

March 26, 2024

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 Seventh Place East, Suite 350
St. Paul, MN 55101

–Via Electronic Filing–

Re: AGRICULTURAL IMPACT MITIGATION PLAN
CERTIFICATE OF NEED FOR THE PROPOSED 345 kV BROOKINGS COUNTY –
LYON COUNTY AND HELENA – HAMPTON SECOND-CIRCUIT PROJECT
DOCKET NO. E002/CN-23-200 (CERTIFICATE OF NEED)
DOCKET NO. E002/TL-08-1474 (ROUTE PERMIT MINOR ALTERATION)

Dear Mr. Seuffert:

In accordance with Minn. Stat. § 216E.10, subd. 3(b), Northern States Power Company, a Minnesota company, doing business as Xcel Energy (Xcel Energy), submits the enclosed final Agricultural Impact Mitigation Plan (AIMP) on behalf of itself as the lead utility and the other CapX2020 Brookings Owners¹ as co-Applicants for the proposed 345 kV Brookings County – Lyon County and Helena – Hampton Second-Circuit Project (Project).

Commissioner of Agriculture Thom Peterson filed a letter approving the draft AIMP on November 15, 2023, in Docket No. E002/CN-23-200. Xcel Energy files the enclosed final AIMP to ensure completeness of the record. We note that this final AIMP will guide the construction of the Project rather than the AIMP filed for the original Brookings line.²

Please contact me at monsherra.s.blank@xcelenergy.com or (214) 422-3672 if you have any questions regarding this filing.

Sincerely,

/s/ Monsherra S. Blank

MONSHERRA S. BLANK
DIRECTOR, REGULATORY AND STRATEGIC ANALYSIS

Encl
c: Service Lists

¹ In addition to Xcel Energy, the CapX2020 Brookings Owners are Central Minnesota Municipal Power Agency, Great River Energy, Otter Tail Power Company, and Western Minnesota Municipal Power Agency.

² See *In re the Route Permit Application by Great River Energy and Excel Energy for a 345 kV Transmission Line from Brookings County, South Dakota to Hampton, Minnesota*, Docket No. E002/TL-08-1474, Direct Testimony of Craig Poorker, Sch. 17 (Oct. 13, 2009).

AGRICULTURAL IMPACT MITIGATION PLAN
BROOKINGS COUNTY – LYON COUNTY AND HELENA –
HAMPTON SECOND-CIRCUIT PROJECT

MPUC Docket Nos. E002/CN-23-200
E002/TL-08-1474

December 2023

Northern States Power Company



414 Nicollet Mall
Minneapolis, MN 55401

INTRODUCTION

Northern States Power Company, doing business as Xcel Energy (Xcel Energy or the Company) along with Central Minnesota Municipal Power Agency, Great River Energy, Otter Tail Power Company, and Western Minnesota Municipal Power Agency (together referred to as “the Companies”), developed this Agricultural Impact Mitigation Plan (AIMP) with the Minnesota Department of Agriculture (MDA) in compliance with Minnesota Statutes Section 216E.10, subdivision 3(b). The Company is seeking a Certificate of Need and Minor Alteration from the Minnesota Public Utilities Commission to construct the Brookings County – Lyon County and Helena – Hampton Second Circuit Project between Lincoln and Lyon Counties and between Scott and Dakota Counties, Minnesota (Project). The AIMP identifies measures the Companies will take during construction to avoid, mitigate, minimize, repair, or provide compensation for impacts on Agricultural Land. The AIMP and its provisions will be implemented during construction and restoration activities that the Companies undertakes for the Project prior to filing notice of completion of construction with the Minnesota Public Utilities Commission.

Capitalized words and other defined terms have the meanings given to them in this AIMP and its appendix. Use of “Landowner” in this AIMP may be construed to read “Landowner and / or Tenant.”

This AIMP and its construction standards and policies apply only to construction activities occurring on privately owned Agricultural Land. If agricultural tile is encountered, whether on Non-Agricultural Land or Agricultural Land, the Companies will implement construction standards relating to the repair of tile on Agricultural Lands discussed further in this AIMP. Portions of this AIMP that identify standards and policies as they apply to Organic Agricultural Land apply only to the types of lands defined in the National Organic Program Rules (7 C.F.R. Parts 205.100; 205.101, and 205.202). Further, construction standards and policies identified in this AIMP can be modified through Easement or other agreement between the Companies and the Landowner of Agricultural Land, as appropriate. In such case, the Easement or other agreement will control.

