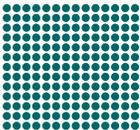


Final Environmental Impact Statement

March 2010



Monticello to St. Cloud 345 kV Transmission Line
PUC Docket No. E002, ET2/TL-09-246

RESPONSIBLE GOVERNMENT UNIT

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PROJECT OWNERS

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Pursuant to the provisions of Minnesota Statutes, Chapter 216E, Great River Energy and Xcel Energy (the applicants) filed a route permit application with the Minnesota Public Utilities Commission (the commission) on April 8, 2009, for a permit to construct approximately 28 miles of 345 kilovolt (kV) transmission line from Monticello to St. Cloud, construct one new substation west of St. Cloud and modify the existing Monticello Substation. The Project is designed to increase generation outlet capability and improve regional and local reliability. Construction of the project is scheduled to begin in 2011 and construction is expected to be completed in 2012.

The Minnesota Office of Energy Security (OES) issued the draft environmental impact statement for the project on January 11, 2010. As required by Minnesota Rule 7850.2500, subp. 9, OES prepared this final environmental impact statement (FEIS). This FEIS responds to timely substantive comments received on the draft environmental impact statement (DEIS) consistent with the DEIS Scoping Decision Document. The FEIS also contains corrections/revisions to the DEIS. The DEIS and FEIS serve as the complete EIS for the proposed project. Copies of the route permit application, the DEIS, the FEIS and other documents relevant to this project are available at the following websites:

<http://energyfacilities.puc.state.mn.us/Docket.html?Id=19957> and
<https://www.edockets.state.mn.us/EFiling/search.jsp> (“09” year and “246” number).

Monticello-St Cloud 345 kV Transmission Line Project

Final Environmental Impact Statement

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- Appendix B Applicants Letter
- Appendix C Revised Detailed Route Maps
- Appendix D Revised Water Resource Maps
- Appendix E Fact Sheet on the Blanding's Turtle

1.0 INTRODUCTION

The Minnesota Department of Commerce, Office of Energy Security (OES) has prepared an Environmental Impact Statement (EIS) to evaluate the proposed project in accordance with Minnesota Rules 7850.1000 to 7850.5600 (full permitting process).

The purpose of the EIS is to:

- Evaluate the potential environmental effects of the proposed project;
- Consider alternative routes and alignments;
- Explore mitigation measures for reducing adverse impacts;
- Provide information to the public and project decision makers; and
- To aid in making permit decisions.

The EIS provides information to the public and decision makers, but does not identify the agency's preferred alternative nor does it approve or disapprove a project.

As described in more detail in Section 1.3 below, the OES issued the Draft EIS (DEIS) for this project on January 11, 2010. Under the applicable rules, OES must respond to the timely substantive comments received on the DEIS consistent with the scoping decision and prepare the Final EIS (FEIS). In accordance with Minnesota Rules Chapter 7850.2500, subp.9 the Office of Energy Security Director may attach to the DEIS the comments received and its response to comments without preparing a separate document.

1.1 PROJECT OVERVIEW

Xcel Energy and Great River Energy (Applicants) propose to construct and operate a 345 kilovolt (kV) transmission line that is proposed to be approximately 28 miles long and a 345/115 kV substation (Quarry Substation). The transmission line would begin at the existing Monticello Substation and terminate at the new Quarry Substation. The proposed transmission line would potentially cross portions of Sherburne, Wright, and Stearns counties. Construction of the transmission line is proposed to begin in 2011 and be completed in 2012.

The proposed structures would primarily include single-pole, double circuit capable, self-weathering or galvanized steel structures that would range in height between 130 and 175 feet. The span length between structures would typically range in length between 600 and 1,000 feet depending on site-specific considerations. Although the proposed line would be built using double circuit capable poles, only one circuit would be installed for this Project. The second position would be available for a future additional circuit. The ROW for the proposed 345 kV electrical transmission line would generally be 150 feet in width. The applicants propose using single structure steel poles, which would require a 150-foot right-of-way for the majority of the route. There may be some situations (e.g. river crossings and existing transmission rights-of-way) along the route where specialty structures (H-frames or triple circuit structures) would be necessary. A right-of-way up to 180 feet in width would be required in these instances.

