Minnesota Department of Natural Resources
500 Lafayette Road • St. Paul, MN • 55155-4037

February 24, 2009

Mr. David Birkholz
MN Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198

RE: Flat Hill Windpark I, LLC Site Permit Application and 230kV HVTL Route Permit
PUC Docket Nos. IP-6687/WS-08-1134 and TL-08-988

Dear Mr. Birkholz:

The Department of Natural Resources (DNR) has reviewed the Large Wind Energy Conversion System Site Permit Application and Draft Site Permit, and the High Voltage Transmission Line Route Permit Application for the Flat Hill Windpark I project in Clay County, MN. With respect to potential impacts to natural resources, DNR offers the following comments.

Site Permit Application

Because it is referred to by different names in the permit application, DNR would like to clarify that Buffalo River State Park is a unit of the State Outdoor Recreation System, and is managed by DNR.

On page 37, visual impacts from the towers are described as minor because there are existing telephone and transmission lines in the area. There is, however, a difference in height of wind turbines and telephone and transmission lines. The document states that the turbines could possibly be visible from Buffalo River State Park. While it is possible that the railroad grade north of the park will obstruct most of the view of the windfarm from the main park use areas, further visual impact analysis could help support this conclusion.

On page 38, the document includes the following mitigation measure: "locating turbines in areas that are not considered visually sensitive areas such as State Parks, WMA's, WPA's or wetlands..." DNR believes this measure was intended to read "locating turbines in areas that are not considered visually sensitive <u>to</u> areas such as State Parks, WMA's, WPA's or wetlands..."

On page 38, section 5.4.3, the document states that shorter towers would further minimize visual impacts, but shorter towers would not be considered because they are less efficient. The document should state how much less efficient they would be so that an analysis of visual impacts versus efficiency can be conducted.

The document states that up to 27 miles of new access roads could be constructed. Those roads could require a substantial amount of gravel. That gravel may come from the ecologically unique and sensitive glacial lake beach ridges to the east. The applicants should assess the quantity of gravel needed for the roads, and estimate the areal extent of land that would have to be mined for the needed gravel.

All of the birds listed in Table 5-13 likely migrate through the project area. The DNR has observed chestnut-collared longspurs in the Felton Prairie area. Spragues pipits, short-eared owls and sandhill cranes are also likely to migrate through the area.

DNR recommends adding another mitigation measure to the list on page 74, section 5.20.3: To monitor for avian and bat impacts, and establish a restitution schedule for takings.

LWECS Draft Site Permit:

Pg. 9-D. Preconstruction Surveys
The DNR recommends surveys be conducted within the Project Area, not just on State land or other identified conservation parcels. Prairie chickens may be found within agricultural land within the project area.

Route Permit Application

Both route alternatives would cross the Buffalo River and several tributaries. As indicated in the document, river crossings would require a License to Cross Public Waters from DNR. Also, if there were any construction activity in the beds of these public waters, a DNR Public Waters Work permit would be required.

Thank you for the opportunity to review the Permit Applications. Should you have any questions about this comment letter, please do not hesitate to contact me.

Sincerely,

Matt Langan, Environmental Planner
Environmental Review Unit
Division of Ecological Resources
(651) 259-5115