The purpose of the Brookings County – Lyon County and Helena – Hampton Second Circuit Project (Project) is to install a second 345 kilovolt (kV) circuit on existing structures of the Original Brookings 345 kV transmission line (Original Brookings Line). The Original Brookings Line extends from Brookings County, South Dakota through Dakota County, Minnesota and was energized in 2015. The Original Brookings Line was built double circuit capable, and 141.5 miles of the total 240-mile length currently operates as a double circuit. The Project will install a second 345 kV circuit on existing

structures along two segments, the Western Segment, and the Eastern Segment. The Western Segment extends from the Brookings County substation to Lyon County substation (Line #0972) crossing Brookings County, South Dakota as well as Lincoln and Lyon Counties, Minnesota. The Eastern Segment runs from the Helena substation, west of New Prague, Minnesota, to the Hampton substation, north of Hampton, Minnesota (Lines #0960 and 0961) in Scott and Dakota Counties, Minnesota.

The Project involves installation of a 345 kV second circuit on approximately 87.9 miles of the Original Brookings Line in Minnesota, where the Western Segment extends 48.9 miles from the Minnesota – South Dakota border, to Lyon County substation near Milroy, Minnesota, and the Eastern Segment extends approximately 39 miles from the Helena substation to the Hampton substation. The Project will not require changing the alignment of the existing transmission line or new infrastructure, with the following exceptions:

- The Western Segment will require reconfiguring an existing loop at the Steep Bank Lake substation near Hendricks, Minnesota, to avoid the second circuit crossing the existing transmission line. This reconfiguration will involve adding one additional structure outside of the Steep Bank Lake substation, but within the existing right-of-way.
- The Eastern Segment will require rerouting around the Chub Lake substation. The Companies will construct two new dead-end structures on foundations on the south side of the Chub Lake substation to avoid the second circuit having to go over the top of the Chub Lake substation.
- The Companies will construct eight new poles within the existing right-of-way. These new poles will allow the transmission line to maintain a horizontal configuration near an airport after the second circuit is installed to comply with the Federal Aviation Administration requirements.

With the Project mostly being installed on existing structures, the majority of impacts for Project construction are temporary in nature and involve access roads and temporary roads, matting of temporary workspace, and helicopter landing pads.

GENERALLY

The Companies have existing easements with each Landowner of Agricultural Land. The existing easements contain conditions or provisions necessary to implement the provisions of this AIMP. The mitigative actions set forth in this AIMP are subject to the language in the existing easements. This includes compensation for direct damages to landscaping, roads and driveways, livestock, crops, fields and other Landowner property

caused by The Companies in connections with the construction of maintenance of the transmission line.

Mitigative actions will be executed by the Companies employees or by qualified contractors retained by the Companies, unless otherwise specified or agreed upon by Landowner. The Companies and Landowner may agree that certain activities will be performed by Landowner.

Unless otherwise specified in this AIMP or in an Easement or other agreement negotiated between the Companies and Landowner, construction standards and policies or mitigative actions will be implemented within 90 days after completion of Final Clean-up activities on Agricultural Land. Weather conditions or other circumstances identified by mutual agreement between Landowner and the Companies may delay implementation of mitigative actions after final clean-up. Where the Companies determines it is practicable, the Companies may make temporary repairs. These temporary repairs may be made to minimize additional property damage or interference with the Landowner's access to the subject Agricultural Land or to comply with Federal or State permits and regulations.

The Companies or its contractors will implement the construction standards and policies or mitigative actions identified within this AIMP so long as such activities do not conflict with any applicable Federal or State rules, regulations, permits, licenses, approvals, or conditions obtained by the Companies for the Project. Should any activity within this AIMP be determined to be unenforceable due to Federal or State rules, regulations, permits, licenses, approvals, or conditions, the Companies will inform the Landowner and will identify a reasonable alternative activity.

Prior to Right-of-Way preparation or construction, the Companies will make a good faith effort to provide each Landowner with contact information, including a phone number and address that can be used to contact the Companies regarding any impacts to Agricultural Land or other construction-related concern or question. The Companies will provide updated information to the Landowner within a reasonable time of any change to the Companies' contacts.

Construction Standards

Mitigative Actions

The Companies will reasonably restore and / or compensate Landowner, as appropriate, for damages caused by the Companies as a result of transmission line construction, and as outlined in this AIMP. The Companies will decide whether to restore land and/or compensate Landowner after a discussion with the Landowner.

Advance Notice of Access

The Companies will make good faith efforts to provide notice to the Landowner in advance of the commencement of initial construction activities on Agricultural Land. Notice may include personal contact, email, letter, or telephone contact.

Environmental / Agricultural Monitor

The Companies will hire an Environmental / Agricultural Monitor to act as an independent third party to monitor compliance with this AIMP and other permit conditions / regulatory requirements. The Companies will work with the MDA to select the Environmental / Agricultural Monitor.