1.2 PROJECT PURPOSE

According to the Applicants, the purpose of the Project is to address three needs: local community reliability; regional reliability and generation outlet support. The demand for electric power in the St. Cloud area has exceeded the capability of the area's electrical system to reliably provide power during contingencies. The Project would provide sufficient additional capacity to meet the St. Cloud area's needs until approximately 2035 to 2040. The proposed 345 kV transmission line would also help improve the reliability of the bulk electric system serving Minnesota and portions of neighboring states. Finally, the Project provides a necessary 345 kV connection to the Twin Cities that would help facilitate additional generation development, including renewable generation, in eastern North Dakota and western Minnesota.

The Minnesota Public Utilities issued the Certificate of Need for three of the four CapX 2020 transmission line projects, including this one, on May 22, 2009. See <http://www.puc.state.mn.us/PUC/energyfacilities/certificate-of-need/011260>.

1.3 REVIEW PROCESS AND PROCEDURES

In Minnesota, no person may construct a high-voltage transmission line without a route permit from the Minnesota Public Utilities Commission (Commission). A high-voltage transmission line is defined as a conductor of electric energy designed for and capable of operation at a voltage of 100 kV or more and is greater than 1,500 feet in length (Minn. Stat. 216E.01, subd. 4).

Route permit applications must provide specific information about the proposed project including, but not limited to, applicant information, route description, environmental impacts, alternatives, and mitigation measures (Minn. R. 7850.1900). The Commission may accept an application as complete, reject an application and require additional information be submitted, or accept an application as complete upon filing of supplemental information (Minn. R. 7850.2000). A Route Permit Application was submitted to the Commission by the applicants on April 8, 2009.

The permit review process begins with the determination by the Commission that the application is complete. The Commission has one year to reach a final decision on the route permit application from the date the application is determined to be complete. The Commission may extend this limit for up to three months for just cause or upon agreement of the applicant (Minn. R. 7850.2700). The application was accepted as complete by the Commission on May 13, 2009.

Route permit applications for high voltage transmission lines are subject to environmental review in accordance with Minnesota Rules 7850.1000 to 7850.5600. OES staff collected comments for the scope of the EIS by convening an advisory task force, holding public scoping meetings throughout the proposed project area, and accepting written comments through July 24, 2009. The EIS Scoping Decision Document was issued on October 9, 2009.

On January 11, 2010, OES staff released the DEIS. The OES then held public meetings at 2:00 p.m. and 6:00 p.m., on February 9, 2010, at the Clearwater Township Hall. The purpose of the meetings was to provide an opportunity for the public to comment on the DEIS. Comments

received during the Draft EIS public information meetings and during the DEIS comment period (January 11, 2010 to February 26, 2010) were reviewed, responded to, and are included in the Final EIS (FEIS).

Public and Evidentiary hearings were held at the Clearwater Township Hall on March 8, 2010 at 2:00 pm and 7:00 pm. In addition, evidentiary hearings were held on March 9-15, 2010, at the Commission hearing room in St. Paul, Minnesota. All of the public hearings and evidentiary hearings were presided over by an administrative law judge (ALJ). The hearings provided members of the public an opportunity to speak at the hearings, present evidence, ask questions, and submit comments to the ALJ. The ALJ will submit a report to the Commission containing findings of fact, conclusions, and a recommendation on a route permit for the proposed transmission line. The Commission will then make a determination on which route to permit and what conditions to include in the route permit.

1.3.1 Final EIS

The Minnesota Public Utilities Commission (Commission) must decide if the EIS has adequately addressed the issues presented in the Scoping Decision Document.

The FEIS is determined adequate if it:

- addresses the issues and alternatives raised in scoping to a reasonable extent considering the availability of information and the time limitations for considering the permit application;
- provides responses to the timely substantive comments received during the DEIS review process; and
- was prepared in compliance with the procedures in Minnesota Rules 7850.1000 to 7850.5600.

The FEIS responds to timely substantive comments received on the DEIS consistent with the Scoping Decision Document. The FEIS also contains corrections/revisions to the DEIS. The DEIS and FEIS serve as the complete EIS for the proposed project.

The FEIS is organized into the following sections and appendices:

- Section 1.0: Introduction
- Section 2.0: Response to Comments
- Section 3.0: Revisions and Additions to DEIS Text
- Appendix A: Public and Agency Comments
- Appendix B: Applicants Letter
- Appendix C: Revised Detailed Route Maps
- Appendix D: Revised Water Resource Maps
- Appendix E: Fact Sheet on Blanding's Turtle

1.4 COMMENT METHODOLOGY

A total of 47 respondents made comment on the DEIS during the comment period. OES staff considered and responded to comments to the extent practicable. OES staff extracted for response 179 separate, substantive comments from letters and verbal comments from the public meetings and assigned each a comment ID number. The response to comments also includes the comment source. These responses are detailed in Section 2.0 below. Unless otherwise noted, extracted comments are verbatim.

