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## **Record of Coordination with USFWS**

<b>Coordination</b>	<b>Date</b>	<b>Description</b>
Letter from Getty Wind, LLC to USFWS	March 18, 2010	Getty Wind, LLC requests USFWS to review the Getty Wind Project.
USFWS responds to Getty Wind LLC's request for review	May 11, 2010	USFWS provided comments pursuant to the Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), Bald and Golden Eagle Protection Act (BGEPA), and the Fish and Wildlife Act of 1956. USFWS noted that there are no federally-listed candidate, threatened or endangered species present within Stearns County.
Meeting with USFWS Region 3 Twin Cities Field Office	December 8, 2011	<p>Discussion of methodologies and Avian and Bat Protection Plan (ABPP) guidance from 2005 on USFWS website. An eagle disturbance permit was discussed, and the USFWS mentioned it would provide more information on the process of obtaining an Eagle Take Permit due to disturbance per Section 22.26. The USFWS explained that currently they do not know of any ETPs that have been issued for wind yet, but that the West Butte Wind Project in Oregon/Washington and the project in Goodhue County, MN are both close. USFWS provided Geronimo (former owner of the Project) with conditions from the Goodhue permit regarding methodology. It was mentioned that the focus of the winter surveys will be to identify which areas are using during breeding and roosting. Monitoring would involve weekly visits until nesting birds show up. USFWS mentioned they planned to visit the project site on December 13, 2011.</p> <p>USFWS stated that they would provide comments on post-construction monitoring, information on the review of an Eagle Take Permit, and provide comments on the ABPP.</p>
USFWS responds to the Minnesota Department of Commerce's request to review the Getty Wind Project	December 29, 2011	USFWS noted that Bald and golden eagles are protected under the BGEPA. USFWS noted that they are working with the project proponent on the ABPP. USFWS recommended that raptor nest surveys be conducted within the project area and two miles from final turbine locations. USFWS recommended post construction mortality monitoring be conducted and that the monitoring plan be reviewed by USFWS.
Email correspondence between Geronimo and USFWS Region 3 Twin Cities Field Office	December 26, 2013	Geronimo requested a meeting with the USFWS to discuss ECP Guidance as it pertains to the Project. Geronimo indicated that 2014 eagle surveys would be starting soon and that they would like to discuss survey approach with USFWS. On January 6, 2014 it was decided that the meeting would take place on January 21, 2014.

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Meeting with USFWS Region 3 Twin Cities Field Office	January 21, 2014	Geronimo (former owner of Projects) and the USFWS discussed ECP development and eagle survey methodology. USFWS recommended that the Project apply for a 30-year programmatic eagle-take permit based on the Category 2 (moderate risk) assessment, eagle minutes, and the location of the Padua eagle nest relative to the Project.
Email correspondence between Geronimo and USFWS Region 3 Twin Cities Field Office	December 11-16, 2014	USFWS provided Geronimo with the coordinates of the Padua eagle nest along with maps showing possible flight paths between the nest and wetlands in relation to proposed turbine locations. Geronimo (former owner of Projects) confirmed that they were aware of Padua nest. Geronimo provided USFWS a map of proposed turbine locations and observed avian flight paths (not eagle-specific) within the project area.
Email correspondence between Geronimo and USFWS Region 3 Twin Cities Field Office	April 23, 2014	USFWS provided Geronimo with notes from their telephone conversation from the April 22, 2014. USFWS indicated that they would look into what collision rate would be appropriate for to use in the modeling for the Project.
Draft ECP sent to USFWS Region 3 Twin Cities Field Office	May 6, 2014	Geronimo sent the draft ECP to the USFWS via email. Geronimo requested that the USFWS review the draft ECP and provide comments. An update on the Padua nest was provided in the email.
Email correspondence between Geronimo and USFWS Region 3 Twin Cities Field Office	June 10, 2014	Geronimo requests meeting with USFWS to discuss draft ECP.
Meeting (via telephone) with USFWS Region 3 Twin Cities Field Office	June 12, 2014	Geronimo (former owner of Project) and the USFWS discussed ECP development, eagle use in project area, and the ABPP. Each of the ECP stages was discussed. USFWS noted that the draft ECP closely follows the ECP Guidance and the content met expectations. USFWS generally agreed with Stage 2 questions and answers regarding the Guidance and the site assessment. USFWS agreed that the Project is a Category 2.
Email correspondence between Geronimo and USFWS Region 3 Twin Cities Field Office	June 19, 2014	USFWS informed Geronimo that the USFWS was still in the process of reviewing the draft ECP.
Email correspondence between Geronimo and USFWS Region 3 Twin Cities Field Office	August 11, 2014	Geronimo requested USFWS's comments on the draft ECP and the results of the model run. Geronimo provided an update on the condition of the Padua nest.