The Companies will coordinate with the MDA in developing a list of potential contractors and written specifications for minimum experience and qualifications. After the MDA and the Companies agree on minimum qualifications and list of potential contractors, the Companies will solicit bids from the list of potential contractors and will prepare a summary of bids. The Companies will then meet with the MDA to review the bids and agree on which of the bids should be pursued. The contract signed by the Companies and the winning bidder will specify minimum qualifications for Environmental / Agricultural Monitors and will direct the selected contractor to communicate independently with the MDA and set up a reporting relationship as the MDA instructs.

The Environmental / Agricultural Monitor will audit the Companies' compliance with this AIMP. While the Environmental / Agricultural Monitor will not have the authority to direct construction activities and will not have authority to stop construction, if the Environmental / Agriculture Monitor observes a significant non-compliant activity it will be reported to the Companies immediately. The MDA may also instruct the Environmental / Agriculture Monitor to report non-compliant activities to the MDA. If after reviewing the non-compliant activity and if judgement is made that continuing the activity will cause damage to the environment or agricultural land, the Companies would issue a stop work order.

Specific duties of the Environmental / Agricultural Monitor will include, but are not limited to the following:

1. Participate in preconstruction training activities sponsored by the Companies.
2. Monitor construction and restoration activities on Agricultural Land for compliance with provisions of this AIMP. The monitor will be allowed full access to the Agricultural Land where construction occurs.

3. Report instances of noncompliance with the AIMP to the Companies and the MDA.
4. Coordinate with the MDA to develop a reporting structure and report directly to the MDA on events or schedule as agreed upon with the MDA.
5. Coordinate communication of Landowner concerns to the MDA, if necessary.
6. Maintain a written log of Landowner concerns observed or reported by the Companies' construction or land rights agents regarding compliance with this AIMP. The written log should record whether the Environmental / Agricultural Monitor reported each logged concern to the MDA.
7. Be responsible for determining whether weather conditions have caused the soil to become so wet that the activity to alleviate compaction would reduce the future production capacity of the land and advising the Companies of these conditions. The Companies will be solely responsible in making the decision on whether it will proceed with construction under these conditions. Compensation for Landowner, as appropriate, will be determined as described in the "Procedures for Determination of Damages and Compensation" section of this AIMP.
8. In disputes between the Companies and a Landowner over restoration, advise the MDA on whether the agricultural restoration is reasonably adequate in consultation with the Companies.

Qualifications and Selection of the Environmental / Agricultural Monitor

The Companies' Environmental / Agricultural Monitor will:

1. Have demonstrated practical experience with pipeline or electric transmission line construction and restoration on Agricultural Land.
2. Be responsible for verifying the Companies' compliance with provisions of this AIMP during construction.
3. If work is being performed on Organic Agricultural Land, the Environmental / Agricultural Monitor will be trained, in organic inspection, by the Independent Organic Inspectors Association, unless the Environmental / Agricultural Monitor received such training during the previous three years.
4. Work collaboratively with other members of the Companies' team in achieving compliance with this AIMP.
5. Observe construction activities on Agricultural Land on a regular basis.
6. Work with construction crews to assure all practices are in compliance with the provisions of this AIMP.

7. Document instances of noncompliance and work with construction personnel to identify and implement appropriate corrective actions as needed.
8. Provide construction personnel with training on provisions of this AIMP before construction begins.
9. Provide construction personnel with field training on specific topics as needed.

Pole Placement

During the design of the Project, the Companies' engineering, real estate, and permitting staff will seek input from Landowner, as practicable, to address pole placement issues. Prior to construction, the land rights agents will review the planned pole locations with the Landowner when requested to do so by the Landowner.

Pole Removal

If the Project is constructed along an existing transmission line, and the Companies determines the existing facilities can be reasonably co-located, the Companies may remove existing transmission line structures. For transmission line structures that do not have a footing, the Companies will extract the pole from the ground if possible. In the event a pole cannot be extracted by pulling, the Companies will excavate an area and an attempt will be made to extricate an excavated pole entirely. If an excavated pole cannot be removed in its entirety, the pole will either be cut off at the excavated depth (in the range of approximately five feet) or pushed over if the pole cannot be cut. If an existing transmission structure to be removed has a concrete footing, the Companies will work with the Landowner to determine at what depth the footing must be removed so farming operations can continue on the property.

If the Companies removes an existing pole, all support anchors for the structure will be removed. In these instances, the Companies will work with the Landowner to identify any tile lines located near anchors prior to removal of the anchors. Additionally, if any damage to tile occurs as a result of pole or anchor removal, the Companies will adhere to the "Agricultural Tile" section of this AIMP.

