

APPENDIX J

Agency, Tribal, and Public Correspondence

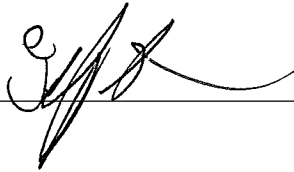
Lyon County Generating Station Project
Combined Application
MPUC Docket Nos. E002/CN-25-145, G002/GS-25-154,
E002/TL-25-161 & G002/GP-25-163
May 2025

**In the Matter of the Lyon County
Generating Station Project for Permitting as
administered by the Minnesota Public
Utilities Commission**

AFFIDAVIT OF MAILING

Tyler Beemer of Burns & McDonnell Engineering Company Inc. being first duly sworn, deposes and states that on the 28th of February, 2025, the following Lyon County Generating Station project notification letter was mailed by the United States Postal Service, first-class postage prepaid thereon, to the individuals identified on the attached mailing list.

- Notification letter for the Lyon County Generating Station Project to local government units
- Notification letter for the Lyon County Generating Station Project to tribal representatives



Subscribed and sworn to before me

this 3rd day of March, 2025



Notary Public



Local Government Contacts

LGU Name	Point of Contact	Mailing Address
Lyon County Planning and Zoning Administrator/Development Director	John Biren	1424 East College Dr. #600, Marshall, MN 56258
Lyon County Administrator	Loren Stomberg	607 West Main Street, Marshall, MN 56258
Lyon County Commissioner (District #5)	Rick Anderson	2332 140th St., Balaton, MN 56115
Custer Township	Eldon Mitzner	1368 260th Ave, Garvin, MN 56132
Mayor of Garvin	Jim Julien	125 Sherman St, Garvin MN 56132

Tribal Contacts

Tribe/Entity Name	Point of Contact	Mailing Address
Bois Forte Band of Chippewa	Jaylen Strong	1500 Bois Forte Road, Tower, MN 55790
Fond du Lac Band of Lake Superior Chippewa	Evan Shroeder	28 University Road, Cloquet, MN 55720
Grand Portage Band of Ojibwe	Rob Hull	Po Box 428, Grand Portage, MN 55605
Leech Lake Band of Ojibwe	Gina Lemon	190 Sailstar Drive NW, Cass Lake, MN 56633
Lower Sioux Indian Community	Cheyenne St. John	39527 Reservation Hwy 1, Morton, MN 56270
Mille Lacs Band of Ojibwe	Mike Wilson	43408 Oodena Drive, Onamia, MN 56359
Prairie Island Indian Community	Noah White	5636 Sturgeon Lake Road, Welch, MN 55089
Red Lake Nation	George Branchaude	15484 Migizi Drive, Red Lake, MN 56671
Shakopee Mdewakanton Sioux Community	Leonard Wabasha	2330 Sioux Trail NW, Prior Lake, MN 55372
Upper Sioux Community	Samantha Odegard	PO Box 147, 5722 Travers Lane Granite Falls, MN 56241
White Earth Nation	Jacob Syverson	35500 Eagle View Road, Ogema, MN 56569
Minnesota Indian Affairs Council	John Reynolds	161 St. Anthony Avenue, Ste. 940 St. Paul, MN 55103



414 Nicollet Mall
Minneapolis, Minnesota 55401
Xcelenergy.com

February 28, 2025

ADDRESSEE

Re: Lyon County Generating Station Project

Dear **X**:

Northern States Power Company, d/b/a Xcel Energy (Xcel Energy) is proposing to construct the Lyon County Generating Station in Lyon County, Minnesota (Project). The Project will include two simple-cycle natural gas-fired combustion turbine generators (CTs) totaling approximately 420 megawatts, an approximately eight-inch natural gas supply interconnection line that would connect to an existing twelve-inch pipeline owned by Northern Border Pipeline Company, and two short (each less than one mile) 345 kilovolt (kV) transmission lines that would connect to a new Garvin Substation to be constructed as part of the Minnesota Energy Connection project. The Project is proposed to be in-service in December 2028. The enclosed Project figure shows the preliminary Project site layout, all located on property that will be owned by Xcel Energy.

