

Appendix A - **EIP STAFF COMMENTS ON DRAFT APPLICATION**



November 10, 2025

Jody Londo
Director, Regulatory Policy & Strategic Analysis
Xcel Energy
401 Nicollet Mall
Minneapolis, MN 55401
Jody.L.Londo@xcelenergy.com

RE: Draft Application Review
Sherco South & West Energy Storage Project
Docket No. E002/ESS-25-319

Dear Jody Londo,

As required by Minn. Stat. § 216I.05, subd. 6, applicants requesting a site or route permit from the Minnesota Public Utilities Commission (Commission) must provide a draft of the application, including the required environmental assessment (EA) information, to Commission staff prior to filing the application. On October 6, 2025, Northern States Power Company (Xcel Energy) provided Commission Energy Infrastructure Permitting (EIP) staff with a draft of the site permit application for an up to 600 MW battery energy storage facility, a 600-foot gen-tie line, and a new substation in Sherburne County.

Attached are the EIP staff comments on the draft application and a copy of the Commission's sample permit for battery energy storage facilities. As required by Minn. Stat. § 216I.05, subd. 6(b), EIP staff's comments are focused on the completeness of the application and clarifications that may assist the Commission's review of the application. EIP staff's review of the draft application is informed by *Commission's Draft Application Guidance for Large Energy Infrastructure Facilities in Minnesota*, available on the Commission's website (<https://puc.eip.mn.gov/>).

Please let me know if you have questions or would like to discuss these comments further.

Sincerely,

A handwritten signature in black ink that reads 'Emily Johnson'.

Emily Johnson, Environmental Review Manager

Draft Application Review

Sherco South and West BESS Project

Docket: E002/ESS-25-319

Date: November 10, 2025

Northern States Power Company (d/b/a Xcel Energy) provided a draft application for the Sherco South & West battery energy storage system (BESS) project (project) on October 6, 2025. The project consists of an up to 600 MW battery energy storage facility, a 600-foot 345 kV transmission line, and a new project substation in Sherburne County, Minnesota.

Minnesota Public Utilities Commission Environmental Infrastructure Permitting (EIP) staff appreciates the opportunity to review the draft application. EIP staff's review of the application is guided by the Commission's Draft Application Guidance.¹

Although the draft provided included much of the information required by Minnesota Statute §216I, and Minnesota Rules, Chapter 7850, EIP staff recommends the final application filed in eDockets incorporate several revisions to clarify the project proposed, the potential impacts, and potential mitigation measures to avoid, minimize, and otherwise mitigate impacts. These clarifications are intended to assist the Commission's review of the application. More detail on recommendations is included in a redline that accompanies this letter and summarized in the following table. General recommendations that apply to the document as a whole include:

- Clarify the battery type proposed for the project and use consistent verbiage throughout the document (do not refer to lithium-ion and lithium iron phosphate interchangeably).
- Include figures and maps in the document text to help readers understand the proposed project.
- Organize the discussion of potential impacts by first discussing the existing conditions, then the impacts that will occur from the project, followed by a discussion of potential mitigation measures for each resource section in the environmental assessment (EA) rather than merging all discussions.
- Clarify mitigation measures required in the Commission sample permit or other required permits and then discuss additional mitigation measures that the applicants will commit to employing beyond the required mitigation measures.
- Add citations where needed to support claims.

¹ Minnesota Public Utility Commission, *Draft Application Guidance for Large Energy Infrastructure Facilities in Minnesota: Minnesota Public Utilities Commission Guidance for Preparing Site and Route Permit Applications for Large Energy Infrastructure Facilities*, November 2025, <https://puc.eip.mn.gov/node/12606>

- Ensure footnotes are referenced on same page where they are cited for reader clarity and check that all links are up to date.
- Add detail about the design of proposed future augmentation units and discussion of any impacts in appropriate sections throughout the application and EA.

The cost analysis required by Minnesota Statute § 216I.05, subd. 3(b)(9) was not included in the draft application. EIP staff expects the final application filed in eDockets to incorporate a cost analysis to be made public and would not recommend the application be found complete without this information.