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Email correspondence between Ecology & Environment and USFWS Region 3 Twin Cities Field Office	September 17, 2014	Ecology & Environment (Geronimo's consultant for preparation of the ECP) requested the USFWS's combined survey effort model run from eagle surveys conducted over multiple years and with different survey durations.
Email from Geronimo to USFWS Region 3 Twin Cities Field Office	September 23, 2014	Geronimo provided USFWS with a project update, timeline for moving the ECP forward and requested input from USFWS on outstanding questions.
USFWS Region 3 Twin Cities Field Office provides comments on the draft ECP	January 13, 2015	The USFWS sent comments on the draft ECP via email to Geronimo.
Meeting with USFWS Region 3 Twin Cities Field Office	February 10, 2015	Geronimo met with the USFWS to provide an update of eagle survey results and to discuss the comments from the USFWS on the draft ECP. USFWS indicated that the ECP was close to being ready to use towards an ETP application.
Meeting with USFWS Region 3 Twin Cities Field Office	July 28, 2015	The Sempra U.S. Gas & Power (Sempra) permitting team met with USFWS to introduce Sempra as the new owner of the Project and to introduce Western Ecosystems Technology, Inc. (WEST) as their consultants assisting with preparation of the ECP. Sempra provided a Project update. The group looked at a map of the active and inactive nests that were identified during the 2015 aerial nest survey that covered the project area and an 11-mile buffer. The group also reviewed a map showing the eagle flight paths in the Project vicinity along with the turbine layout, showing all digitized Bald Eagle flights from 2011 – 2014 (no eagles seen in January 2015). In addition, eagle use surveys, conservation practices, risk model/take levels and post construction monitoring were discussed. Additionally, it was discussed that in other regions, projects have provided a formal letter to the USFWS stating their intent to continue coordinating with the USFWS on the ECP, and to submit an ETP application, and that this was used for resource-allocation purposes. USFWS had no objection to this and indicated they would discuss with supervisor. The group briefly discussed the NEPA and ETP schedule.

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Meeting with USFWS Region 3 Twin Cities Field Office	September 23, 2015	<p>Sempre provided a Project update, noting that limited civil work (grading for access roads, laydown yard) may occur in late 2015 and the remainder of the construction will occur in 2016. The group reviewed a map of the turbine layout and Sempra noted several minor changes that were made. USFWS summarized the status of the 30-year programmatic ETP that had recently been remanded by the Federal court.</p> <p>USFWS indicated that they didn't have any questions or comments on the meeting notes that were sent to them from the July 2015 meeting.</p>
Letter from Black Oak Wind, LLC and Getty Wind Company, LLC to USFWS Region 3 Twin Cities Field Office	October 7, 2015	Formal notice by Black Oak Wind, LLC and Getty Wind Company, LLC, the Owners of the Black Oak Wind Farm and the Getty Wind Project, was submitted to the USFWS formally initiate the consultation process to develop an ECP with the goal of obtaining an ETP.
Meeting (via telephone) with USFWS Region 3 Field Office	October 26, 2015	<p>The group discussed the next steps in the ETP process, including submittal of a revised draft ECP and the scope of the NEPA document. USFWS informed the group that a guidance document on EA scope is currently being prepared by FWS (the guidance document was sent to the group after the call).</p> <p>USFWS indicated that post construction monitoring should commence in March 2017. A detailed monitoring plan will be developed in 2016. The post construction monitoring for eagles will involve monitoring at all turbines, at a minimum of once per month. Biologist will scan for remains rather than walking transects.</p> <p>USFWS indicated that they didn't have any questions or comments on the meeting notes that were sent to them from the September 2015 meeting.</p>
Email from the Owner with accompanying report	March 31, 2016	The Owner provided the results of the Padua nest monitoring that was conducted in March 2016 to the USFWS, and the USFWS responded on the same day agreeing that neither a biological monitor nor a disturbance permit was needed for this nest during the construction phase.
Email from the Owner with accompanying ECP draft	August 17, 2016	The Owner provided a revised ECP to the USFWS incorporating updated information and risk model results, along with incorporating USFWS comments on the previous ECP draft.
Application from the Owner	November 10, 2016	The Owner applied for take coverage for the Project under the 2009 Eagle Rule.