Based on the comments received, OES also modified text, tables and figures of the DEIS where appropriate. All revisions or additions to the DEIS are described further in Section 3.0 below.

1.4.1 Appendix A: Public and Agency Comments

A complete record of all oral comments provided during the public comment meetings and copies of all written comments are included in Appendix A.

1.4.2 Appendix B: Applicants Letter

Appendix B contains the Applicants' comment letter and also includes a report submitted by the Applicants discussing the advantages and disadvantages of underground transmission line construction and operation.

1.4.3 Appendix C: Revised Route Maps

Appendix C contains revised figures which identify missing information brought up during the comment period. A number of comments were received regarding missing parks along Route D. The missing parks have been added to the figures in this appendix. The Applicants also requested that OES analyze a new substation site just north of Quarry Substation 2. The substation site has been added to the figures in this appendix.

1.4.4 Appendix D: Revised Water Resource Maps

Appendix D contains revised figures including a geographic information system (GIS) layer of impaired waters.

1.4.5 Appendix E: Fact Sheet on Blanding's Turtle

The Minnesota Department of Natural Resources (MnDNR) commented that the Blanding's Turtle, a state threatened species, may be present in the project area. The MnDNR provided a fact sheet regarding Blanding's Turtle appearance, habitat, and potential construction methods to avoid impacts to the species. This fact sheet is included in Appendix E

2.0 COMMENTS AND RESPONSES

All comments received by the OES on the Monticello to St. Cloud 345 kV HVTL DEIS were reviewed, and a response was developed for all substantive comments. This section provides a comment summary and responses to each comment. Please see Appendices A and B for copies of the original comment letter, e-mail, or record from the public comment meetings.

COMMENT#: 1 COMMENT SOURCE: MEETING TRANSCRIPT**Ron Schabel****Comment:**

This 40 CFR is the rules under the federal council and environmental quality. And they've laid out a 1500 to 1508 EIS structure. And summarizing is only allowed for the EIS if the entire EIS is larger than -- is unusually large. So what they do is they send out a summary, and then if you want you can get a detailed EIS. But in this DEIS, the whole thing is basically a summary that's not really presented as a detailed, concise scientific analysis... There are potentials in this case to trigger environmental review at the federal level. Depending on what kinds of decisions need to be made, for instance, on exceptions to policies and procedures for Mn/DOT. For instance, if they have to change some of the policies that Mn/DOT has for running lines along the highway, then they have to get exception from the feds.

Response:

This environmental review is being done under the Minnesota rules for routing of High Voltage Transmission lines in Chapters 7850 of the Minnesota Rules. Federal NEPA rules apply to major federal actions. This is a state process under state rules therefore the federal environmental review rules are not applicable.

COMMENT#: 2 COMMENT SOURCE: MEETING TRANSCRIPT**Jack Gallagher - Clear Lake Township****Comment:**

I am concerned with the alternate route on the other side of the river, and if they will follow the existing order that's there and replace the power line poles and so forth, if they decide to take that route or would they expand it and what would the width of the easement be on something like this?

Response:

For the purposes of the EIS analysis the OES considered a separate 150 ft ROW adjacent to the existing 150 ft ROW for the 115 kV line.

COMMENT#: 3 COMMENT SOURCE: MEETING TRANSCRIPT**Bud Stimmler****Comment:**

I've got two items I'd like to bring up concerning Route D, the alternate. Section 5-47 states that there are no parks along Route D, when actually there is a Clear Lake Township park within 1,000 feet of the existing line there.

Response:

The Clear Lake Township Park also known as the Riverwood Park has been added to the figures in Appendix C and D.

COMMENT#: 4 COMMENT SOURCE: MEETING TRANSCRIPT

Bud Stimmler

Comment:

The second item is in 2006, Mn/DOT did a study, they were proposing to put a bridge across a corridor across, in order to cross this Route D. and in that process there was a burial, a pioneer burial family that was located, which is very close to a set of poles on the existing line on Route D. And that's not mentioned in the impact statement either. And I'd like that to have there's a report that MnDot published, and I'd like to have that put in that statement too.

Response:

The final route alignment has not been selected at this time. The applicant will continue to work with the State Historic Preservation Office and OES to determine appropriate surveys.

