

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

January 9, 2017

[Electronic Submittal]

Tricia DeBleekere  
Public Utilities Commission  
121 7<sup>th</sup> Place East, Suite 350  
St. Paul, MN 55101

**RE: In the Matter of the Application of Northern States Power Company d/b/a/ Xcel Energy for a Route Permit for the Black Dog Natural Gas Pipeline Project in Burnsville, Minnesota  
PUC Docket Number: G002/GP-16-656**

Dear Ms. DeBleekere,

The Minnesota Department of Natural Resources (DNR) has reviewed the *Supplemental Information for the Black Dog Natural Gas Pipeline Project*, filed December 21, 2016. The DNR also reviewed Xcel Energy's November 30, 2016 filing: *Additional Information Regarding Potential to Impact Water Resources for the Black Dog Natural Gas Pipeline Project*. These documents responded to the DNR's concerns regarding potential impacts to fens and Blanding's turtles. However, neither document addressed the DNR's recommendation regarding avoidance of right-of-way maintenance during the songbird nesting season. Each concern, and its resolution, is summarized below:

Potential Fen Impacts: The DNR reiterates that a fen management plan will not be necessary if dewatering is not required and the Stormwater Pollution Prevention Plan (SWPPP) clearly states that construction stormwater will not be discharged to the fen. The *Supplemental Information* states that Xcel Energy will ensure that the SWPPP clearly notes this requirement.

Potential Blanding's Turtle Impacts: Although there were no known occurrences of Blanding's turtles within an approximate one-mile radius of the project footprint, the turtle could be encountered on site during construction. The *Additional Information Regarding Potential to Impact Water Resources* stated that Xcel Energy will notify all construction contractors of the potential for turtles to become trapped in trenches and to inspect the trenches for turtles prior to backfilling. The document also indicates that wildlife-sensitive (non-welded) blankets would be used if erosion control blanketing is needed. The DNR recommends that the route permit contain a special condition requiring the aforementioned measures to avoid potential Blanding's turtle impacts.

Potential Songbird Nesting Impacts: The DNR's comment letter dated November 16, 2016 recommended that vegetation maintenance of the right-of-way occur outside of the songbird nesting season (mid-May through July). During recent coordination with Xcel Energy, the company indicated that they plan to schedule vegetation maintenance activities for the proposed pipeline outside of the nesting season identified by the DNR. The DNR recommends that the route permit contain a special condition for avoiding vegetation maintenance activities during the songbird nesting season.

Contingent on adherence to the stipulations and recommendations in this letter, the DNR considers its concerns regarding potential impacts to calcareous fens, Blanding's turtles, and songbird nesting resolved. The DNR appreciates the ongoing coordination with Xcel Energy to address our concerns associated with the Black Dog Natural Gas Pipeline Project.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia Warzecha".

Cynthia Warzecha  
Principal Planner  
Environmental Review Unit

CC: Bill Storm, Minnesota Department of Commerce  
Ellen Heine, Xcel Energy