



# Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | 651-282-5332 TTY | [www.pca.state.mn.us](http://www.pca.state.mn.us) | Equal Opportunity Employer

January 3, 2017

Mr. Richard Davis  
Energy Facility Permitting  
Department of Commerce  
85 7<sup>th</sup> Place East, Suite 500  
St. Paul, MN 55101-2198

Re: Red Pine Wind Project  
PUC Docket Number: IP6646/WS-16-618

Dear Mr. Davis:

Thank you for the opportunity to review and comment on the Red Pine Wind project (Project), a 200 megawatt large wind energy conversion system located in Lincoln county, Minnesota. Minnesota Pollution Control Agency (MPCA) staff has reviewed the Site Permit application and have no comments at this time.

Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this Project, please contact me by email at [karen.kromar@state.mn.us](mailto:karen.kromar@state.mn.us) or by telephone at 651-757-2508.

Sincerely,

A handwritten signature in blue ink that reads "Nancy J. Drach for".

Karen Kromar  
Planner Principal  
Environmental Review Unit  
Resource Management and Assistance Division

KK:bt

cc: Dan Card, MPCA, St. Paul  
Randy Hukriede, MPCA, Marshall

**Office of Land Management**

395 John Ireland Boulevard  
Saint Paul, MN 55155

Phone: 651-366-4635

Fax: 651-366-3450

[stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)

Mailstop 678

January 3<sup>rd</sup>, 2017

Richard Davis, Environmental Review Manager  
Minnesota Department of Commerce  
85 7th Place East, Suite 500  
St. Paul, MN 55101-2198

RE: In the Matter of the up to 200 MW Red Pine Wind Project in Lincoln County  
PUC Docket Number: IP-6646/WS-16-618

Dear Mr. Davis,

On December 1<sup>st</sup>, 2016, the Minnesota Public Utilities Commission (PUC) and the Minnesota Department of Commerce (DOC) issued a Notice of Public Information and Environmental Report Scoping Meeting, which includes a public comment period regarding the scope of the environmental report (ER) and the draft site permit that is under consideration with respect to the Red Pine Wind Project, an up to 200 MW Large Wind Energy Conversion System in Lincoln County. The Minnesota Department of Transportation (MnDOT) has reviewed the application regarding the proposed project and submits the following comments in response to the Notice.

MnDOT appreciates the opportunity to comment on the draft site permit. MnDOT notes that there are several provisions that may have impacts on the state transportation system.

The draft site permit should include language specifying that the Permittee shall obtain all relevant permits or authorizations from road authorities relating to any electric cables and/or feeder lines that may be proposed to be placed in a public road right-of-way. MnDOT has adopted a formal policy and procedures for accommodation of utilities on the highway rights of way ("Utility Accommodation Policy"). A copy of MnDOT's policy can be found at <http://www.dot.state.mn.us/utility/files/pdf/appendix-b.pdf>. MnDOT's policy seeks to permit utilities to occupy portions of the trunk highway rights of way where such occupation does not put the safety of the traveling public or highway workers at risk or unduly impair the public's investment in the transportation system. Compliance with MnDOT's Utility Accommodation Policy, and similar policies of other road authorities, should be included as a condition of the site permit.

Based on the information provided in the Site Permit Application, it appears that the project area could have effects on state trunk highway (TH) 19. Future state projects for this area can be found by visiting: <http://www.dot.state.mn.us/d8/index.html>. There may be highway-related considerations related to oversize/overweight hauling of wind turbines and equipment. Specifically, these large loads of freight are often transported along nearby interregional corridors such as TH 23 and US 75. Because MnDOT's highway construction activities could impact the Applicant's plans to haul oversize loads to the proposed site, the Applicant will need to coordinate with MnDOT

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when planning such loads. If the red Pine Wind Project or its associated facilities should happen to intersect with the trunk highway system, the Applicant will need to apply for and obtain permits for those locations.