Natural gas CTs are considered some of the best positioned resources to provide flexibility to the electric grid and are intended to be able to meet energy needs as demand increases or decreases throughout the day or when other energy sources are not available. Combustion turbines can also start relatively quickly if the grid operator foresees a decline in variable renewable resources. Combustion turbines provide significant value to the grid system for reliability, in providing firm peaking capacity and energy during periods of low renewable output, as well as better extreme weather preparedness to ensure adequate resource availability during prolonged extreme weather events.

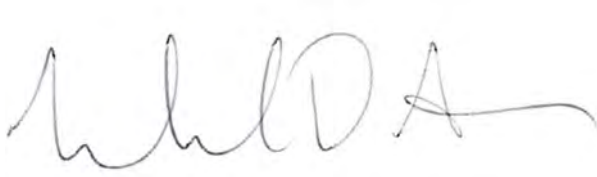
The Project was proposed in a Minnesota Public Utilities Commission (Commission)-approved resource acquisition process and subsequently included in a Settlement Agreement approved by the Commission on February 20, 2025.¹ Xcel Energy plans to file an application for a Certificate of Need, Site Permit, and Route Permits in the Spring of 2025 to the Commission for the Project. Xcel Energy is

¹ See Minnesota Public Utilities Commission Docket Nos. E002/CN-23-212 and E002/CN-24-67.

reaching out to local units of government to offer the opportunity to request a consultation meeting regarding the Project. If you would like to request a meeting or have any questions about the Project, please contact me at Michael.D.Aasen@xcelenergy.com or 612-370-3524.

We appreciate your assistance as we evaluate siting information and work through the Commission's approval process.

Sincerely,

A handwritten signature in black ink, appearing to read 'M.D.A.', with a long horizontal flourish extending to the right.

Michael Aasen
Principle Engineer, ISP Xcel Energy

Enclosure: Preliminary Project Site Layout Figure



414 Nicollet Mall
Minneapolis, Minnesota 55401
Xcelenergy.com

February 28, 2025

ADDRESSEE

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The Project was proposed in a Minnesota Public Utilities Commission (Commission)-approved resource acquisition process and subsequently included in a Settlement Agreement approved by the Commission on February 20, 2025.¹ Xcel

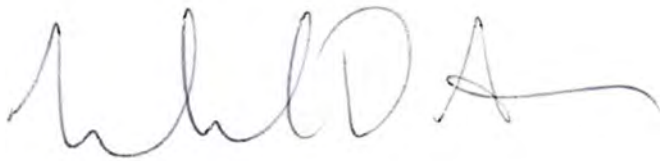
¹ See Minnesota Public Utilities Commission Docket Nos. E002/CN-23-212 and E002/CN-24-67.

Energy plans to file an application for a Certificate of Need, Site Permit, and Route Permits in the Spring of 2025 to the Commission for the Project. The property on which the Project is proposed to be located is currently in agricultural production. A Phase I Cultural Resource Survey was conducted for the Project site in April 2024, and no eligible cultural resources were identified. Xcel Energy is submitting the Phase I for review and concurrence by the Minnesota State Historic Preservation Office in February 2025. If you would also like a copy of the Phase I, please let me know.

Although you may have already received correspondence from Xcel Energy regarding the proposed Minnesota Energy Connection project, we are reaching out separately to notify you of this Project. If you have questions or would like additional information, please contact me at Michael.D.Aasen@xcelenergy.com or 612-370-3524.

We appreciate your assistance as we evaluate siting information and work through the Commission's approval process.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M.D. Aasen', with a long horizontal flourish extending to the right.