Agricultural Tile

The Companies will contact an affected Landowner for his / her knowledge of tile locations prior to installation of the transmission line. The Companies will attempt to identify tile if the Landowner does not know if tile is located at the proposed pole location. Tile that is damaged, cut, or removed as a result of the Companies' location efforts will be promptly repaired.

If tile is damaged by Project construction, the tile will be repaired with materials of the same quality as that which was damaged. If tiles on or adjacent to the transmission line construction area are adversely affected by construction, the Companies will take such actions as are necessary to restore the tile function, including the relocation, reconfiguration, and replacement of the existing tile. The Companies will correct tile repairs, as needed, after completion of the transmission line construction, provided the repairs were made by the Companies or their agents or designees.

The affected Landowner may elect to negotiate a fair settlement with the Companies for the Landowner to undertake the responsibility for repair, relocation, reconfiguration, or replacement of damaged tile. In the event the Landowner chooses to undertake the responsibility for repair, relocation, reconfiguration, or replacement of the damaged tile, the Companies will have no further liability for the identified damaged tile.

The following standards and policies apply to the tile repairs completed by the Companies:

1. Tiles will be repaired with materials of the same or better quality as that which was damaged.
2. If water is flowing through a damaged tile, temporary repairs will be promptly installed and maintained until such time that permanent repairs can be made.
3. The Companies will make efforts to complete permanent tile repairs within a reasonable timeframe after Final Clean-up, taking into account weather and soil conditions.
4. Following completion of the Final Clean-up and damage settlement, the Companies will be responsible for correcting and repairing tile breaks, or other damages to tile systems that are discovered on the Right-of-Way to the extent that such breaks are the result of Project construction. These damages are usually discovered after the first significant rain event. The Companies will provide the Landowner with contact information should tile damage issues be identified after Final Clean-up. The Companies will not be responsible for tile repairs performed by the Landowner.

The Companies will be responsible for repairing areas as necessary to properly drain wet areas along the Right-of-Way caused by the construction of the Project.

Soil Compaction / Rutting

The Companies will repair damage incurred due to compaction, ruts, erosion, and / or washing of soil caused by electric line construction. If, by mutual agreement, the Landowner repairs such damage, the Companies will reimburse the Landowner for the

reasonable cost of labor and the use of equipment to repair damage incurred due to compaction, ruts, erosion, and / or washing of soil caused by electric line construction. The Companies will make such payments within a reasonable period of time following completion of project construction and after receiving a statement substantiating the Landowner's repair costs.

If there is a dispute between the Landowner and the Companies as to what areas need to be ripped or chiseled, the depth at which compacted areas should be ripped or chiseled, or the necessity for, or rates of, lime, fertilizer, and organic material application, the Companies will consult with the Environmental / Agricultural Monitor prior to making a final decision.

Excess Soil and Rocks

Excess soil and rock will be removed from the site unless otherwise requested by the Landowner. After Final Clean-up and restoration of Agricultural Lands, the Companies will make good faith efforts to obtain written acknowledgement of completion of such activities from the Landowner.

Construction Debris

The Companies will promptly remove construction-related debris and material which is not an integral part of the transmission line from the Landowner's property at the Companies' cost. Such material may include excess construction materials or litter generated by the construction crews. Xcel Energy, on behalf of the Companies, will pay for the reasonable cost of repairs to the Landowner's equipment if the equipment is damaged by materials or debris the Companies left on the property during construction.

Procedures for Determination of Damages and Compensation

The Companies will maintain a procedure for processing Landowner claims for construction-related damages, including but not limited to crop damages. The procedure is intended to standardize and minimize Landowner concerns regarding the recovery of damages, to provide a degree of certainty and predictability for Landowner and the Companies, and to foster good relationships among the Companies and Landowner over the long term.

Damage claim negotiations between the Companies and any affected Landowner will be voluntary in nature. The Companies will offer to compensate Landowners according to the terms of the Companies' damage claim policy. The compensation offered is only an offer to settle, and the offer shall not be introduced in any proceeding brought by the Landowner to establish the amount of damages the Companies must pay on behalf of the Companies.

Soil Conservation Practices

Soil conservation practices such as terraces and grassed waterways which are damaged by the transmission line's construction will be restored to their pre-construction condition as near as possible. The Companies will attempt to work with the Landowner to identify and document the pre-construction conditions of these features.

Irrigation

If the transmission line and / or temporary work areas intersect an operational (or soon to be operational) spray irrigation system, the Companies will work with the Landowner to establish an acceptable amount of time the irrigation system may be out of service.