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Conference call with Region 3 USFWS Field Office	December 15, 2016	The group discussed the take application, the ECP, the timeline for the NEPA review, and the anticipated new Eagle Rule that was expected to be published by the end of 2016.
Conference call with Region 3 USFWS Field Office	January 26, 2017	<p>The Owner notified the USFWS of the intention to apply for a take permit for a 30-year term under the 2016 Eagle Rule. The group discussed the NEPA review for the Project under the 2016 Rule. The USFWS indicated that the Project likely meets the criteria to tier to the PEIS, but that will need to be documented, and that the logistics of the tiering process has not yet been defined. The USFWS requested additional information on the risk model input and proposed approach to the post-construction monitoring. The group also discussed how densities for local-area populations should be determined using the 2016 Rule, and the USFWS committed to providing that information to the Owner.</p> <p>The group also agreed to set up monthly calls starting in February.</p>
Conference call with Region 3 USFWS Field Office	February 27, 2017	The group discussed the status of a defined approach to tiering to the PEIS, and Mags indicated that that was still in process and undefined. Mags provided direction on which table in the PEIS (Table 3-2) will be used for the new Flyway EM take limits. Group also discussed the logistics (as far as forms, etc.) for reapplying under the 2016 Rule.
Conference call with Region 3 USFWS Field Office	March 27, 2017	Mags provided the updated application form to be used for applying under the 2016 rule. The group discussed the waiver process; the USFWS had not defined what the process will be for granting waivers for projects that do not meet all of the criteria, but Mags indicated that the USFWS believes a waiver is warranted for the Project. The group discussed the EA schedule as well as a schedule for the USFWS to provide comments on the ECP and provide results of the USFWS' internal take modeling

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Conference call with Region 3 USFWS Field Office	April 17, 2017	Sempre provided overview of PCM results to date (two birds found). Mags provided feedback she had received at a recent national-level meeting that was held to discuss implementation of the new 2016 Eagle Rule. Mags suggested that Sempra prepare a comparison table to list the qualitative survey standards for pre-construction surveys as defined in the 2016 eagle rule and describes how the Project meets or does not meet those standards – this would be used as part of the waiver process. Mags stated that the USFWS is starting to develop a streamlined template for tiered EAs, but that the streamlined template is likely not going to be available for months. Group agreed to proceed with individual EA drafting for the Project. Mags confirmed that the scope of the EA should be limited to the impacts associated with granting or not granting an ETP
Conference call with Region 3 USFWS Field Office	May 24, 2017	Group discussed comments that Mags had provided on Chapters 1 and 2 of the EA, as well as comments and information that she provided on the ECP (Mags provided the comments on the documents on May 18). The group discussed the results of the LAP tool that the USFWS develops, and Mags explained that the permitted eagle take in the 86-mile LAP of the project corresponded to eagle nest take permits. Mags also committed to getting more information on the unpermitted take data that the GIS tool provided, and getting direction on how that data may be used in the cumulative analysis in the EA. Mags stated that the waiver process was still undefined; Sempra indicated that they plan to resubmit under the 2016 rule for a 30 year permit by the end of June, so any comments on the waiver process or the associated comparison table (which was provided to Mags on May 22) would be appreciated by the first week of June. The group discussed the PCM plan for eagle surveys (which had been provided to Mags in November 2016) and Mags indicated she would review and provide any comments to Sempra to see if the surveys being conducted in 2017 would count towards a year of post-eagle permit fatality monitoring.