Michael Aasen
Principle Engineer, ISP Xcel Energy

Enclosure: Preliminary Project Site Layout Figure

From: [Beemer, Tyler](#)
To: [Beemer, Tyler](#)
Cc: [Rogers, Timothy G](#)
Bcc: [david.bell@state.mn.us](#); [waterprograms.bwsr@state.mn.us](#); [kate.fairman@state.mn.us](#); [annie.felix-gerth@state.mn.us](#); [chris.green@state.mn.us](#); [todd.a.green@state.mn.us](#); [Kotch Egstad, Stacy \(DOT\)](#); [stephan.roos@state.mn.us](#); [execdir@swrdc.org](#); [isaac.weston@state.mn.us](#); [MN MDOR Sa Property](#); [Wolfgang Jonathan \(DPS\)](#); [Konickson, Chad S CIV USARMY CEMVP \(USA\)](#); [Marsh, Dawn S](#); [Tyler, Jennifer](#)
Subject: Xcel Energy - Lyon County Generating Station Project Notification
Date: Thursday, March 27, 2025 3:51:00 PM
Attachments: [Xcel Energy Lyon County Generation Station Project Notification Figure.pdf](#)

Northern States Power Company, d/b/a Xcel Energy (Xcel Energy) is proposing to construct the Lyon County Generating Station in Lyon County, Minnesota (Project). The Project will include two simple-cycle natural gas-fired combustion turbine generators (CTs) totaling approximately 420 megawatts, a natural gas supply interconnection line that would connect to an existing pipeline owned by Northern Border Pipeline Company, and two short (each less than one mile) 345 kilovolt (kV) transmission lines that would connect to a new Garvin Substation to be constructed as part of the Minnesota Energy Connection project. The Project is proposed to be in-service in December 2028. The enclosed Project figure shows the preliminary Project site layout, all located on property that will be owned by Xcel Energy.

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The Project was proposed in a Minnesota Public Utilities Commission (Commission)-approved resource acquisition process and subsequently included in a Settlement Agreement approved by the Commission on February 20, 2025. Xcel Energy plans to file an application for a Certificate of Need, Site Permit, and Route Permits in the Spring of 2025 to the Commission for the Project. Xcel Energy would appreciate any input you may have on the Project and the proposed site. This email, and any responses received, will be included in Xcel Energy's application to the Commission. There will also be numerous public input opportunities as part of the Commission's review process. If you'd like to request a meeting, please contact me at tyler.beemer@xcelenergy.com or 952-491-9470. We appreciate your assistance as we evaluate siting information and work through the Commission's approval process.

Sincerely,

Tyler Beemer

Xcel Energy

Siting and Lang Rights Agent (Prof. Consultant Burns & McDonnell)

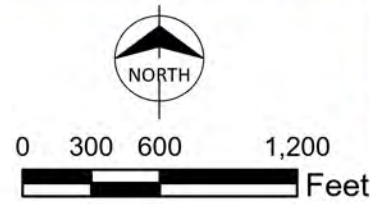
414 Nicollet Mall, 7 Minneapolis, MN 55401

P: 952.491.9470

E: tyler.beemer@xcelenergy.com



General Site Boundary	Transmission Line Route Width	MNEC Proposed Transmission Line Centerline - Option 1
Combustion Turbine Area	Garvin Substation Area	MNEC Proposed Transmission Line Centerline - Option 2
Pipeline Interconnection Area	MNEC Transmission Route Width Options	
Existing Pipeline		



**Xcel Energy
 Lyon County Generation Station
 Preliminary Site Layout**

From: Kotch Egstad, Stacy (DOT) <stacy.kotch@state.mn.us>
Sent: Monday, March 31, 2025 8:10 AM
To: Beemer, Tyler <Tyler.Beemer@xcelenergy.com>
Cc: Rogers, Timothy G <Timothy.G.Rogers@xcelenergy.com>
Subject: RE: Xcel Energy - Lyon County Generating Station Project Notification

Good Morning, Tyler,

Thank you for contacting MnDOT to engage in early Project outreach.

Because the proposed Project area will abut US 59, I offer the following comments for planning and permitting consideration.

Associated Facilities:

Although your early design does not show specifics around additional connection facilities affecting MnDOT TH ROW, it is assumed that other than the planned MNEC HVTL/Sub, no other Project components will affect US 59 ROW in the area. Please advise if I am incorrect in this observation. If the MNEC line (Option 1 or 2) plans to utilize US 59 beyond the Option 1 crossing shown, additional coordination with MnDOT is required.