If, as a result of the transmission line construction activities, an irrigation system interruption results in crop damages either on the Right-of-Way or off the Right-of-Way, Landowners will be compensated for resulting crop loss.

If it is feasible and mutually acceptable to the Companies and the Landowner, temporary measures will be implemented to allow an irrigation system to continue to operate across land on which the transmission line is also being constructed. The Companies will not allow an irrigation system to continue operation across land on which the transmission line is also being constructed if the Companies determines that such operation would be unsafe.

Access Routes / Temporary Roads

The location of access routes to be used for construction purposes will be discussed with the Landowner.

- A. The access routes will be designed so as to not impede proper drainage and will be built to mitigate soil erosion on or near the temporary roads.
- B. If grading is required to create a temporary road, these temporary roads may be left intact through mutual agreement of the Landowner and the Companies unless otherwise restricted by Federal, State, or local regulations.
- C. If a temporary road is to be removed, the Agricultural Land upon which the temporary road is constructed will be returned to its previous use and restored to equivalent condition as existed prior to construction.

Helicopter Landing Pads

The location of helicopter landing pads to be used for construction purposes will be discussed with the landowner.

- A. The helicopter landing pads will be designed so as to not impede proper drainage and will be built to mitigate soil erosion on or near the temporary roads.
- B. The helicopter landing pads will be sited through mutual agreement of the Landowner and the Companies to avoid conflicts with crops and livestock.
- C. The helicopter landing pads will not be sited in close proximity to organic agricultural operations to reduce the potential for transfer of weed seeds and/or insect pests.
- D. If grading is required to create a helicopter landing pad, these areas may be left intact through mutual agreement of the Landowner and the Companies unless otherwise restricted by Federal, State, or local regulations.
- E. If a helicopter landing pad is to be removed, the Agricultural Land upon which the helicopter landing pad is constructed will be returned to its previous use and restored to equivalent condition as existed prior to construction.

Organic Farms

The Companies recognize that Organic Agricultural Land is a unique feature of the landscape and will treat this land with a similar level of care as other sensitive environmental features. This section identifies mitigation measures that apply specifically to farms that are Organic Certified or farms that are in active transition to become Organic Certified and is intended to address the unique management and certification requirements of these operations. This section supplements and is in addition to all other protections provided in this AIMP.

The provisions of this section will only apply to Organic Agricultural Land for which the Landowner has provided to the Companies a true, correct and current version of the Organic System Plan within 60 days after the signing of the Easement or 60 days after the first contact by the Companies after the Commission issues a Route Permit, whichever occurs first.

Organic System Plan

The Companies recognize the importance of the individualized Organic System Plan to the Organic Certification process. The Companies will work with the Landowner, the Landowner's Certifying Agent, and / or a mutually acceptable third-party organic consultant to identify site-specific construction practices that will minimize the potential

for Decertification as a result of construction activities. Possible practices may include, but are not limited to: equipment cleaning, planting a deep-rooted cover crop in lieu of mechanical decompaction, applications of composted manure or rock phosphate, preventing the introduction of disease vectors from tobacco use, restoration and replacement of beneficial bird and insect habitat, maintenance of organic buffer zones, use of organic seeds for any cover crop, or similar measures. The Companies recognize that Organic System Plans are proprietary in nature and will respect the need for confidentiality.

Prohibited Substances

The Companies will avoid the application of Prohibited Substances onto Organic Agricultural Land. No herbicides, pesticides, fertilizers or seed will be applied to Organic Agricultural Land unless requested and approved by the Landowner. Likewise, the Companies will avoid refueling, fuel or lubricant storage, or routine equipment maintenance on Organic Agricultural Land. Equipment will be checked prior to entry to make sure that fuel, hydraulic and lubrication systems are in good working order before working on Organic Agricultural Land. If Prohibited Substances are used on land adjacent to Organic Agricultural Land, these substances will be used in such a way as to prevent them from entering Organic Agricultural Land.

Temporary Road Impacts

Topsoil and Subsoil layers that are removed during construction on Organic Agricultural Land for temporary road impacts will be stored separately and replaced in the proper sequence after the transmission line is installed. Unless otherwise specified in the site-specific plan described above, the Companies will not use this soil for other purposes, including creating access ramps at road crossings. No Topsoil or Subsoil (other than incidental amounts) may be removed from Organic Agricultural Land. Likewise, Organic Agricultural Land will not be used for storage of soil from non-Organic Agricultural Land.

