction, excavation, or deposition of materials in, over, or under navigable waters of the United States, or any work that would affect the course, location, condition, or capacity of those waters, unless the work has been authorized by a Department of the Army permit.

If the proposal involves discharge of dredged or fill material into waters of the United States, it may be subject to the Corps of Engineers' jurisdiction under Section 404 of the Clean Water Act (CWA Section 404). Waters of the United States include navigable waters, their tributaries, and adjacent wetlands (33 CFR § 328.3). CWA Section 301(a) prohibits discharges of dredged or fill material into waters of the United States unless the work has been authorized by a Department of the Army permit under Section 404. Information about the Corps permitting process can be obtained online at <http://www.mvp.usace.army.mil/regulatory>.

The Corps evaluation of a Section 10 and/or a Section 404 permit application involves multiple analyses, including (1) evaluating the proposal's impacts in accordance with the National Environmental Policy Act (NEPA) (33 CFR part 325), (2) determining whether the proposal is contrary to the public interest (33 CFR § 320.4), and (3) in the case of a Section 404 permit, determining whether the proposal complies with the Section 404(b)(1) Guidelines (Guidelines) (40 CFR part 230).

If the proposal requires a Section 404 permit application, the Guidelines specifically require that "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences" (40 CFR § 230.10(a)). Time and money spent on the proposal prior to applying for a Section 404 permit cannot be factored into the Corps' decision whether there is a less damaging practicable alternative to the proposal.

If any of the proposed projects would involve a discharge of dredged or fill material into waters of the United States, either permanent or temporary, please notify our office.

The below information is specific to utility projects.

The placement of aerial lines that cross navigable waters of the U.S. requires authorization under Section 10 of the Rivers and Harbors Act.

Underground utility lines through waters of the U.S., including wetlands, as well as navigable waters of the U. S. are regulated under Section 404 of the Clean Water Act if there is a discharge of dredged or fill material. Any discharge would require authorization by a general permit or letter of permission.

Underground lines installed by vibratory plow and directional bore method through waters of the U.S., including wetlands, do not involve a discharge and a permit is not required. However, if installation of connecting points requires excavation and backfill in waters of the U.S., including wetlands, a permit would be required.

The placement of poles, overhead wiring, and/or buried wiring at upland locations is not within the jurisdiction of the Corps of Engineers, provided the work does not involve the placement of dredged or fill material into any waterbody or wetland.

Temporary placement of fill material into any waterbody or wetland for purposes such as bypass roads, temporary stream crossings, cofferdam construction, or storage sites may require a Department of the Army permit.

You may also need city, county, or State permits for the project. You should contact the appropriate agencies for their permit requirements. If the project includes the placement of dredged or fill material in a Federal regulated waterbody, we will notify the responsible State agency for water quality (401) certification.

You should also contact the State Historical Preservation Officer (SHPO) to determine if there are any known historic or archeological sites in the area or if any cultural resource survey would be required.

If you have any questions, please contact me in our Duluth office at (651) 391-3226 or Peyton.J.Hamm@usace.army.mil. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peyton Hamm', written in a cursive style.

Peyton Hamm
Regulatory Specialist



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
332 MINNESOTA STREET, SUITE E1500
ST. PAUL, MN 55101-1323

07/16/2024

Regulatory File No. MVP-2024-00806-PJH

THIS IS NOT A PERMIT

Dan Schmidt
HDR, Inc.
1601 Utica Ave S., Ste 600
St. Louis Park, MN 55146

To Dan Schmidt:

We have received your submittal described below. You may contact the Project Manager with questions regarding the evaluation process. The Project Manager may request additional information necessary to evaluate your submittal.

File Number: MVP-2024-00806-PJH

Project Name: Otter Tail Power Company Solway Solar Project PRE

Project Location: Section 15 of Township 147 N, Range 35 W, Beltrami County, Minnesota (Latitude: 47.5499349054962; Longitude: -95.132749592268)

Received Date: 07/15/2024

Project Manager: Peyton Hamm
(651) 290-5766
Peyton.J.Hamm@usace.army.mil

Additional information about the St. Paul District Regulatory Program can be found on our web site at <http://www.mvp.usace.army.mil/missions/regulatory>.

Please note that initiating work in waters of the United States prior to receiving Department of the Army authorization could constitute a violation of Federal law. If you have any questions, please contact the Project Manager.

Thank you.

U.S. Army Corps of Engineers
St. Paul District
Regulatory Branch

Cc: Beltrami County WCA LGU, BWSR Rep

U.S. Fish and Wildlife Service

From: Marsh, Dawn S <dawn_marsh@fws.gov>
Sent: Tuesday, August 13, 2024 9:21 AM
To: Schmidt, Dan
Subject: Re: [EXTERNAL] Otter Tail Solway Solar Project Introduction

You don't often get email from dawn_marsh@fws.gov. [Learn why this is important](#)

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

Thank you for the opportunity to comment on the proposed Solway Solar Project site location and project in Beltrami County, Minnesota. Meeting the growing demand for renewable energy production in Minnesota will require careful planning of new facilities. Appropriate siting of renewable energy facilities is one of the best methods available to minimize the potential for wildlife impacts. We welcome the opportunity to work with you in project planning.

Regulatory Framework and Planning Resources

Federal laws specify that the U.S. Fish and Wildlife Service (Service) has a management responsibility for a variety of wildlife resources and plays a role in advising other Federal and State agencies in their review of permit applications and project planning. These laws include the Endangered Species Act (ESA; 87 Stat. 884; 16 U.S.C. 1531 *et seq.*), the Clean Water Act section 404(j) (CWA; as amended; 33 U.S.C. 1251 *et seq.*), the Fish and Wildlife Coordination Act (FWCA; 48 Stat. 401; 16 U.S.C. 661 *et seq.*), Migratory Bird Treaty Act (MBTA; 16 U.S.C. 703 *et seq.*), and the Bald and Golden Eagle Protection Act (Eagle Act; 16 U.S.C. 668 *et seq.*).

We have several online tools and resources that can assist you with project planning. Our [Information for Planning and Consultation \(IPaC\)](#) website allows you to see if threatened or endangered species, designated critical habitat, migratory birds, and/or other natural resources may occur in or near your project. IPaC allows you to download an official ESA species list. Additionally, depending on the project location and the species that may be present, you may be able to use an available assisted determination key (DKey) in IPaC to help evaluate potential impacts on resources managed by the Service. This may include identifying recommendations for protecting and enhancing wildlife populations. In some circumstances, by confirming you will implement specific measures for your project, you may receive an automated concurrence from IPaC that your project is consistent with a "no effect" or "not likely to affect" determination for ESA listed species (using a determination key in IPaC to generate a "Consistency Letter"). Available DKeys for projects in Minnesota include the Minnesota-Wisconsin Federal Endangered Species Determination Key, which covers all ESA listed species and critical habitats in Minnesota and Wisconsin and the Northern Long-Eared Bat Assisted Determination Key.

If your project will require Federal funding or permitting, but you did not receive an automated "Consistency Letter" from IPaC for your project (either because you chose not to use a DKey or you received a "may affect" determination which means the project is outside the scope of the determination key), please see our [ESA Section 7 Technical Assistance website](#) for additional resources on project planning. This website provides additional step-by-step instructions for Federal agencies, their applicants, and designated non-Federal representatives to meet their section 7 obligations. If your project is not federally funded or permitted, but the

project is reasonably certain to result in the take of endangered or threatened species, please contact our office for more information about ESA permits.

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.

Operational Recommendations:

1. Require technicians and other staff that visit the project area to report any wildlife mortalities or injuries they observe, specifically birds and bats. Although we do not anticipate significant potential for wildlife impacts from solar facility operations in Minnesota, there have been reports of birds mistaking solar panels for a water surface in certain conditions as well birds killed along transmission lines and other electrical equipment. These can be reported to the Service's [Injury and Mortality Reporting System](#).
2. Incorporate wildlife friendly mowing practices (e.g., timing of mowing to benefit pollinators). Additional information can be found in the [Service's Conservation Guidance for the Rusty Patched Bumble Bee document](#).

Thank you for the opportunity to comment on the proposed Solway 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 via email (Dawn_Marsh@fws.gov) or phone (612-283-8054).

