



HEARTWOOD SOLAR II

Agency Coordination
Fayette Township, Hillsdale County, Michigan

Prepared for:

Heartwood Solar II, LLC
320 N. Sangamon Street
Suite 1025
Chicago, IL 60607

Prepared by:

Atwell, LLC
Two Towne Square
Suite 700
Southfield, MI 48076

March 18, 2026

Agency	Coordination Description	Coordination Outreach Timeline	Status	Necessary Permits/Approvals
USFWS (U.S. Fish and Wildlife Service)	Complete Determination Key (Dkey) for proposed Project.	June 2025	06-13-2025 - Atwell completed determination(s) for Heartwood Solar II using the Michigan Dkey within the Information for Planning and Consultation (IPAC) system.	None
	Project introduction email, coordination with agency regarding Dkey results, and species surveys.	June 2025 - July 2025	06-18-2025 - Atwell sent out initial coordination email to USFWS (Carrie Tansy and Jennifer Wong) including the results of the Dkey. 07-11-2025 - Atwell followed up with the USFWS. USFWS to review determination. 07-11-2025 - USFWS provided response and addressed Atwell requests for input on avoidance measures and BMPs for listed species, specifically listed bat species.	None
	Coordination with USFWS regarding the clubshell mussel.	February 2026 - March 2026	02-27-2026 - Atwell reach out to USFWS (Carrie Tansy and Jennifer Wong) requesting information on potential impacts to the clubshell mussel considering the Project Area and associated watercourse. 03-02-2026 - USFWS provided response suggesting outreach to MDNR.	None
MDNR (Michigan DNR)	Project introduction email.	February 2026 - March 2026	02-27-2026 - Atwell sent out initial coordination email to MDNR (Chris Hoving). 03-10-2026 - Atwell sent follow-up email requesting a response from MDNR. A response has not been provided at the time of this Application submittal.	None
EGL E (Environment, Great Lakes, and Energy)	Completed pre-application meeting.	March 2026	03-12-2026 - Atwell representatives (Ernest Schenk and Brittany Zachariahs) and a Heartwood Solar II representative (Brady Friss) conducted a virtual pre-application meeting from 1:00 PM to 1:30 PM EST with EGL E staff (Maddie Orler and Joshua Gleason). Atwell representatives introduced the proposed Project discussed water resources, utility crossings, threatened and endangered species, and potential required permits from EGL E for development.	Heartwood Solar II may require a Part 301, Inland Lakes and Streams Permit, Part 303, Wetlands Protection Permit and/or, Part 31, Water Resources Protection Permit. Additionally, onsite wetland inspections will be required prior to construction.
Hillsdale County Clerk	Request for Soil and Economic Survey report.	March 2026	03-04-2026 - Atwell sent a request to Hillsdale County for a copy of the Soil and Economic Survey report. 03-04-2026 - Hillsdale County Clerk (Abe Dane) responded with no record of the Soil and Economic Survey report. As suggested by Abe Dane, a USDA Soil Survey Report has been included in the Application.	None
MDARD (Michigan Department of Agriculture and Rural Development)	Project introduction and requested information on PA116 parcels.	February 2026	02-27-2026 : A representative of Heartwood Solar II (Brady Friss) sent an email to MDARD (Jarrod Thelen) introducing the Project and requesting feedback. A response has not been provided at the time of this Application submittal.	None
Jonesville Fire Department	Conducted outreach meeting with Jonesville Fire Department.	October 2025	10-06-2025 - Representatives of Heartwood Solar II (Brady Friss and Ella Hackett) met with Jonesville Fire Department officials (Rick Riggs and Scott Lucas) at the Jonesville Fire Department (6:00 PM to 7:00 PM EST) to discuss the proposed Project and fire department concerns.	None
HCDC (Hillsdale County Drain Commission)	Virtual meeting held to discuss the proposed Project and Hillsdale County drain requirements.	March 2026	03-03-2026 - Atwell representatives (Ernest Schenk and Craig Kantola), Heartwood Solar II representatives (Brady Friss and Jonah Steam), the Hillsdale County Drain Commissioner (Matt Word), a Spicer Law representative (Luke O'Brien), and a Fahey Schultz Burzych Rhodes PLC representative (Ross Bower) met virtually (2:30 PM to 3:00 PM EST), to discuss the proposed Project, stormwater requirements, and county drains. Permanent stormwater runoff volume BMPs are not necessary for the array areas, similar to the requirements of the previously approved Heartwood Solar Project. Drain Commissioner determined no county drains are located within the proposed Project therefore Drain Use Permits will not be required.	The final design by the EPC contractor should include stormwater features and SESC BMPs as described in this document, if required, and will be subject to further HCDC review, approval, and permitting.

U.S. Fish and Wildlife Service (USFWS)



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Michigan Ecological Services Field Office
2651 Coolidge Road Suite 101
East Lansing, MI 48823-6360
Phone: (517) 351-2555 Fax: (517) 351-1443

In Reply Refer To:
Project code: 2025-0109006
Project Name: Heartwood II Solar

06/13/2025 18:47:40 UTC

Subject: Technical Assistance letter for 'Heartwood II Solar' for specified federally threatened and endangered species and designated critical habitat that may occur in your proposed project area consistent with the Michigan Determination Key for project review and guidance for federally listed species (Michigan Dkey).

Dear Brittany Zachariahs:

The U.S. Fish and Wildlife Service (Service) received on **June 13, 2025** your effect determination(s) for the 'Heartwood II Solar' (the Action) using the Michigan DKey within the Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based on your answers and the assistance of the Service's Michigan DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Copperbelly Water Snake (<i>Nerodia erythrogaster neglecta</i>)	Threatened	No effect
Eastern Massasauga (=rattlesnake) (<i>Sistrurus catenatus</i>)	Threatened	NLAA
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	May affect
Monarch Butterfly (<i>Danaus plexippus</i>)	Proposed	No effect
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)	Threatened	
Whooping Crane (<i>Grus americana</i>)	Endangered	May affect
	Experimental	No effect
	Population, Non-Essential	

Please carefully review this letter. Your Endangered Species Act requirements are not complete.

For non-Federal representatives: Please note that when a project requires consultation under section 7 of the Act, the Service must consult directly with the Federal action agency unless that agency formally designates a non-Federal representative (50 CFR 402.08). Non-Federal representatives may prepare analyses or conduct informal consultations; however, the ultimate responsibility for section 7 compliance under the Act remains with the Federal agency. Please include the Federal action agency in additional correspondence regarding this project.

Listed Bats:

Federally listed bats may be present in the Action area. Projects have potential to affect listed bats if the Action area contains any known or potential hibernacula (including natural caves, abandoned mines, or underground quarries) or if the Action will remove/modify a human structure (barn, house or other building) known to contain roosting listed bats. Additionally, projects may affect the species if they clear ≥ 20 acres of forest, ≥ 10 acres of modeled habitat, or fragment a connective corridor between 2 or more forest patches of at least 5 acres, cut or trim any potential roost trees, or apply pesticides when listed bats may be present (active season dates vary by location). Projects that include removal/modification of an existing bridge or culvert suitable for day-roosting bats may affect listed species if construction activities are performed during the active season and/or will result in the permanent loss of known or potential roosting spaces (i.e., cracks/crevices/joints). Lastly, projects that include temporary or permanent lighting of roadway(s), facility(ies), and/or parking lot(s) may affect listed bats if they do not apply avoidance and minimization measures. **Please coordinate with the Michigan Ecological Services Field Office to further evaluate effects of the Action on federally listed bats.**

Bald and Golden Eagles:

Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act 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.”

If the Action may impact bald or golden eagles, additional coordination with the Service under the Eagle Act may be required. For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit <https://www.fws.gov/library/collections/all-about-eagles>. In addition, the Service developed the National Bald Eagle Management Guidelines (May 2007) in order to assist landowners in avoiding the disturbance of bald eagles. The full Guidelines are available at <https://www.fws.gov/media/national-bald-eagle-management-guidelines-0>.

If you have further questions regarding potential impacts to eagles, please contact Chris Mensing, Chris_Mensing@fws.gov or 517-351-2555.

Planning Recommendations for Utility-Scale Solar Energy Developments in Michigan

We have compiled planning recommendations for utility-scale solar energy developments in Michigan (available here: <https://www.fws.gov/media/generic-michigan-solar-letter-d-key>), which we encourage solar developers to consider and implement to the extent practicable.

Monarch butterfly and other pollinators

Monarch butterfly was proposed for listing as threatened on December 12, 2024. Through May 19, 2025, we are gathering input through an extended public comment period to encourage the submission of any new information. We will review these comments and then will ultimately issue a final rule. If listed, protections would only go into place after the final rule is published. Section 7 conferences are required if a federal action is likely to jeopardize the continued existence of a proposed species.

For all projects, we recommend the following best management practices (BMPs) to benefit monarch and other pollinators.

Monarch and Pollinator BMP Recommendations

Consider monarch and other pollinators in your project planning when possible. Many pollinators are declining, including species that pollinate key agricultural crops and help maintain natural plant communities. Planting a diverse group of native plant species will help support the nutritional needs of Michigan's pollinators. We recommend a mix of flowering trees, shrubs, and herbaceous plants so that something is always blooming and pollen is available during the active periods of the pollinators, roughly early spring through fall (mid-March to mid-October). To benefit a wide variety of pollinators, choose a wide range of flowers with diverse colors, heights, structure, and flower shape. It is important to provide host plants for any known butterfly species at your site, including native milkweed for Monarch butterfly. Incorporating a water source (e.g., ephemeral pool or low area) and basking areas (rocks or bare ground) will provide additional resources for pollinators.