COMMENT#:5 COMMENT SOURCE: MEETING TRANSCRIPT

Felix Schmiesing - Sherburne County Board

Comment:

Number of issues with the EIS as it stands now... 36 irrigators that would be affected, there's a considerable amount of problems as we see it with this route. My main concern at this point is really with your process. You selected a route that came across the river, crosses the river twice. You had a committee that was involved in selecting that route. Generally, when things are done, we bring together the folks that are potentially impacted, the local officials that could be impacted. That did not occur in this case...I would guess that if you give us the same opportunity on the other side of the river, with folks that are in the same capacity there he (he references Clearwater City administrator, chairman from Clearwater Township, the city engineer from Monticello Township; chairman from Monticello township et al), we might find another route that would be out of our area also.

Response:

Comment noted.

COMMENT#:6 COMMENT SOURCE: MEETING TRANSCRIPT**Nancy Riddle****Comment:**

I just want to elaborate on Felix's comments. On the accuracy of the data in the EIS, since the Sherburne County route was sort of an afterthought, you know, when we went through the EIS it's very clear that a lot of the data is missing and it's just not very accurate. An example, the parks that were missing, there were several roads that were missed that weren't identified. Normally, when someone is doing a document like this, they would contact the zoning office where I work and ask us for information because we can easily get it to whoever is putting the document together. And we were never ever contacted on that. So I guess that's a comment that I have, that whoever put the document together probably should have made more of an effort to contact the locals in Sherburne County to get accurate data for the document.

Response:

Snuffy's Landing; Riverwood Park, the West Mississippi River Park and the St.Cloud/Clearwater RV Park (aka the KOA) have been added to the figures in the FEIS (See Appendices D and E). Section 3.6 of the FEIS includes additional information about these parks. When transmission lines cross a roadway, impacts are considered temporary and occur during the construction phase only. Temporary guard structures maybe used to string conductor over existing roads. When transmission lines run parallel to a roadway, the potential for long-term impacts exist due to issues associated with right-of-way sharing

COMMENT#:7 COMMENT SOURCE: MEETING TRANSCRIPT**Karl Samp - Minnesota Mississippi River Parkway Commission****Comment:**

The proposed transmission lines will have significant impact on the scenic value of the river and Great River Road along with impacts on recreation, birding, boating biking and tourism. As noted in this EIS the current preferred route would have negative effects on the intrinsic qualities of the National Scenic Byway, especially natural and scenic qualities, and could also reduce the area's opportunities for National Scenic Byway funding in the future. The transmission lines would substantially change the landscape and the overall experience for by travelers, impacting future tourism in the region. The transmission lines would also impact the Wild and Scenic River designations of this area. MRPC requests that the applicant pursue a modified Route D, which would be a greater distance from the river and Great River Road and located along Highway 10.

Response:

Possible mitigation for impacts to the Great River Road are discussed in Section 5.6.3 of the DEIS. Potential impacts on scenic values are acknowledged in the DEIS and will be part of the

record considered by the PUC in its route selection decision. Potential loss of funding for scenic byway improvements is speculative but is an issue for consideration. The Applicant Preferred Route may allow placement of the transmission line south and west of the Great River Road so that it does not lie between the River Road and the Mississippi River; this area provides most of the scenic value. Routes A and B provide more opportunity for placement farther from the Great River Road. Route D would include two river crossings which may require a permit from the MnDNR which could include conditions relating to mitigation for impacts to scenic values.

COMMENT#:8 COMMENT SOURCE: MEETING TRANSCRIPT

Lynn Waytashek

Comment:

The existing line 115 volt line, if the new line went in next to it Sherburne County has concerns with regards to security and also for natural disasters. All the lines feeding St. Cloud, as we understand it come up through either Sherburne County or through Benton County. The proposed line on the other side of the river would provide the St. Cloud area with an alternative route for energy and not so to speak, put all of our eggs in one basket. So I think that's something that should be looked at and should be a concern for everyone.

Response:

Comment noted.

COMMENT#:9 COMMENT SOURCE: MEETING TRANSCRIPT

Jane Korte

Comment:

And I guess I find it inconceivable, after all of the years working on this, Haven Township has been adamant that we protect the river. We have not seen your fact book up there that you have. I have not looked at it. When I did call, when you first came out with these lines, you said it's not going to affect you, so you don't -- we'll no longer -- we'll take you off the mailing list, so I didn't get any more notices or I would have been there. Haven Township definitely protects the river, the Mississippi River, and we would like to have been consulted in this.