Dawn

Dawn Marsh (she/her/hers) | Fish and Wildlife Biologist
U.S. Fish & Wildlife Service | Minnesota-Wisconsin Field Office
3815 American Blvd. E., Bloomington, MN 55425
Mobile: (612) 283-8054

State Agency Correspondence

State Agency Initial Outreach



June 24, 2024

State Historic Preservation Office
Administration Building Ste. 203
50 Sherburne Ave
St. Paul, MN 55155
651.201.3287
Kelly.graggjohnson@state.mn.us

Dear Kelly Gragg-Johnson, Environmental Review Program Specialist;

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of 50 MW solar energy generation facility known as the Solway Solar Project. The Project will be located near Solway, MN adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

Otter Tail has completed initial environmental due diligence and expects to file a Site Permit Application with the Public Utility Commission of Minnesota (PUC) in the coming months.

At present, Otter Tail is conducting further agency outreach and would appreciate your review and comment on the project as it relates to the resources your agency manages. We are looking forward to hearing from you! If you require further information or have questions about the project, please contact me at (763) 278-5928 or Dan.schmidt@hdrinc.com.

Sincerely,

Dan Schmidt

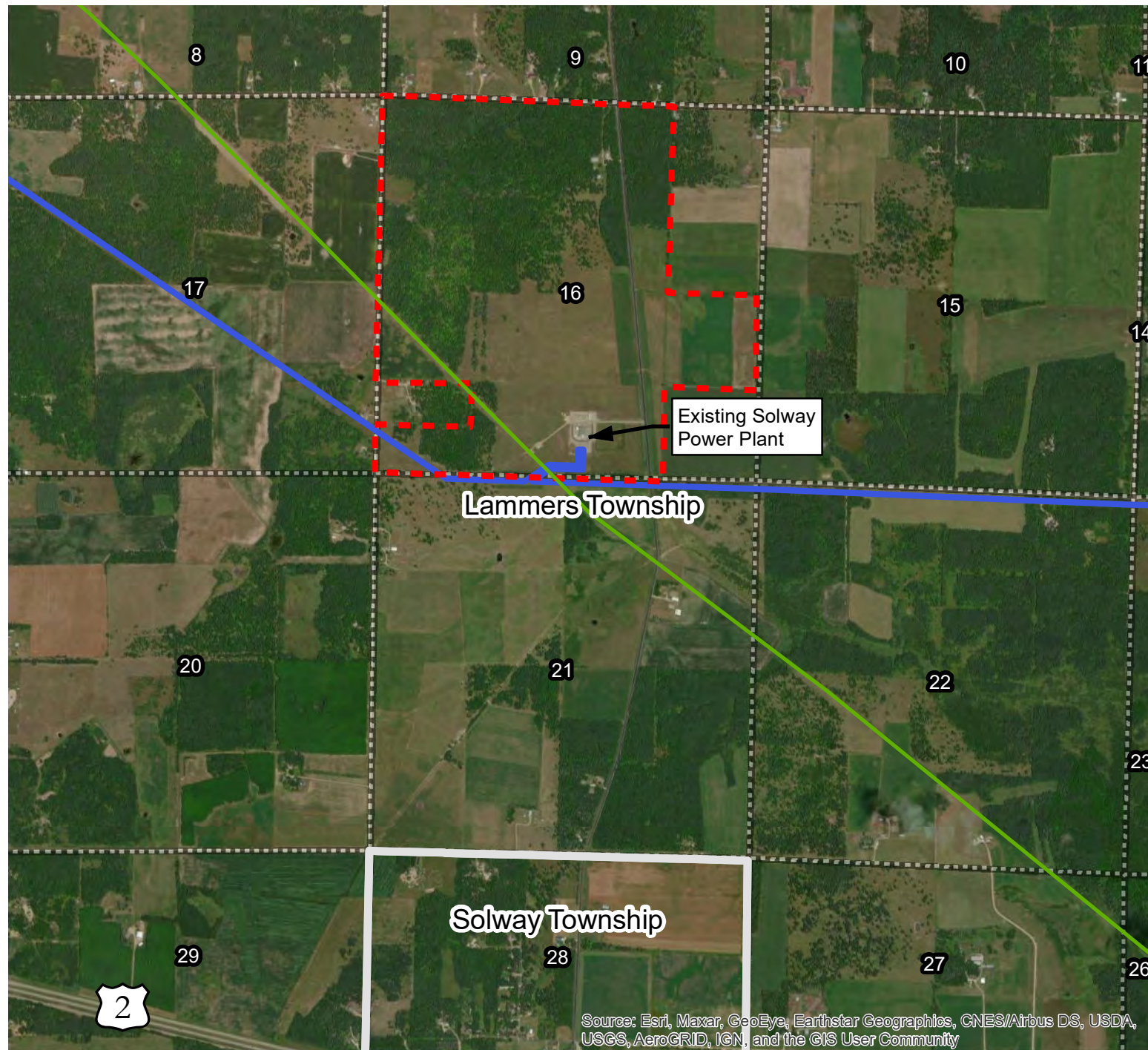
HDR

CC: Lucy Harrington, lucy.harrington@state.mn.us



LEGEND

- Project Area
- Existing 115 kV Transmission Line
- Existing Natural Gas Pipeline
- PLSS Section



Existing Solway
Power Plant

Lammers Township

Solway Township

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





June 24, 2024

Minnesota Department of Natural Resources

500 Lafayette Road

St. Paul, MN 55155

888.646.6367

info.dnr@state.mn.us

Greetings;

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of 50 MW solar energy generation facility known as the Solway Solar Project. The Project will be located near Solway, MN adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

Otter Tail has completed initial environmental due diligence and expects to file a Site Permit Application with the Public Utility Commission of Minnesota (PUC) in the coming months. An unofficial review of Minnesota Conservation Explorer (MCE) Natural Heritage Inventory System (NHIS) state-listed special concern, threatened, and endangered species within the Project right-of-way and one-mile of the Project centerline did not identify the presence of any listed species in the area of the Project (License Agreement 2022-034). Otter Tail plans to submit a formal Natural Heritage Review to the MNDNR within the coming weeks.

At present, Otter Tail is conducting further agency outreach and would appreciate your review and comment on the project as it relates to the resources your agency manages. We are looking forward to hearing from you! If you require further information or have questions about the project, please contact me at (763) 278-5928 or Dan.schmidt@hdrinc.com.

Sincerely,

Dan Schmidt

HDR



June 25, 2024

Minnesota Department of Agriculture
625 Robert St N
St. Paul, MN 55155
651.201.6000

Greetings;

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of a 50 MW solar energy generation facility known as the Solway Solar Project (Project). The Project will be located in Lammers Township in Beltrami County, adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

Otter Tail has completed initial environmental due diligence and expects to file a Site Permit Application with the Minnesota Public Utilities Commission (PUC) in the coming months.

At present, Otter Tail is conducting agency outreach and would appreciate your review and comment on the Project as it relates to the resources your agency manages. We are looking forward to hearing from you. If you require further information or have questions about the project, please contact me at (763) 278-5928 or Dan.schmidt@hdrinc.com.

Sincerely,

Dan Schmidt

HDR



June 25, 2024

Minnesota department of Transportation
395 John Ireland Blvd MS 200
St. Paul, MN 55155
651.296.3000

Greetings;

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of 50 MW solar energy generation facility known as the Solway Solar Project. The Project will be located near Solway, MN adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

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Sincerely,

Dan Schmidt

HDR



September 16, 2024

Minnesota Pollution Control Agency
Northwest Region, Detroit Lakes Office
714 Lake Ave., Suite 220
Detroit Lakes, MN 56501
218.847.1519

Greetings;

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of a 50 MW solar energy generation facility known as the Solway Solar Project (Project). The Project will be located in Lammers Township in Beltrami County, adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

Otter Tail has completed initial environmental due diligence and expects to file a Site Permit Application with the Minnesota Public Utilities Commission in the coming months.

At present, Otter Tail is conducting agency outreach and would appreciate your review and comment on the Project as it relates to the resources your agency manages. We are looking forward to hearing from you. If you require further information or have questions about the project, please contact me at (763) 278-5928 or Dan.schmidt@hdrinc.com.

Sincerely,

A handwritten signature in black ink that reads 'Dan Schmidt'. The signature is written in a cursive, flowing style.