Topic	EIP Act MS §216I	Location in Document
Project Ownership	216I.05, subd. 3(b)(1)	1.1
This section meets staff expectations. The Project will be owned by Northern States Power Company, d/b/a Xcel Energy.		
Permittee Name	216I.05, subd. 3(b)(2)	1.1
This section meets staff expectations. Northern States Power Company (Xcel Energy) will be the sole permittee.		
Power Purchase Agreement	216I.05, subd. 1(c)	1.2
This section meets staff expectations. The project will be a company owned resource and utilized as part of the company’s overall energy supply operations.		
Project Description	216I.05, subd. 3(b)(3)	Section 2
EIP staff recommends the following modifications to the application: Describe the switchyard as a separate facility. Add location of switchyard to Figure 2.		
Decommissioning Plan	n/a	2.9 and Appendix E
EIP staff provides general comments here on the decommissioning plan included in the draft application. Staff will provide more detailed comments on the plan during the hearing comment period.		
The permit requires the permittee to prepare a decommissioning plan and implement the plan at the facility’s end of life. Although the title for Appendix E is “Battery Energy Storage System Project Decommissioning Plan” it is not clear that the document itself meets the intent of the permit. Section 1.1 of the document states “The objective of the Study was to review the Project and to make a recommendation regarding the decommissioning plan for retiring the facility at the end of its useful life.” The objective of the decommissioning plan is that the site is restored at the end of the project’s useful life, with the costs of restoration borne by the permittee.		
The document also appears to use “study” and “cost estimate” interchangeably with plan. EIP staff recommends using “decommissioning plan” or “plan” throughout the document for clarity and notes that the cost estimates are part of the plan, not the same as a decommissioning plan. EIP staff also recommends the plan included in the application be structured consistent with the general content identified in Sections 2 and 3 of the Decommissioning Plan Guidance for Solar, Energy Storage, and Wind Generating Facilities Permitted by the Minnesota Public Utilities Commission (Appendix C of the		

Topic	EIP Act MS §216I	Location in Document
Commission’s application guidance). The decommissioning plan should serve as a stand-alone document to provide readers with an understanding of the project and Xcel Energy’s plan to decommission the project and ensure that any decommissioning costs are borne by Xcel Energy at the end of the project’s life.		
Environmental Information, generally	216I.05, subd. 3(b)(4)	Section 5
See discussion in specific resource areas.		
Identification of Property Owners	216I.05, subd. 3(b)(5), as described in 216I.05, subd. 8 (3)	Appendix L
This section meets staff expectations.		
Maps	216I.05, subd. 3(b)(6)	Unlabeled Appendix
<p>Staff is providing separate detailed comments on individual maps included for review. Staff offers the following general comments on the maps provided:</p> <ul style="list-style-type: none"> • Include maps illustrating the project in the body of the application to illustrate the project for the reader. • Update maps 1, 4, 5, 8, and 9 to include proposed project components. • Update Map 1 to have better resolution. • Map 7 refers to “State Fish and Wildlife”. This should be changed to “State Wildlife Management Areas”. • Add soil types to Map 8 or provide new map illustrating soil types. 		
Existing ROWs	216I.05, subd. 3(b)(7)	5.4.7
This section meets staff expectations. There are no existing non-company-owned utility or public ROWs along or near the facility.		
Project Design, including required ancillary facilities	216I.05, subd. 3(b)(8)	Section 2
<p>The draft is generally consistent with EIP staff expectations, but EIP staff recommends the following additions and modifications:</p> <ul style="list-style-type: none"> • Use consistent terminology in this section, and throughout the application and EA, for the proposed batteries (do not refer to lithium-ion and lithium iron phosphate interchangeably). • Discuss project Switchyard separately from project Substation. • Add detail about project lighting for the Project Substation and Interconnection section. • Include the design and make of the augmentation units proposed; specify whether augmentation units will increase MW storage or sustain MW capacity. • Include photos of similar facilities to include inverters/transformers, substation, and O&M facility. See associated comments in redline. 		
Project Cost	216I.05, subd. 3(b)(9)	Not Provided
No project cost estimates were provided with the draft application. Minnesota Statute 216I.05, subd. 3(b)(9) requires the application contain “a cost analysis of the proposed large energy infrastructure facility, including the costs to construct, operate, and maintain the facility.” To comply with Minn. Stat.		

Topic	EIP Act MS §216I	Location in Document
§ 216I.05, subd. 3(b)(9), EIP staff recommends the applicant file a public cost analysis with the final application.		
Design for Expansion	216I.05, subd. 3(b)(10)	2.2 and 2.10
Discussion in section 2.10 meets staff expectations. EIP staff recommends adding detail to design section 2.2 for augmentation units, see comments in document.		
Site or ROW Acquisition, Construction, Maintenance, & Restoration	216I.05, subd. 3(b)(11)	2.0
EIP staff provided some edits and comments for clarity in the redline, otherwise the description meets staff expectations.		
Other Permits	216I.05, subd. 3(b)(12)	3.2
This section meets staff expectations.		
CN Requirement	216I.05, subd. 3(b)(13)	3.3
This section meets staff expectations; a certificate of need is not required for the project.		
Other Sites or Routes Considered	216I.05, subd. 3(b)(14)	4.2
This section meets staff expectations.		
Additional Information Required by Rule	216I.05, subd. 3(b)(15)	n/a
Staff recommends the applicants clarify that the project avoids the prohibited sites identified in Minn. R. 7850.4400.		
Tribal Coordination	216I.05, subd. 3(b)(16)	6.3 and Appendix C
<p>The eleven federally recognized tribes in Minnesota were notified on July 24, 2025, via US Mail as denoted in Appendix C. The Commission’s July 2025 Guidance for Successful Tribal Engagement (Tribal guidance) is available on the Commission’s website. Staff recommends the applicant provide notification to those listed in the eDockets service lists "Tribal Government Contacts" and "Tribal Historic Preservation Offices," as recommended in the Commission’s Tribal guidance. This standard will promote consistency for applicants and is the best way to ensure contacts that are used are up to date. At the time the draft application was provided, the applicant had initiated coordination with all 11 tribes and has had further correspondence with one tribe.</p>		
<p>As discussed in the commission’s Tribal guidance, a single email or postal letter about a project does not suffice as coordination. You must take reasonable efforts, and document these efforts, in an attempt to provide each tribe with information about your project and to provide them with the opportunity to ask questions or provide information. EIP requests the applicants reach out again to Tribal Historic Preservation Office (THPO) contacts who did not respond to the initial attempt with a follow-up phone call; THPO contact information is also available here: https://mn.gov/indian-affairs/cultural-resources/tribal-historic-preservation-officers-.jsp.jsp. Document these attempts for inclusion in the site permit application when filed.</p>		

