



December 15, 2020

Mr. Will Seuffert
Executive Secretary
Public Utilities Commission
121 Seventh Place East, Suite 350
St. Paul, MN 55101-2147

RE: Big Bend Wind Project
Cottonwood, Martin, and Watonwan Counties, MN
IP7013/CN-19-408 (certificate of need); IP7013/WS-19-619 (site permit);
IP7013/TL-19-621 (route permit)

Dear Mr. Seuffert:

We understand that Apex Energy has submitted an application for the Big Bend Wind Project, comprised of 56 wind turbines and transmission lines, in the vicinity of Jeffers Petroglyphs Historic Site, part of the statutorily-designated Minnesota Historic Sites Network. This historic site is also listed in the National Register of Historic Places.

As directed by state statute, the Minnesota Historical Society operates the State's Historic Sites Network (MS 138.661-669) in partnership with the state of Minnesota. This network of historic places "*are significant state resources that the Minnesota Historical Society is preserving, developing, interpreting and maintaining for public use, benefit and access...*" (MS 138.661) Minnesota Statutes further require that: "*The state, state departments, agencies and political subdivisions, including the Board of Regents of the University of Minnesota, have a responsibility to protect the physical features and historic character of properties designated in sections 138.662 and 138.664*" (MS 138.665 subdivision 2). The Jeffers Petroglyphs Historic Site is part of the Historic Sites Network, as defined in statute (MS 138.662, subdivision 17).

In addition, both the Minnesota Environmental Rights Act (Minnesota Statutes Chapter 116B) and the Minnesota Environmental Policy Act (Minnesota Statutes Chapter 116D) urge policy makers and regulators to work to protect natural resources; each act clearly includes historic resources within the definitions of natural resources. MS 116B.02 Subd 4¹ and MS 116D.02 Subd 2 (4)²

The Jeffers Petroglyphs Historic Site is located on lands which are spiritually-significant to Indigenous peoples, with recorded human history and connection dating back at least 7,000 years.

¹ MS 116B.02 Subd. 4. **Natural resources.** "Natural resources" shall include, but not be limited to, all mineral, animal, botanical, air, water, land, timber, soil, quietude, recreational and **historical resources.** **Scenic and esthetic** resources shall also be considered natural resources when owned by any governmental unit or agency.

² MS 116D.02 Subdivision 2 (4) **preserve important historic, cultural, and natural aspects of our national heritage**, and maintain, wherever practicable, an environment that supports diversity, and variety of individual choice;

This complex and sacred place carries cross-cultural importance, and numerous tribal community members, including citizens of the Dakota and Lakota, Ioway, Cheyenne, and Ojibwe Nations actively continue to pray and hold ceremonies here, as their ancestors have for thousands of years. Introduction of wind turbines and/or transmission lines to the viewshed would dramatically diminish the integrity of the property's significant historic and sacred features.

Staff at the Minnesota Historical Society have had several meetings with Apex Energy staff. MNHS, along with Tribal Historic Preservation Officers, have repeatedly requested that viewshed analyses study a buffer of at least eight miles between the historic site and nearest turbine locations. At a meeting on July 29, 2020 MNHS was provided with a "final" layout and analysis including turbines, taller than previously designed, as close as 5.2 miles. MNHS was told that it was not possible to design a greater buffer.

The viewshed analysis provided by Apex Energy on July 29, 2020 illustrates that this project would have a clear adverse effect to the Jeffers Petroglyphs State Historic Site. The Minnesota Historical Society, citing our duties and responsibilities as directed by state statute, requests to intervene in Apex Energy's permitting process for the Big Bend Wind Project.

We have encouraged the State Historic Preservation Office, Lower Sioux Indian Community, Upper Sioux Community, Prairie Island Indian Community, Red Rock Ridge Research Group, and others to also share their deep concerns with you about the negative impacts to Jeffers Petroglyphs and its viewshed.

We look forward to continued involvement with this project through the Public Utilities Commission process.

Sincerely,

Kevin Maijala

Kevin Maijala
The Josephine (Nicky) Benz Carpenter Chair for Education
Senior Director, Learning Initiatives
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cc via email:

David Briese, Site Manager, Jeffers Petroglyphs Historic Site
Kent Whitworth, Director and CEO, Minnesota Historical Society
Robert Larsen, Chair, Minnesota Indian Affairs Council
Shannon Geshick, Executive Director, Minnesota Indian Affairs Council
Sarah Beimers, Minnesota State Historic Preservation Office
Brenna Gunderson, Apex Clean Energy, Director of Project Development
Jennie Geiger, Apex Clean Energy, Sr. Environmental Permitting Manager
Tom Sanders, Red Rock Ridge Research Group

Cheyenne St. John, Tribal Historic Preservation Officer, Lower Sioux Indian Community
Samantha Odegard, Tribal Historic Preservation Officer, Upper Sioux Indian Community
Leonard Wabasha, Director of Cultural Resources, Mdewakanton Sioux Community
Noah White, Tribal Historic Preservation Officer, Prairie Island Indian Community