Dan Schmidt

HDR



June 24, 2024

Office of the State Archaeologist
328 W. Kellogg Blvd.
St. Paul, MN 55102
651.201.2263
amanda.gronhovd@state.mn.us

Dear Amanda Gronhovd, State Archaeologist;

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of 50 MW solar energy generation facility known as the Solway Solar Project. The Project will be located near Solway, MN adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

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Sincerely,

Dan Schmidt

HDR

Minnesota Department of Natural Resources

From: [Baird, Owen \(DNR\)](#)
To: [Schmidt, Dan](#)
Subject: Otter Tail Solway Solar Project
Date: Monday, July 15, 2024 3:44:55 PM
Attachments: [image001.png](#)

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dan Schmidt,

Thank you for contacting the Minnesota DNR about the proposed Solway Solar Project. We appreciate the opportunity to work with the proposers prior to the Public Utilities Commission (PUC) permitting process to address any potential natural resource concerns during the project planning stage. I will be the primary DNR contact for early coordination. I am available to discuss this project with you in the coming weeks. I have preliminarily reviewed the project area and would like to make the following general comments:

Project Siting

As project plans are developed, we would appreciate more project details, including project design plans and shapefiles, when they become available in order to provide specific feedback. The DNR has developed a [Commercial Solar Siting Guidance](#) document to assist project proposers in better understanding Minnesota's regulatory landscape regarding utility-scale solar development and to minimize natural resource impacts. Please refer to this document as you develop project designs, and feel free to contact me with any questions.

Rare Features

We recommend that project proposers conduct a Natural Heritage (NH) Review to understand how their project may impact protected state-listed species and rare features. The [Minnesota Conservation Explorer](#) is a tool to enhance the delivery of Minnesota's Natural Heritage Data and to automate the Natural Heritage Review process. Please note that the only way to screen a project for impacts to state-listed species that are protected by law, is to query the Natural Heritage Information System (NHIS) database through MCE or by using a private NHIS license agreement. If rare features are identified within one mile of a project using a private license, the project should be submitted for review through MCE for further coordination with DNR. If protected species are identified within a mile, the project will be manually reviewed by Natural Heritage review staff, who will follow up with the next steps.

We also recommend initiating coordination with U.S. Fish and Wildlife Service for potential impacts to federally-listed species through the Information for Planning and Consultation [website](#).

Wildlife Movement

Project fencing type and design will be important to minimize impacts to wildlife. The DNR has developed fencing guidelines that can be found in the Commercial Solar Siting Guidance document as well as the [Fencing Handbook](#). The placement of project fencing should not funnel wildlife to busy roads that could cause vehicle collisions. Please note that coordination with DNR will be necessary to make sure that the fencing design minimizes impacts to the wildlife species located within the project vicinity. Protected state-listed species may require specific avoidance measures.

Project Vegetation Management

Minnesota has seen a dramatic decline in pollinators such as bees, butterflies, dragonflies, fireflies and other beneficial insects that support our ecosystems and food systems, which is why Minnesota has chosen to encourage the use of beneficial habitat planting in commercial solar facilities. Subdivision 1 of Minnesota Statute 216B.1642 encourages site management practices that provide native pollinator habitat and reduce stormwater runoff and erosion at solar generation sites. The statute states: *To the extent practicable, when establishing perennial vegetation and beneficial foraging habitat, a solar site owner shall use native plant species and seed mixes under Department of Natural Resources "Prairie Establishment & Maintenance Technical Guidance for Solar Projects."*

There is strong inter-agency support for providing pollinator habitat at utility-scale solar sites. The Department of Commerce, PUC, Department of Agriculture, Board of Water and Soil Resources, and the DNR have worked together to develop vegetation management plan guidelines. Thus far, all PUC-permitted solar facilities have incorporated pollinator habitat. The DNR would like to work with you as you develop a vegetation management plan to achieve the best ecological outcome.

Here are links to the mentioned documents:

[Prairie Establishment & Maintenance Technical Guidance for Solar Projects](#)
[Guidance for Developing a Vegetation Establishment and Management Plan for Solar Facilities](#)

DNR Permits

A DNR Water Appropriation Permit is required if the water pumped exceeds 10,000 gallons in a day, and/or one million gallons in one year. The DNR General Permit for Temporary Appropriation, with its lower permit application fee and reduced time for review, may be used for the dewatering if the dewatering volume is less than 50 million gallons and the time of the appropriation is less than one year. A DNR Water Appropriations Permit can also be applied for through the [Minnesota DNR Permitting and Reporting System](#).

It does not appear that the project will impact any DNR Public Waters or DNR administered lands. If work in Public Waters is proposed a Public Waters Work Permit would likely be required. A utility crossing license through the MN DNR Division of Lands and Minerals is required for utilities to cross Public Waters or State lands.

Please let me know if you have any questions and I look forward to working with you as the project progresses.

Thank you,

Owen

Owen Baird

[Regional Environmental Assessment Ecologist | Ecological and Water Resources](#)

Minnesota Department of Natural Resources

Phone: 218-580-0381

owen.baird@state.mn.us

mndnr.gov



State Historic Preservation Office

September 27, 2024

Dan Schmidt
HDR
1601 Utica Ave S, Suite 600
St Louis Park, MN 55416-3400

RE: Solway Solar Project
Construction of a 50 MW Solar Energy Generation Facility
T147 R35 S16 NW, Lammers Twp, Beltrami County
SHPO Number: 2024-1959

Dear Dan Schmidt:

Thank you for the opportunity to comment on the above referenced project. We understand that this project will require a Minnesota Public Utilities Commission site permit. Therefore, the submitted information has been reviewed pursuant to the responsibilities given the State Historic Preservation Office by the Minnesota Historic Sites Act (M.S. 138.665-666). If this project will be located on non-federal public land, the project will also be subject to review under the Minnesota Field Archaeology Act (M.S. 138.40).

Due to the nature and location of the proposed project, we recommend that a Phase I archaeological survey be completed. 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 such surveys, please visit the website preservationdirectory.mnhs.org, and select "Archaeologists" in the "Specialties" box.

We will reconsider the need for survey if the project area can be documented as previously surveyed or disturbed. Any previous survey work must meet contemporary standards. **Note:** plowed areas and right-of-way are not automatically considered disturbed. Archaeological sites can remain intact beneath the plow zone and in undisturbed portions of the right-of-way.

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 general questions regarding our review of this project, please contact me at 651-201-3285 or kelly.graggjohnson@state.mn.us. For questions regarding archaeology, please contact Lucy Harrington, Environmental Review Archaeologist, at (651) 201-3283 or lucy.harrington@state.mn.us.

Sincerely,

Kelly Gragg-Johnson

Kelly Gragg-Johnson
Environmental Review Program Specialist

October 1, 2024

Laura Koski
Cultural Resources Project Manager
HDR Engineering
laura.koski@hdrinc.com

RE: Otter Tail Power Company - Solway Solar PV Project
T147 R35 S16, Lammers Twp, Beltrami County
SHPO Number: 2024-2080

Dear Laura Koski:

Thank you for the opportunity to comment on the above referenced project. We understand that this project will require a Minnesota Public Utilities Commission site permit. Therefore, the submitted information has been reviewed pursuant to the responsibilities given the State Historic Preservation Office by the Minnesota Historic Sites Act (MS 138.665-666). If this project will be located on non-federal public land, the project will also be subject to review under the Minnesota Field Archaeology Act (MS 138.40).

Thank you for submitting the report, *Phase Ia Cultural Resources Literature Review and Assessment, Solway Solar Project* (July 29, 2024, HDR Engineering, Inc). We look forward to reviewing the Phase I survey report when it becomes available.

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 651-201-3285 or kelly.graggjohnson@state.mn.us.

Sincerely,

Kelly Gragg-Johnson

Kelly Gragg-Johnson
Environmental Review Program Specialist

Tribal Correspondence

Tribal Initial Outreach

July 2, 2024

Kevin Dupuis
Chairman
Fond du Lac Band of Lake Superior Chippewa
1720 Big Lake Rd
Cloquet, MN 55720

RE: Solway Solar Project

Dear Chairman Dupuis,

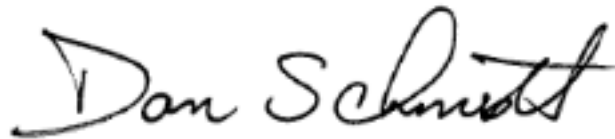
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Otter Tail has completed initial environmental due diligence and expects to file a Site Permit Application with the Minnesota Public Utilities Commission in the coming months.

At present, Otter Tail is conducting agency and Tribal outreach and would appreciate and value your input as we look to avoid or minimize impacts to Tribally significant resources, if they are present. Responses can be sent to my email address provided below. If preferred, we can have a more in-depth conversation either in-person or virtually, to discuss the project and receive your input.

We are looking forward to hearing from you. If you require further information or have questions about the project, please contact me at (763) 278-5928 or Dan.schmidt@hdrinc.com.

Sincerely,

A handwritten signature in black ink that reads "Dan Schmidt". The signature is written in a cursive, flowing style.