Erosion Control

On Organic Agricultural Land, the Companies will, to the extent feasible, implement erosion control methods consistent with the Landowner's Organic System Plan. On land adjacent to Organic Agricultural Land, the Companies' erosion control procedures will be designed so that sediment from adjacent non-Organic Agricultural Land will not flow along the Right-of-Way and be deposited on Organic Agricultural Land. Treated lumber, non-organic hay bales, non-approved metal fence posts, etc. will not be used for erosion control on Organic Agricultural Land.

Weed Control

On Organic Agricultural Land, if the Companies determines weed control is necessary during construction activities, the Companies will, to the extent feasible, implement weed control methods consistent with the Landowner's Organic System Plan. Prohibited Substances will not be used for weed control within 50 feet of posted Organic Agricultural Land.

Monitoring

In addition to the responsibilities of the Environmental / Agricultural Monitor described in the AIMP, the following will apply:

- A. The Environmental / Agricultural Monitor will monitor construction and restoration activities on Organic Agricultural Land for compliance with the provisions of this section and will document any activities that may result in Decertification.
- B. Instances of non-compliance will be documented according to Independent Organic Inspectors Association protocol consistent with the Landowner's Organic System Plan, and will be made available to the MDA, the Landowner, the Landowner's Certifying Agent, and to the Companies.

Compensation for Construction Damages

The settlement of damages will be based on crop yield and / or crop quality determination and the need for additional restoration measures. The Companies will first work with the Landowner of Organic Agricultural Land to determine crop yield. In the event the Companies and the Landowner of Organic Agricultural Land cannot determine crop yield, at the Companies' expense, a mutually agreed upon professional agronomist will make crop yield determinations, and the MDA Fruit and Vegetable Inspection Unit will make crop quality determinations. If the crop yield and / or crop quality determinations indicate the need for soil testing, the testing will be conducted by a commercial laboratory that is properly certified to conduct the necessary tests and is mutually agreeable to the Companies and the Landowner. Field work for soil testing will be conducted by a professional soil scientist or professional engineer licensed by the State of Minnesota. The Companies will be responsible for the cost of sampling, testing and additional restoration activities, if needed. Additional restoration activities will be completed according to the terms of the Easement.

Compensation for Damages Due to Decertification

Should any portion of Organic Agricultural Land be Decertified as a result of construction activities, the Companies will pay damages for crops and / or livestock

within the area impacted by the lost Certification equal to the full difference between the market value of conventional crops and / or livestock and the market value of the organic crops and / or livestock lost for three years or the period of time necessary for the Landowner or Tenant to regain Certification, whichever comes first. The market value of the crop will be determined as set forth in the damage claim policy. At the request of the Companies, the Landowner shall provide verification of its loss of Organic Certification through the accredited certifying agent prior to any compensation for organic crop loss being paid.

Definitions

Agricultural Land	Land that is actively managed for cropland, hay land, or pasture, and land in government set-aside programs.
Environmental / Agricultural Monitor	Monitor retained by the Companies responsible for overall project compliance with permit conditions and commitments made in this document. The Environmental / Agricultural Monitor shall also report directly to the Minnesota Department of Agriculture (MDA) and will be responsible for auditing the Companies' compliance with provisions of this AIMP. The monitor will have demonstrated experience with pipeline or electric transmission line construction on Agricultural Land.
Certifying Agent	As defined by the National Organic Program Standards, Federal Regulations 7 CFR Part 205.2.
Cropland	Land actively managed for growing row crops, small grains, or hay.
Decertified or Decertification Easement	Loss of Organic Certification. The agreement(s) and / or interest in privately owned Agricultural Land held by the Company by virtue of which it has the right to construct, operate, and maintain the transmission line together with such other rights and obligations as may be set forth in such agreement.
Final Clean-up	Transmission line activity that occurs after the power line has been constructed. Final Clean-up activities may include: removal of construction debris, de-compaction of soil as required, removal of temporary erosion control structures, final grading, and restoration of fences and required reseeding. Once Final Clean-up is finished, Landowner will be contacted to settle all damage issues and will be provided a form to sign acknowledging final construction settlement.
The Company	Northern States Power Company, doing business as Xcel Energy. May also include agents and contractors of Northern States Power Company, doing business as Xcel Energy, where appropriate.
The Companies	The Companies include Xcel Energy, Central Minnesota Municipal Power Agency, Great River Energy, Otter