Topic	EIP Act MS §216I	Location in Document
Preapplication Coordination (LGUs)	216I.05, subd. 5 (1)	6.3 and Appendix C
LGUs were properly notified on July 24, 2025, via US Mail as denoted in Appendix C.		
Preapplication Coordination (State Technical Resource Agencies)	216I.05, subd. 5 (3)	6.3 and Appendix C
Staff recommends the applicants ensure that notice is provided to the “Agency Reps” service list in eDockets. All technical resource agencies contacted should be included in Appendix C.		
Environmental Information, generally	216I.05, subd. 4(a)	5
See individual resource discussions. Each EA resource section should include a discussion of existing conditions, impacts, and mitigation measures; see staff comments in document.		
Environmental Setting	216I.05, subd. 4(a)(1)	5.3
Staff provided technical edits to improve clarity. Otherwise, this section meets staff expectations.		
Human Settlement, generally	216I.05, subd. 4(2)	5.4
See comments on specific resource sections.		
Public Health & Safety Including EMF	216I.05, subd. 11(b)(1) (Decision Criteria)	5.4.5
Staff provided technical edits to improve clarity of this section. Staff recommends the applicant provide additional detail and discussion about the project’s impacts on emergency services and response for worst case scenarios. Provide a table for common EMF sources.		
Displacement	216I.05, subd. 4(a)(2)	5.4.2
Staff provided technical edits to improve clarity of this section. Otherwise, this section meets staff expectations.		
Noise	216I.05, subd. 4(a)(2)	5.4.6
Staff provided technical edits and comments to improve the clarity of this section. Staff recommends the final application include more discussion of impacts and has included recommended mitigation measures.		
Staff recommends updating the noise modeling to include ambient noise in the total calculations and re-running models for 0-degree Fahrenheit. See comments for Appendix F provided with review.		
Staff also recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.		

Topic	EIP Act MS §216I	Location in Document
Aesthetics	216I.05, subd. 4(a)(2) 216I.19 (turbine lighting)	5.4.1
<p>Staff provided technical edits and comments to improve the clarity of this section. Staff recommends the applicant include height of facilities and discussion of topographic features and elevation. Staff also recommends applicant include site photos in the final application if available.</p> <p>Staff also recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Socioeconomic Impacts	216I.05, subd. 4(a)(2); 216I.05, subd. 11(b)(14)	5.4.9
<p>Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the applicants provide a separate section to discuss potential impacts to property values. Staff also recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Environmental Justice Impacts	216I.05, subd. 4(a)(2); 216I.05, subd. 11(a)(3)	5.4.4
<p>Staff provided technical edits and comments to improve the clarity of this section. Staff recommends adding local data in table format and discussing impacts.</p> <p>None of the census tracts within the project area are considered environmental justice communities under the definition provided in Minn. Stat. § 216B.1691, subd. 1(e).</p>		
Cultural Values	216I.05, bud. 4(a) (2)	5.4.3
<p>Staff provided technical edits and comments to improve the clarity of this section. Otherwise, this section meets staff expectations.</p>		
Recreation	216I.05, subd. 4(a)(2)	5.4.8
<p>Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss impacts to recreational users of the river. Staff also recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Public Services	216I.05, subd. 4(a)(2)	5.4.7
<p>Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		

