



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

May 10, 2021

Public Advisor, Minnesota Public Utilities Commission  
121 7th Place East, Suite 350  
Saint Paul, MN 55101

**RE: In the Matter of the Site Permit Amendment Application for Proposed Upgrades to Xcel Energy's Nobles Wind Farm in Nobles County, PUC Docket: IP-6646/WS-09-584**

Dear Public Advisor,

The Minnesota Department of Natural Resources (DNR) has reviewed the site permit amendment application for the Nobles Wind Farm in Nobles County. Our agency offers the following comments and recommendations.

### **Topeka Shiner**

Portions of the East Branch of Kanarazi Creek within the vicinity of the project are federally designated as critical habitat for the Topeka shiner (*Notropis topeka*), a federally listed endangered and state-listed special concern fish species. Topeka shiners are adversely impacted by actions that alter stream hydrology or decrease water quality, including sedimentation, dredging and filling, stream dewatering, impoundment, eutrophication, channelization, and pollution/contamination.

The DNR appreciates Xcel Energy's efforts to design the crane paths to avoid crossing Topeka shiner streams. Although crane paths and construction workspaces will not occur within suitable Topeka shiner streams or designated critical habitat, indirect impacts could occur as the result of sedimentation from construction activities. For instance, potential impacts may occur where proposed crane paths cross intermittent streams that flow into the East Branch of Kanarazi Creek. Hence, the DNR recommends a permit condition that requires the avoidance of upstream crossings during spawning season (May 15 - August 15) if streamflow is present. Additionally, the project should implement and maintain stringent erosion and sediment control practices near the stream and any of its tributaries during crossings and construction. For more information regarding Topeka shiners, refer to [Questions and Answers about the Topeka Shiner in Minnesota](#).

## Potential Permits and Approvals

Table 12-1 of the site permit amendment application includes a potential DNR Public Waters Work Permit. The table further states that Xcel Energy will apply for a License to Cross Public Waters based on final project design. Our agency advises that a Public Waters Work Permit differs from a License to Cross Public Waters. Under Minnesota Statutes, section 103G.245, subdivision 1, a DNR Public Waters Work Permit is needed to change or diminish the course, current, or cross section of public waters by filling, excavating, or placing materials in or on the bed of public waters.

The DNR appreciates the opportunity to review the site permit amendment application for the Nobles Wind Farm partial repower project. If you have questions about our agency's comments, I may be reached at [cynthia.warzecha@state.mn.us](mailto:cynthia.warzecha@state.mn.us) or 651-259-5078.

Sincerely,

/S/ Cynthia Warzecha  
Energy Projects Planner

CC: Mike Kaluzniak, Minnesota Public Utilities Commission  
David Birkholz, Minnesota Department of Commerce  
Matt Langan, Xcel Energy  
Joanne Boettcher, Minnesota Department of Natural Resources  
Samantha Bump, Minnesota Department of Natural Resources