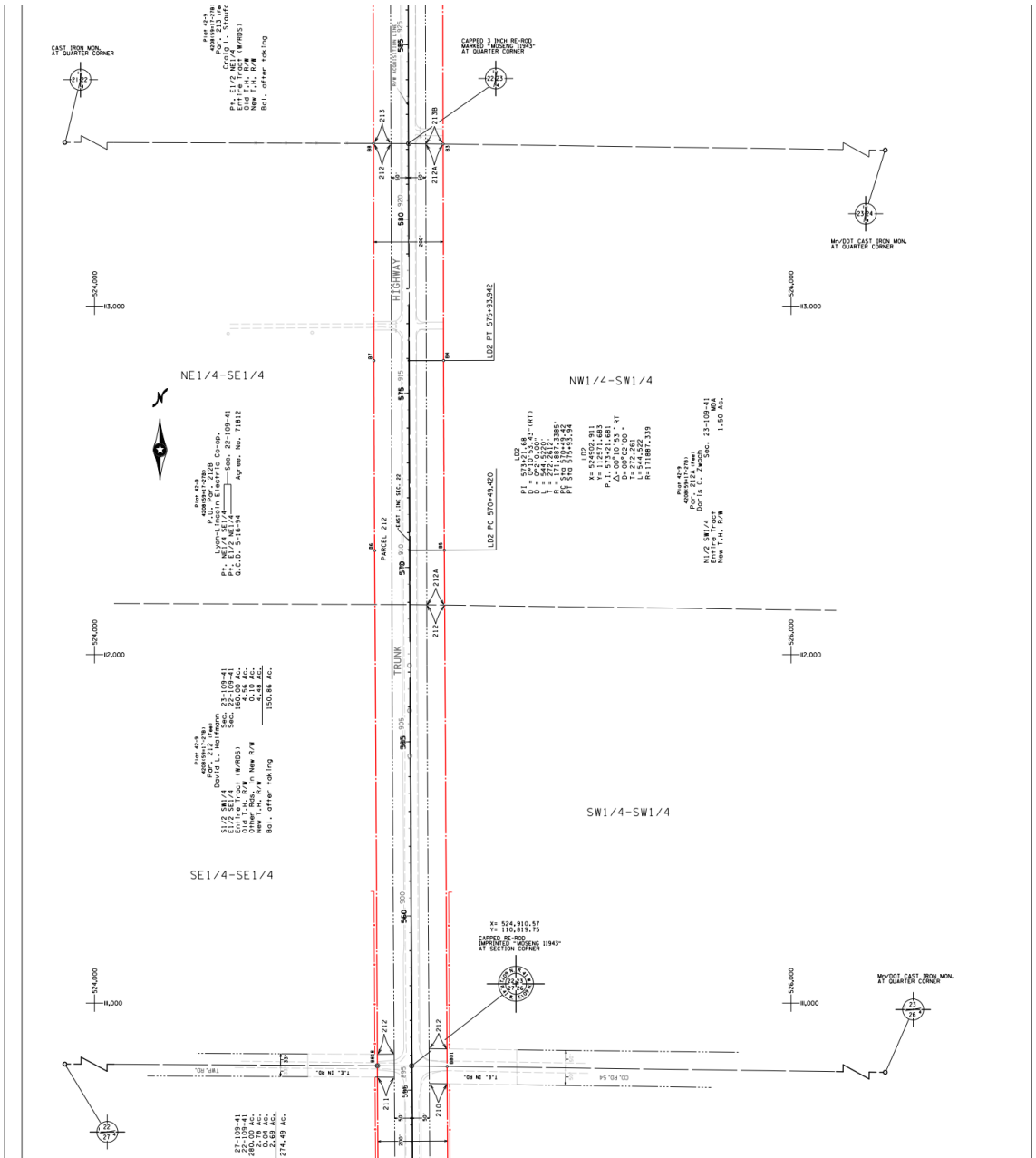
Project Access:

Xcel should plan to utilize (legal) existing TH access points or access the Project from local roads whenever possible. Access from MnDOT ROW whether at an existing driveway or new driveway is not guaranteed, and **new** highway access permits will be required in either case. Xcel should eventually contact MnDOT District Permitting staff for more information about permit applications, processes, and requirements.