Topic	EIP Act MS §216I	Location in Document
Land Use	216I.05, subd. 11(a) (2)	4.3
<p>The application includes a discussion of land use in section 4.3 “Land Use, Zoning, and Planning.” Staff recommends moving the Land Use and Zoning discussion to the Human Settlement portion of the EA, as outlined in the Commission’s Draft Application Guidance.</p> <p>Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Land-based Economics, generally	216I.05, subd. 4(a)(3)	5.5
See comments on specific resource sections.		
Agriculture	216I.05, subd. 4(3); 216I.05, subd. 11(b)(5) and (9); see also Minn. R. 7850.4400, subp. 4.	5.5.1
<p>Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Forestry	216I.05, subd. 4(3)	5.5.2
Staff provided technical edits and comments to improve the clarity of this section. Otherwise, this section meets staff expectations.		
Mining	216I.05, subd. 4(a)(3)	5.5.3
Staff provided technical edits and comments to improve the clarity of this section. Otherwise, this section meets staff expectations.		
Tourism	216I.05, subd. 4(a)(3)	5.5.4
Staff provided technical edits and comments to improve the clarity of this section. Otherwise, this section meets staff expectations.		
Archaeological & Historic Resources	216I.05, subd. 4(4)	5.6 and Appendix G
<p>Staff provided technical edits and comments to improve the clarity of this section. Provide SHPO review with final application or discuss plan to provide SHPO review. Staff recommend updating Figure 3 in Appendix G to show how all site areas were surveyed (by shovel, foot, not surveyed, etc.).</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Natural Environment Impacts, generally	216I.05, subd. 4(5)	5.7
See resource-specific discussions.		

Topic	EIP Act MS §216I	Location in Document
Air Quality	216I.05, subd. 4(a)(5)	5.7.1
<p>The draft provided had Air Quality, Climate Change and Greenhouse Gases included in one section. Staff recommend separating these into their own sections to improve clarity. Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Geology and Groundwater	216I.05, subd. 4(a)(5); 216I.05, subd. 11(b)(1)	5.7.2
<p>The discussion of geology and groundwater meets staff expectations; the project is not anticipated to impact subsurface geology or groundwater.</p> <p>Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Soils	216I.05, subd. 11(b)(1) and subd. 11(b)(5)	5.7.3
<p>Staff provided technical edits and comments to improve the clarity of this section. Staff recommends adding additional detail and impact analysis discussion about topics provided in the comments.</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Surface waters (including stormwater, floodplains, and wetlands)	216I.05, subd. 4(5); 216I.05, subd. 11(b)(1)	5.7.4
<p>Two additional wetland reports were provided by the applicant during the draft application review. Staff recommends the applicant submit one appendix that includes all three wetland reports from 2024 and 2025.</p> <p>Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		

Topic	EIP Act MS §216I	Location in Document
Vegetation	216I.05, subd. 4(5)	5.7.5
<p>Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Wildlife and Habitat	216I.05, subd. 4(5)	5.7.6
<p>Staff provided technical edits and comments to improve the clarity of this section. Staff recommends adding additional detail and impact analysis discussion about topics provided in the comments.</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Rare & Unique Resources	216I.05, subd. 4(8)	5.7.7
<p>Staff provided technical edits and comments to improve the clarity of this section. Staff recommends adding additional detail and impact analysis discussion about topics provided in the comments.</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Greenhouse Gases	216I.05, subd. 4(6)	5.7.1 and Appendix H
<p>The draft provided had Air Quality, Climate Change and Greenhouse Gases included in one section. Staff suggest separating these into their own sections to improve clarity. Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Climate Change Resilience	216I.05, subd. 4(7)	5.7.1
<p>The draft provided had Air Quality, Climate Change and Greenhouse Gases included in one section. Staff suggest separating these into their own sections to improve clarity. Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>		
Unavoidable Impacts	216I.05, subd. 4(9)	5.8
<p>Staff provided technical edits and comments to improve the clarity of this section. EIP staff recommends including long-term noise as an unavoidable impact in the case that mitigations are not applied.</p>		

Topic	EIP Act MS §216I	Location in Document
Irretrievable and Irreversible Impacts	216I.05, subd. 11(b)(11)	5.9
This section meets staff expectations.		
Cumulative Potential Effects	216I.05, subd. 11(a)(1) and (b)10)	5.10
Staff provided technical edits and comments to improve the clarity of this section. Otherwise, this section meets staff expectations.		
Mitigation Measures	216I.05, subd. 4(10)	Multiple
Staff provided suggested measures and comments on mitigation in each resource section. In general, staff recommends that the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements. EIP staff provided examples throughout sections, but recommends that the applicant consider other mitigations, as applicable.		
Additional Document Organization Requested		
Staff recommends adding a “References” section at the end of the combined application/EA document and cleaning up footnotes throughout the document as noted in the comments. Staff also recommends ensuring appendices are appropriately titled and consistently referred to throughout the application and EA.		

