

Memo

Date: April 1, 2021

To: Mr. Brad Romano, Invenergy LLC
Ms. Katya Samoteskul, Invenergy LLC
Mr. John Wojcikiewicz, Invenergy LLC
Mr. Ethan Sternberg, Invenergy LLC

From: Daniel Roberts, Energy Renewal Partners, LLC
droberts@energyrenewalpartners.com

Subject: **Foundry Works Solar Energy LLC
Environmental Summary**

Foundry Works Solar Energy LLC is developing the Foundry Works solar energy project (“Project”) in Lake County, Indiana. The Project area is located in the southeast portion of Lake County, approximately 0.5 miles west of the Town of Hebron (“Project Area”).

In compliance with the Lake County Zoning Ordinance Section 9.10.2(M), Foundry Works Solar Energy LLC engaged Energy Renewal Partners LLC (ERP) to identify potential impacts on the natural environment, including wetlands and other sensitive ecosystems, and species of concern.

ERP performed a site characterization study of the Project Area and the surrounding two miles (the “Study Area”). ERP conducted pre-construction environmental surveys to assess the wildlife and natural resources in the Study Area. ERP coordinated its work with Indiana Department of Natural Resources (IDNR) and USFWS regarding resources and project plans. The coordination with IDNR and USFWS remains ongoing.

On behalf of Invenergy, ERP has conducted the following pre-construction surveys:

As part of the Tier 1 & 2 Site Characterization, which includes initial agency consultation, ERP has conducted a screening of available desktop resources (e.g., USFWS Information for Planning and Consultation (IPaC), USFWS National Wetland Inventory (NWI), and Cornell Lab of Ornithology e-Bird database) for species, land/water, and habitat resource information, as well as an in-field review of identified resources. The Tier 1 & 2 Site Characterization was completed in November 2020. Based on a review of publicly available sources and onsite field investigations, the Study Area is predominantly agricultural or developed land, though ERP has identified areas of potential habitat for Indiana bats and northern long-eared bats (state and federally endangered, federally threatened, respectively). This potential habitat includes wooded areas dispersed across the Study Area. Though onsite wooded areas and water resources provide potential habitat for state endangered species within the Study Area, these habitats are relatively uncommon and sparsely distributed across the Study Area. **There are no designated critical habitats, special management, or public conservation lands located in the Project Area.**

In July 2020, ERP corresponded with IDNR and USFWS and obtained a Natural Heritage Data Center (NHDC) element occurrences letter from IDNR and an Official Species List from USFWS. Both the NHDC element occurrence data and Official Species List provide information on resources of concern (e.g., protected species, critical habitats, lands precluded from development). Only the Indiana bat and northern long-eared bat are identified within the Official Species List from USFWS. Based on the NHDC list of state endangered species within the county, ERP identified 24 species with a range that overlaps the Study Area. Though their range overlaps the Study Area, no NHDC element occurrences of protected animal species occur within the Study. Additionally, ERP reviewed the Cornell Lab of Ornithology e-Bird database for reported bald eagle occurrences. Several incidental bald eagle observations are noted approximately one (1) mile east and four (4) miles south of the Study Area in association with the Kankakee River. Project planning will incorporate appropriate best management practices as outlined in the USFWS National Bald Eagle Management Guidelines¹. To maintain current records and account for new species occurrences and agency guidance, requests for updated review responses from IDNR and USFWS will continue as the Project continues the entitlement process and commences additional development activities.

ERP also conducted wetland and waterbody delineations in July 2020 in accordance with the U.S. Army Corps of Engineers Wetlands Delineation Manual (USACE) and the Regional Supplement to the Corps of Engineers Wetland Determination Manual: Midwest Region (Version 2.0). An Approved Jurisdictional Determination (AJD) request was submitted to the USACE on March 5, 2021. The AJD request is assigned project number LRC-2021-00235, and the assigned USACE project manager is Paul Leffler paul.m.leffler@usace.army.mil. The USACE AJD site verification meeting is scheduled for May 20, 2021. A copy of the delineation report has been provided to Indiana Department of Environmental Management (IDEM) and informal consultation on the presence of isolated wetlands has been initiated. ERP has reviewed the overall site layout, dated March 23, 2021, and has determined that the layout avoids and minimizes impacts to waters to the greatest extent practicable. Based on this current layout, potential impacts to wetlands and waterbodies are limited to perpendicular linear crossings of collection lines. Should limited impacts occur to jurisdictional wetlands or waterbodies, all impacts will be permitted in accordance with USACE and/or IDEM regulations.

¹ <https://www.fws.gov/northeast/ecologicalservices/eaglenationalguide.html>