Many pollinators need a safe place to build their nests and overwinter. During spring and summer, leave some areas unmowed or minimize the impacts from mowing (e.g., decrease frequency, increase vegetation height). In fall, leave areas unraked and leave plant stems standing. Leave patches of bare soil for ground nesting pollinators.

Avoid or limit pesticide use. Pesticides can kill more than the target pest. Some pesticide residues can kill pollinators for several days after the pesticide is applied. Pesticides can also kill natural predators, which can lead to even worse pest problems.

Planting native wildflowers can also reduce the need to mow and water, improve bank stabilization by reducing erosion, and improve groundwater recharge and water quality.

Resources:

<https://www.fws.gov/initiative/monarchs>

<https://www.fws.gov/library/collections/pollinators>

Coordination with the Service is not complete if additional coordination is advised above for any species. Please email our office at MIFO_DKey@fws.gov and attach a copy of this letter, so we can discuss methods to avoid or minimize potential adverse effects to those species.

Summary of conservation measures for your project You agreed to the following conservation measures to avoid adverse effects to listed species and our concurrence is only valid if the measures are fully implemented. These must be included as permit conditions if a permit is required and/or included in any contract language.

Eastern Massasauga: Materials used for erosion control and site restoration must be wildlife-friendly. Do not use erosion control products containing plastic mesh netting or other similar material that could entangle eastern massasauga rattlesnake (EMR). Several products for soil erosion and control exist that do not contain plastic netting including net-less erosion control blankets (for example, made of excelsior), loose mulch, hydraulic mulch, soil binders, unreinforced silt fences, and straw bales. Others are made from natural fibers (such as jute) and loosely woven together in a manner that allows wildlife to wiggle free.

Eastern Massasauga: To increase human safety and awareness of EMR, those implementing the project must first review the EMR factsheet (available at <https://www.fws.gov/media/eastern-massasauga-rattlesnake-fact-sheet>), and watch MDNR's "60-Second Snakes: The Eastern Massasauga Rattlesnake" video (available at https://www.youtube.com/watch?v=-PFnXe_e02w).

Eastern Massasauga: During project implementation, report sightings of any federally listed species, including EMR, to the Service within 24 hours.

Eastern Massasauga: The project will not result in permanent loss of more than one acre of wetland or conversion of more than 10 acres of EMR upland habitat (uplands associated with high quality wetland habitat) to other land uses.

Listed Bats: When installing new or replacing existing permanent lights, you will use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, the goal is to be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable. You will direct temporary lighting away from suitable listed bat habitat during the active season.

Listed Bats: The project will not include the application or potential drift of insecticides, fungicides, or rodenticides into forested habitats.

Listed Bats: The action will not include prescribed burning within or adjacent to (within 200 feet of) mature forest.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Heartwood II Solar

2. Description

The following description was provided for the project 'Heartwood II Solar':

The Applicant is proposing the construction of a 120 megawatt utility-scale solar project located in Fayette Township, Hillsdale County, Michigan.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.9836512,-84.63663404660764,14z>



QUALIFICATION INTERVIEW

1. Are there any possible effects to any listed species or to designated critical habitat from your project or effects from any other actions or projects subsequently made possible by your project?

Note: select "Yes" even if the expected effects to the species or critical habitat are expected to be 1) extremely unlikely (discountable), 2) can't meaningfully be measured, detected, or evaluated (insignificant), or 3) wholly beneficial. Select "No" to confirm that the project details and supporting information allow you to conclude that listed species and their habitats will not be exposed to any effects (including discountable, insignificant, or beneficial effects) and therefore, you have made a "no effect" determination for all species. If you are unsure, select YES to answer additional questions about your project.

Yes

2. This determination key is intended to assist the user in the evaluating the effects of their actions on Federally listed species in Michigan. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, purposeful take for scientific purposes or to enhance the survival of a species, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes.

Click **yes** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

3. Is the action the approval of a long-term (i.e., in effect greater than 10 years) permit, plan, or other action?

Note: For example, a new or re-issued hydropower license, a large-scale land management plan, or other kinds of documents that provide direction for projects or actions that may be conducted over a long term (>10 years) without the need for additional section 7 consultation.

No

4. Is the action being funded, authorized, or carried out by a Federal agency?

No

5. Does the action require a Michigan EGLE/Army Corps of Engineers joint permit?

No

6. Does the action involve the installation or operation of wind turbines?

No

7. Are there at least 30 days prior to your action occurring?

Note: Endangered species consultation must be completed before taking any action that may have effects to listed species. The Service also needs 30 days to review projects before we can verify conclusions in some dkey output letters. For example, if you have already started some components of the project on the ground (e.g., removed vegetation) before completing this key, answer “no” to this question. The only exception is if you have a Michigan Field Office pre-approved emergence survey (i.e., if you have conducted pre-approved emergence surveys for listed bats before tree removal, you can still answer yes to this question).

Yes

8. Does the action involve constructing a new communications tower or modifying an existing communications tower?

No

9. Does the activity involve aerial or other large-scale application of any chemical (including insecticide, herbicide, lampricide, etc.)?

No

10. Does your project include water withdrawal (ground or surface water) greater than 10,000 gallons/day?

No

11. Will your action permanently affect hydrology?

No

12. Will your action temporarily affect hydrology?

No

13. Will your project have any direct impacts to a stream or river (including Horizontal Directional Drilling (HDD) due to potential for frac out, hydrostatic testing, stream/road crossings, new storm-water outfall discharge, dams, other in-stream work, changes to water quality or hydrology, etc.)?

Yes

14. Does your project have the potential to indirectly impact the stream/river or the riparian zone (e.g., cut and fill, horizontal directional drilling due to the potential for frac out, hydrostatic testing, construction, vegetation removal, discharge, changes to water quality or hydrology, etc.)?

Yes

15. Are you applying for one of the following Michigan EGLE/Army Corps of Engineers joint permit application Minor Permit (MP) Categories:
MP 3 - Boat Hoist; MP 5 - Boal Wells; MP 7 - Completed Enforcement Actions; MP 13 - Dock;
MP 22 - Fish and Wildlife Habitat Structures;
MP 25 - Ford Stream Crossings for Commercial Forestry Operations;
MP 31 - Maintenance and Repair of Serviceable Structures;
MP 52 - Temporary Recreational Structures;
MP 54 - Wetland Habitat Restoration and Enhancement?

Verify the MP category number and associated description matches your project/application (https://www.michigan.gov/documents/egle/WRD-Minor-Project-Categories_733320_7.pdf). If you don't know what category applies for your project, answer no to this question.

No

16. Are you applying for one of the following Michigan EGLE/Army Corps of Engineers joint permit application General Permit (GP) Categories:
GP A - Aids to Navigation;
GP C - Clear Span Bridge;
GP J - Dry Fire Hydrant;
GP O - Minor Permit Revisions and Transfers;
GP Q - Mooring Buoy;
GP W - Scientific Measuring Devices;
GP X - Snow Road Stream Crossings for Forestry Operations;
GP Z - Spring Piles and Piling Clusters?

Verify the GP category number and associated description matches your project/application (https://www.michigan.gov/documents/deq/wrd-general-permit-categories_555828_7.pdf). If you don't know what category applies for your project, answer no to this question.

No

17. Will your action disturb the ground or existing vegetation?

Note: This includes any off road vehicle access, soil compaction, digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application, vegetation management (including removal or maintenance using equipment or chemicals), cultivation, development, etc.

Yes

18. Is the action a utility-scale solar development project?

Note:Solar projects are considered utility scale if they will be 1 megawatt or larger.

Yes

19. Does the action intersect the **monarch butterfly** species list area?

Automatically answered

Yes

20. Monarch butterfly was proposed for listing as threatened on December 12, 2024. Through May 19, 2025, we are gathering input through an extended public comment period to encourage the submission of any new information. We will review these comments and then will ultimately issue a final rule. If listed, protections would only go into place after the final rule is published. We encourage implementing measures that will remove or reduce threats to monarch. If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "**no effect**" determination for monarch? Please note that the FWS does not provide concurrence on "no effect" determinations.

Yes

21. Does the action intersect the **Eastern massasauga rattlesnake** species list area?

Automatically answered

Yes

22. Does your action involve prescribed fire?

No

23. Will this action occur entirely in the Eastern massasauga rattlesnake inactive season (October 16 through April 14)?

No

24. Will this action occur entirely in the Eastern massasauga rattlesnake active season (April 15 through October 15)?

No

25. Will the action result in permanent loss of more than one acre of wetland or conversion of more than 10 acres of uplands of potential Eastern massasauga rattlesnake habitat (uplands associated with high quality wetland habitat) to other land uses?

No

26. Will you use [wildlife safe materials](#) for erosion control and site restoration and eliminate the use of erosion control products containing plastic mesh netting or other similar material that could ensnare eastern massasauga rattlesnake? Please note that ensnare eastern massasauga rattlesnake have been ensnared in plastic net erosion control netting outside known habitat.