Dan Schmidt
Senior Project Manager

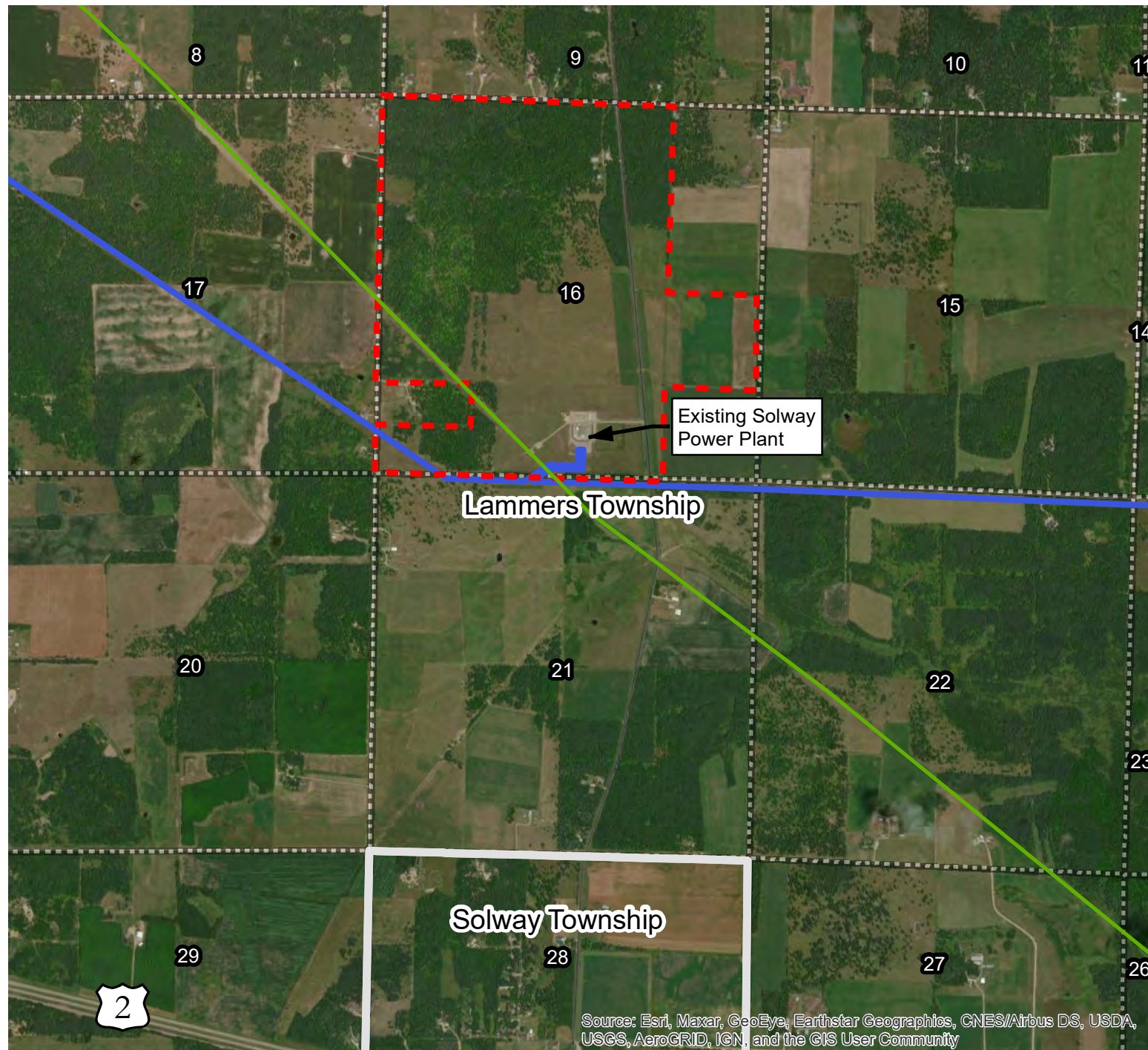
CC: Evan Shroeder

Attachments:



LEGEND

- Project Area
- Existing 115 kV Transmission Line
- Existing Natural Gas Pipeline
- PLSS Section



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

July 2, 2024

Catherine Chavers
Chairwoman
Bois Forte Band of Chippewa
5344 Lakeshore Drive
Nett Lake, MN 55772

RE: Solway Solar Project

Dear Chairwoman Chavers,

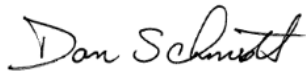
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Dan Schmidt
Senior Project Manager
HDR

CC: Jaylen Strong

Attachments:

July 2, 2024

Robert Deschampe
Chairman
Grand Portage Band of Lake Superior Chippewa
83 Stevens Rd, P.O. Box 428
Grand Portage, MN 55605

RE: Solway Solar Project

Dear Chairman Deschampe,

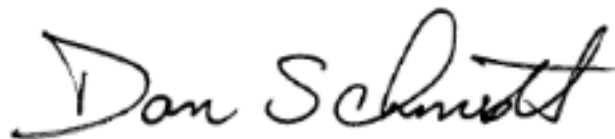
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Sincerely,

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Dan Schmidt
Senior Project Manager

CC: Rob Hull

Attachments:

July 2, 2024

Faron Jackson
Chairman
Leech Lake Band of Ojibwe
190 Sailstar Drive NE
Cass Lake, MN 56633

RE: Solway Solar Project

Dear Chairman Jackson,

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of a 50 MW solar energy generation facility known as the Solway Solar Project (Project). The Project will be located in Lammers Township in Beltrami County, adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

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Sincerely,



Dan Schmidt
Senior Project Manager
HDR

CC: Gina Lemon

Attachments:

July 2, 2024

Robert Larsen
President
Lower Sioux Indian Community
39527 Reservation Hwy. 1, PO Box 308
Morton, MN 56270

RE: Solway Solar Project

Dear President Larsen,

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of a 50 MW solar energy generation facility known as the Solway Solar Project (Project). The Project will be located in Lammers Township in Beltrami County, adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

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Sincerely,



Dan Schmidt
Senior Project Manager
HDR

CC: Cheyanne St. John

Attachments:

July 2, 2024

Melanie Benjamin
Chief Executive
Mille Lacs Band of Ojibwe
43408 Oodena Drive
Onamia, MN 56359

RE: Solway Solar Project

Dear Chief Executive Benjamin,

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of a 50 MW solar energy generation facility known as the Solway Solar Project (Project). The Project will be located in Lammers Township in Beltrami County, adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

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Sincerely,



Dan Schmidt
Senior Project Manager
HDR

CC: Mike Wilson

Attachments:

July 2, 2024

Cathy Chavers
President
Minnesota Chippewa Tribe
PO Box 217
Cass Lake, MN 56633

RE: Solway Solar Project

Dear President Chavers,

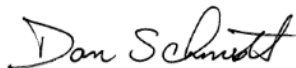
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Sincerely,



Dan Schmidt
Senior Project Manager
HDR

CC: Elizabeth Drost, Rob Hull

Attachments:

July 2, 2024

Grant Johnson
President
Prairie Island Indian Community
5636 Sturgeon Lake Road
Welch, MN 55089

RE: Solway Solar Project

Dear President Johnson,

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of a 50 MW solar energy generation facility known as the Solway Solar Project (Project). The Project will be located in Lammers Township in Beltrami County, adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

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Sincerely,

A handwritten signature in black ink that reads "Dan Schmidt". The signature is written in a cursive, flowing style.

Dan Schmidt
Senior Project Manager
HDR

CC: Noah White

Attachments:

July 2, 2024

Darrell Seki
Chairman
Red Lake Band of Chippewa Indians
15484 Migizi Drive
Red Lake, MN 56671

RE: Solway Solar Project

Dear Chairman Seki,

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of a 50 MW solar energy generation facility known as the Solway Solar Project (Project). The Project will be located in Lammers Township in Beltrami County, adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

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Sincerely,



Dan Schmidt
Senior Project Manager

Attachments:

July 2, 2024

Cole Miller
Chairman
Shakopee Mdewakanton Sioux Community
2330 Sioux Trail NW
Prior Lake, MN 55372

RE: Solway Solar Project

Dear Chairman Miller,

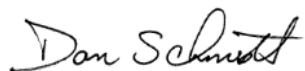
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Sincerely,



Dan Schmidt
Senior Project Manager
HDR

CC: Leonard Wabasha

Attachments:

July 2, 2024

Kevin Jensvold
Chairman
Upper Sioux Community
5722 Traver Lane, PO Box 147
Granite Falls, MN 56241

RE: Solway Solar Project

Dear Chairman Jensvold,

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Sincerely,



Dan Schmidt
Senior Project Manager
HDR

CC: Samantha Odegard

Attachments:

July 2, 2024

Michael Fairbanks
Chairman
White Earth Nation
35500 Eagle View Road
Ogema, MN 56569

RE: Solway Solar Project

Dear Chairman Fairbanks,

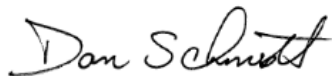
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We are looking forward to hearing from you. If you require further information or have questions about the project, please contact me at (763) 278-5928 or Dan.schmidt@hdrinc.com.