	Tail Power Company, and Western Minnesota Municipal Power Agency.
Landowner	Person(s), or their representatives, holding legal title to Agricultural Land on the transmission line route from whom the Company is seeking, or has obtained, a temporary or permanent Easement. “Landowner” includes Tenant, if any.
Non-Agricultural Land	Any land that is not “Agricultural Land” as defined above.
Organic Agricultural Land	Farms or portions thereof described in 7 CFR Parts 205.100, 205.202, and 205.101.
Organic Buffer Zone	As defined by the National Organic Program Standards, Federal Regulations 7 CFR Part 205.2.
Organic Certification or Organic Certified	As defined by the National Organic Program Standards, Federal Regulations 7 CFR Part 205.100 and 7 CFR Part 205.101.
Organic System Plan	As defined by the National Organic Program Standards, Federal Regulations 7 CFR Part 205.2.
Prohibited Substance	As defined by the National Organic Program Standards, Federal Regulations 7 CFR Part 205.600 through 7 CFR 205.605 using the criteria provided in 7 USC 6517 and 7 USC 6518.
Right-of-Way	The Land included in permanent and temporary Easements which the Companies acquire for the purpose of constructing, operating and maintaining the transmission line.
Subsoil	Soil that is not Topsoil and located immediately below Topsoil.
Tenant	Any Person(s) lawfully renting or sharing land for agricultural production which makes up the “Right-of-Way” as defined in this AIMP.
Tile	Artificial subsurface drainage system.
Topsoil	The uppermost horizon (layer) of the soil, typically with the darkest color and highest content of organic matter.

CERTIFICATE OF SERVICE

I, Joshua DePauw, hereby certify that I have this day served copies or summaries of the foregoing documents on the attached list(s) of persons.

xx by depositing a true and correct copy thereof, properly enveloped with postage paid in the United States Mail at Minneapolis, Minnesota

or

xx electronic filing

Docket No. E002/CN-23-200

Docket No. E002/TL-08-1474

Dated this 26th day of March 2024

/s/

Joshua DePauw
Regulatory Administrator

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Sarah	Beimers	sarah.beimers@state.mn.us	Department of Administration - State Historic Preservation Office	50 Sherburne Avenue Suite 203 St. Paul, MN 55155	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Brian	Bell	bell.brian@dorsey.com	Dorsey & Whitney LLP	50 South Sixth St. Suite 1500 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_23-200_Official CC Service List
David	Bell	david.bell@state.mn.us	Department of Health	POB 64975 St. Paul, MN 55164	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_23-200_Official CC Service List
Randall	Doneen	randall.doneen@state.mn.us	Department of Natural Resources	500 Lafayette Rd, PO Box 25 Saint Paul, MN 55155	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Michael	Drysdale	Drysdale.michael@dorsey.com	Dorsey & Whitney LLP	50 South Sixth Street, Suite 1500 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Kate	Fairman	kate.frantz@state.mn.us	Department of Natural Resources	Box 32 500 Lafayette Rd St. Paul, MN 551554032	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Annie	Felix Gerth	annie.felix-gerth@state.mn.us		Board of Water & Soil Resources 520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Todd	Green	Todd.A.Green@state.mn.us	Minnesota Department of Labor & Industry	443 Lafayette Rd N St. Paul, MN 55155-4341	Electronic Service	No	OFF_SL_23-200_Official CC Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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_23-200_Official CC Service List
Ray	Kirsch	Raymond.Kirsch@state.mn.us	Department of Commerce	85 7th Place E Ste 500 St. Paul, MN 55101	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Chad	Konickson	chad.konickson@usace.army.mil	U.S. Army Corps of Engineers	180 5th St # 700 Saint Paul, MN 55101	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Stacy	Kotch Egstad	Stacy.Kotch@state.mn.us	MINNESOTA DEPARTMENT OF TRANSPORTATION	395 John Ireland Blvd. St. Paul, MN 55155	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Dawn S	Marsh	dawn_marsh@fws.gov	U.S. Fish & Wildlife Service	Minnesota-Wisconsin Field Offices 4101 American Blvd E Bloomington, MN 55425	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Christa	Moseng	christa.moseng@state.mn.us	Office of Administrative Hearings	P.O. Box 64620 Saint Paul, MN 55164-0620	Electronic Service	Yes	OFF_SL_23-200_Official CC Service List
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_23-200_Official CC Service List
Stephan	Roos	stephan.roos@state.mn.us	MN Department of Agriculture	625 Robert St N Saint Paul, MN 55155-2538	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Christine	Schwartz	Regulatory.records@xcelenergy.com	Xcel Energy	414 Nicollet Mall FL 7 Minneapolis, MN 554011993	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th Pl E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_23-200_Official CC Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates	7400 Lyndale Ave S Ste 190 Richfield, MN 55423	Electronic Service	Yes	OFF_SL_23-200_Official CC Service List
Zeviel	Simpser	simpser.zev@dorsey.com	Dorsey & Whitney LLP	50 South Sixth Street Suite 1500 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Jayme	Trusty	execdir@swrdc.org	SWRDC	2401 Broadway Ave #1 Slayton, MN 56172	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Jen	Tyler	tyler.jennifer@epa.gov	US Environmental Protection Agency	Environmental Planning & Evaluation Unit 77 W Jackson Blvd. Mailstop B-19J Chicago, IL 60604-3590	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Cynthia	Warzecha	cynthia.warzecha@state.mn.us	Minnesota Department of Natural Resources	500 Lafayette Road Box 25 St. Paul, MN 55155-4040	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Alan	Whipple	sa.property@state.mn.us	Minnesota Department Of Revenue	Property Tax Division 600 N. Robert Street St. Paul, MN 551463340	Electronic Service	No	OFF_SL_23-200_Official CC Service List
Jonathan	Wolfgram	Jonathan.Wolfgram@state.mn.us	Office of Pipeline Safety	445 Minnesota St Ste 147 Woodbury, MN 55125	Electronic Service	No	OFF_SL_23-200_Official CC Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Robert	Bauer	rbauer@dmsb.com	Dougherty, Molenda, Solfest, Hills, & Bauer P.A.	14985 Glazier Ave Suite 525 Apple Valley, MN 55124	Electronic Service	No	OFF_SL_8-1474_Official CC Service List
Brian	Bell	bell.brian@dorsey.com	Dorsey & Whitney LLP	50 South Sixth St. Suite 1500 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_8-1474_Official CC Service List
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_8-1474_Official CC Service List
Michael	Drysdale	Drysdale.michael@dorsey.com	Dorsey & Whitney LLP	50 South Sixth Street, Suite 1500 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_8-1474_Official CC Service List
Sharon	Ferguson	sharon.ferguson@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	Yes	OFF_SL_8-1474_Official CC Service List
Valerie	Herring	vherring@taftlaw.com	Taft Stettinius & Hollister LLP	2200 IDS Center 80 S. Eighth Street Minneapolis, MN 55402	Electronic Service	Yes	OFF_SL_8-1474_Official CC Service List
Michael	Klemm	KlemmM@seversonsheldon.com	Severson, Sheldon, Dougherty & Molenda, P.A	7300 West 147th St Ste 600 Apple Valley, MN 55124	Electronic Service	No	OFF_SL_8-1474_Official CC Service List
Stacy	Kotch Egstad	Stacy.Kotch@state.mn.us	MINNESOTA DEPARTMENT OF TRANSPORTATION	395 John Ireland Blvd. St. Paul, MN 55155	Electronic Service	No	OFF_SL_8-1474_Official CC Service List
Phillip	Krass	prk@mgmlp.com	Malkerson Gunn Martin LLP	1900 US Bank Plaza 220 South Sixth Street Minneapolis, MN 55402	Electronic Service	No	OFF_SL_8-1474_Official CC Service List
Michael	Krikava	mkrikava@taftlaw.com	Taft Stettinius & Hollister LLP	2200 IDS Center 80 S 8th St Minneapolis, MN 55402	Electronic Service	No	OFF_SL_8-1474_Official CC Service List