Xcel Energy – Sherco South & West Battery Energy Storage Project

Responses to Minnesota Public Utilities Commission Energy Infrastructure Permitting Staff November 10, 2025 Comments

Topic	EIP Act MS §216I	Location in Document	Applicant Response
Project Ownership	216I.05, subd. 3(b)(1)	1.1	
This section meets staff expectations. The Project will be owned by Northern States Power Company, d/b/a Xcel Energy.			N/A
Permittee Name	216I.05, subd. 3(b)(2)	1.1	
This section meets staff expectations. Northern States Power Company (Xcel Energy) will be the sole permittee.			N/A
Power Purchase Agreement	216I.05, subd. 1(c)	1.2	
This section meets staff expectations. The project will be a company owned resource and utilized as part of the company’s overall energy supply operations.			N/A
Project Description	216I.05, subd. 3(b)(3)	Section 2	
EIP staff recommends the following modifications to the application: Describe the switchyard as a separate facility. Add location of switchyard to Figure 2.			After further discussion with the design team, it was determined that the use of "switchyard" was stated incorrectly and was removed entirely. The Project substation serves the purpose of a switchyard for this Project.
Decommissioning Plan	n/a	2.9 and Appendix E	
EIP staff provides general comments here on the decommissioning plan included in the draft application. Staff will provide more detailed comments on the plan during the hearing comment period. The permit requires the permittee to prepare a decommissioning plan and implement the plan at the facility’s end of life. Although the title for Appendix E is “Battery Energy Storage System Project Decommissioning Plan” it is not clear that the document itself meets the intent of the permit. Section 1.1 of the document states “The objective of the Study was to review the Project and to make a recommendation regarding the decommissioning plan for retiring the facility at the end of its useful life.” The objective of the decommissioning plan is that the site is restored at the end of the project’s useful life, with the costs of restoration borne by the permittee.			These requested edits have been made to the decommissioning plan in Appendix E.

Topic	EIP Act MS §216I	Location in Document	Applicant Response
<p>The document also appears to use “study” and “cost estimate” interchangeably with plan. EIP staff recommends using “decommissioning plan” or “plan” throughout the document for clarity and notes that the cost estimates are part of the plan, not the same as a decommissioning plan. EIP staff also recommends the plan included in the application be structured consistent with the general content identified in Sections 2 and 3 of the Decommissioning Plan Guidance for Solar, Energy Storage, and Wind Generating Facilities Permitted by the Minnesota Public Utilities Commission (Appendix C of the Commission’s application guidance). The decommissioning plan should serve as a stand-alone document to provide readers with an understanding of the project and Xcel Energy’s plan to decommission the project and ensure that any decommissioning costs are borne by Xcel Energy at the end of the project’s life.</p>			
Environmental Information, generally	216I.05, subd. 3(b)(4)	Section 5	
<p>See discussion in specific resource areas.</p>			<p>The majority of edits and comments were addressed as requested. Further details are provided below in specific Sections of 5.0 if a requested edit or comment was not incorporated.</p>
Identification of Property Owners	216I.05, subd. 3(b)(5), as described in 216I.05, subd. 8 (3)	Appendix L	
<p>This section meets staff expectations.</p>			<p>N/A</p>
Maps	216I.05, subd. 3(b)(6)	Unlabeled Appendix	
<p>Staff is providing separate detailed comments on individual maps included for review. Staff offers the following general comments on the maps provided:</p> <ul style="list-style-type: none"> • Include maps illustrating the project in the body of the application to illustrate the project for the reader. • Update maps 1, 4, 5, 8, and 9 to include proposed project components. • Update Map 1 to have better resolution. • Map 7 refers to “State Fish and Wildlife”. This should be changed to “State Wildlife Management Areas”. • Add soil types to Map 8 or provide new map illustrating soil types. 			<ul style="list-style-type: none"> • Maps are now embedded directly within the body of the application and are referred to by Figure names. • Proposed project components are provided on Figure 2. All other requested maps (now Figures) have intentionally omitted proposed project components such that the reader can more easily see the specific details that

Topic	EIP Act MS §216I	Location in Document	Applicant Response
			<p>each Figure is conveying (topo lines, land cover types, lack of surface waters and floodplains, soils, and lack of unique natural resources).</p> <ul style="list-style-type: none"> • Figure 13 (previously map 1) has a fixed background using the latest USGS data and resolution cannot be adjusted. The 2022 USGS data was reviewed as a replacement, but it has even poorer resolution. • Figure 12 (previously map 7) has the corrected “State Wildlife Management Area” label. • Figure 20 (previously map 8) includes a summary table above the legend table that includes soil map unit names and soil types.
Existing ROWs	216I.05, subd. 3(b)(7)	5.4.7	
This section meets staff expectations. There are no existing non-company-owned utility or public ROWs along or near the facility.			N/A
Project Design, including required ancillary facilities	216I.05, subd. 3(b)(8)	Section 2	
<p>The draft is generally consistent with EIP staff expectations, but EIP staff recommends the following additions and modifications:</p> <ul style="list-style-type: none"> • Use consistent terminology in this section, and throughout the application and EA, for the proposed batteries (do not refer to lithium-ion and lithium iron phosphate interchangeably). • Discuss project Switchyard separately from project Substation. • Add detail about project lighting for the Project Substation and Interconnection section. 			<ul style="list-style-type: none"> • Terminology for lithium iron phosphate used more consistently throughout application text. • After further discussion with the design team, it was determined that the use of