Sincerely,



Dan Schmidt
Senior Project Manager
HDR

CC: Jaime Arsenault

Attachments:



June 24, 2024

Minnesota Indian Affairs Council

161 Rondo Avenue, Ste. 919

St. Paul, MN 55103

651.539.2202

Shannon.geshick@state.mn.us

Dear Shannon Geshick, Executive Director;

HDR Engineering, Inc (HDR) is assisting Otter Tail Power Company (Otter Tail) with the development of a 50 MW solar energy generation facility known as the Solway Solar Project (Project). The Project will be located in Lammers Township in Beltrami County, adjacent to Otter Tail's existing Solway Power Plant. See the attached map.

Otter Tail has completed initial environmental due diligence and expects to file a Site Permit Application with the Minnesota Public Utilities Commission in the coming months.

At present, Otter Tail is conducting agency outreach and would appreciate your review and comment on the Project as it relates to the resources your agency manages. We are looking forward to hearing from you. If you require further information or have questions about the project, please contact me at (763) 278-5928 or Dan.schmidt@hdrinc.com.

Sincerely,

Dan Schmidt

HDR

CC: Dylan Goetsch, dylan.goetsch@state.mn.us

**Tribal Correspondence: Shakopee Mdewakanton Sioux
Community, Lower Sioux Indian Community, Upper Sioux
Community, Leech Lake Band of Ojibwe**



LEECH LAKE BAND OF OJIBWE

Tribal Historic Preservation Office

Gina M Lemon, Tribal Historic Preservation Officer

Anita M Cloud, Tribal Historic Preservation Assistant

September 9, 2024

Via Internet

HDR, Inc.

Attn: Laura Koski, M.S., RPA – Cultural Resources Project Manager

1601 Utica Avenue South – Suite 600

St. Louis Park, MN 55416-3400

RE: Solway Solar Cultural Survey Interest

The project proposed is the development of a 50 MW solar energy generation facility. The project will be located in Lammers Township, adjacent to Otter Tail's existing Solway Power Plant.

Centerline Rd. NW

Solway, MN 56678

SW¼ of the NE¼ of Sec. 21, T.147N, R.35W. 5th P.M.

Latitude: 47° 32' 40.6" N

Longitude: 95° 07' 46.7" W

LL THPO No. 24-450-NCRI

Dear Laura Koski,

Thank you for the opportunity to comment on the above referenced project. This has been reviewed pursuant to the responsibilities given to the Tribal Historic Preservation Officer (THPO) by the National Historic Preservation Act of 1966, as amended in 1992, and the Procedures of the Advisory Council on Historic Preservation (38CFR800).

I have reviewed the documentation. After careful consideration of our records, I have determined that the Leech Lake Band of Ojibwe does not have any recorded historic properties, within this area. ** This does not mean there are not any cultural resources present, at this time. **

Should any human remains or suspected human remains be encountered, all work shall cease and the following personnel should be notified immediately: County Sheriff's Office, Office of the State Archaeologist, and the Leech Lake Band of Ojibwe along with other interested parties.

Please note the above determination does not "exempt" future projects from Section 106 review. In the event of any other tribe notifying you of an issue or us (LLBO) of concerns for this specific project, we may reenter into the consultation process.

You may contact me at **(218) 335-2940** if you have questions regarding our review of this project. Please refer to the **LL-THPO Number** as stated above in all correspondence with this project.

Respectfully submitted,

Gina M Lemon

Tribal Historic Preservation Officer

Leech Lake Tribal Historic Preservation Office - Established in 1996

190 Sailstar Drive NE * Cass Lake, MN 56633

Gina.lemon@llojibwe.net

From: [Koski, Laura Joreen](#)
To: [Anita Cloud](#)
Cc: [gina.lemon](#)
Subject: RE: thpo # 24-450
Date: Thursday, September 12, 2024 9:13:00 AM
Attachments: [image002.png](#)
[image003.png](#)

Thank you for the comment letter, Anita and Gina. I will ensure this is added to the Project record with Otter Tail Power Company.

As you note in your letter, the Leech Lake Band of Ojibwe not having historic properties on record within the Project area does not mean cultural resources do not exist here. Otter Tail Power Company is conducting archaeological survey of the entire Project area in October. Both the Upper Sioux Community and Lower Sioux Indian Community anticipate sending TCSs to accompany this survey.

Please feel free to reach out if any questions arise about the Solway Solar project.

Laura Koski, M.S., RPA
M 612.323.6147

hdrinc.com/follow-us

From: Anita Cloud <anita.cloud@llojibwe.net>
Sent: Wednesday, September 11, 2024 2:31 PM
To: Koski, Laura Joreen <laura.koski@hdrinc.com>
Cc: gina.lemon <gina.lemon@llojibwe.net>
Subject: thpo # 24-450

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Have a good day..

Respectfully,

Anita M Cloud

Leech Lake Band of Ojibwe
Tribal Historic Preservation Assistant
190 Sailstar Drive NE
Cass Lake, MN 56633
anita.cloud@llojibwe.net

Anita Cloud

Tribal Historic Preservation Assistant



anita.cloud@llojibwe.net

<http://www.llojibwe.org/>

190 Sailstar Drive NW, Cass Lake, MN 56633



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From: [Gina Lemon](#)
To: [Koski, Laura Joreen](#); [Anita Cloud](#)
Subject: RE: thpo # 24-450
Date: Monday, September 16, 2024 9:36:26 AM
Attachments: [image004.jpg](#)
[image005.png](#)
[image006.png](#)
[23915877_1728482667226169_360842965325774815_n_92cf24c6-a743-4bc7-a529-4a37ae507645.jpg](#)
[036_sm_fb_a1347472-45be-4a0b-af83-b901fa688c57.png](#)
[036_sm_twitter_ead36a19-13db-46c4-9186-b34bea9f203c.png](#)

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Laura,

We understand that there may be cultural resources present, we are stating that we do not have record of any identified. I am glad to see the Upper and Lower Sioux Communities have the staff to send to conduct TCSs. Thank you!

Gina M. Lemon, Tribal Historic Preservation Officer
Leech Lake Band of Ojibwe
109 Sailstar Drive NW
Cass Lake, MN 56633

Office: 218-335-2940/Cell: 218-368-3668
Please leave a message if I do not answer, thank you!

Gina Lemon
THPO



gina.lemon@llojibwe.net
<http://www.llojibwe.org/>
190 Sailstar Drive NW, Cass Lake, MN 56633



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From: Koski, Laura Joreen <laura.koski@hdrinc.com>
Sent: Thursday, September 12, 2024 9:13 AM
To: Anita Cloud <anita.cloud@llojibwe.net>
Cc: Gina Lemon <gina.lemon@llojibwe.net>
Subject: RE: thpo # 24-450

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Thank you for the comment letter, Anita and Gina. I will ensure this is added to the Project record with Otter Tail Power Company.

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M 612.323.6147

hdrinc.com/follow-us

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Have a good day..