Yes

27. Will you watch MDNR's "[60-Second Snakes: The Eastern Massasauga Rattlesnake \(EMR\)](#)" video or review the [EMR factsheet](#) to increase human safety and awareness of EMR?

Yes

28. Will all action personnel report any Eastern massasauga rattlesnake observations, or observation of any other listed threatened or endangered species, during action implementation to the Service within 24 hours?
Yes
29. Does the action area intersect the **whooping crane (ex. Pop)** species list area?
Automatically answered
Yes
30. Does the action area intersect **copperbelly water snake** species list area?
Automatically answered
Yes
31. Does the action area intersect the **Indiana bat** species list area?
Automatically answered
Yes
32. Does the action area contain [potential Indiana bat roost trees](#) (trees ≥ 5 inches in diameter [at breast height] with cracks, crevices and/or exfoliating bark)?
Yes
33. Does the action intersect the **tricolored bat** species list area?
Automatically answered
No
34. Does this project intersect the **Northern long-eared bat** species list area?
Automatically answered
Yes
35. Does the action area contain [potential northern long-eared bat roost trees](#) (trees ≥ 3 inches in diameter [at breast height] with cracks, crevices, cavities and/or exfoliating bark)?
Yes
36. Does the action area contain any known or potential hibernacula (natural caves, abandoned mines, or underground quarries)?
No
37. Has a presence/absence bat survey or field-based habitat assessment following the USFWS Range-wide [Indiana Bat Survey Guidelines](#) been conducted within the action area?
No
38. Does the action involve removal/modification of a human structure (barn, house or other building) known to contain roosting bats?
No
39. Does the action include removal/modification of an existing bridge?
No
40. Does the action include temporary or permanent lighting of roadway(s), facility(ies), and/or parking lot(s)?
Yes

41. Will you apply the following Avoidance and Minimization Measures for bats? 1. When installing new or replacing existing permanent lights, use [downward-facing, full cut-off lens lights](#) (with same intensity or less for replacement lighting); or for those transportation agencies using the [BUG system developed by the Illuminating Engineering Society](#), the goal is to be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable. 2. Direct temporary lighting away from suitable habitat during the active season.

Yes

42. Does the action include herbicide application?

No

43. Does the action include the application or potential drift of insecticides, rodenticides, or fungicides (not including herbicides) into forested habitats?

Answer "Yes" if the application may result in transport (e.g., in water) or aerial drift of the pesticide into forested areas.

No

44. Does the action include tree cutting/trimming of any kind?

Yes

45. Does the action include prescribed burning within or adjacent to (within 200 feet of) mature forest?

No

46. Is tree cutting/trimming and/or prescribed burning limited to that associated with forest management (e.g., cutting and/or burning in forest habitat as a part of continuing forest land-use)?

Select "No" if the project includes cutting and/or burning for development or conversion of forested habitat other than forestry-related road/trail creation or maintenance.

No

47. Does the action include emergency cutting/trimming of hazard trees in order to prevent imminent loss of human life and/or property?

No

48. [Semantic] Is any portion of the action area within 5 miles of a known bat hibernaculum?

Automatically answered

No

49. Will the action clear or convert >20 acres of contiguous forest (i.e., connected by 1,000 feet or less) or fragment a riparian or other connective forested corridor (e.g., tree line) between 2 or more forest patches of at least 5 acres?

Select "No" if the clearing will be limited to a narrow, linear corridor (e.g., a right-of-way) <1000 feet wide.

For more information, see [Appendix II](#).

Yes

PROJECT QUESTIONNAIRE

What is the total acreage of the fenced area around solar panels? If no fences will be used, type 0.

1075

Report the estimated acres of existing land types that will be converted below. If a land type is not present, type 0.

1075

Estimated total acres of cropland

1012

Estimated total acres of forest

55

Estimated total acres of native grassland

0

Estimated total acres of developed land (e.g. building rooftops, parking lots, manicured lawns)

0

Estimated total acres of wetland

2

Estimated total acres of any other land type

6

Report the estimated length in meters of hedgerow that will be removed from the site. If hedgerows will not be removed, type 0.

1987

What is the proposed nameplate capacity of the solar project?

120

What is the approximate acreage of solar panels for this project?

918

Enter the total estimated acres of tree cutting/trimming included in the project as part of forest management (e.g., cutting or harvesting trees as a part of continuing forest land-use). If tree cutting/trimming will not occur as part of forest management, enter "0".

0

Enter the date range during which tree cutting/trimming will be conducted as part of forest management . If tree cutting/trimming will not occur as part of forest management, enter "NA."

NA

Enter the total estimated acres of tree cutting/trimming included in the project that is NOT associated with forest management (e.g., tree clearing/conversion or right-of-way creation/

maintenance). If tree cutting/trimming is limited to that associated with forest management, enter "0".

65

Enter the date range during which tree cutting/trimming will be conducted that is NOT part of forest management (e.g., tree clearing/conversion or right-of-way creation/maintenance). If tree cutting/trimming is limited to that associated with forest management, enter "NA."

October 1 through April 14

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Brittany Zachariahs
Address: Two Towne Square
Address Line 2: Suite 700
City: Southfield
State: MI
Zip: 48076
Email: bzachariahs@atwell-group.com
Phone: 8106235236

From: Ernest Schenk

Sent: Wednesday, June 18, 2025 2:36 PM

To: Tansy, Carrie L <carrie_tansy@fws.gov>; Wong, Jennifer (Jenny) <jennifer_wong@fws.gov>

Cc: Brady Friss <brady@rangerpower.com>; Sean Harris <sean@rangerpower.com>; Brittany Zachariahs <bzachariahs@atwell.com>

Subject: Heartwood II Solar (Hillsdale County, MI) - USFWS Consultation

Hi Carrie, Jennifer,

Atwell has been contracted by Heartwood II Solar, LLC, a project being developed by Ranger Power, to conduct natural resource due diligence for the proposed Heartwood II Solar Project, located in Fayette Township, Hillsdale County, Michigan. As part of the project development process, we are initiating consultation with the U.S. Fish and Wildlife Service (USFWS) regarding potential impacts to federally listed species.

We have completed the following:

1. IPaC Review (dated 6/12/25) identifying federally listed species with potential to occur in the project area;
2. Review of the Michigan Natural Features Inventory (MNFI) for listed species in Fayette Township;
3. On-site habitat assessment and wetland delineation in October 2024.
4. Completion of the USFWS DKey, which returned determinations for listed species (attached is the Technical Assistance Letter).

The following species were identified through IPaC and MNFI as potentially occurring in the area:

- Copperbelly water snake (*Nerodia erythrogaster neglecta*) – Threatened
- Eastern massasauga rattlesnake (*Sistrurus catenatus*) – Threatened
- Indiana bat (*Myotis sodalis*) – Endangered
- Northern long-eared bat (*Myotis septentrionalis*) – Endangered
- Whooping crane (*Grus americana*) – Non-essential experimental population

Field assessments identified potentially suitable roosting habitat for Indiana and northern long-eared bats, including mature deciduous woodlots near water features. While the project is still in relatively early stages, our primary intent of this email is to determine whether additional bat studies are necessary, at which the client would like to pursue this summer, if necessary. Based on a preliminary solar layout and conservative estimates of potential tree clearing, approximately 65 acres of tree clearing are proposed, at which approximately 14 acres are located within modelled habitat. A KMZ showing clearing areas and USFWS modelled bat habitat is attached (and associated table below). The project will adhere to USFWS seasonal clearing guidelines (October 1–April 14).

Area	Acers	Modeled Habitat
1	0.74	0
2	33.27	3.89
3	0.56	0
4	0.61	0.61
5	16.6	0.01
6	3.93	0
7	0.24	0
8	4.36	4.36
9	1.25	1.25
10	3.72	3.72
Total	65.28	13.84

No suitable habitat was observed for eastern massasauga rattlesnake, and the site is outside Tier 1 and Tier 2 habitat zones. The project will implement all conservation measures recommended in the IPaC Technical Assistance Letter.

We would be happy to provide additional habitat data upon request if that would assist in your review.

We respectfully request USFWS input on the following:

1. Do the avoidance measures described appear sufficient for Indiana and northern long-eared bats, or is further coordination or survey effort needed?
2. Are any additional steps recommended for copperbelly water snake or eastern massasauga rattlesnake, given the project location and proposed BMPs?
3. Do you recommend any further best management practices (BMPs) to ensure ESA compliance?

Please let us know if any additional information is needed. We appreciate your time and consideration, and if possible, would appreciate a response within 14 days.

Ernest Schenk

Project Manager

ATWELL, LLC

248.447.2000 Office

616.304.1825 Mobile

Two Towne Square | Suite 700 | Southfield, MI 48076

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United States Department of the Interior



FISH AND WILDLIFE SERVICE
Michigan Ecological Services Field Office
2651 Coolidge Road Suite 101
East Lansing, MI 48823-6360
Phone: (517) 351-2555 Fax: (517) 351-1443

In Reply Refer To:
Project code: 2025-0109006
Project Name: Heartwood II Solar

06/13/2025 18:47:40 UTC

Subject: Technical Assistance letter for 'Heartwood II Solar' for specified federally threatened and endangered species and designated critical habitat that may occur in your proposed project area consistent with the Michigan Determination Key for project review and guidance for federally listed species (Michigan Dkey).