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Christa	Moseng	christa.moseng@state.mn.us	Office of Administrative Hearings	P.O. Box 64620 Saint Paul, MN 55164-0620	Electronic Service	Yes	OFF_SL_8-1474_Official CC Service List
Carol A.	Overland	overland@legalelectric.org	Legalelectric - Overland Law Office	1110 West Avenue Red Wing, MN 55066	Electronic Service	No	OFF_SL_8-1474_Official CC Service List
Pamela J.	Rasmussen	pamela.jo.rasmussen@xcelenergy.com	Xcel Energy	PO Box 8 1414 West Hamilton Avenue Eau Claire, WI 54701	Electronic Service	No	OFF_SL_8-1474_Official CC Service List
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_8-1474_Official CC 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_8-1474_Official CC Service List
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th Pl E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_8-1474_Official CC Service List
Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix And Associates	7400 Lyndale Ave S Ste 190 Richfield, MN 55423	Electronic Service	Yes	OFF_SL_8-1474_Official CC Service List
Zeviel	Simpser	simpser.zev@dorsey.com	Dorsey & Whitney LLP	50 South Sixth Street Suite 1500 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_8-1474_Official CC Service List
Bev	Topp	eurekatopp@gmail.com	Citizens' Energy Task Force	26045 Ipava Ave West Lakeville, MN 55044	Electronic Service	No	OFF_SL_8-1474_Official CC Service List

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Cynthia	Warzecha	cynthia.warzecha@state.mn.us	Minnesota Department of Natural Resources	500 Lafayette Road Box 25 St. Paul, MN 55155-4040	Electronic Service	No	OFF_SL_8-1474_Official CC Service List