Respectfully,

Anita M Cloud

Leech Lake Band of Ojibwe
Tribal Historic Preservation Assistant
190 Sailstar Drive NE
Cass Lake, MN 56633
anita.cloud@llojibwe.net

Anita Cloud**Tribal Historic Preservation Assistant**

anita.cloud@llojibwe.net

<http://www.llojibwe.org/>

190 Sailstar Drive NW, Cass Lake, MN 56633



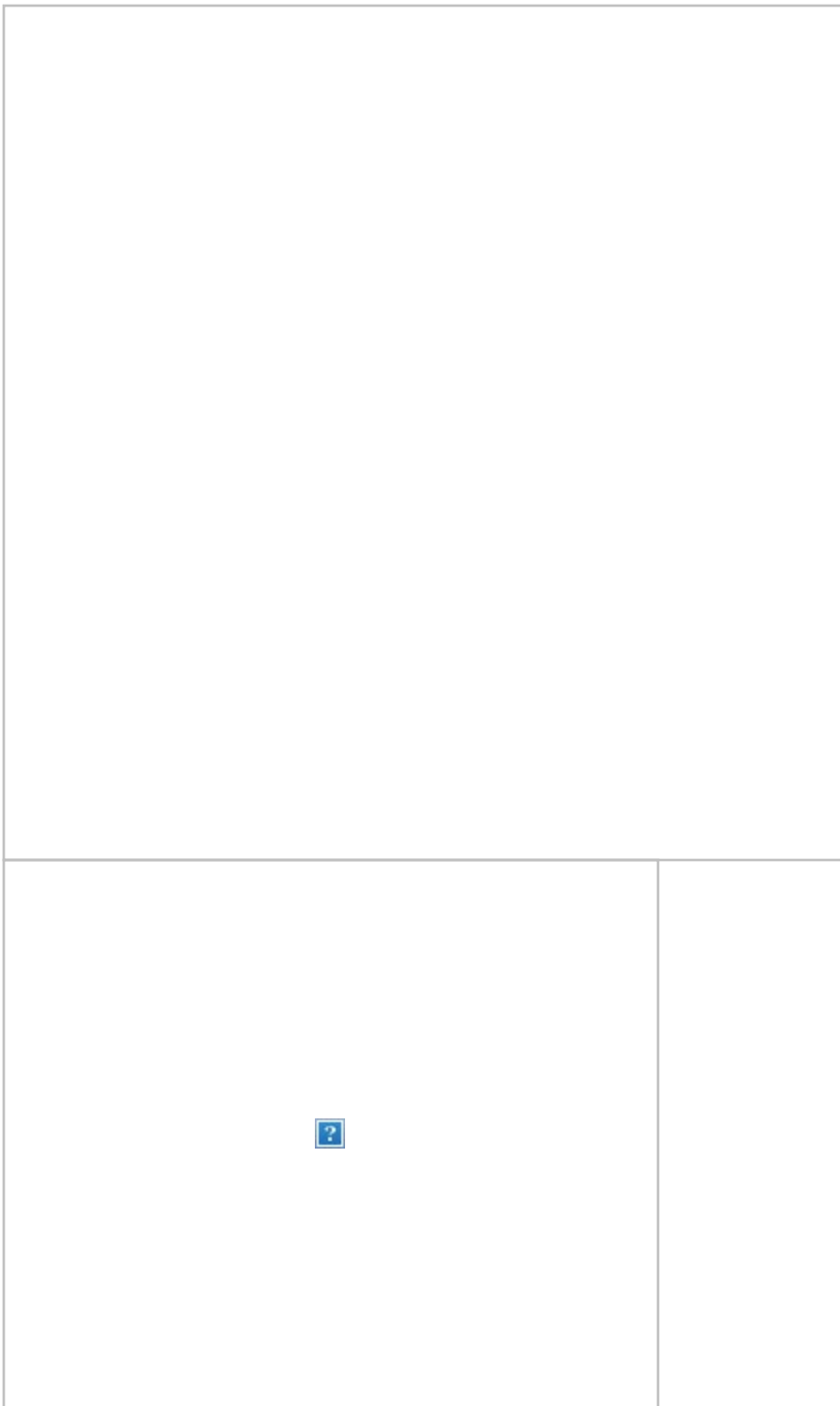
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From: [Koski, Laura Joreen](#)
To: [Samantha Odegard](#)
Cc: drew.brockman@gmail.com
Subject: RE: Solway Solar Cultural Survey Interest
Date: Tuesday, September 10, 2024 9:29:00 AM
Attachments: [Solway_TaxParcel_20240730.zip](#)
[image001.png](#)
[image002.png](#)

Alright, sounds good. With that, Merjent is planning on starting the Solway survey October 14th. It will likely only take 2-3 days, but they have the week booked through the 19th for the project just in case.

Attached is the .shp of the project area to be surveyed (and screenshot below).

Please let me know if there are any questions in the meantime – and let me know if you would like HDR's assistance booking TCS hotels, or if you plan to do that in house.



Laura Koski, M.S., RPA
M 612.323.6147

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From: Samantha Odegard <samanthao@uppersiouxcommunity-nsn.gov>
Sent: Monday, September 9, 2024 12:45 PM
To: Koski, Laura Joreen <Laura.Koski@hdrinc.com>

Cc: drew.brockman@gmail.com

Subject: Re: Solway Solar Cultural Survey Interest

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Hey Laura,

I don't think it should have much of an impact on our field crew or those of us that are technically office staff.

Samantha Odegard

Tribal Historic Preservation Officer | Upper Sioux Community | Phone: 320-564-6334

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From: Koski, Laura Joreen <Laura.Koski@hdrinc.com>

Sent: Tuesday, September 3, 2024 3:24 PM

To: Samantha Odegard <samanthao@uppersiouxcommunity-nsn.gov>

Subject: RE: Solway Solar Cultural Survey Interest

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Samantha,

Merjent is now looking at completing this survey in October. They are looking at the weeks of October 14th or October 21st. We are aware October 14th is Indigenous Peoples' Day, and we are wondering if this impacts your TCS field schedule.

Merjent is willing to do whichever or those two weeks works best for your team.

Laura Koski, M.S., RPA

M 612.323.6147

[//hdrinc.com/follow-us](https://hdrinc.com/follow-us)

From: Koski, Laura Joreen <Laura.Koski@hdrinc.com>

Sent: Tuesday, August 27, 2024 4:26 PM

To: Samantha Odegard <samanthao@uppersiouxcommunity-nsn.gov>

Subject: RE: Solway Solar Cultural Survey Interest

Sounds good. I've sent your contact info along. You can expect to hear from a Paul Vukonich RE contracting.

I will also reach out once I have solid survey dates from Merjent. Is there a window in the second half of September that works best for you that I can send on?

Lower Sioux Indian Community has also expressed interest in sending TCSs, but I haven't heard back from Cheyenne in the past couple of weeks.

Laura Koski, M.S., RPA

M 612.323.6147

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From: Samantha Odegard <samanthao@uppersiouxcommunity-nsn.gov>

Sent: Tuesday, August 27, 2024 4:13 PM

To: Koski, Laura Joreen <Laura.Koski@hdrinc.com>

Subject: Re: Solway Solar Cultural Survey Interest

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It can go through me, I can cover some of the basics then send it over to our tribal attorney for review and approval.

Samantha Odegard
Tribal Historic Preservation Officer
Upper Sioux Community
Pezihutazizi Oyate

From: Koski, Laura Joreen <Laura.Koski@hdrinc.com>

Sent: Tuesday, August 27, 2024 3:56:25 PM

To: Samantha Odegard <samanthao@uppersiouxcommunity-nsn.gov>

Subject: RE: Solway Solar Cultural Survey Interest

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That's great! I know you typically prefer to send two TCSs, so that is up to you and your team's capacity.

Do you have a contracting contact I can send to Otter Tail Power Company? Or should they contact you directly?

Laura Koski, M.S., RPA

M 612.323.6147

[///hdrinc.com/follow-us](https://hdrinc.com/follow-us)

From: Samantha Odegard <samanthao@uppersiouxcommunity-nsn.gov>

Sent: Tuesday, August 27, 2024 3:54 PM

To: Koski, Laura Joreen <Laura.Koski@hdrinc.com>

Subject: Re: Solway Solar Cultural Survey Interest

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Yes if still looking at late September I think we can make that work. One or two TCS?

Samantha Odegard

Tribal Historic Preservation Officer | Upper Sioux Community | Phone: 320-564-6334

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From: Koski, Laura Joreen <Laura.Koski@hdrinc.com>

Sent: Tuesday, August 27, 2024 10:32 AM

To: Samantha Odegard <samanthao@uppersiouxcommunity-nsn.gov>

Subject: RE: Solway Solar Cultural Survey Interest

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Hi Samantha,

On the phone last Tuesday you said you may have capacity to send one or more TCSs up for this project. Have you had a chance to determine this yet?

We're looking to hear back from those interested in joining by 8/30 so we can get going on setting up contracts prior to the start of fieldwork.

Laura Koski, M.S., RPA

M 612.323.6147

<http://hdrinc.com/follow-us>

From: Koski, Laura Joreen

Sent: Monday, August 19, 2024 1:50 PM

To: Samantha Odegard <samanthao@uppersiouxcommunity-nsn.gov>

Subject: Solway Solar Cultural Survey Interest

Hello Samantha,

I'm reaching out to follow-up on a voicemail I left August 9th about the Solway Solar project proposed by Otter Tail Power Company (Otter Tail) north of Solway in Beltrami County, MN.