Project Area Mapping vs MnDOT ROW:

Project Area or Project Boundary mapping should not overlap TH ROW limits in any way. Specifically, regarding TH ROW areas where the Xcel does not have land rights, clear and correct land lease/ownership boundaries should be displayed. MnDOT has 200 feet of TH ROW in the Project area (100 feet from CL - as shown in the map snippet below).

MnDOT ROW MAP #35-93



When requested, MnDOT will provide similar/updated comments to the PUC docket for this Project.

Please contact me with any questions regarding these comments.

Thank you again,

Stacy Kotch Egstad

Utility Routing & Siting Coordinator | Office of Land Management

Minnesota Department of Transportation

395 John Ireland Blvd Mailstop 678

St. Paul, MN. 55155

651-358-0786

[Large Energy Facility Project Guidance - MnDOT \(state.mn.us\)](https://www.state.mn.us/large-energy/)

From: Leonard Wabasha (TO) <leonard.wabasha@shakopeedakota.org>
Sent: Thursday, March 13, 2025 8:40 AM
To: Aasen, Michael D <Michael.D.Aasen@xcelenergy.com>
Subject: Lyon County Generating Station Project

EXTERNAL - STOP & THINK before opening links and attachments.

Thank you for the update, please keep us informed of the progress of the project... Thanks again and Have a Great Day!!



LEONARD WABASHA
Tribal Historic Preservation Officer • Cultural Resources
Shakopee Mdewakanton Sioux Community
d: 952.496.6120
shakopeedakota.org
Leonard.Wabasha@shakopeedakota.org

The Shakopee Mdewakanton Sioux Community is a federally recognized, sovereign Indian tribe located southwest of Minneapolis/St. Paul. With a focus on being a good neighbor, good steward of the earth, and good employer, the SMSC is committed to charitable donations, community partnerships, a healthy environment, and a strong economy.

~~~~~  
The information contained in this message is confidential. If you are not the intended recipient, dissemination or copying of this information is prohibited.  
If you have received this communication in error, please notify the sender and delete the message from your system. Thank you!  
~~~~~

Beemer, Tyler

From: Meincke, Alexander C CIV USARMY CEMVP (USA)
<Alexander.C.Meincke@usace.army.mil>
Sent: Tuesday, March 4, 2025 3:25 PM
To: Beemer, Tyler; Rogers, Timothy G
Cc: Courtney N. Williams
Subject: Xcel Energy Generating Station
Attachments: MN Joint Application Form - Lyon County Generation Station Project.pdf;
NOA_Garvin_GeneratingStation_2025.pdf; Xcel Lyon County Generation Station -
Wetland Delineation and Protected Species Assessment Report 17MAY2024.pdf

Hello,

The U.S. Army Corps of Engineers St. Paul District (Corps) recently received a request to review the aquatic resource delineation for the Lyon County Generating Station project.

Based on the information submitted, there does not appear to be any work proposed within the project boundaries at this time. If you are considering a project that may impact waters of the U.S. and may need a Corps of Engineers permit, please submit a permit application or request a pre-application consultation. The Corps will evaluate aquatic resource delineations during the permit evaluation. A pre-application consultation is an opportunity to discuss permit requirements that may assist with project planning and preparing a permit application. Consultations often provide information regarding the likelihood of jurisdictional resources on the site, environmental or cultural resource evaluations that may be required, and potential compensatory mitigation requirements. Preapplication consultations often lead to a more streamlined permit review process.

You can find more information regarding the permitting process and how to request a pre-application meeting or submit a permit application here: <https://www.mvp.usace.army.mil/Missions/Regulatory/Permitting-Process-Procedures/>.

Please note that state or local delineation or permit requirements may differ from those of the Corps of Engineers. If you submit a permit application to the Corps, please include any state or local delineation approvals with your application.

Please contact me if you have any questions.