Topic	EIP Act MS §216I	Location in Document	Applicant Response
<ul style="list-style-type: none"> • Include the design and make of the augmentation units proposed; specify whether augmentation units will increase MW storage or sustain MW capacity. • Include photos of similar facilities to include inverters/transformers, substation, and O&M facility. See associated comments in redline. 			<p>"switchyard" was stated incorrectly and was removed entirely. The Project substation serves the purpose of a switchyard for this Project.</p> <ul style="list-style-type: none"> • Downward facing LED lighting now stated in Section 2.2.2. • Additional information regarding battery augmentation now added throughout Section 2.0. • Representative photos for transformers, substation, and foundations are now included. Representative photos of inverters are not available at this time. Section 2.2.3 now revised to state the project O&M will be from the existing Sherburne County Generating Station and therefore no O&M facility will be located within the project site.

Topic	EIP Act MS §216I	Location in Document	Applicant Response
Project Cost	216I.05, subd. 3(b)(9)	Not Provided	
No project cost estimates were provided with the draft application. Minnesota Statute 216I.05, subd. 3(b)(9) requires the application contain “a cost analysis of the proposed large energy infrastructure facility, including the costs to construct, operate, and maintain the facility.” To comply with Minn. Stat. § 216I.05, subd. 3(b)(9), EIP staff recommends the applicant file a public cost analysis with the final application.			Detailed Costs to comply with Minn. Stat. § 216I.05, subd. 3(b)(9) are provided as nonpublic data in Appendix K. Public costs ranges for construction, annual operation and maintenance are provided in Section 1.3.
Design for Expansion	216I.05, subd. 3(b)(10)	2.2 and 2.10	
Discussion in section 2.10 meets staff expectations. EIP staff recommends adding detail to design section 2.2 for augmentation units, see comments in document.			All requested edits are made.
Site or ROW Acquisition, Construction, Maintenance, & Restoration	216I.05, subd. 3(b)(11)	2.0	
EIP staff provided some edits and comments for clarity in the redline, otherwise the description meets staff expectations.			All requested edits are made.
Other Permits	216I.05, subd. 3(b)(12)	3.2	
This section meets staff expectations.			N/A
CN Requirement	216I.05, subd. 3(b)(13)	3.3	
This section meets staff expectations; a certificate of need is not required for the project.			N/A
Other Sites or Routes Considered	216I.05, subd. 3(b)(14)	4.2	
This section meets staff expectations.			N/A
Additional Information Required by Rule	216I.05, subd. 3(b)(15)	n/a	

Topic	EIP Act MS §216I	Location in Document	Applicant Response
Staff recommends the applicants clarify that the project avoids the prohibited sites identified in Minn. R. 7850.4400.			Clarification added to Section 4.1.
Tribal Coordination	216I.05, subd. 3(b)(16)	6.3 and Appendix C	
<p>The eleven federally recognized tribes in Minnesota were notified on July 24, 2025, via US Mail as denoted in Appendix C. The Commission’s July 2025 Guidance for Successful Tribal Engagement (Tribal guidance) is available on the Commission’s website. Staff recommends the applicant provide notification to those listed in the eDockets service lists "Tribal Government Contacts" and "Tribal Historic Preservation Offices," as recommended in the Commission’s Tribal guidance. This standard will promote consistency for applicants and is the best way to ensure contacts that are used are up to date. At the time the draft application was provided, the applicant had initiated coordination with all 11 tribes and has had further correspondence with one tribe.</p> <p>As discussed in the commission’s Tribal guidance, a single email or postal letter about a project does not suffice as coordination. You must take reasonable efforts, and document these efforts, in an attempt to provide each tribe with information about your project and to provide them with the opportunity to ask questions or provide information. EIP requests the applicants reach out again to Tribal Historic Preservation Office (THPO) contacts who did not respond to the initial attempt with a follow-up phone call; THPO contact information is also available here: https://mn.gov/indian-affairs/cultural-resources/tribal-historic-preservation-officers-.jsp.jsp. Document these attempts for inclusion in the site permit application when filed.</p>			Additional tribal coordination has subsequently occurred via emails and phone calls and is summarized in Section 6.3.
Preapplication Coordination (LGUs)	216I.05, subd. 5 (1)	6.3 and Appendix C	
LGUs were properly notified on July 24, 2025, via US Mail as denoted in Appendix C.			N/A
Preapplication Coordination (State Technical Resource Agencies)	216I.05, subd. 5 (3)	6.3 and Appendix C	
Staff recommends the applicants ensure that notice is provided to the “Agency Reps” service list in eDockets. All technical resource agencies contacted should be included in Appendix C.			Clarification provided in Section 6.3 that the “Agency Reps” service list from eDockets was used for required pre-application agency