You should have received the attached project details letter in June of this year along with the attached project map. HDR is currently helping Otter Tail complete a Site Permit Application for the PUC and is coordinating the cultural survey for this project. We are contracting with Merjent to complete the archaeological survey in the latter half of September this year. Survey should take less

than one week.

Would the Upper Sioux Community have interest in and/or availability to accompany the survey in late September? Contracting for TCS payment would be handled by Otter Tail Power Company, though I will be helping coordinate communications and scheduling for the survey itself.

To facilitate planning, it would be ideal to hear of interest by Friday, August 23d. However, considering the busy season, we can wait for your reply until August 30th at the latest.

Feel free to reply to this email or call me at 612-323-6147. I am happy to answer any questions.

Laura Koski, M.S., RPA

Cultural Resources Project Manager

HDR

1601 Utica Avenue South, Suite 600

St. Louis Park, MN 55416-3400

M 612.323.6147

laura.koski@hdrinc.com

<http://www.hdrinc.com/follow-us>

From: [Bill Rudnicki \(TO\)](#)
To: [Leonard Wabasha \(TO\)](#); [Koski, Laura Joreen](#)
Subject: Re: Solway Solar Cultural Survey Interest
Date: Monday, August 19, 2024 2:34:14 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

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Thanks, for this particular project and its location, no need to keep me informed.



BILL RUDNICKI

Tribal Administrator • Tribal Administration
Shakopee Mdewakanton Sioux Community
d: 952.496.6145
[ShakopeeDakota.org](#)
bill.rudnicki@shakopeedakota.org

The Shakopee Mdewakanton Sioux Community is a federally recognized, sovereign Indian tribe located southwest of Minneapolis/St. Paul. With a focus on being a good neighbor, good steward of the earth, and good employer, the SMSC is committed to charitable donations, community partnerships, a healthy environment, and a strong economy.

From: Leonard Wabasha <leonard.wabasha@shakopeedakota.org>
Date: Monday, August 19, 2024 at 2:11 PM
To: "Koski, Laura Joreen" <Laura.Koski@hdrinc.com>
Cc: william Rudnicki <bill.rudnicki@shakopeedakota.org>
Subject: RE: Solway Solar Cultural Survey Interest

You can keep Bill updated if you so choose... and Thank you again...



LEONARD WABASHA

Tribal Historic Preservation Officer • Cultural Resources
Shakopee Mdewakanton Sioux Community
d: 952.496.6120
[shakopeedakota.org](#)
Leonard.Wabasha@shakopeedakota.org

The Shakopee Mdewakanton Sioux Community is a federally recognized, sovereign Indian tribe located southwest of Minneapolis/St. Paul. With a focus on being a good neighbor, good steward of the earth, and good employer, the SMSC is committed to charitable donations, community partnerships, a healthy environment, and a strong economy.

From: Koski, Laura Joreen <Laura.Koski@hdrinc.com>
Sent: Monday, August 19, 2024 2:09 PM
To: Leonard Wabasha (TO) <leonard.wabasha@shakopeedakota.org>
Cc: Bill Rudnicki (TO) <bill.rudnicki@shakopeedakota.org>
Subject: RE: Solway Solar Cultural Survey Interest

You don't often get email from laura.koski@hdrinc.com. [Learn why this is important](#)

This message came from **outside the organization**. Do Not click on links, open attachments or respond unless you know the content is safe.

Hello Again Leonard,

Thank you so much for the quick response. I will note that you would like to follow this project as it progresses.

Should Bill Rudnicki be included in future project updates?

Laura Koski, M.S., RPA
M 612.323.6147

hdrinc.com/follow-us

From: Leonard Wabasha (TO) <leonard.wabasha@shakopeedakota.org>
Sent: Monday, August 19, 2024 2:02 PM
To: Koski, Laura Joreen <Laura.Koski@hdrinc.com>
Cc: Bill Rudnicki (TO) <bill.rudnicki@shakopeedakota.org>
Subject: RE: Solway Solar Cultural Survey Interest

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Laura

Sorry to hear you didn't receive my response, the SMSC is leaving direct consultation to those Federally Recognized Tribes closer to the proposed project area in Beltrami County and any other Tribal Nation with interest... we would however like to be kept informed. Thanks and Have a Great Day!

Respectfully,



LEONARD WABASHA

Tribal Historic Preservation Officer • Cultural Resources
Shakopee Mdewakanton Sioux Community
d: 952.496.6120
shakopeedakota.org
Leonard.Wabasha@shakopeedakota.org

The Shakopee Mdewakanton Sioux Community is a federally recognized, sovereign Indian tribe located southwest of Minneapolis/St. Paul. With a

focus on being a good neighbor, good steward of the earth, and good employer, the SMSC is committed to charitable donations, community partnerships, a healthy environment, and a strong economy.

From: Koski, Laura Joreen <Laura.Koski@hdrinc.com>
Sent: Monday, August 19, 2024 1:48 PM
To: Leonard Wabasha (TO) <leonard.wabasha@shakopeedakota.org>
Subject: Solway Solar Cultural Survey Interest

You don't often get email from laura.koski@hdrinc.com. [Learn why this is important](#)

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Hello Leonard,

I'm reaching out to follow-up on a voicemail I left August 9th about the Solway Solar project proposed by Otter Tail Power Company (Otter Tail) north of Solway in Beltrami County, MN.

You should have received the attached project details letter in June of this year along with the attached project map. HDR is currently helping Otter Tail complete a Site Permit Application for the PUC and is coordinating the cultural survey for this project. We are contracting with Merjent to complete the archaeological survey in the latter half of September this year. Survey should take less than one week.

Would the Shakopee Mdewakanton Sioux Community have interest in and/or availability to accompany the survey in late September? Contracting for TCS payment would be handled by Otter Tail Power Company, though I will be helping coordinate communications and scheduling for the survey itself.

To facilitate planning, it would be ideal to hear of interest by Friday, August 23d. However, considering the busy season, we can wait for your reply until August 30th at the latest.

Feel free to reply to this email or call me at 612-323-6147. I am happy to answer any questions.

Laura Koski, M.S., RPA
Cultural Resources Project Manager

HDR
1601 Utica Avenue South, Suite 600
St. Louis Park, MN 55416-3400
M 612.323.6147
laura.koski@hdrinc.com