The proposed project is also adjacent to the King of Trails Scenic Byway (TH 75). Byways are designated because they possess one or more of six intrinsic qualities, including: scenic, cultural, recreational, natural, historic and archaeological. An analysis of the physical and visual impact on these intrinsic qualities should be conducted at each proposed crossing location to determine the route with the least adverse impact on the byway routes and corridors. Mitigation measures should be recommended for unavoidable impacts on intrinsic qualities within the scenic byway corridors. Each scenic byway has a leaders' group and/or stakeholder group; these groups should be contacted as part of the environmental review process. Scenic easements should be investigated to identify any prohibitions or limitations that apply to land uses in the vicinity of the scenic byway. The state and federal regulations governing scenic byways can be found in the MnDOT Utility Accommodation Policy and 23 CFR 645.209 (h).

Any wind farm construction work, including delivery or storage of structures, materials or equipment that may affect MnDOT right of way is of concern such that MnDOT should be involved in planning and coordinating such activities. The site permit should include language specifying that the Permittee shall obtain all relevant permits from road authorities relating to the transport of oversize materials and equipment related to the project over public roads, as well as installation of facilities that may be proposed to occupy portions of public road rights of way. Please note that if work is required within MnDOT right of way for temporary or permanent access, such work should be coordinated with Geri Vick in District 8 Permits Office at 320-214-6364 or [Geri.Vick@state.mn.us](mailto:Geri.Vick@state.mn.us).

Sincerely,



Stacy Kotch

Utility Transmission Route Coordinator

Minnesota Department of Transportation

cc: Geri Vick – MnDOT District 8 Permits

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

January 3, 2017

[Electronic Submittal]

Richard Davis  
Environmental Review Manager  
Minnesota Department of Commerce  
85 7<sup>th</sup> Place East  
Suite 500  
St. Paul, MN 55101-2198

RE: In the Matter of the Red Pine Wind Project  
PUC Docket Number: IP6646/WS-16-618

Dear Mr. Davis,

The Minnesota Department of Natural Resources (DNR) appreciates the opportunity to review and comment on the Red Pine Large Wind Energy Conversion System Site Permit Application.

The DNR appreciates the level of avoidance that has been achieved by locating the turbines in Lincoln County and away from sensitive natural resource areas in Lyon County. However, a few of the proposed turbine locations discussed below for the Vestas 100, 117, and 126 models may pose a greater risk to bat fatalities than other proposed turbine locations. When the DNR receives updated shapefiles for the proposed locations for the three turbine models, we may have additional recommendations for turbines that should be relocated. The goal of moving or using alternative turbine locations is to reduce the risk level for bat fatalities. Reducing the potential bat fatalities potentially reduces the likelihood of higher bat fatality estimates. Lower bat fatality estimates help reduce the need for additional operational modifications (i.e., increasing the normal cut-in-speed) to reduce bat fatalities in the future.

A 2015 field survey identified a rookery on Hawk's Nest Lake. The survey indicated the presence of 238 double-crested cormorant and 12 great egret nests. Also, a 2005 field survey recorded the presence of American white pelican (special concern species), black-crowned night heron, and great blue heron nests. Although recent surveys did not record the presence of pelican, black-crowned night heron, or great blue heron nests, the habitat may still be suitable for these species.

The turbines located near Hawk's Nest Lake pose a higher risk of collision to the adults flying in and out of the nests to forage and feed young. The DNR commented on the project in our preliminary comment letter dated March 14, 2016 (attached). Our comment letter included a map indicating where turbines should not be located due to their proximity to lakes, streams, wetlands, and upland habitat that attracts higher numbers of birds and bats. One of the avoidance areas was located around Hawk's Nest Lake and the Wildlife Management Areas to the east. The DNR continues to recommend that turbines not be placed within the avoidance area. The V100 turbine layout is the most problematic due to the greater number of turbines proposed adjacent to Hawk's Nest Lake.

