



**Minnesota Department of Natural Resources
Division of Ecological & Water Resources
500 Lafayette Road
St. Paul, MN 55155-4040**

June 28, 2023

Consumer Affairs Office
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: In the Matter of the Application of Elk Creek Solar, LLC, for a Site Permit Amendment for the Elk Creek Solar Project in Rock County, PUC Docket Number: IP-7009/GS-19-495

Dear Consumer Affairs Office:

The Minnesota Department of Natural Resources (DNR) has reviewed the site permit amendment application for the Elk Creek Solar Project. Our agency offers the following remarks:

Based on a high-level preliminary review, the *Amended Control Area* appears to have greater potential natural resource impacts than the *2020 Land Control Area*. As depicted in Figure 12 of the site permit amendment application, Elk Creek (a public water) and a Minnesota Biological Survey (MBS) site of moderate biodiversity significance are near the southeast portion of the *Amended Control Area*. A thorough evaluation is necessary to assess potential natural resource impacts associated with the previously unreviewed area.

A site permit application that identifies and describes the *Amended Control Area* as an independent project, rather than comparing it to the *2020 Land Control Area*, would improve clarity. Also, a site permit application and environmental assessment (EA) would be consistent with the process for the Sherco Solar 3 project, which will be reviewed and permitted as a separate project.

The DNR appreciates the opportunity to comment on the Elk Creek Solar Project. If you have questions about our agency's comments, I may be reached at cynthia.warzecha@state.mn.us or 651-259-5078.

Sincerely,

/s/ Cynthia Warzecha

Energy Projects Planner

EC: Mike Kaluzniak, Minnesota Public Utilities Commission
Bill Storm, Minnesota Department of Commerce
Haley Byron, Minnesota Department of Natural Resources

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