Dear Brittany Zachariahs:

The U.S. Fish and Wildlife Service (Service) received on **June 13, 2025** your effect determination(s) for the 'Heartwood II Solar' (the Action) using the Michigan DKey within the Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based on your answers and the assistance of the Service's Michigan DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Copperbelly Water Snake (<i>Nerodia erythrogaster neglecta</i>)	Threatened	No effect
Eastern Massasauga (=rattlesnake) (<i>Sistrurus catenatus</i>)	Threatened	NLAA
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	May affect
Monarch Butterfly (<i>Danaus plexippus</i>)	Proposed	No effect
Northern Long-eared Bat (<i>Myotis septentrionalis</i>)	Threatened	Threatened
Whooping Crane (<i>Grus americana</i>)	Endangered	May affect
	Experimental	No effect
	Population, Non-Essential	

Please carefully review this letter. Your Endangered Species Act requirements are not complete.

For non-Federal representatives: Please note that when a project requires consultation under section 7 of the Act, the Service must consult directly with the Federal action agency unless that agency formally designates a non-Federal representative (50 CFR 402.08). Non-Federal representatives may prepare analyses or conduct informal consultations; however, the ultimate responsibility for section 7 compliance under the Act remains with the Federal agency. Please include the Federal action agency in additional correspondence regarding this project.

Listed Bats:

Federally listed bats may be present in the Action area. Projects have potential to affect listed bats if the Action area contains any known or potential hibernacula (including natural caves, abandoned mines, or underground quarries) or if the Action will remove/modify a human structure (barn, house or other building) known to contain roosting listed bats. Additionally, projects may affect the species if they clear ≥ 20 acres of forest, ≥ 10 acres of modeled habitat, or fragment a connective corridor between 2 or more forest patches of at least 5 acres, cut or trim any potential roost trees, or apply pesticides when listed bats may be present (active season dates vary by location). Projects that include removal/modification of an existing bridge or culvert suitable for day-roosting bats may affect listed species if construction activities are performed during the active season and/or will result in the permanent loss of known or potential roosting spaces (i.e., cracks/crevices/joints). Lastly, projects that include temporary or permanent lighting of roadway(s), facility(ies), and/or parking lot(s) may affect listed bats if they do not apply avoidance and minimization measures. **Please coordinate with the Michigan Ecological Services Field Office to further evaluate effects of the Action on federally listed bats.**

Bald and Golden Eagles:

Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act 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.”

If the Action may impact bald or golden eagles, additional coordination with the Service under the Eagle Act may be required. For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit <https://www.fws.gov/library/collections/all-about-eagles>. In addition, the Service developed the National Bald Eagle Management Guidelines (May 2007) in order to assist landowners in avoiding the disturbance of bald eagles. The full Guidelines are available at <https://www.fws.gov/media/national-bald-eagle-management-guidelines-0>.

If you have further questions regarding potential impacts to eagles, please contact Chris Mensing, Chris_Mensing@fws.gov or 517-351-2555.

Planning Recommendations for Utility-Scale Solar Energy Developments in Michigan

We have compiled planning recommendations for utility-scale solar energy developments in Michigan (available here: <https://www.fws.gov/media/generic-michigan-solar-letter-d-key>), which we encourage solar developers to consider and implement to the extent practicable.

Monarch butterfly and other pollinators

Monarch butterfly was proposed for listing as threatened on December 12, 2024. Through May 19, 2025, we are gathering input through an extended public comment period to encourage the submission of any new information. We will review these comments and then will ultimately issue a final rule. If listed, protections would only go into place after the final rule is published. Section 7 conferences are required if a federal action is likely to jeopardize the continued existence of a proposed species.

For all projects, we recommend the following best management practices (BMPs) to benefit monarch and other pollinators.

Monarch and Pollinator BMP Recommendations

Consider monarch and other pollinators in your project planning when possible. Many pollinators are declining, including species that pollinate key agricultural crops and help maintain natural plant communities. Planting a diverse group of native plant species will help support the nutritional needs of Michigan's pollinators. We recommend a mix of flowering trees, shrubs, and herbaceous plants so that something is always blooming and pollen is available during the active periods of the pollinators, roughly early spring through fall (mid-March to mid-October). To benefit a wide variety of pollinators, choose a wide range of flowers with diverse colors, heights, structure, and flower shape. It is important to provide host plants for any known butterfly species at your site, including native milkweed for Monarch butterfly. Incorporating a water source (e.g., ephemeral pool or low area) and basking areas (rocks or bare ground) will provide additional resources for pollinators.

Many pollinators need a safe place to build their nests and overwinter. During spring and summer, leave some areas unmowed or minimize the impacts from mowing (e.g., decrease frequency, increase vegetation height). In fall, leave areas unraked and leave plant stems standing. Leave patches of bare soil for ground nesting pollinators.

Avoid or limit pesticide use. Pesticides can kill more than the target pest. Some pesticide residues can kill pollinators for several days after the pesticide is applied. Pesticides can also kill natural predators, which can lead to even worse pest problems.

Planting native wildflowers can also reduce the need to mow and water, improve bank stabilization by reducing erosion, and improve groundwater recharge and water quality.

Resources:

<https://www.fws.gov/initiative/monarchs>

<https://www.fws.gov/library/collections/pollinators>

Coordination with the Service is not complete if additional coordination is advised above for any species. Please email our office at MIFO_DKey@fws.gov and attach a copy of this letter, so we can discuss methods to avoid or minimize potential adverse effects to those species.

Summary of conservation measures for your project You agreed to the following conservation measures to avoid adverse effects to listed species and our concurrence is only valid if the measures are fully implemented. These must be included as permit conditions if a permit is required and/or included in any contract language.

Eastern Massasauga: Materials used for erosion control and site restoration must be wildlife-friendly. Do not use erosion control products containing plastic mesh netting or other similar material that could entangle eastern massasauga rattlesnake (EMR). Several products for soil erosion and control exist that do not contain plastic netting including net-less erosion control blankets (for example, made of excelsior), loose mulch, hydraulic mulch, soil binders, unreinforced silt fences, and straw bales. Others are made from natural fibers (such as jute) and loosely woven together in a manner that allows wildlife to wiggle free.

Eastern Massasauga: To increase human safety and awareness of EMR, those implementing the project must first review the EMR factsheet (available at <https://www.fws.gov/media/eastern-massasauga-rattlesnake-fact-sheet>), and watch MDNR's "60-Second Snakes: The Eastern Massasauga Rattlesnake" video (available at https://www.youtube.com/watch?v=-PFnXe_e02w).

Eastern Massasauga: During project implementation, report sightings of any federally listed species, including EMR, to the Service within 24 hours.

Eastern Massasauga: The project will not result in permanent loss of more than one acre of wetland or conversion of more than 10 acres of EMR upland habitat (uplands associated with high quality wetland habitat) to other land uses.

Listed Bats: When installing new or replacing existing permanent lights, you will use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, the goal is to be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable. You will direct temporary lighting away from suitable listed bat habitat during the active season.

Listed Bats: The project will not include the application or potential drift of insecticides, fungicides, or rodenticides into forested habitats.

Listed Bats: The action will not include prescribed burning within or adjacent to (within 200 feet of) mature forest.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Heartwood II Solar

2. Description

The following description was provided for the project 'Heartwood II Solar':

The Applicant is proposing the construction of a 120 megawatt utility-scale solar project located in Fayette Township, Hillsdale County, Michigan.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.9836512,-84.63663404660764,14z>



QUALIFICATION INTERVIEW

1. Are there any possible effects to any listed species or to designated critical habitat from your project or effects from any other actions or projects subsequently made possible by your project?

Note: select "Yes" even if the expected effects to the species or critical habitat are expected to be 1) extremely unlikely (discountable), 2) can't meaningfully be measured, detected, or evaluated (insignificant), or 3) wholly beneficial. Select "No" to confirm that the project details and supporting information allow you to conclude that listed species and their habitats will not be exposed to any effects (including discountable, insignificant, or beneficial effects) and therefore, you have made a "no effect" determination for all species. If you are unsure, select YES to answer additional questions about your project.

Yes

2. This determination key is intended to assist the user in the evaluating the effects of their actions on Federally listed species in Michigan. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, purposeful take for scientific purposes or to enhance the survival of a species, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes.

Click **yes** to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

3. Is the action the approval of a long-term (i.e., in effect greater than 10 years) permit, plan, or other action?

Note: For example, a new or re-issued hydropower license, a large-scale land management plan, or other kinds of documents that provide direction for projects or actions that may be conducted over a long term (>10 years) without the need for additional section 7 consultation.

No

4. Is the action being funded, authorized, or carried out by a Federal agency?

No

5. Does the action require a Michigan EGLE/Army Corps of Engineers joint permit?

No

6. Does the action involve the installation or operation of wind turbines?

No

7. Are there at least 30 days prior to your action occurring?

Note: Endangered species consultation must be completed before taking any action that may have effects to listed species. The Service also needs 30 days to review projects before we can verify conclusions in some dkey output letters. For example, if you have already started some components of the project on the ground (e.g., removed vegetation) before completing this key, answer “no” to this question. The only exception is if you have a Michigan Field Office pre-approved emergence survey (i.e., if you have conducted pre-approved emergence surveys for listed bats before tree removal, you can still answer yes to this question).

