



In the Matter of the Application for a Route Permit and Certificate of Need for a the Appleton to Canby 115kV High Voltage Transmission Line Project

DRAFT ENVIRONMENTAL ASSESSMENT SCOPING DECISION

**PUC Docket No. E017/TL-06-1265
PUC Docket No. E017/TL-06-677**

The above matter has come before the Commissioner of the Department of Commerce (the Department) for a decision on the scope of the Environmental Assessment (EA) to be prepared on the proposed Ottetail Power Company (OTP) Appleton to Canby 115kV High Voltage Transmission Line (HVTL) Project in Swift, Lac qui Parle, and Yellow Medicine Counties, Minnesota.

The Public Utilities Commission (PUC) has authorized the Department staff to initiate the environmental review process in these dockets in accordance with Minnesota Rule 4400.2750. The PUC has authorized the Department to prepare a single EA in order to streamline the processes. The Department will include in the EA the analysis of alternatives required in rules guiding environmental review in Certificate of Need cases (Minnesota Rule 4410.7035).

The Department's Energy Facilities Permitting (EFP) Unit held a public information and EA scoping meeting on October 4, 2006, at the Dawson City Hall to discuss the project with the public and to solicit input into the scope of the EA to be prepared. Approximately __ persons attended the public meeting. A public comment period on the scope of the EA closed on October 13, 2006. __ comments were received from the public on the proposed project.

Having reviewed the matter, consulted with the EFP staff, and in accordance with Minnesota Rule 4400.2750, I hereby make the following Scoping Decision:

MATTERS TO BE ADDRESSED

The Environmental Assessment will address the following matters:

The EA will include a description and analysis of human and environmental impacts of the proposed project and alternatives that would have otherwise been required by Minnesota Rule 4410.7035 under an Environmental Report for the Certificate of Need. The Environmental Report requirements will evaluate the matters of size, type and timing that would not normally be included in an EA for a route permit application. The EA will also address the human and environmental impacts of the proposed routes in the route permit application and other impacts identified by public comments received through the scoping process as required under Minnesota Rules 4400.2750, subp 2.

INTRODUCTION

1.0 SUMMARY OF THE APPLETON TO CANBY TRANSMISSION PROJECT

- 1.1 Project Description
- 1.2 Project Location
- 1.3 Project Purpose
- 1.4 Project Alternatives
- 1.5 Sources of Information

2.0 REGULATORY FRAMEWORK

- 2.1 PUC Certificate of Need
- 2.2 PUC Route Permit
- 2.3 Scoping of Environmental Impacts and Alternative Routes
- 2.4 Environmental Assessment Requirement

ALTERNATIVES TO THE TRANSMISSION PROJECT

The EA will consider only alternatives that have an impact on the proposed transmission project. The Department will evaluate alternatives that deliver an equal amount of energy and capacity to the area as proposed by OTP. Such alternatives may attempt to reduce, mitigate or eliminate the need for the proposed transmission line, while delivering the proposed “needed” energy. Any analysis of the alleged need will be conducted through the CON testimony and public hearing(s) generally and not specifically in this EA. The EA will focus on the environmental, social, economic and cultural impacts of the proposed project and alternatives.

This analysis will review feasibility, general impacts and mitigation measures for the following alternatives required by RULE OR STATUTE:

- No-build Alternative
- Conservation Alternative
- Existing Line/System Improvements
- Generation Alternative
- Alternatives Approved by the Commissioner of the Department

3.0 POTENTIAL HUMAN AND ENVIRONMENTAL IMPACTS

- 3.1 Right-of-Way Requirements
- 3.2 Anticipated Size and Type of Structures
- 3.3 Electric and Magnetic Fields
- 3.4 Anticipated Noise Impacts
- 3.5 Anticipated Visual Impacts
- 3.6 Anticipated Emissions of any Hazardous Air Pollutants and VOCs
- 3.7 Anticipated Impacts on Water Quality
- 3.8 Anticipated Impacts on Natural and Wildlife Resources

3.9 Anticipated Social and Economic Impacts

4.0 POTENTIAL MITIGATION MEASURES

5.0 FEASIBILITY AND AVAILABILITY OF ALTERNATIVES

IMPACTS OF TRANSMISSION ROUTE AND ALTERNATIVES

The EA will review impacts and mitigation measures for the proposed route as described in the Appleton to Canby Project route permit application. The EA will also analyze only route alternatives developed in the scoping process and authorized by in this Scoping Decision.

6.0 ASSESSMENT OF IMPACTS AND MITIGATION MEASURES

6.1 Description of Environmental Setting

6.3 Impacts on Human Settlement

6.3.1 Socioeconomic

6.3.2 Displacement

6.3.3 Noise

6.3.4 Aesthetics

6.3.5 Human Health and Safety

6.4 Impacts on Land-based Economics

6.4.1 Recreation

6.4.2 Prime Farmland

6.4.3 Transportation

6.4.4 Mining and Forestry

6.4.5 Economic Development

6.4.5 Archeological and Historic Resources

6.5 Impacts on Natural Environment

6.5.1 Air Quality

6.5.2 Water Quality, Soils and Geology

6.5.3 Groundwater and Wetlands

6.5.4 Fish and Wildlife Resources

6.5.5 Vegetation

6.6 Rare and Unique Natural Resources

7.0 OTHER CONSIDERATIONS

7.1 Significant Unavoidable Adverse Impacts

7.2 Irreversible/Irretrievable Commitment of Resources

8.0 PERMITS AND APPROVALS REQUIRED

- 8.1 Federal
- 8.2 State
- 8.3 Local

ISSUES OUTSIDE THE SCOPE OF THE EA

The Environmental Assessment will not consider the following matters:

1. The manner in which land owners are paid for transmission right-of-way easements, as that is outside the PUC jurisdiction.
2. Any alternatives not described specifically in this Scoping Decision.

SCHEDULE

The EA shall be completed and available by December 15, 2006. A public hearing will be held in Lac qui Parle County before an Administrative Law Judge after the EA has been issued and notice served. The exact date and location of the public hearing will be determined by the Administrative Law Judge assigned to this matter.

Signed this ____ day of _____, 2006

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

Glenn Wilson, Commissioner