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If you have received this communication in error, please notify the sender and delete the message from your system. Thank you!

~~~~~

From: [Koski, Laura Joreen](#)
To: [Cheyanne St. John](#); [Vukonich, Paul](#); [Nizhoni Smith](#); peter.radermacher@lowersioux.com
Subject: RE: Otter Tail Solway Solar Cultural Resources Assessment
Date: Friday, September 20, 2024 1:34:00 PM
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)

Hello Cheyanne,

Considering the size of the project area, I would expect one tribal monitor would be sufficient – two would be needed at a maximum.

The nearest city is Bemidji – they have an Americinn by Wyndham, a chain HDR often uses. It's about 15 minutes from the project area:

Americinn by Wyndham Bemidji
1200 Paul Buyan Dr NW, Bemidji, MN 556601

If that is full, we also often use the Country Inn and Suites chain – which is also in Bemidji about 23 min from the project area:

Country Inn & Suites by Radisson, Bemidji
927 Lake Shore Dr NE, Bemidji, MN 56601

We look forward to working with you and your tribal monitors on the project!

Laura Koski, M.S., RPA
M 612.323.6147

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From: Cheyanne St. John <cheyanne.stjohn@lowersioux.com>
Sent: Friday, September 20, 2024 1:17 PM
To: Vukonich, Paul <pvukonich@otpc.com>; Nizhoni Smith <nizhoni.smith@lowersioux.com>; peter.radermacher@lowersioux.com
Cc: Koski, Laura Joreen <Laura.Koski@hdrinc.com>
Subject: RE: Otter Tail Solway Solar Cultural Resources Assessment

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Yes our office is still interested in participating. Can you please identify how many tribal monitors you will need from our office? Do you have recommendations for lodging? We are still undergoing the legal review for the project, hopefully we will have it

completed by the deadline. Thank you for the check in.

Cheyenne St. John | THPO/Director
507.697-8672 office
Lower Sioux Indian Comm. | 39527 Res Hwy I
Morton MN 56270 | Cheyanne.stjohn@lowersioux.com

From: Vukonich, Paul <pvukonich@otpc.com>
Sent: Friday, September 13, 2024 9:45 AM
To: Nizhoni Smith <nizhoni.smith@lowersioux.com>; peter.radermacher@lowersioux.com
Cc: Koski, Laura Joreen <Laura.Koski@hdrinc.com>; Cheyanne St. John <cheyanne.stjohn@lowersioux.com>
Subject: [External]Otter Tail Solway Solar Cultural Resources Assessment

Good morning,

Cheyenne St. John referred our project team to you in order to further discuss the Lower Sioux Community's interest to participate in the cultural resources assessment for the planned Solway Solar project near Solway, MN. I wanted to confirm your participation interest and let you know that we have tentatively scheduled the assessment for October 14, 2024. Attached is the initial notification letter sent on July 2, 2024 as well as Otter Tail's standard tribal engagement agreement that we would look to you to complete and return if participation in the cultural assessment process is desired.

Please reach out to me to confirm receipt of this email and don't hesitate to give me a call if you have any questions.

Have a good weekend,

Paul



Paul Vukonich, PE
Manager, Environmental Compliance
Otter Tail Power Company
218-739-8349
Cell: 218-205-0119
otpc.com



From: [Vukonich, Paul](#)
To: nizhoni.smith@lowersioux.com; peter.radermacher@lowersioux.com
Cc: [Koski, Laura Joreen](#); [cheyanne.stjohn](#)
Subject: Otter Tail Solway Solar Cultural Resources Assessment
Date: Friday, September 13, 2024 9:48:26 AM
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[Tribal Engagement Solway Solar Lower Sioux.docx](#)
[solway tribal lower sioux July 2024.docx](#)

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Good morning,

Cheyenne St. John referred our project team to you in order to further discuss the Lower Sioux Community's interest to participate in the cultural resources assessment for the planned Solway Solar project near Solway, MN. I wanted to confirm your participation interest and let you know that we have tentatively scheduled the assessment for October 14, 2024. Attached is the initial notification letter sent on July 2, 2024 as well as Otter Tail's standard tribal engagement agreement that we would look to you to complete and return if participation in the cultural assessment process is desired.

Please reach out to me to confirm receipt of this email and don't hesitate to give me a call if you have any questions.

Have a good weekend,

Paul



Paul Vukonich, PE
Manager, Environmental Compliance
Otter Tail Power Company
218-739-8349
Cell: 218-205-0119
otpc.com



From: [Cheyanne St. John](#)
To: [Koski, Laura Joreen](#)
Subject: RE: Solway Solar Cultural Survey Interest
Date: Wednesday, September 11, 2024 3:30:22 PM
Attachments: [image001.png](#)
[image002.png](#)

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Yes Lower Sioux would like to participate in the tribal monitoring and field work. The legal counsel was cc'd on earlier emails, here are their email addresses:

Nizhoni.smith@lowersioux.com

Peter.radermacher@lowersioux.com

Cheyanne

From: Koski, Laura Joreen <Laura.Koski@hdrinc.com>
Sent: Tuesday, September 10, 2024 9:36 AM
To: Cheyanne St. John <cheyanne.stjohn@lowersioux.com>
Subject: [External]RE: Solway Solar Cultural Survey Interest

Hi Cheyanne,

We still haven't received confirmation of the email addresses for Nizhoni and Peter – do you know if Otter Tail Power Company has reached your office yet RE contracting?

Merjent is planning on starting the Solway survey October 14th (apologies – it got pushed form late September). It will likely only take 2-3 days, but they have the week booked through the 19th for the project just in case.

I know your office email doesn't receive shapefiles well, so here are coordinates for the project location instead: 47.550192° , -95.126932° (screenshot below over LiDAR and project map attached again). The plan is to start with TCS walkover, then shovel test in the northwesternmost corner (assessed as highest likelihood for subsurface archaeological deposits) if approved by TCS(s). Then there are some LiDAR anomalies (circled in red in the close-up shot below) Merjent intends to investigate as well along the northern edge of the project area, west of the residence.

Please let me know if there are any questions in the meantime – and let me know if you would like HDR's assistance booking TCS hotels, or if you plan to do that in house.



Laura Koski, M.S., RPA
M 612.323.6147

hdrinc.com/follow-us

From: Koski, Laura Joreen <Laura.Koski@hdrinc.com>

Sent: Wednesday, August 28, 2024 3:18 PM

To: Cheyanne St. John <cheyanne.stjohn@lowersioux.com>

Subject: RE: Solway Solar Cultural Survey Interest

Thanks Cheyanne – looks like Nizhoni and Peter's cc'd emails didn't come through. Can I assume they're likely nizhoni.smith@lowersioux.com and peter.radermacher@lowersioux.com?

Laura Koski, M.S., RPA

M 612.323.6147

hdrinc.com/follow-us

From: Cheyanne St. John <cheyanne.stjohn@lowersioux.com>

Sent: Wednesday, August 28, 2024 1:43 PM

To: Koski, Laura Joreen <Laura.Koski@hdrinc.com>

Subject: RE: Solway Solar Cultural Survey Interest

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Laura,

As far as a contract contact I suggest connecting with our legal counsel, Nizhoni Smith and Peter Radermacher, both cc'd here. I do have confirmation of two tribal monitors available to mobilize in mid/late September, it would be somewhat contingent on the exact dates. Once you have more detailed information I can send that off to them and begin prepping.

Please let me know if anything is needed to complete the contract review, or getting the team onsite. I look forward to working with you all.

Cheyenne St. John | THPO/Director

507.697-8672 office

Lower Sioux Indian Comm. | 39527 Res Hwy I

Morton MN 56270 | Cheyanne.stjohn@lowersioux.com

From: Koski, Laura Joreen <Laura.Koski@hdrinc.com>

Sent: Tuesday, August 20, 2024 3:14 PM

To: Cheyanne St. John <cheyanne.stjohn@lowersioux.com>

Subject: [External]RE: Solway Solar Cultural Survey Interest

Hello Cheyanne,

I'm so glad your office is interested in joining the cultural survey! Otter Tail Power Company would be contracting directly with Lower Sioux Indian Community to hire the tribal monitor(s). I have asked Otter Tail Power Company for a contact your team can work with to set up a contract directly with them. Do you have a contracting contact on your team I should connect with the Otter Tail contact?

Do you know when you may have confirmation of tribal monitor availability for late September?

And lastly, would you or your colleagues with the Lower Sioux Indian Community be interested in a virtual project informational meeting with Otter Tail Power? Or are the letter and map provided sufficient for project details?

Laura Koski, M.S., RPA
M 612.323.6147

hdrinc.com/follow-us

From: Cheyanne St. John <cheyanne.stjohn@lowersioux.com>
Sent: Monday, August 19, 2024 2:35 PM
To: Koski, Laura Joreen <Laura.Koski@hdrinc.com>
Subject: RE: Solway Solar Cultural Survey Interest

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Laura,

Thank you for the invitation to join your team on a cultural survey for the Solway Solar project. Our office would like to participate in the cultural survey, right now our office is awaiting confirmation from tribal monitors on their Sept. availability.

Can we look at completing a work agreement for payment of the tribal monitor services?

I'm not sure if that will through Merjent or HDR?

I look forward to working with you all.

Cheyenne St. John | THPO/Director
507.697-8672 office
Lower Sioux Indian Comm. | 39527 Res Hwy I
Morton MN 56270 | [Cheyanne.stjohn@lowersioux.com](mailto:Cheyenne.stjohn@lowersioux.com)

From: Koski, Laura Joreen <Laura.Koski@hdrinc.com>

Sent: Monday, August 19, 2024 1:39 PM
To: Cheyanne St. John <cheyanne.stjohn@lowersioux.com>
Subject: [External]Solway Solar Cultural Survey Interest

Hello Cheyanne,

I'm reaching out to follow-up on a voicemail I left August 9th about the Solway Solar project proposed by Otter Tail Power Company (Otter Tail) north of Solway in Beltrami County, MN.

You should have received the attached project details letter in June of this year along with the attached project map. HDR is currently helping Otter Tail complete a Site Permit Application for the PUC and is coordinating the cultural survey for this project. We are contracting with Merjent to complete the archaeological survey in the latter half of September this year. Survey should take less than one week.

Would the Lower Sioux Indian Community have interest in and/or availability to accompany the survey in late September? Contracting for TCS payment would be handled by Otter Tail Power Company, though I will be helping coordinate communications and scheduling for the survey itself.

To facilitate planning, it would be ideal to hear of interest by Friday, August 23d. However, considering the busy season, we can wait for your reply until August 30th at the latest.

Feel free to reply to this email or call me at 612-323-6147. I am happy to answer any questions.

Laura Koski, M.S., RPA
Cultural Resources Project Manager

HDR
1601 Utica Avenue South, Suite 600
St. Louis Park, MN 55416-3400
M 612.323.6147
laura.koski@hdrinc.com

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