Yes

8. Does the action involve constructing a new communications tower or modifying an existing communications tower?

No

9. Does the activity involve aerial or other large-scale application of any chemical (including insecticide, herbicide, lampricide, etc.)?

No

10. Does your project include water withdrawal (ground or surface water) greater than 10,000 gallons/day?

No

11. Will your action permanently affect hydrology?

No

12. Will your action temporarily affect hydrology?

No

13. Will your project have any direct impacts to a stream or river (including Horizontal Directional Drilling (HDD) due to potential for frac out, hydrostatic testing, stream/road crossings, new storm-water outfall discharge, dams, other in-stream work, changes to water quality or hydrology, etc.)?

Yes

14. Does your project have the potential to indirectly impact the stream/river or the riparian zone (e.g., cut and fill, horizontal directional drilling due to the potential for frac out, hydrostatic testing, construction, vegetation removal, discharge, changes to water quality or hydrology, etc.)?

Yes

15. Are you applying for one of the following Michigan EGLE/Army Corps of Engineers joint permit application Minor Permit (MP) Categories:
MP 3 - Boat Hoist; MP 5 - Boal Wells; MP 7 - Completed Enforcement Actions; MP 13 - Dock;
MP 22 - Fish and Wildlife Habitat Structures;
MP 25 - Ford Stream Crossings for Commercial Forestry Operations;
MP 31 - Maintenance and Repair of Serviceable Structures;
MP 52 - Temporary Recreational Structures;
MP 54 - Wetland Habitat Restoration and Enhancement?

Verify the MP category number and associated description matches your project/application (https://www.michigan.gov/documents/egle/WRD-Minor-Project-Categories_733320_7.pdf). If you don't know what category applies for your project, answer no to this question.

No

16. Are you applying for one of the following Michigan EGLE/Army Corps of Engineers joint permit application General Permit (GP) Categories:
GP A - Aids to Navigation;
GP C - Clear Span Bridge;
GP J - Dry Fire Hydrant;
GP O - Minor Permit Revisions and Transfers;
GP Q - Mooring Buoy;
GP W - Scientific Measuring Devices;
GP X - Snow Road Stream Crossings for Forestry Operations;
GP Z - Spring Piles and Piling Clusters?

Verify the GP category number and associated description matches your project/application (https://www.michigan.gov/documents/deq/wrd-general-permit-categories_555828_7.pdf). If you don't know what category applies for your project, answer no to this question.

No

17. Will your action disturb the ground or existing vegetation?

Note: This includes any off road vehicle access, soil compaction, digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application, vegetation management (including removal or maintenance using equipment or chemicals), cultivation, development, etc.

Yes

18. Is the action a utility-scale solar development project?

Note:Solar projects are considered utility scale if they will be 1 megawatt or larger.

Yes

19. Does the action intersect the **monarch butterfly** species list area?

Automatically answered

Yes

20. Monarch butterfly was proposed for listing as threatened on December 12, 2024. Through May 19, 2025, we are gathering input through an extended public comment period to encourage the submission of any new information. We will review these comments and then will ultimately issue a final rule. If listed, protections would only go into place after the final rule is published. We encourage implementing measures that will remove or reduce threats to monarch. If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project.

Are you making a "**no effect**" determination for monarch? Please note that the FWS does not provide concurrence on "no effect" determinations.

Yes

21. Does the action intersect the **Eastern massasauga rattlesnake** species list area?

Automatically answered

Yes

22. Does your action involve prescribed fire?

No

23. Will this action occur entirely in the Eastern massasauga rattlesnake inactive season (October 16 through April 14)?

No

24. Will this action occur entirely in the Eastern massasauga rattlesnake active season (April 15 through October 15)?

No

25. Will the action result in permanent loss of more than one acre of wetland or conversion of more than 10 acres of uplands of potential Eastern massasauga rattlesnake habitat (uplands associated with high quality wetland habitat) to other land uses?

No

26. Will you use [wildlife safe materials](#) for erosion control and site restoration and eliminate the use of erosion control products containing plastic mesh netting or other similar material that could ensnare eastern massasauga rattlesnake? Please note that eastern massasauga rattlesnake have been ensnared in plastic net erosion control netting outside known habitat.

Yes

27. Will you watch MDNR's "[60-Second Snakes: The Eastern Massasauga Rattlesnake \(EMR\)](#)" video or review the [EMR factsheet](#) to increase human safety and awareness of EMR?

Yes

28. Will all action personnel report any Eastern massasauga rattlesnake observations, or observation of any other listed threatened or endangered species, during action implementation to the Service within 24 hours?
Yes
29. Does the action area intersect the **whooping crane (ex. Pop)** species list area?
Automatically answered
Yes
30. Does the action area intersect **copperbelly water snake** species list area?
Automatically answered
Yes
31. Does the action area intersect the **Indiana bat** species list area?
Automatically answered
Yes
32. Does the action area contain [potential Indiana bat roost trees](#) (trees ≥ 5 inches in diameter [at breast height] with cracks, crevices and/or exfoliating bark)?
Yes
33. Does the action intersect the **tricolored bat** species list area?
Automatically answered
No
34. Does this project intersect the **Northern long-eared bat** species list area?
Automatically answered
Yes
35. Does the action area contain [potential northern long-eared bat roost trees](#) (trees ≥ 3 inches in diameter [at breast height] with cracks, crevices, cavities and/or exfoliating bark)?
Yes
36. Does the action area contain any known or potential hibernacula (natural caves, abandoned mines, or underground quarries)?
No
37. Has a presence/absence bat survey or field-based habitat assessment following the USFWS Range-wide [Indiana Bat Survey Guidelines](#) been conducted within the action area?
No
38. Does the action involve removal/modification of a human structure (barn, house or other building) known to contain roosting bats?
No
39. Does the action include removal/modification of an existing bridge?
No
40. Does the action include temporary or permanent lighting of roadway(s), facility(ies), and/or parking lot(s)?
Yes

41. Will you apply the following Avoidance and Minimization Measures for bats? 1. When installing new or replacing existing permanent lights, use [downward-facing, full cut-off lens lights](#) (with same intensity or less for replacement lighting); or for those transportation agencies using the [BUG system developed by the Illuminating Engineering Society](#), the goal is to be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable. 2. Direct temporary lighting away from suitable habitat during the active season.

Yes

42. Does the action include herbicide application?

No

43. Does the action include the application or potential drift of insecticides, rodenticides, or fungicides (not including herbicides) into forested habitats?

Answer "Yes" if the application may result in transport (e.g., in water) or aerial drift of the pesticide into forested areas.

No

44. Does the action include tree cutting/trimming of any kind?

Yes

45. Does the action include prescribed burning within or adjacent to (within 200 feet of) mature forest?

No

46. Is tree cutting/trimming and/or prescribed burning limited to that associated with forest management (e.g., cutting and/or burning in forest habitat as a part of continuing forest land-use)?

Select "No" if the project includes cutting and/or burning for development or conversion of forested habitat other than forestry-related road/trail creation or maintenance.

No

47. Does the action include emergency cutting/trimming of hazard trees in order to prevent imminent loss of human life and/or property?

No

48. [Semantic] Is any portion of the action area within 5 miles of a known bat hibernaculum?

Automatically answered

No

49. Will the action clear or convert >20 acres of contiguous forest (i.e., connected by 1,000 feet or less) or fragment a riparian or other connective forested corridor (e.g., tree line) between 2 or more forest patches of at least 5 acres?

Select "No" if the clearing will be limited to a narrow, linear corridor (e.g., a right-of-way) <1000 feet wide.

For more information, see [Appendix II](#).

Yes

PROJECT QUESTIONNAIRE

What is the total acreage of the fenced area around solar panels? If no fences will be used, type 0.

1075

Report the estimated acres of existing land types that will be converted below. If a land type is not present, type 0.

1075

Estimated total acres of cropland

1012

Estimated total acres of forest

55

Estimated total acres of native grassland

0

Estimated total acres of developed land (e.g. building rooftops, parking lots, manicured lawns)

0

Estimated total acres of wetland

2

Estimated total acres of any other land type

6

Report the estimated length in meters of hedgerow that will be removed from the site. If hedgerows will not be removed, type 0.

1987

What is the proposed nameplate capacity of the solar project?

120

What is the approximate acreage of solar panels for this project?

918

Enter the total estimated acres of tree cutting/trimming included in the project as part of forest management (e.g., cutting or harvesting trees as a part of continuing forest land-use). If tree cutting/trimming will not occur as part of forest management, enter "0".

0

Enter the date range during which tree cutting/trimming will be conducted as part of forest management. If tree cutting/trimming will not occur as part of forest management, enter "NA."

NA

Enter the total estimated acres of tree cutting/trimming included in the project that is NOT associated with forest management (e.g., tree clearing/conversion or right-of-way creation/

maintenance). If tree cutting/trimming is limited to that associated with forest management, enter "0".

65

Enter the date range during which tree cutting/trimming will be conducted that is NOT part of forest management (e.g., tree clearing/conversion or right-of-way creation/maintenance). If tree cutting/trimming is limited to that associated with forest management, enter "NA."