The DNR recommends the use of the Vestas 126 or 117 models as they reduce the number of turbines constructed and they include fewer turbines near higher risk locations that could result in higher bird and bat fatalities. In addition, the reduced number of miles of access roads associated with fewer turbines results in fewer natural resource impacts.

The Draft Avian and Bat Protection Plan (ABPP) states: "Potential impacts during the fall migration period will be minimized by EDF's commitment to voluntary operation measures including, when commercially feasible, feathering turbine blades up to the manufacturer set cut-in speed at night during the fall bat migration season (August 1 – October 31) whenever evening temperatures exceed 50 degrees Fahrenheit." The DNR recommends the Site Permit include a requirement to feather turbine blades up to the manufacturer set cut-in speed from ½ hour prior to sunset to sunrise from July 1 to October 1 for the entire time period covered by this permit. Feathering of the turbine blades will reduce bat fatalities and reduce the likelihood that additional operational mitigation would be needed.

The Draft ABPP under 4.0 Post-Construction needs to be more specific. Clarity should be provided concerning the number of turbines searched for full plots and road and pad, search area, number of search days per week, surrogates used for bats, and other details. The *Avian and Bat Survey Protocols for Wind Energy Projects* guidance document should be reviewed for DNR and Department of Commerce standard commercial wind project recommendations. The document can be accessed on our website at: [http://www.dnr.state.mn.us/eco/ereview/additional\\_resources.html](http://www.dnr.state.mn.us/eco/ereview/additional_resources.html)

The Draft ABPP on page 42 states: "adaptive management in response to the standard mortality monitoring will occur if: Bat fatality rate exceeds 15.85 bats/MW/year, the maximum rate observed at Minnesota wind projects at the time of the ABPP development;" This language should be changed to: "Further coordination with the PUC and other state agencies is required if the bat fatality rate exceeds 5 bats/MW/study period." The DNR has used 5 bats/MW/study period because the majority of projects in southern Minnesota generate estimates below this number (Table 4). Bat fatality estimates above 5 bats/MW/study period are at a higher level than normal and additional coordination is needed to attempt to understand the higher fatalities and if any additional operational mitigation is required.

The PUC required fatality monitoring report should include not only the estimated bat fatalities per MW, but also a facility wide bat fatality estimate on a yearly basis and for the permitted lifespan of the project. Understanding the facility wide and lifespan bat fatalities provides a more robust picture of the estimated cumulative bat fatalities. This type of reporting is needed for this project due to the proposed 200 MW size and increased number of turbines that will contribute to higher bat fatalities on a project basis.

Calcareous fens are known to occur outside of the project boundary and they may occur at other unidentified locations. The Site Application (8.17.5) indicates: "No calcareous fens are located within the Project Area." This statement is incorrect as it should state: "No previously identified calcareous fens are known to occur within the Project Area. However, unidentified calcareous fens may occur within the project area." As such, the wetlands found within the project boundary need to be reviewed to determine if potential calcareous fens exist. If a potential calcareous fen exists then additional coordination is required with the DNR.

The project site contains a significant amount of habitat for birds and bats when compared to other proposed and constructed wind farms in southern Minnesota. The bat acoustic data is indicative of higher bat use within the project area and that may indicate potential for higher bat fatalities. The DNR recommends modifying the turbine layout to avoid locating turbines in higher risk areas, requiring blade feathering below the manufacturer set cut-in-speed, and developing a robust fatality monitoring plan.

The DNR looks forward to working in a positive and collaborative manner on this project to ensure that sustainable energy sources are developed while protecting Minnesota's natural resources. Please contact me directly at 651-259-5078 if you have any questions about this letter.