Topic	EIP Act MS §216I	Location in Document	Applicant Response
			notifications. Appendix C includes the “Agency Reps” list provided by the PUC.
Environmental Information, generally	216I.05, subd. 4(a)	5	
See individual resource discussions. Each EA resource section should include a discussion of existing conditions, impacts, and mitigation measures; see staff comments in document.			See below responses for specific responses to each Section 5 subsection.
Environmental Setting	216I.05, subd. 4(a)(1)	5.3	
Staff provided technical edits to improve clarity. Otherwise, this section meets staff expectations.			All requested edits are made.
Human Settlement, generally	216I.05, subd. 4(2)	5.4	
See comments on specific resource sections.			See below responses for specific responses to each Section 5.4 subsection.
Public Health & Safety Including EMF	216I.05, subd. 11(b)(1) (Decision Criteria)	5.4.5	
Staff provided technical edits to improve clarity of this section. Staff recommends the applicant provide additional detail and discussion about the project’s impacts on emergency services and response for worst case scenarios. Provide a table for common EMF sources.			All requested edits are made.
Displacement	216I.05, subd. 4(a)(2)	5.4.2	
Staff provided technical edits to improve clarity of this section. Otherwise, this section meets staff expectations.			All requested edits are made.
Noise	216I.05, subd. 4(a)(2)	5.4.6	

Topic	EIP Act MS §216I	Location in Document	Applicant Response
			<p>Staff provided technical edits and comments to improve the clarity of this section. Staff recommends the final application include more discussion of impacts and has included recommended mitigation measures.</p> <p>Staff recommends updating the noise modeling to include ambient noise in the total calculations and re-running models for 0-degree Fahrenheit. See comments for Appendix F provided with review.</p> <p>Staff also recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>
Aesthetics	216I.05, subd. 4(a)(2) 216I.19 (turbine lighting)	5.4.1	
			<p>Staff provided technical edits and comments to improve the clarity of this section. Staff recommends the applicant include height of facilities and discussion of topographic features and elevation. Staff also recommends applicant include site photos in the final application if available.</p> <p>Staff also recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>
Socioeconomic Impacts	216I.05, subd. 4(a)(2); 216I.05, subd. 11(b)(14)	5.4.9	
			<p>Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the applicants provide a separate section to discuss potential impacts to property values. Staff also recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>
Environmental Justice Impacts	216I.05, subd. 4(a)(2); 216I.05, subd. 11(a)(3)	5.4.4	
			<p>Staff provided technical edits and comments to improve the clarity of this section. Staff recommends adding local data in table format and discussing impacts.</p> <p>None of the census tracts within the project area are considered environmental justice communities under the definition provided in Minn. Stat. § 216B.1691, subd. 1(e).</p>

Topic	EIP Act MS §216I	Location in Document	Applicant Response
Cultural Values	216I.05, bud. 4(a) (2)	5.4.3	
Staff provided technical edits and comments to improve the clarity of this section. Otherwise, this section meets staff expectations.			All requested edits are made.
Recreation	216I.05, subd. 4(a)(2)	5.4.8	
Staff provided technical edits and comments to improve the clarity of this section. Staff recommends the final application discuss impacts to recreational users of the river. Staff also recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.			All requested edits are made, but this Section has subsequently changed to 5.4.9 instead of 5.4.8.
Public Services	216I.05, subd. 4(a)(2)	5.4.7	
Staff provided technical edits and comments to improve the clarity of this section. Staff recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.			All requested edits are made.
Land Use	216I.05, subd. 11(a) (2)	4.3	
The application includes a discussion of land use in section 4.3 “Land Use, Zoning, and Planning.” Staff recommends moving the Land Use and Zoning discussion to the Human Settlement portion of the EA, as outlined in the Commission’s Draft Application Guidance. Staff provided technical edits and comments to improve the clarity of this section. Staff recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.			All requested edits are made and this Section has subsequently changed to 5.4.8 instead of 4.3.
Land-based Economics, generally	216I.05, subd. 4(a)(3)	5.5	
See comments on specific resource sections.			See below responses for specific responses to each Section 5.5 subsection.