October 1 through April 14

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Brittany Zachariahs
Address: Two Towne Square
Address Line 2: Suite 700
City: Southfield
State: MI
Zip: 48076
Email: bzachariahs@atwell-group.com
Phone: 8106235236

From: Ernest Schenk <eschenk@atwell.com>

Sent: Friday, July 11, 2025 10:17 AM

To: Tansy, Carrie L <carrie_tansy@fws.gov>; Wong, Jennifer (Jenny) <jennifer_wong@fws.gov>

Cc: Brady Friss <brady@rangerpower.com>; Sean Harris <sean@rangerpower.com>; Brittany Zachariahs <bzachariahs@atwell.com>

Subject: [EXTERNAL] RE: Heartwood II Solar (Hillsdale County, MI) - USFWS Consultation

Jennifer and Carrie,

Good morning! I am looking to follow up to see if you have been able to review our project information below and provide comment? We are looking to determine whether acoustic monitoring for this project is necessary yet this summer. Thanks!

Ernest Schenk

Project Manager

ATWELL, LLC

248.447.2000 Office

616.304.1825 Mobile

From: [Wong, Jennifer \(Jenny\)](#)
To: [Ernest Schenk](#); [Tansy, Carrie L](#)
Cc: [Brady Friss](#); [Sean Harris](#); [Brittany Zachariahs](#); [East Lansing, FW3](#); [MIFO DKey, FW3](#)
Subject: Re: [EXTERNAL] RE: Heartwood II Solar (Hillsdale County, MI) - USFWS Consultation
Date: Friday, July 11, 2025 12:27:35 PM
Attachments: [image001.png](#)
[image002.png](#)
[20250613 MA TA MI_Statewide.pdf](#)

Hi Ernest,

Apologies for the slow response- it's our busiest season and we're short-staffed at the moment, but really appreciate your coordination. Based on your Dkey evaluation, we would not recommend additional measures for EMR or copperbelly beyond those measures summarized on pg. 4 (to which you agreed in the Dkey questionnaire). You received "may affect" determinations for Indiana bat and northern long-eared bat based on the extent of tree clearing proposed. We appreciate the consideration of presence/absence bat surveys but would not recommend additional surveys based on the fact that the project area already overlaps with multiple "inner-" and "outer-tier" presence/home range buffers for both listed bats (see Appendix G of our [range-wide survey guidelines](#) for more information on the tiered home range buffers). In other words, we would consider both species likely to be present in suitable habitat regardless of additional survey effort.

However, based on the mapped tree clearing locations and extent of impacts to suitable and modeled habitat within each, the high percent forest cover within and surrounding the Project area, and Ranger Power's commitment to cutting trees during the inactive season of October 1 through April 14, we do not expect that the project is reasonably certain to result in take of Indiana or northern long-eared bats.

That said, we encourage Ranger Power to minimize tree clearing (especially impacts to modeled habitat and potential roost trees) to the maximum extent practical and consider voluntary mitigation for listed bats (such as preserving or enhancing additional forest habitat). These guidelines may provide some ideas for voluntary habitat enhancement opportunities [BENEFICIAL FOREST MANAGEMENT PRACTICES FOR WNS-AFFECTED BATS](#).

Thanks again for your patience and your cooperation in conserving threatened and endangered species. Please reach out if we can be of any further assistance.

Have a great weekend,

Jenny Wong

Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Michigan Ecological Services Field Office
2651 Coolidge Road, Suite 101
East Lansing, MI 48823

From: Brittany Zachariahs <bzachariahs@atwell.com>
Sent: Friday, February 27, 2026 7:30 PM
To: Tansy, Carrie L <carrie_tansy@fws.gov>; Wong, Jennifer (Jenny) <jennifer_wong@fws.gov>
Cc: Ernest Schenk <eschenk@atwell.com>; Rebecca Meyers <rmeyers@atwell.com>
Subject: [EXTERNAL] Heartwood II USFWS Outreach - Clubshell Mussel

Hi Carrie and Jenny,

Atwell is reaching out on behalf of Heartwood II, a project proposed in Fayette Township, Hillsdale County, Michigan. The project has submitted a special land use permit (SLUP) application to Fayette Township, and during that process, the clubshell mussel (*Pleurobema clava*) was flagged as a possible species of concern.

The IPaC results for the Project Area list the following species, which does not include clubshell mussel:

- Copperbelly water snake (*Nerodia erythrogaster neglecta*)
- Eastern massasauga rattlesnake (*Sistrurus catenatus*)
- Eastern prairie fringed orchid (*Platanthera leucophaea*)
- Indiana bat (*Myotis sodalis*)
- Northern long-eared bat (*Myotis septentrionalis*)
- Whooping crane (*Grus americana*)

Additionally, MNFI results for the Project Area did not list any threatened or endangered species within the Project Area. A review of the MNFI Mussel Map showed the Beebe Creek as a Group 2 stream. Beebe Creek enters the Project Area in two locations, however, direct impacts to the stream are not anticipated for the Project.

A KMZ of the Project boundary is attached to this email. In your opinion, based on the information provided, would impacts to the clubshell mussel be anticipated?

Thank you for your time!

Brittany Zachariahs

Associate Project Manager

ATWELL, LLC

248.447.2000 Office

810.623.5236 Mobile

Two Towne Square | Suite 700 | Southfield, MI 48076

www.atwell.com

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From: [Tansy, Carrie L](#)
To: [Brittany Zachariahs](#); [Wong, Jennifer \(Jenny\)](#)
Cc: [Ernest Schenk](#); [Rebecca Meyers](#)
Subject: Re: [EXTERNAL] Heartwood II USFWS Outreach - Clubshell Mussel
Date: Monday, March 2, 2026 6:14:00 AM
Attachments: [image001.png](#)
[Outlook-small brow.png](#)
[Outlook-small brow.png](#)

Just a quick follow up, I was able to take a quick look at the project area this morning and I can confirm that there is no group 3 stream in the area. It does intersect group 2 so you would want to check with the MDNR related to impacts to state listed mussels. Since there are no fed listed mussels, including club shell, on your species list, that indicates no records of club shell in the vicinity — and it's not modeled as that species being likely to be present. I'm not sure what the project is, but since there isn't a club shell record, thought I would reply to let you know it's the MDNR you should reach out to. Have a great day,

Carrie

Carrie Tansy
Deputy Field Supervisor
U.S. Fish & Wildlife Service
Michigan Ecological Services Field Office



Committed to Conservation Excellence

The USFWS Midwest Ecological Services Program aims to provide exceptional project planning assistance, and together we build effective conservation solutions. Your insights help us improve — please share your thoughts at eastlansing@fws.gov. Please visit our website to learn more <https://www.fws.gov/office/michigan-ecological-services/what-we-do>.

Michigan Department of Natural
Resources (MDNR)

From: Brittany Zachariahs

Sent: Friday, February 27, 2026 5:00 PM

To: Hoving, Christopher (DNR) <hovingc@michigan.gov>

Cc: Ernest Schenk <eschenk@atwell.com>; Rebecca Meyers <rmeyers@atwell.com>; Brady Friss <brady@rangerpower.com>; Sean Harris <sean@rangerpower.com>

Subject: Heartwood II Solar MDNR Outreach

Hi Chris,

Atwell was contracted by Heartwood II Solar, LLC to investigate natural resources of the proposed Heartwood II Solar project located in the City of Jonesville and Fayette Township, Hillsdale County, Michigan. The project intends to be permitted through Fayette Township by applying for a Special Land Use Permit (SLUP). As part of the SLUP application process, the Township requires consultation with the Department of Natural Resources (DNR). Currently, Atwell has conducted the following natural resources due diligence for the proposed project; (1) review of the Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) System information regarding federally listed threatened and endangered species; (2) review of the Michigan Natural Inventory (MNFI) for state-listed endangered and threatened plant and animal species; and (3) conducted an on-site wetland delineation and habitat assessment. Based on Atwell's study findings (see below), we have created a preliminary solar design to avoid impacts as much as possible.

The IPaC results (dated August 28, 2025) indicate that the proposed project is within the range of five Endangered Species Act (ESA) listed species:

- Copperbelly water snake (*Nerodia erythrogaster neglecta*) - federally threatened and state endangered
- Eastern massasauga rattlesnake (*Sistrurus catenatus*) – federally and state threatened
- Eastern prairie fringed orchid (*Platanthera leucophaea*) – federally threatened and state endangered
- Indian bat (*Myotis sodalis*) – federally and state endangered
- Northern long-eared bat (*Myotis septentrionalis*) – federally endangered and state threatened

The MNFI's electronic database was searched (February 27, 2026) for the sections that contain the proposed Project Area. No threatened or endangered species were documented within the sections that the proposed Project Area intersect.

The onsite habitat assessment was not intended to confirm the presence or absence of federally or state listed species. Rather, the assessment was conducted to provide screening-level information about the potential for TES to occur within the proposed project area based upon habitat conditions. Given the habitat types encountered during the onsite habitat assessment, potentially suitable habitat was observed within the proposed project area for the Indiana bat and northern long-eared bat. Atwell coordinated with USFWS in July 2025 to discuss IPaC results and confirmed the Project will adhere to the appropriate seasonal tree clearing windows. No additional species surveys were recommended by USFWS.

We are seeking any recommendations, feedback, or additional best management practices that you can provide regarding these species. Additionally, we would like to know if there are any further actions we need to take to ensure compliance.