Sincerely,



Cynthia Warzecha  
Principal Planner

CC: Michael Kaluzniak, Minnesota Public Utilities Commission  
Shanelle Montana, Red Pine Wind Project, LLC

Attachment: Preliminary Comment Letter dated March 14, 2016

ERDB #20110259



## MINNESOTA DEPARTMENT OF NATURAL RESOURCES

Division of Ecological and Water Resources

21371 Highway 15 South, New Ulm, MN 56073

Phone: 507-359-6073 Email: [kevin.mixon@state.mn.us](mailto:kevin.mixon@state.mn.us)

March 14, 2016

David Weetman  
Westwood Professional Services  
7699 Anagram Drive  
Eden Prairie, MN 55344

Subject: Red Pine Large Wind Energy Conversion System  
MNDNR Preliminary Review  
Lincoln/Lyon Counties, MN

Dear Mr. Weetman:

The Minnesota Department of Natural Resources (MNDNR) appreciates the opportunity to review and comment on the proposed Red Pine Large Wind Energy Conversion System. Please review the "DNR Guidance for Commercial Wind Energy Projects" and "Avian and Bat Survey Protocols For Wind Energy Projects" for our standard commercial wind project recommendations. Both documents can be located at the following link: ([http://www.dnr.state.mn.us/eco/ereview/additional\\_resources.html](http://www.dnr.state.mn.us/eco/ereview/additional_resources.html)).

The MNDNR Guidance For Commercial Wind Energy Projects should be reviewed and considered throughout project development. The following specific sections are known to pertain to this project area: Rare Species and Native Plant Communities, Native Prairies, Public Conservation and Recreation Lands, State Trails and Recreational Trail Corridors, Properties in Government Programs or With Conservation Easements, and Lakes, Wetlands, Streams, and Rivers.

The Poposki, Tillemans, Rost, Hawks Nest, Salix, Bosque, Multendal, Rogge, Sioux Prairie, Furgamme, Coot, Thostenson, Elmer Wetz, Coon Creek, Chain-O-Sloughs, Spanton, and Prairie Marshes Wildlife Management Areas (WMA) are within or adjacent to the project boundary with several of the them containing multiple parcels. The MNDNR recommends that no direct impacts occur to these public recreational lands from turbine construction, transmission lines, substations, or road networks associated with the project. It is the MNDNR's responsibility to seek avoidance, minimization, and mitigation for potential impacts to Minnesota Recreation System Units (Minnesota Statutes, chapter 86A) from turbine construction, transmission lines, substations, or road networks associated with a wind project. The wind resource of State lands is protected from encroachment through the wind access buffer of 5 rotor diameters (prevailing wind direction) and 3 rotor diameters (non-prevailing wind direction) that has been established by the Public Utilities Commission (PUC) to protect non-participating landowners wind rights.

Also within or adjacent to the project boundary are Waterfowl Production Areas and Tallgrass Prairie National Wildlife Refuge that are managed by the United States Fish & Wildlife Service (USFWS). Further coordination should also occur with the USFWS concerning the potential presence of the federally threatened Dakota Skipper (*Hesperia dacotae*) in the northwest portion of the new project boundary.

Mr. David Weetman

March 14, 2016

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The project area contains a greater number of mature trees than most other proposed and constructed commercial wind projects in southern Minnesota. The mature trees include dead or partially dead trees and loose bark conditions that provide summer roosting habitat for bats. Add in the lakes, streams, and wetlands that are found within and adjacent to the project area and you have a project that has potential for higher bat fatalities. The Bat Activity Studies for the Red Pine Wind Project in Lincoln and Lyon Counties, MN dated February 17, 2014 (page 22 and Appendix A) indicates bat activity at Red Pine Wind Project by ground detectors at met towers was among the higher activity rates at facilities in the Midwest. The average bat passes per detector night and periodic spikes in bat activity at some detectors is an indication that bat activity at this site is high enough to increase the risk of the project to bats.

The MNDNR has identified portions of the project area that may have higher bird and bat use (map attached). The Avoidance Areas contain numerous resources including Reinvest In Minnesota easements, Outstanding and High Sites of Biodiversity Significance, calcareous fens, state and federal-listed species, state and federally owned lands, and numerous lakes, wetlands, and streams. The boundaries of the identified Avoidance Areas are drawn to indicate general areas of higher wildlife activity and they are not intended to be exact. Avoiding the placement of turbines in the identified Avoidance Areas may minimize wildlife impacts, including fatalities. The MNDNR recommends that turbines not be placed in the Avoidance Areas as a measure to potentially decrease fatalities and lessen the likelihood of having bat fatality estimates that could warrant operational mitigation (i.e. increased cut-in-speed).