Sincerely,

Alex Meincke
Lead Project Manager, South Branch, Regulatory Division
St. Paul District, US Army Corps of Engineers
332 Minnesota Street, Suite E1500
St. Paul, Minnesota 55101
Office Phone: (651) 290-5485

Minnesota Wetland Conservation Act Notice of Decision

Local Government Unit: Lyon SWCD	County: Lyon
Applicant Name: Xcel Energy	Applicant Representative: Tyler Beemer, Burns & McDonnell Engineering Inc.
Project Name: Lyon County Generating Station – Garvin, MN	LGU Project No. (if any): 2025/01
Date Complete Application Received by LGU: 2/25/2025	
Date of LGU Decision: 3/14/2025	
Date this Notice was sent: 3/20/2025	

WCA Decision Type - check all that apply

<input checked="" type="checkbox"/> Wetland Boundary/Type	<input type="checkbox"/> Sequencing	<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Bank Plan (not credit purchase)
<input type="checkbox"/> Exemption	<input type="checkbox"/> No-Loss (8420.0415)		
MN Rules 8420.0420	Part: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H		
Subpart: <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 7 <input type="checkbox"/> 9			
MN Statutes 103G.2241			
Subdivision: : <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 6 <input type="checkbox"/> 9			

Replacement Plan Impacts (replacement plan decisions only)

Total WCA Wetland Impact Area:
Wetland Replacement Type: <input type="checkbox"/> Project Specific Credits - Number of Credits: <input type="checkbox"/> Bank Credits – Number of Credits:
Bank Account Number(s):

Technical Evaluation Panel Findings and Recommendations (attach if any)

<input type="checkbox"/> Approve <input type="checkbox"/> Approve w/Conditions <input type="checkbox"/> Deny <input checked="" type="checkbox"/> No TEP Recommendation
--

LGU Decision

<input type="checkbox"/> Approved with Conditions (specify below) ¹ List Conditions:	<input checked="" type="checkbox"/> Approved ¹	<input type="checkbox"/> Denied
Decision-Maker for this Application: <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Governing Board/Council <input type="checkbox"/> Other:		
Decision is valid for: <input checked="" type="checkbox"/> 5 years (default) <input type="checkbox"/> Other (specify):		

¹ *Wetland Replacement Plan approval is not valid until BWSR confirms the withdrawal of any required wetland bank credits. For project-specific replacement a financial assurance per MN Rule 8420.0522, Subp. 9 and evidence that all required forms have been recorded on the title of the property on which the replacement wetland is located must be provided to the LGU for the approval to be valid.*

LGU Findings – Attach document(s) and/or insert narrative providing the basis for the LGU decision¹.

<input type="checkbox"/> Attachment(s) (specify):
<input checked="" type="checkbox"/> Summary: After reviewing the application, a level one delineation report and performing an onsite visit, the LGU approves this delineation concurrence. There were three areas in question. Areas 1 and 3 were determined by looking through past aerial photographs and noting <30% of normal years of precipitation show signs of wetness. Area 2 required an onsite visit. After field verification, it was determined there are no other existing wetland features in any areas listed in this application.

¹ *Findings must consider any TEP recommendations.*

Attached Project Documents

Site Location Map Project Plan(s)/Descriptions/Reports (specify):

Appeals of LGU Decisions

If you wish to appeal this decision, you must provide a written request within 30 calendar days of the date you received the notice. All appeals must be submitted to the Board of Water and Soil Resources Executive Director along with a check payable to BWSR for \$500 *unless* the LGU has adopted a local appeal process as identified below. The check must be sent by mail and the written request to appeal can be submitted by mail or e-mail. The appeal should include a copy of this notice, name and contact information of appellant(s) and their representatives (if applicable), a statement clarifying the intent to appeal and supporting information as to why the decision is in error. Send to:

Appeals & Regulatory Compliance Coordinator
Minnesota Board of Water & Soils Resources
520 Lafayette Road North
St. Paul, MN 55155
travis.germundson@state.mn.us

Does the LGU have a local appeal process applicable to this decision?

Yes¹ No

¹If yes, all appeals must first be considered via the local appeals process.

Local Appeals Submittal Requirements (LGU must describe how to appeal, submittal requirements, fees, etc. as applicable)

Notice Distribution (include name)

Required on all notices:

<input checked="" type="checkbox"/> SWCD TEP Member: John Biren	<input checked="" type="checkbox"/> BWSR TEP Member: Devin Ryan
<input type="checkbox"/> LGU TEP Member (if different than LGU contact):	
<input type="checkbox"/> DNR Representative:	
<input type="checkbox"/> Watershed District or Watershed Mgmt. Org.:	
<input checked="" type="checkbox"/> Applicant: Xcel Energy <input checked="" type="checkbox"/> Agent/Consultant: Tyler Beemer, Burns & McDonnell Engineering Inc.	