The information you provide will guide project development to address sensitive resources appropriately. Should you have any questions or require additional information, please do not hesitate to contact us.

Brittany Zachariahs

Associate Project Manager

ATWELL, LLC

248.447.2000 Office

810.623.5236 Mobile

Two Towne Square | Suite 700 | Southfield, MI 48076

www.atwell.com

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From: [Brittany Zachariahs](#)
To: [Hoving, Christopher \(DNR\)](#)
Cc: [Ernest Schenk](#); [Rebecca Meyers](#); [Brady Friss](#); [Sean Harris](#); [Drew Vielbig](#)
Subject: RE: Heartwood II Solar MDNR Outreach
Date: Tuesday, March 10, 2026 2:19:00 PM
Attachments: [image001.png](#)

Chris,

Just wondering if you had a chance to review this information yet. We are hoping to get a response by end of the week, if possible.

Please let us know if you have any questions and thank you for your assistance!

Brittany Zachariahs
Associate Project Manager
ATWELL, LLC
248.447.2000 Office
810.623.5236 Mobile

Michigan Department of Environment,
Great Lakes, and Energy (EGLE)

From: [Orler, Maddie \(EGLE\)](#)
To: [Ernest Schenk](#); brady@rangerpower.com
Cc: [Gleason, Joshua \(EGLE\)](#)
Subject: Heartwood II Solar Preapplication Meeting Follow Up
Date: Thursday, March 12, 2026 3:20:16 PM

Hi, I'm emailing to follow up to our virtual preapplication meeting for the proposed Heartwood II solar project. As we discussed, EGLE cannot provide a determination on the need for a permit under Part 301 and 303 of the Natural Resources and Environmental Protection Act until we conduct a site inspection. Additionally, since the project plans are still subject to revision during the planning process, we will wait for finalized project plans to be submitted before we schedule an onsite meeting. Below I have included a brief summary of our discussion:

- Proposed project
 - We discussed the proposed project, which includes construction of solar panels, substation, collection lines, and fencing.
- Wetlands
 - We also discussed how a permit from EGLE is required before any impacts occur to regulated wetlands, inland lakes and streams, or floodplains. The wetland delineation, wetland setbacks, and floodplain areas were also discussed.
 - The wetland delineation will need to be submitted with the revised preapplication meeting request.
- Utility crossings
 - We discussed how EGLE's permit exemptions for utilities intend to be met for the collection line crossings of wetland and stream areas.
 - For additional details regarding the utilities exemptions, visit:
 - [Utilities Exemptions under Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act 1994 PA 451, as amended \(NREPA\)](#)
 - [Suggested Best Management Practices for Utility Corridor Projects, in Accordance with Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended \(NREPA\)](#)
- Threatened and endangered species
 - Coordination with USFWS and timing of tree clearing was also discussed as it relates to listed bat species.
 - DKey and correspondence with USFWS should be submitted with revised preapplication request.
- Additional information needed
 - We discussed the following documents which will need to be submitted:
 - Wetland delineation report.
 - Detailed cross sections of each collection line crossing wetland/stream

areas.

- Frac out plan in the occurrence of an accidental release during directional drilling.
- Next steps
 - Once you are ready to move forward with an onsite meeting, please submit a revised preapplication meeting request with the requested documents above, and we can coordinate a day to meet and review the wetland areas onsite.

Let me know if you have any questions.

Thank you,

Maddie Orler
Environmental Quality Analyst
Water Resources Division | Jackson District Office
Michigan Department of Environment, Great Lakes,
and Energy
(517) 290-5575 | OrlerM@michigan.gov
[Follow Us](#) | Michigan.gov/EGLE

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External Email: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hillsdale County Clerk

From: Brittany Zachariahs <bzachariahs@atwell.com>

Sent: Wednesday, March 4, 2026 12:40 PM

To: Abe Dane <a.dane@hillsdalecounty.gov>

Cc: Brady Friss <brady@rangerpower.com>; Ernest Schenk <eschenk@atwell.com>

Subject: Survey and Economic Survey Report Request

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

Good afternoon,

This email is on behalf of Heartwood Solar II, a proposed utility-scale solar project being applied for in your County. Atwell was contracted by Heartwood Solar II, LLC for assistance on the proposed project application and submittal. The application has been submitted to Fayette Township, which has recently drafted a compatible renewable energy ordinance (CREO). The draft CREO mentions that the Applicant is required to submit a “soil and economic survey report”, mirroring the Michigan Public Service Commission requirement in Public Act 233.

A soil and economic survey report is required to be submitted per the NREPA Act 451 of 1994. Atwell has discussed this requirement with various parties, and the recommended course of action is contact the County for a copy of this report (or good faith effort to procure the report) to include with our application.

Under Sections 60302-60304 under the NREPA, the soil and economic survey report is defined as the following:

The soil and economic survey provided for in this part shall be conducted by counties; and the order in which the soil and economic survey is conducted shall be determined by the department. The purpose of the work is to procure and make available for public use information and data as to the character of the lands surveyed; their adaptability to agricultural purposes or similar uses; the various crops, if any, that may be profitably raised on those lands; and such other matters as are considered desirable and advantageous. The details of the work shall be under the direction and control of the department, which shall employ assistants as the department considers necessary. The compensation of these persons shall be established by the department, and paid as provided in this part. The employees of the department may be reimbursed only for money actually and necessarily expended in the performance of their duties under this part, such reimbursement to be made out of the fund created by this part. Upon completion of the soil and economic survey in any county, the department shall cause a full and detailed report of the soil and economic survey to be made. The department shall cause as many copies of the report to be printed as the department determines are necessary. The expense of the printing shall be paid out of the general fund in the same way that other state printing is, by law, required to be paid for. The report required under section 60303 to be made upon the soil and economic survey in each county, subject to this part, shall set forth such information and data as will fulfill the general purpose defined in section 60302. However, the report shall not state or represent the money value of land surveyed. Insofar as is possible and expedient, the land surveyed shall be classified as to its agricultural adaptability and general character and as to the uses to which it may be put. Maps shall be prepared and incorporated in the report as may be considered necessary for public information and convenience. A copy of the report shall be sent to every public library in the state, and the remainder of the copies shall be kept for distribution, subject to the rules and regulations pertaining to the report that the department may, from time to time, adopt.

Does your County have a copy of this soil and economic report on record they could provide to Atwell and the Applicant?

Thank you in advance for your assistance and let us know if you have any questions.

Brittany Zachariahs

Associate Project Manager

ATWELL, LLC

248.447.2000 Office

810.623.5236 Mobile

Two Towne Square | Suite 700 | Southfield, MI 48076

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From: [Abe Dane](#)
To: [Brittany Zachariahs](#)
Cc: [Brady Friss](#); [Ernest Schenk](#)
Subject: RE: Survey and Economic Survey Report Request
Date: Wednesday, March 4, 2026 3:45:35 PM
Attachments: [image001.png](#)

Good afternoon,

I am not aware of the referenced report being filed in my office. I have asked some other department heads and am told the most likely document that would fit the description would be the USDA Soil Survey Report for Hillsdale County. You should be able to acquire a copy of this report from either the Michigan Department of Agriculture, MSU Extension Office, or the Hillsdale Conservation District Office. I'm also told that most libraries should have a copy.

I hope this helps.

Abe Dane

Hillsdale County Clerk

O: (517) 437-3391

C: (517) 297-9212

Michigan Department of Agricultural and
Rural Development (MDARD)




Heartwood Solar II - Request for MDARD Review - Hillsdale County, MI

From Brady Friss <brady@rangerpower.com>

Date Fri 2/27/2026 11:56 AM

To Thelen, Jarrod (MDARD) <thelenj17@michigan.gov>

Cc Jonah Stearn <jonah@rangerpower.com>

 1 attachment (202 KB)

20260227_HWII Solar MDARD Consultation_FINAL.pdf;

Jarrold,

Please see the attached letter regarding our proposed solar energy facility project in Hillsdale County, MI.

Please review and respond with any questions.

Thank you,
Brady

--

Brady Friss

Development Manager | Ranger Power LLC

(734) 680-3556 | brady@rangerpower.com

www.rangerpower.com

To Whom It May Concern:

Heartwood Solar II, LLC is an approximately 140 MWac solar project being developed in Hillsdale County, Michigan (“Project”). We have filed an application for a Special Use Permit with the Fayette Township Planning Commission. Therefore, we are providing a list of all properties participating in the Project. The table below specifically notes the properties identified by Stewart Title Guaranty Company as potentially enrolled in the Farmland and Open Space Preservation Program (properties with a recorded farmland development rights agreement), based upon the title company’s title review.

Prior to the commencement of construction of the Project, those landowners whose properties are enrolled in the Farmland and Open Space Preservation Program will seek to amend existing development rights agreements to allow their properties to be used as a solar facility site pursuant to Michigan Public Act 230 of 2023.

We request that you review this list and respond, providing concurrence or corrections on the enrollment status of each tax parcel identified below.

Please let us know if you have any questions or would like to schedule time to discuss this further. You can contact us at brady@rangerpower.com or (734) 680-3556.