The DNR recommends that scientifically rigorous fatality monitoring be conducted for this project. The Avian and Bat Survey Protocols referenced above should be reviewed in order to develop a specific fatality monitoring plan. The fatality monitoring plan should be included in the ABPP as it will be a key component to assess project impacts. As a high risk site, the DNR recommends a minimum of 2 years of fatality monitoring using scientifically valid protocols. Additional years of fatality monitoring may also be warranted depending on the first two years of data.

The MNDNR will be recommending that the PUC Site Permit include a requirement for feathering turbine blades when operating below the cut-in speed for the life span of the project. Arnet et al. (2013) describes one project that discovered feathering turbine blades at or below the manufacturer's cut-in speed resulted in up to 72% fewer bats killed when turbines produced no electricity into the power grid (link attached). The American Wind Energy Association (AWEA) and other states, i.e. Nebraska, have already recommended feathering of turbine blades to reduce bat fatalities. AWEA expects feathering of the blades to reduce impacts to bats from operating wind turbines by as much as 30 percent. Feathering turbine blades below the cut-in speed is likely to reduce bat fatalities/bat fatality estimates and decrease the need for additional operational mitigation.

Phased development should be considered for this project due to the proposed 200 MW nameplate capacity and potential for 100 (2.0 MW) turbines to be erected. The number of turbines erected is directly related to the estimated bat fatalities for the entire facility. The more turbines erected the greater the total bat fatalities. The first phase could be constructed and be monitored for bat fatalities for 2 years. The bat fatality data would then be used to determine if modifications are needed for siting or operational mitigation in order to reduce bat fatalities for subsequent phases.



The PUC required fatality monitoring report should include not only the estimated bat fatalities per MW, but also a facility wide bat fatality estimate on a yearly basis and for the permitted lifespan of the project. Understanding the facility wide and lifespan bat fatalities provides a more robust picture of the estimated cumulative bat fatalities.

If bat fatalities are high, despite feathering of the blades, then operational mitigation such as raising the cut-in-speed will need to be discussed as a mechanism to reduce fatalities. Raising the cut-in-speed has been shown to significantly reduce bat fatalities at numerous commercial wind facilities. Arnet et al. (2013) provided a synthesis of operational mitigation studies to reduce bat fatalities at 10 different wind projects (link attached). Most of the studies found that at least a 50% reduction in bat fatalities occurs when turbine cut-in speed was increased by 1.5 m/s above the manufacturer's cut-in speed. They also concluded that changing cut-in speeds offers an ecologically sound and economically feasible strategy for reducing bat fatalities at wind energy facilities. The MNDNR is indicating a potential need for operational mitigation early in the process so the project proponent can make decisions on turbine placement that may minimize bat fatalities and to factor in the possibility of future operational mitigation if high bat fatalities occur.

During development of the turbine layout it is recommended that 7-8 alternate turbine locations be included. The alternate turbine locations provide an opportunity to avoid or minimize potential impacts to natural resources and to work around other issues that arise during project development.

Please be advised that an active bald eagle nest was observed on March 2, 2016 north of the intersection of 130th Avenue and 235th Street. A large stick nest and one adult bald eagle was observed at the nest site. Margaret Rhuede from the United States Fish & Wildlife Service should be contacted at 612-725-3548 in order to coordinate issues related to the need for bald eagle surveys.

Calcareous fens are known to occur within the project boundary and they may occur at other unidentified locations. Calcareous fens must not be impacted or otherwise altered or degraded, wholly or partially, by any action, unless the commissioner, under an approved management plan, decides some alteration is necessary (Wetland Conservation Act Rules 8420.0935). Calcareous fens will need to be identified so they can be avoided. Avoidance would apply to all infrastructure associated with the project including but not limited to: turbines, access roads, collector lines, transmission lines, crane paths, and temporary construction areas.