Optional or As Applicable:

<input type="checkbox"/> Corps of Engineers:	
<input type="checkbox"/> BWSR Wetland Mitigation Coordinator (required for bank plan applications only):	
<input type="checkbox"/> Members of the Public (notice only):	<input type="checkbox"/> Other:

Signature: 	Date: 03/20/2025
--	----------------------------

This notice and accompanying application materials may be sent electronically or by mail. The LGU may opt to send a summary of the application to members of the public upon request per 8420.0255, Subp. 3.

April 23, 2025

Melinda McCarthy
Burns & McDonnell Engineering Company
3255 Greensboro Dr, Suite 104
Bismarck, ND 58503

RE: Xcel Energy Lyon County Generating Station Site
T109 R41 S23, Custer Twp, Lyon County
SHPO Number: 2025-0751

Dear Melinda McCarthy:

Thank you for the opportunity to comment on the above referenced project. We understand that this project will require a Minnesota Public Utilities Commission site permit. Therefore, the submitted information has been reviewed pursuant to the responsibilities given the State Historic Preservation Office by the Minnesota Historic Sites Act (138.665-666). If this project will be located on non-federal public land, the project will also be subject to review under the Minnesota Field Archaeology Act (138.40).

We have reviewed the submitted report, *A Phase I Cultural Resource Survey of the Proposed Lyon County Generating Station Site* (May 2024, Burns & McDonnell). Based on the results of the survey, we have determined that no significant archaeological sites will be affected by this project and that there are **no properties** listed in the National or State Registers of Historic Places, or within the Historic Sites Network, that will be affected by this project.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36 CFR § 800. If this project is considered for federal financial assistance, or requires a federal permit or license, then review and consultation with our office will need to be initiated by the lead federal agency in order to define an appropriate area of potential effects for the federal undertaking as well as the necessary historic property identification and evaluation efforts required for a federal review. Be advised that comments and recommendations provided by our office for this state-level review may differ from findings and determinations made by the federal agency as part of review and consultation under Section 106.

If you have any questions regarding our review of this project, please contact me at 651-201-3285 or kelly.graggjohnson@state.mn.us.

Sincerely,



Amy Spong
Deputy State Historic Preservation Officer



328 West Kellogg Blvd St Paul, MN 55102

OSA.Project.Reviews.adm@state.mn.us

Date: 05/06/2025

Victoria Shaw
Burns & McDonnell
vashaw@burnsmcd.com

Project Name: A Phase I Cultural Resource Survey of The Proposed Lyon County Generating Station Site

Known or Suspected Cemeteries
<input type="checkbox"/> Platted Cemeteries <input type="checkbox"/> Unplatted Cemeteries <input type="checkbox"/> Burial File <input type="checkbox"/> Authenticated Burial
Notes/Comments
Thank you for consulting with the Office of the State Archaeologist about this project. Review of our files indicates there are no previously recorded archaeological sites, archaeological site leads, or cemeteries in the proposed project area. The OSA reviewed the enclosed phase I archaeological reconnaissance report, <i>A Phase I Cultural Resource Survey of The Proposed Lyon County Generating Station Site</i> (Huling, McCarthy, and Reid 2024) and determined the work was sufficient, and therefore the OSA has no concerns with the proposed project at this time. If project plans change, please resubmit it to this office for review.
Recommendations
<input type="checkbox"/> Not Applicable <input checked="" type="checkbox"/> No Concerns <input type="checkbox"/> Monitoring <input type="checkbox"/> Avoidance

- Phase Ia – Literature Review
- Phase I – Reconnaissance survey
- Phase II – Evaluation
- Phase III – Data Recovery
- Other

If you require additional information or have questions, comments, or concerns please contact our office.

Sincerely,



Jennifer Tworzyanski
Assistant to the State Archaeologist
OSA
Kellogg Center 328 Kellogg Blvd W
St Paul MN 55102
651.201.2265
jennifer.tworzyanski@state.mn.us