

August 15, 2022

VIA E-FILING

Mr. William
Seuffert Executive Secretary
Minnesota Public Utilities Commission
1221 Seventh Place East, Suite 350
Saint Paul, MN 55101-2147

The Honorable Suzanne Todnem
Office of Administrative Hearings
600 North Robert Street
P.O. Box 64620
Saint Paul, MN 55164-0620

**Re: In the Matter of the Application of Rose Creek Wind, LLC for a LWECS Site Permit
for the up to 17.4 MW Rose Creek Wind Project in Mower County, Minnesota
OAH Docket 23-2500-38341
MPUC Docket IP-7065/WS-21-643**

Dear Judge Todnem and Mr. Seuffert:

Rose Creek Wind, LLC (“Rose Creek”) consulted with the Minnesota State Historic Preservation Office (“SHPO”) in April 2022 and received comments directly from the SHPO concerning the Project on May 18, 2022. In reviewing the record, it does not appear SHPO’s letter was efiled. Accordingly, Rose Creek is enclosing for filing the correspondence from the SHPO dated May 18, 2022.

This correspondence and enclosures have been e-filed today through <https://efiling.web.commerce.state.mn.us>. A copy of this filing is also being served upon the persons on the Official Service List of record. Please let me know if you have any questions regarding this filing.

Sincerely,

FREDRIKSON & BYRON, P.A.

/s/ Christina K. Brusven

Christina K. Brusven
Direct Dial: 612.492.7412
Email: cbrusven@fredlaw.com

Enclosures

May 18, 2022

Pamela Flynn
Merjent Inc.
1 Main Street SE, Suite 300
Minneapolis, MN 55414

RE: Rose Creek Wind Repower Project
Mower County
SHPO Number: 2021-1247

Dear Pamela Flynn:

Thank you for continuing consultation on the above referenced project. Information received on April 18, 2022, has been reviewed pursuant to the responsibilities given the State Historic Preservation Office by the Minnesota Historic Sites Act (Minn. Stat. 138.665-666).

According to your correspondence, ConEdison Development, operating as Rose Creek, LLC is proposing to repower an existing wind farm in Mower County. The proposed project includes the decommissioning of 11 existing wind turbines, constructing up to 7 new, larger wind turbines, and installing new collector lines, staging areas, and construction access roads.

We have reviewed the following documentation that was included with your April 18th submission:

- Merjent cover letter and associated project maps (dated April 18, 2022)
- Report: *Phase I Archaeological Survey, Rose Creek Repower Project, Mower County, Minnesota* (Merjent, April 2022)
- Report: *Architecture-History Effects Analysis, Rose Creek Wind Project, Mower County* (Streamline Associates, January 25, 2022)

Our comments are provided below.

Archaeological Resources

According to the April 2022 Phase I archaeological survey report, there were no archaeological sites identified within the project area during the field investigations. We understand that there is additional Phase I survey work that will be completed this summer. We look forward to reviewing the result of the additional survey work when it becomes available.

History/Architecture Projects

As stated in the Architecture-History Effects Analysis Report, there is one historic property located within ½ mile of the project area, the Adams State Bank, which is listed in the National Register of Historic Places. We agree with your determination that the project, as currently proposed, will have **no adverse effect** on the Adams State Bank.

MINNESOTA STATE HISTORIC PRESERVATION OFFICE

50 Sherburne Avenue ■ Administration Building 203 ■ Saint Paul, Minnesota 55155 ■ 651-201-3287

mn.gov/admin/shpo ■ mnshpo@state.mn.us

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Tribal Consultation

According to your correspondence, the Minnesota Department of Commerce Tribal Liaison initiated consultation with the Tribal Historic Preservation Officers for the eleven (11) federally recognized tribes in Minnesota back in 2021. The Lower Sioux Community, the Upper Sioux Community, and the Shakopee Mdewakanton Sioux Community responded that they have an interest in the project. We understand that Merjent and Rose Creek will continue to consult with these three tribes as the design for the project proceeds. Please keep our office informed if any tribes express concern or disagreement with efforts to identify historic properties and/or the assessment of effects for this project.

We look forward to further consultation on this project. If you have any questions regarding our comments, please contact me at kelly.graggjohnson@state.mn.us.

Sincerely,

Kelly Gragg-Johnson

Kelly Gragg-Johnson
Environmental Review Program Specialist

cc: Gokhan Andi, ConEdison Development

CERTIFICATE OF SERVICE

**In the Matter of the Application of Rose
Creek Wind, LLC for a LWECS Site
Permit for the up to 17.4 MW Rose Creek
Wind Project in Mower County, Minnesota**

**OAH Docket 23-2500-38341
MPUC Docket IP-7065/WS-21-643**

I, Malinda Maier, hereby certify that on the August 15, 2022, I have efiled, on behalf of Rose Creek Wind, LLC, a true and correct copy of the following documents with the Minnesota Public Utilities Commission:

1. Cover Letter;
2. SHPO letter dated May 18, 2022; and
3. Certificate of Service

A copy has also been served in accordance with the service list of record in this docket.

Executed on: August 15, 2022

Signed: /s/ Malinda M. Maier

Fredrikson & Byron, P.A.
200 South Sixth Street
Suite 4000
Minneapolis, MN 55402

[illegible]

| First Name | Last Name | Email | Company Name | Address | Delivery Method | View Trade Secret | Service List Name |
|------------|----------------|----------------------------|-----------------------------------|--|--------------------|-------------------|---|
| Nathaniel | Runke | nrunke@local49.org | | 611 28th St. NW Rochester, MN 55901 | Electronic Service | No | OFF_SL_21-643_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_21-643_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_21-643_Official CC Service List |
| Suzanne | Todnem | suzanne.todnem@state.mn.us | Office of Administrative Hearings | 600 Robert St N PO Box 64620 St. Paul, Minnesota 55164 | Electronic Service | Yes | OFF_SL_21-643_Official CC Service List |