Topic	EIP Act MS §216I	Location in Document	Applicant Response
Agriculture	216I.05, subd. 4(3); 216I.05, subd. 11(b)(5) and (9); see also Minn. R. 7850.4400, subp. 4.	5.5.1	
<p>Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss mitigation measures required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>			All requested edits are made.
Forestry	216I.05, subd. 4(3)	5.5.2	
<p>Staff provided technical edits and comments to improve the clarity of this section. Otherwise, this section meets staff expectations.</p>			All requested edits are made.
Mining	216I.05, subd. 4(a)(3)	5.5.3	
<p>Staff provided technical edits and comments to improve the clarity of this section. Otherwise, this section meets staff expectations.</p>			All requested edits are made.
Tourism	216I.05, subd. 4(a)(3)	5.5.4	
<p>Staff provided technical edits and comments to improve the clarity of this section. Otherwise, this section meets staff expectations.</p>			All requested edits are made.
Archaeological & Historic Resources	216I.05, subd. 4(4)	5.6 and Appendix G	
<p>Staff provided technical edits and comments to improve the clarity of this section. Provide SHPO review with final application or discuss plan to provide SHPO review. Staff recommend updating Figure 3 in Appendix G to show how all site areas were surveyed (by shovel, foot, not surveyed, etc.).</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>			<p>The cultural resource report provided in Appendix G remains unchanged as SHPO has subsequently concurred with the report without further revision. Additional context to address comments has been added within Section 5.6.</p> <p>All other requested edits are made.</p>
Natural Environment Impacts, generally	216I.05, subd. 4(5)	5.7	
<p>See resource-specific discussions.</p>			See below responses for specific responses to each Section 5.7 subsection.

Topic	EIP Act MS §216I	Location in Document	Applicant Response
Air Quality	216I.05, subd. 4(a)(5)	5.7.1	
<p>The draft provided had Air Quality, Climate Change and Greenhouse Gases included in one section. Staff recommend separating these into their own sections to improve clarity. Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>			All requested edits are made.
Geology and Groundwater	216I.05, subd. 4(a)(5); 216I.05, subd. 11(b)(1)	5.7.2	
<p>The discussion of geology and groundwater meets staff expectations; the project is not anticipated to impact subsurface geology or groundwater.</p> <p>Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>			All requested edits are made.
Soils	216I.05, subd. 11(b)(1) and subd. 11(b)(5)	5.7.3	
<p>Staff provided technical edits and comments to improve the clarity of this section. Staff recommends adding additional detail and impact analysis discussion about topics provided in the comments.</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>			All requested edits are made.
Surface waters (including stormwater, floodplains, and wetlands)	216I.05, subd. 4(5); 216I.05, subd. 11(b)(1)	5.7.4	
<p>Two additional wetland reports were provided by the applicant during the draft application review. Staff recommends the applicant submit one appendix that includes all three wetland reports from 2024 and 2025.</p> <p>Staff provided technical edits and comments to improve the clarity of this section.</p>			All requested edits are made.

Topic	EIP Act MS §216I	Location in Document	Applicant Response
Vegetation	216I.05, subd. 4(5)	5.7.5	
			All requested edits are made.
Wildlife and Habitat	216I.05, subd. 4(5)	5.7.6	
			All requested edits are made.
Rare & Unique Resources	216I.05, subd. 4(8)	5.7.7	
			All requested edits are made.
Greenhouse Gases	216I.05, subd. 4(6)	5.7.1 and Appendix H	
			All requested edits are made.

Topic	EIP Act MS §216I	Location in Document	Applicant Response
Climate Change Resilience	216I.05, subd. 4(7)	5.7.1	
<p>The draft provided had Air Quality, Climate Change and Greenhouse Gases included in one section. Staff suggest separating these into their own sections to improve clarity. Staff provided technical edits and comments to improve the clarity of this section.</p> <p>Staff recommends the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements.</p>			All requested edits are made.
Unavoidable Impacts	216I.05, subd. 4(9)	5.8	
<p>Staff provided technical edits and comments to improve the clarity of this section. EIP staff recommends including long-term noise as an unavoidable impact in the case that mitigations are not applied.</p>			All requested edits are made.
Irretrievable and Irreversible Impacts	216I.05, subd. 11(b)(11)	5.9	
<p>This section meets staff expectations.</p>			N/A
Cumulative Potential Effects	216I.05, subd. 11(a)(1) and (b)10)	5.10	
<p>Staff provided technical edits and comments to improve the clarity of this section. Otherwise, this section meets staff expectations.</p>			All requested edits are made.
Mitigation Measures	216I.05, subd. 4(10)	Multiple	
<p>Staff provided suggested measures and comments on mitigation in each resource section. In general, staff recommends that the final application discuss mitigation measures typically required by Commission permits as well as mitigation measures permittees will implement above and beyond permit requirements. EIP staff provided examples throughout sections, but recommends that the applicant consider other mitigations, as applicable.</p>			All requested edits are made.
Additional Document Organization Requested			
<p>Staff recommends adding a “References” section at the end of the combined application/EA document and cleaning up footnotes throughout the document as noted in the comments. Staff also recommends ensuring appendices are appropriately titled and consistently referred to throughout the application and EA.</p>			All requested edits are made.