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Conference call with Region 3 USFWS Field Office	June 19, 2017	Sempra confirmed that they will be submitting a revised ECP along with a new application for 30 year permit under the 2016 rule to USFWS by the end of June. Mags committed to providing any comments on the comparison table (per the waiver process) by June 22. The group discussed having an in person meeting in July to discuss additional details once the revised ECP has been submitted to the USFWS, including approach to adaptive management.
Meeting with Region 3 USFWS Field Office	July 18, 2017	Discussed a revised version of the ECP that was provided to the USFWS as part of the June 20, 2017 submittal for a 30-year permit application. Discussed updating the take prediction using a seasonal model approach, adaptive management approach and that it will be updated per the updated take predictions, and discussed additional detail that would be provided for a mortality monitoring approach
Conference call with Region 3 USFWS Field Office	September 7, 2017	Discussed USFWS' review of June 30 2017 ECP (no further issues beyond what was discussed in July 18 meeting were identified on this call); discussed timeline for USFWS review of draft EA, which was provided to USFWS on August 10
Conference call with Region 3 USFWS Field Office	October 10, 2017	Discussed general status of USFWS running of Cumulative Effects Tool and EA review; no new updates from September conference call
Conference call with Region 3 USFWS Field Office	December 12, 2017	Discussed results of USFWS' run of the Cumulative Effects Tool for the Project and status of writeup summarizing voluntary eagle scans that occurred in 2017 at the Project
Conference call with Region 3 USFWS Field Office	January 16, 2018	Talked through summary of the results of the voluntary eagle scans that occurred in 2017; discussed status of EA review by USFWS (USFWS reconciling initial draft with the new tiered template being promulgated)
Conference call with Region 3 USFWS Field Office	February 20, 2018	Checked in on status of USFWS' review of summary of 2017 eagle scans; discussed USFWS' comments on EA and the new tiered template format
Conference call with Region 3 USFWS Field Office	March 20, 2018	Discussed the eagle scan methodology, and whether either 2017 or a second year of scans following that protocol would be usable towards permit compliance monitoring. Discussed EA document.
Conference call with Region 3 USFWS Field Office	April 17, 2018	USFWS stated that at this time the USFWS would not be able to commit to using the results of the voluntary 2017 (or potential 2018) eagle scan surveys towards permit compliance; it was decided that no further eagle mortality surveys would occur at the Project until the permit was granted. EA document and timeline was discussed



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Conference call with Region 3 USFWS Field Office	May 23, 2018	EA document status and timeline was discussed. Group discussed the results of the 2017 eagle scan surveys and probability of detection, along with potential compliance issues for a low risk site such as Black Oak that Evidence of Absence may present. Discussed what output of EoA will be used by USFWS for compliance (USFWS indicated this was not yet decided).
Conference call with Region 3 USFWS Field Office	June 19, 2018	Discussed status of USFWS' review of monitoring approach, and EA; no updates since May call.
Conference call with Region 3 USFWS Field Office	October 23, 2018	Provided overview of full memo that was provided to USFWS discussing the methods and results of the probability of detection for eagles that was documented at the Project in the voluntary year of eagle scans; USFWS had not reviewed yet so no comments. Discussed general approach to tiered EAs along with timing for Project-specific EA
Conference call with Region 3 USFWS Field Office	November 6, 2018	In-depth discussion was held of the results of the eagle monitoring, statistical analysis of probability of detection, and EoA implications
Conference call with Region 3 USFWS Field Office	February 7, 2019	Discussed the Owner's updated monitoring plan, which utilized approaches recently available in other publicly posted ECPs. Discussed status and timeline of the EA.
Conference call with Region 3 USFWS Field Office	March 20, 2019	Discussed USFWS' comments on the updated monitoring plan, along with USFWS' comments and questions on the ECP as far as what would be updated from the last version from Jun 2017. Group discussed that take prediction approach (using seasonal model), post-construction monitoring approach, and adaptive management would be updated, along with updating status of items such as Padua nest incidental monitoring. Discussed status and timeline of the EA.
AEP Renewables, LLC finalization of sale announcement	April 22, 2019	AEP Renewables, LLC completes the purchase of wind assets from Sempra.