Thank you,

Brady Friss
Heartwood Solar II, LLC

Heartwood II PA116 Parcels

<u>County</u>	<u>Section, Township, & Range</u>	<u>Tax Parcel Number</u>	<u>Owner Name</u>	<u>Farmland Development Rights Agreement?</u>
Hillsdale	S2, T6S, R3W	30-06-002-300-009-02-6-3	Charles Wallace Briner & Karena Lyn Briner	No
Hillsdale	S34, T5S, R3W	30-06-034-400-002-34-5-3	Richard Hale & Judy Hale	No
Hillsdale	S34, T5S, R3W	30-06-034-200-014-34-5-3	Richard Hale & Judy Hale	No
Hillsdale	S12, T6S, R3W	30-06-012-300-011-12-6-3	Joseph J. McCosh & Denise A. McCosh	No
Hillsdale	S12, T6S, R3W	06-012-100-011-12-6-3	Timothy S. Godfrey & Lori S. Godfrey	No
Hillsdale	S12, T6S, R3W	06-012-100-004-12-6-3	Timothy S. Godfrey & Lori S. Godfrey	30-71545-123129
Hillsdale	S2, T6S, R3W	30-06-002-100-005-02-6-3	Bambi Lynn Nevills - Denning Living Trust	30-6857-123125
Hillsdale	S11, T6S, R3W	06-012-100-013-12-6-3	Carter W. Godfrey & Timothy Scott Godfrey	30-71540-123129 30-71540-123149
Hillsdale	S12, T6S, R3W	06-011-400-003-11-6-3	Stephen P. McElroy & Karin T. McElroy	30-47836-123147 30-47835-123147
Hillsdale	S2, T6S, R3W	06-002-300-004-02-6-3	Stephen P. McElroy	30-54350-123147
Hillsdale	S11, T6S, R3W	06-011-100-001-11-6-3	Stephen P. McElroy	30-54351-123147
Hillsdale	S11, T6S, R3W	06-011-300-007-11-6-3	Stephen P. McElroy	30-54352-123147 30-54353-123146
Hillsdale	S14, T6S, R3W	06-014-200-001-14-6-3	Stephen P. McElroy	30-54355-123146
Hillsdale	S14, T6S, R3W	06-014-100-003-14-6-3	Stephen P. McElroy	30-54355-123108 30-54349-123107 30-54349-123147 30-54355-123146
Hillsdale	S14, T6S, R3W	06-014-100-005-14-6-3	Stephen P. McElroy	30-54349-123147
Hillsdale	S14, T6S, R3W	30-06-330-001-008	Stephen P. McElroy	30-54349-123147
Hillsdale	S34, T5S, R3W	30-06-034-300-008-34-5-3	Carol A. Baker Revocable Trust	30-37829-123137
Hillsdale	S3, T6S, R3W	30-06-003-100-010-03-6-3	Carol A. Baker Revocable Trust	30-6863A-123137
Hillsdale	S3, T6S, R3W	30-06-003-300-003-03-6-3	Carol A. Baker Revocable Trust	30-6863-123137
Hillsdale	S3, T6S, R3W	30-06-003-300-004-03-6-3	Carol A. Baker Revocable Trust	30-6860-123137

Hillsdale	S34, T5S, R3W	30-06-034-300-009-34-5-3	Dale A. Baker Revocable Trust	30-67673-123136
Hillsdale	S34, T5S, R3W	30-06-034-400-004-34-5-3	Dale A. Baker Revocable Trust	30-67672-123136
Hillsdale	S34, T5S, R3W	30-06-034-400-003-34-5-3	Dale A. Baker Revocable Trust	30-54285C-123171
Hillsdale	S35, T5S, R3W	30-06-035-300-004-35-5-3	Dale A. Baker Revocable Trust	30-54285C-123171
Hillsdale	S3, T6S, R3W	30-06-003-100-001-03-6-3	Dale A. Baker Revocable Trust	30-6862-123137
Hillsdale	S3, T6S, R3W	30-06-003-200-006-03-6-3	Dale A. Baker Revocable Trust	30-54285-123171
Hillsdale	S3, T6S, R3W	30-06-003-200-007-03-6-3	Dale A. Baker Revocable Trust	30-54285-123171
Hillsdale	S2, T6S, R3W	30-06-002-100-001-02-6-3	Dale A. Baker Revocable Trust	30-54285B-123171
Hillsdale	S3, T6S, R3W	30-06-003-100-002-03-6-3	Dale A. Baker Revocable Trust	30-37831-123171
Hillsdale	S3, T6S, R3W	30-06-003-400-001-03-6-3	Dale A. Baker Revocable Trust	30-54285A-123171
Hillsdale	S12, T6S, R3W	30-06-012-300-010-12-6-3	Theodore Cook	TBD (Title Report in Progress)

Jonesville Fire Department

Heartwood Solar II – Jonesville Fire Department Meeting Summary

Date and Time: 10/6/2025, 6:00-7:00PM EST

Location: Jonesville Fire Department

Participants:

- Ranger Power: Brady Friss, Ella Hackett
- Jonesville Fire Department: Rick Riggs (Deputy Chief), Scott Lucas (Assistant Chief)

Discussion Summary:

- Project Overview – Proposed 140MW solar project in Fayette Township, Hillsdale County, MI
- Review of Heartwood Solar II map
- Summary of general development history to date
- Discussion of fire department experience with Heartwood Solar construction to date
- Discussion of adequate training and equipment needs
- Status of local permit application preparation
- Project Timeline – Proposed construction start date in late 2027, COD in late 2028

Hillsdale County Drain Commission
(HCDC)

Heartwood Solar II – Hillsdale Drain Commission Meeting

Date and Time: 3/3/2026, 2:30-3:00PM EST

Location: Met Virtually via Microsoft Teams

Notes By: Jonah Stearn – Ranger Power, LLC

Participants:

- Ranger Power: Brady Friss, Jonah Stearn
- Atwell: Ernest Schenk, Craig Kantola
- Hillsdale County: Matt Word (Hillsdale County Drain Commissioner)
- Spicer: Luke O'Brien
- Fahey Schultz Burzych Rhodes PLC: Ross Bower

Discussion Summary:

- 1) Project Overview – Proposed 140MW solar project in Fayette Township, Hillsdale County, MI.
 - a. Discussed specific location of project and shared most recent site design
 - b. Size of project area discussed as over 1000 acres
 - c. Still early in project timeline: Currently working on getting approval for permit application
 - d. Brady: “We’ve been working on the land side for a couple of years and now are working through permitting with officials from Fayette Township”
- 2) All sides agreed that ongoing communication is key for a smooth process, Hillsdale expressed appreciation that Ranger was the one to reach out and set up this meeting
- 3) Brady confirmed that the HWII site design was made using all the same constraints that HWI was designed under. Though with the new CREO draft we will have to adjust the design to fit within the updated ordinance constraints.
- 4) Matt confirmed that there are no county drains within HWII proposed site area.
 - a. Ross: “it’s rare to have a project that doesn’t need drain crossing agreements but should make the HWII process comparatively easy.”
- 5) Ross stated that Non-participating Adjacent Landowners (NPALO’s) is a concern for the Drain Commission (DC).
 - a. Proposed that we could sign a “Hold Harmless Agreement” so that if NPALO’s file complaints with the DC, it is Ranger’s responsibility to address them, or if that agreement requires Ranger to post security, then the DC preemptively has the funds to address problems on NPALO properties.
- 6) Ross stated any infrastructure installments that could need maintenance during project lifespan will need agreements signed as well stating Ranger will be held accountable.
- 7) Brady: “What stage do you normally enter into those agreements?”

- a. Ross:
 - i. After this meeting we should sign a cooperation agreement and agree on some amount of escrow. (escrow could be less than usual because the project area has no county drains within)
 - ii. During design phase engineers from all parties should be communicating somewhat regularly regarding site designs.
 - iii. Closer to construction start, crossing agreements, hold harmless agreements, etc. (if needed) should be signed prior to construction
- 8) Brady confirmed we are still early in the project timeline and that the anticipated construction start will not be until late 2027 at the earliest.
 - a. Also stated that the 6 months leading up to construction is when we will ramp up site design conversations with the DC and respective engineers.
 - b. Stated that we are still permitting the project which precedes finalizing site designs. (Ross and Brady agreed that “quarterly communications until then are sufficient”)
- 9) Matt asked about the public perception of the project
 - a. Stated he is a Hillsdale resident and has heard from people about the project.
 - b. Brady acknowledged that the project has received increased attention from the community but confirmed that there are many project supporters including participating landowners, local stakeholders, Heartwood Solar grant recipients, and other informed community members.
 - c. Brady: “we recognize these projects present significant changes within the community and understand that providing information to all parties is important.”
- 10) Brady assured them that we are familiar with drainage concerns at the county/township levels and that our experienced team has been through properly addressing these issues before while developing other successful projects within the state.
- 11) Brady asserted that we have reached out to the fire department, local officials, and now the DC as part of our framework is keeping everybody in the community looped in.
 - a. Matt: “That says a lot of good about Ranger as developers”
- 12) Brady opened the meeting up for questions. Few were asked.
 - a. Talked about smaller blocks of parcels in the south
 - b. Matt confirmed that there are no county drains in those blocks.
- 13) Luke asked to receive a copy of the most recent site design
 - a. Requested we provide an updated site design that considers the proper constraints outlined in the newly adopted CREO, and send it in a few weeks. Luke/Matt/Ross accepted.