



414 Nicollet Mall
Minneapolis, MN 55401

May 24, 2024

—Via Electronic Filing—

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: RESPONSE TO MILLE LACS BAND OF OJIBWE LETTER
DOCKET NO. E002/GS-23-217

Dear Mr. Seuffert:

Northern States Power Company, doing business as Xcel Energy, wishes to acknowledge and respond briefly to the May 14, 2024 letter filed in this docket by the Mille Lacs Band of Ojibwe (MLBO) – Department of Natural Resources.

The Company has appreciated the opportunity to coordinate with MLBO on our proposed site permit for the Sherco Solar 3 Project. As MLBO notes, we invited MLBO's Tribal Historic Preservation Officer (THPO) to visit the site, review project designs and maps, and review a Phase 1 Archeological Survey report on the project prepared by Westwood Professional Services. Based on the site visit and document review, the THPO concluded that MLBO "found no issue at the time."¹ We appreciate MLBO's review.

MLBO made two ongoing requests of the Company: 1) that we continue to coordinate with the Minnesota State Historic Preservation Office (SHPO), which should also consult with Dakota and Ojibwe THPOs with historical ties to the area; 2) that we invite Tribal monitors to be on site during construction to minimize inadvertent discoveries of human remains in an area (*Miigaadivining*) believed likely to include burial mounds due to battles between Dakota and Ojibwe in the 1700s.

The Company wishes to reconfirm our commitment to coordinate with SHPO and MLBO to develop plans to minimize potential impacts, and minimize and address

¹ MLBO letter, page 1.

unanticipated discoveries during relevant portions of the Sherco Solar 3 site preparation and construction process. It is possible that Tribal monitors may be able to monitor work and/or advise our contractor on how to avoid inadvertent discoveries, without being onsite throughout the process, which is expected to last many months. We will coordinate with MLBO to design a plan for Tribal monitoring that addresses MLBO's concerns, considers MLBO staff availability, and does not unduly delay site preparation and construction.

Finally, MLBO voices a concern that solar construction “not turn all of the fertile agricultural land in the project area entirely to an energy project exclusively, without making accommodations for other beneficial uses, such as for wildlife habitat.”² The Company is sensitive to this concern. As described in the Sherco Solar 3 Vegetation Management Plan, we plan to establish native plantings across the site to meet the Minnesota Board of Water and Soil Resources (BWSR) Habitat Friendly Solar standards. This involves planting of pollinator-friendly native vegetation around and between the solar panels, which we believe will in fact enhance the wildlife habitat value of the area relative to its current agricultural use.

Again, we thank the MLBO for its review of this project and for participating in the site permitting process, which we believe will lead to a stronger project. We look forward to continued communications with MLBO as the project proceeds.

We have electronically filed this document with the Minnesota Public Utilities Commission, and copies have been served on the parties on the attached service lists. Please contact me at Nicholas.f.martin@xcelenergy.com, or Kate Schindler at Kathleen.Schindler@xcelenergy.com, if you have any questions regarding this filing.

Sincerely,

/s/

NICHOLAS MARTIN
DIRECTOR, STRATEGIC OUTREACH & ADVOCACY

Enclosures
cc: Service Lists

² MLBO letter, page 2.

CERTIFICATE OF SERVICE

I, Victor Barreiro, hereby certify that I have this day served copies of the foregoing document on the attached list 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 by electronic filing.

Docket No. E002/GS-23-217

Dated this 24th day of May 2024

/s/

Victor Barreiro
Regulatory Administrator

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Kristien	Butler	Kristien.Butler@state.mn.us	Office of Administrative Hearings	PO Box 64620 Saint Paul, MN 55164	Electronic Service	No	OFF_SL_23-217_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_23-217_Official CC Service List
Ian M.	Dobson	ian.m.dobson@xcelenergy.com	Xcel Energy	414 Nicollet Mall, 401-8 Minneapolis, MN 55401	Electronic Service	No	OFF_SL_23-217_Official CC Service List
Richard	Dornfeld	Richard.Dornfeld@ag.state.mn.us	Office of the Attorney General-DOC	Minnesota Attorney General's Office 445 Minnesota Street, Suite 1800 Saint Paul, MN 55101	Electronic Service	No	OFF_SL_23-217_Official CC Service List
Jeremy	Duehr	jduehr@fredlaw.com	Fredrikson & Byron, P.A.	60 S Sixth St Ste 1500 Minneapolis, MN 55402-4400	Electronic Service	No	OFF_SL_23-217_Official CC Service List
Adam	Duininck	aduininck@ncsrcc.org	North Central States Regional Council of Carpenters	700 Olive Street St. Paul, MN 55130	Electronic Service	No	OFF_SL_23-217_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_23-217_Official CC Service List
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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_23-217_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_23-217_Official CC Service List

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Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_23-217_Official CC Service List
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