



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

July 9, 2025

Richard Davis  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East  
St. Paul, MN 55101

**RE: In the Matter of Wisconsin Power & Light Company's Site Permit Application for a Large Wind Energy Conversion System of up to 153 MW in Freeborn County, Minnesota**  
**Docket Number: IP-7145/WS-24-349**

Dear Richard Davis,

The Minnesota Department of Natural Resources (DNR) has reviewed Wisconsin Power and Light's (Applicant) site permit application for the up to 153 MW Bent Tree Wind Project (Project) in Freeborn County. Our agency offers the following comments regarding the draft site permit (DSP) and scoping for the environmental assessment (EA).

#### **Avian and Bat Protection Plan**

The DNR looks forward to coordinating with the Applicant to develop an Avian and Bat Protection Plan (ABPP). The ABPP should be developed in accordance with the DNR and Department of Commerce's [\*Avian and Bat Survey Protocols for Large Wind Energy Conversion Systems in Minnesota\*](#).

#### **Natural Heritage Review**

The Applicant completed a Natural Heritage Review (MCE 2023-00951) for this project. The EA should address whether the proposed project has the potential to adversely affect the issues raised in the Natural Heritage Review letter and, if so, it should identify specific measures that will be taken to avoid or minimize disturbances. Sufficient information should be provided so the DNR can determine whether a permit to take will be needed for any of the protected species mentioned in the letter.

The DNR requests the following special condition be included in the DSP to ensure compliance with state endangered species laws by coordinating with the DNR regarding rare species, including the Takings Permit process if needed, prior to the initiation of project activities: *The Permittee will comply with applicable Minnesota Department of Natural Resources requirements related to state-listed endangered and threatened species in accordance with Minnesota's Endangered Species Statute (Minnesota Statutes, section 84.0895) and associated Rules (Minnesota Rules, part 6212.1800 to 6212.2300 and 6134). The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.*

### **Snowmobile Trails**

The Minnesota Legislature has delegated the responsibility of administering a cost-sharing program for the development and maintenance of snowmobile trails to the DNR. Impacts to snowmobile trails are best avoided by limiting or refraining from construction activities from December 1 through April 1. If trail closures or reroutes are necessary, the permittee will need to maintain coordination with local snowmobile clubs to allow enough time to accommodate changes to the snowmobile trail/route. Statewide snowmobile routes are finalized by mid-summer and are not normally changed prior to the winter recreation season. Trail users incorporate the route maps as mobile phone apps and any late-determined route changes can cause safety issues. The DNR recommends that the DSP include a similar special condition included in the Dodge County Wind site permit (Docket WS-20-866): *The Permittee shall locate all turbines at least 1.1 times the total turbine height from existing snowmobile trails. The Permittee shall coordinate with local snowmobile groups regarding potential project related impacts to the snowmobile trails in Freeborn County. Coordination with local snowmobile groups shall include discussions of potential construction timing and activities that could impact the trail and potential trail rerouting needs.*

### **Wildlife-Friendly Erosion Control**

Due to entanglement issues with small animals, the DNR recommends that erosion control blankets be limited to “bio-netting” or “natural netting” types, and specifically not products containing plastic mesh netting or other plastic components. Furthermore, hydro-mulch products may contain small synthetic (plastic) fibers to aid in its matrix strength. The DNR recommends a special condition be included in the DSP requiring the use of wildlife friendly erosion control akin to the condition included for the Plummer Solar Project (Docket GS-22-451): *The permittee shall use erosion control materials that do not contain plastic or synthetic fibers or malachite green dye.*

### **Facility Lighting**

Our agency appreciates the applicant’s commitment to installing downward facing exterior lighting at the substation and the operations and maintenance building. Light emitting diode (LED) lighting tends to emit blue hue. which is harmful to birds, insects, and other animals. The DNR recommends the DSP include a special permit condition to minimize impacts of lighting at the new collector substation and the operations and maintenance facility, by using shielded and downward facing lighting that minimizes blue hue. A similar special permit condition was included for the substation associated with the Plummer Solar Project (Docket GS-22-451): *Permittees must use shielded and downward facing lighting and LED lighting that minimizes blue hue at the project collector substation and the operations*

*and maintenance facility. Downward facing lighting must be clearly visible on the plan and profile submitted for the project.*

### **Fugitive Dust**

Section 10 of the site permit application discusses the potential use of chemical applications, such as calcium chloride, to control dust. Chloride products that are released into the environment do not break down and can accumulate to levels that are toxic to plants and wildlife. The DNR recommends that the DSP include a permit condition included in the Plummer Solar Project (Docket GS-22-451): *The Permittee shall utilize non-chloride products for onsite dust control during construction.*

The DNR appreciates the opportunity to comment on the Bent Tree Wind Project. Please contact me if you have questions.

Sincerely,

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CC: Haley Byron, Minnesota Department of Natural Resources

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