The project site contains a significant amount of habitat for birds and bats when compared to other proposed and constructed wind farms in southern Minnesota. The bat acoustic data is indicative of higher bat use within the project area and that may indicate potential for higher bat fatalities. Moving forward the turbine layout will need to avoid the higher risk portions of the project area, blade feathering needs to be required as part of the PUC Site Permit, and a robust fatality monitoring plan will need to be developed.

Mr. David Weetman  
March 14, 2016  
Page 4

The DNR looks forward to working in a positive and collaborative manner on this project to ensure that sustainable energy sources are developed while protecting Minnesota's natural resources. Please contact me directly at (507) 359-6073 if you have any questions about this letter.

Sincerely,



Kevin Mixon  
Regional Environmental Assessment Ecologist  
Division of Ecological and Water Resources

cc: Lisa Joyal, Endangered Species Review Coordinator  
Jamie Schrenzel, Environmental Review  
Jim Sehl, EWR Assistant Supervisor  
Wendy Krueger, Area Wildlife Supervisor  
Bill Dinesen, Camden State Park Manager  
Phil Nasby, Parks and Trails  
Margaret Rheude, USFWS  
Richard Davis, Department of Commerce-EERA  
DNR R4 REAT  
ERDB#20110259

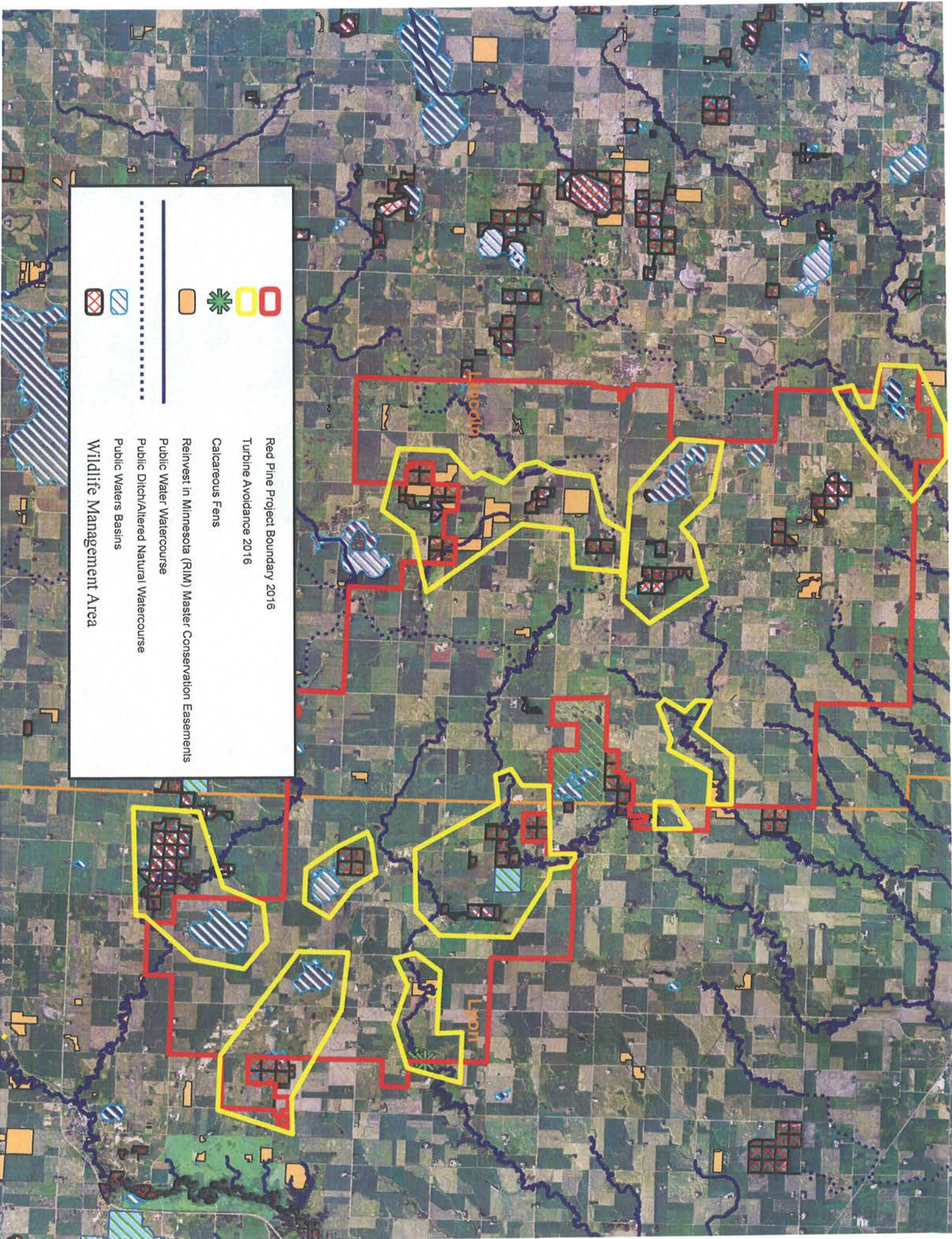
Web links:

A Synthesis Of Operational Mitigation Studies To Reduce Bat Fatalities At Wind Energy Facilities In North America (Arnet et al. 2013):

<http://www.batsandwind.org/pdf/Operational%20Mitigation%20Synthesis%20FINAL%20REPORT%20UPDATED.pdf>

Bat Assessment Guidance for Wind Energy Facilities in Nebraska:

[http://snr.unl.edu/renewableenergy/download/Bat%20Assessment%20Guidance%20for%20Wind%20Energy%20Facilities%20in%20Nebraska\\_August%202015.pdf](http://snr.unl.edu/renewableenergy/download/Bat%20Assessment%20Guidance%20for%20Wind%20Energy%20Facilities%20in%20Nebraska_August%202015.pdf)



	Red Pine Project Boundary 2016
	Turbine Avoidance 2016
	Calcareous Fens
	Reinvest in Minnesota (RIM) Master Conservation Easements
	Public Water Watercourse
	Public Ditch/Altered Natural Watercourse
	Public Waters Basins
	Wildlife Management Area

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Julia	Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota St St. Paul, MN 551012134	Electronic Service	Yes	OFF_SL_16-618_Official OAH Service List
Sarah	Beimers	sarah.beimers@mnhs.org	Minnesota Historical Society	345 Kellogg Boulevard West  St. Paul, MN 55102	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
David	Bell	david.bell@state.mn.us	Department of Health	POB 64975  St. Paul, MN 55164	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
Sara	Bergan	sebergan@stoel.com	Stoel Rives LLP	33 South Sixth Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
Tamara	Cameron	Tamara.Cameron@usace.army.mil	U.S. ARMY CORPS OF ENGINEERS	180 5th St #700  Saint Paul, MN 55101	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 500  Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
Travis	Germundson	travis.germundson@state.mn.us		Board of Water & Soil Resources 520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
Kari	Howe	kari.howe@state.mn.us	DEED	332 Minnesota St, #E200 1ST National Bank Bldg St. Paul, MN 55101	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
Sarah	Johnson Phillips	siphillips@stoel.com	Stoel Rives LLP	33 South Sixth Street Suite 4200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
Stacy	Kotch	Stacy.Kotch@state.mn.us	MINNESOTA DEPARTMENT OF TRANSPORTATION	395 John Ireland Blvd.  St. Paul, MN 55155	Electronic Service	No	OFF_SL_16-618_Official OAH Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Karen	Kromar	karen.kromar@state.mn.us	MN Pollution Control Agency	520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
John	Lindell	john.lindell@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130	Electronic Service	Yes	OFF_SL_16-618_Official OAH Service List
Nicole	Nordquist	nicole.nordquist@edf-re.com	EDF Renewable Energy	10 2nd Street NE Suite 400 Minneapolis, MN 55413	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
Bob	Patton	bob.patton@state.mn.us	MN Department of Agriculture	625 Robert St N Saint Paul, MN 55155-2538	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
Margaret	Rheude	Margaret_Rheude@fws.gov	U.S. Fish and Wildlife Service	Twin Cities Ecological Services Field Office 4101 American Blvd. E. Bloomington, MN 55425	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
Jamie	Schrenzel	jamie.schrenzel@state.mn.us	Minnesota Department of Natural Resources	500 Lafayette Road Saint Paul, MN 55155	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
Cynthia	Warzecha	cynthia.warzecha@state.mn.us	Minnesota Department of Natural Resources	500 Lafayette Road Box 25 St. Paul, Minnesota 55155-4040	Electronic Service	No	OFF_SL_16-618_Official OAH Service List
Daniel P	Wolf	dan.wolf@state.mn.us	Public Utilities Commission	121 7th Place East Suite 350 St. Paul, MN 551012147	Electronic Service	Yes	OFF_SL_16-618_Official OAH Service List
Jonathan	Wolfgram	Jonathan.Wolfgram@state.mn.us	Department of Public Safety	445 Minnesota Street Suite 147 St. Paul, MN 55101-1547	Electronic Service	No	OFF_SL_16-618_Official OAH Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Sarah	Beimers	sarah.beimers@mnhs.org	Minnesota Historical Society	345 Kellogg Boulevard West  St. Paul, MN 55102	Electronic Service	No	SPL_SL_16-618_WS-16-618
David	Bell	david.bell@state.mn.us	Department of Health	POB 64975  St. Paul, MN 55164	Electronic Service	No	SPL_SL_16-618_WS-16-618
Tamara	Cameron	Tamara.Cameron@usace.army.mil	U.S. ARMY CORPS OF ENGINEERS	180 5th St #700  Saint Paul, MN 55101	Electronic Service	No	SPL_SL_16-618_WS-16-618
Travis	Germundson	travis.germundson@state.mn.us		Board of Water & Soil Resources 520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	SPL_SL_16-618_WS-16-618
Kari	Howe	kari.howe@state.mn.us	DEED	332 Minnesota St, #E200 1ST National Bank Bldg St. Paul, MN 55101	Electronic Service	No	SPL_SL_16-618_WS-16-618
Stacy	Kotch	Stacy.Kotch@state.mn.us	MINNESOTA DEPARTMENT OF TRANSPORTATION	395 John Ireland Blvd.  St. Paul, MN 55155	Electronic Service	No	SPL_SL_16-618_WS-16-618
Karen	Kromar	karen.kromar@state.mn.us	MN Pollution Control Agency	520 Lafayette Rd  Saint Paul, MN 55155	Electronic Service	No	SPL_SL_16-618_WS-16-618
Bob	Patton	bob.patton@state.mn.us	MN Department of Agriculture	625 Robert St N  Saint Paul, MN 55155-2538	Electronic Service	No	SPL_SL_16-618_WS-16-618
Margaret	Rheude	Margaret_Rheude@fws.gov	U.S. Fish and Wildlife Service	Twin Cities Ecological Services Field Office 4101 American Blvd. E. Bloomington, MN 55425	Electronic Service	No	SPL_SL_16-618_WS-16-618
Cynthia	Warzecha	cynthia.warzecha@state.mn.us	Minnesota Department of Natural Resources	500 Lafayette Road Box 25 St. Paul, Minnesota 55155-4040	Electronic Service	No	SPL_SL_16-618_WS-16-618

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Jonathan	Wolfgram	Jonathan.Wolfgram@state.mn.us	Department of Public Safety	445 Minnesota Street Suite 147  St. Paul, MN 55101-1547	Electronic Service	No	SPL_SL_16-618_WS-16-618