Response:

Alternate Route D was added as part of the results of scoping, therefore the draft EIS included evaluation of this alternative. The opportunity to comment is during the comment period on the Draft EIS. The entire DEIS record including comments will be passed on to the administrative law judge.

COMMENT#:10 COMMENT SOURCE: MEETING TRANSCRIPT

Mary Jansky

Comment:

We live off of County Road 8 in a housing development. And our big concern is, also, that a majority of us there, or all of us, have under three acres of land. Our land butts up against the high lines that are presently there, so we're very concerned about the 150 feet that might be taken. Most of our homes are in the middle of our acreage, also. So that's all I have to say.

Response:

Details of final pole placement will be negotiated with property owners during the ROW acquisition process that will occur following approval of a route.

COMMENT#:11 COMMENT SOURCE: MEETING TRANSCRIPT

Mike Hayes

Comment:

We do have one power line over there now that is a hardship; it makes it hard to irrigate the fields. Another power line is going to make it that much harder. We also have some high value crops that need aerial application, that's going to make that quite more difficult. Plus, it's going to add a lot of expense for the power company to come through that way, they're going to have to, more than likely, move a lot of irrigators, a lot of buried pipe, a lot of buried wire, a lot of perimeter wire, and that's going to be pretty expensive.

Response:

Details of final pole placement will be negotiated with property owners during the ROW acquisition process that will occur following route selection and approval. The extent of existing transmission line corridor sharing will depend on the final alignment design.

COMMENT#:12 COMMENT SOURCE: MEETING TRANSCRIPT

Bud Stimmler

Comment:

I don't understand how you how you could know what the impact on a center pivot would be unless you know where the exact poles are going to be, the new set of poles. Because that's going to make a big difference on the impact of the center pivots out there.

Response:

Under the Power Plant Siting Act a specific route and/or substation location(s) are not identified in the Draft EIS or Final EIS. The EIS will be used by the Minnesota Public Utilities Commission to make a decision on the final route and substation locations in spring 2010.

Mitigations to local impacts, such as the effect of pole placement on irrigation systems can be addressed in negotiations between the utility and the landowner.

COMMENT#:13 COMMENT SOURCE: MEETING TRANSCRIPT

Kelly Neu

Comment:

If we hadn't received notice from the Sherburne County zoning staff we wouldn't know about this route even at this point. And we just received that and we are working with our city council and the town board to get a written comment back on the Draft EIS. But I would like to thank Felix and the zoning staff for notifying us. And really express concern in that public information process and how it's very -- this is a huge project, and it's very disappointing and upsetting from a staff perspective, as well as a resident perspective, to not know that this is even a potential to come through our community.

Response:

Alternate Route D was added as part of the results of scoping, therefore the draft EIS included evaluation of this alternative. The opportunity to comment is during the comment period on the Draft EIS. The entire DEIS record including comments will be passed on to the administrative law judge.

COMMENT#:14 COMMENT SOURCE: MEETING TRANSCRIPT

Felix Schmiesing - Sherburne County Board

Comment:

And your notice came out October 27th. Which leads me to believe that, you know, you absolutely did not envision coming across the river prior to this the three meetings that were held with the township officials and the city that was on the other side of the river, is that correct? And I would suspect that had you known that you had potential to come across the river, you would have invited some of the local officials to be involved in that, is that correct? And I think in light of that, I think that you certainly should reconsider and extend that invitation and either change your route or go back and begin again.

Response:

The Alternative Route D was entered into the record with the final report of the Advisory Task Force and was included in the final scoping decision for the EIS by the Director of the OES. The alternative was also recommended to the OES in other independent scoping comments.

COMMENT#: 15 COMMENT SOURCE: MEETING TRANSCRIPT

Jerry Finch - Lynden Township

Comment:

I'd like to call attention to one small segment west of Clearwater on the preferred route. It is heading northwest up 94, approaches the rest area and then makes an abrupt turn to the north over township property, over private property, goes north until it intersects, I think, County Road 75, goes back to the west. We find that alternative not only unreasonable, objectionable, but we call attention to, apparently, the objection of Mn/DOT to have the power line go near the rest area where it might interfere with transients taking a rest stop for five minutes and moving on, rather than running it down a township road to a county road when the area to the west of the rest area is almost completely undeveloped.

Response:

If the applicants preferred route is approved the entire area in the vicinity of the rest area and up to County Rd 75 may be under consideration for the final alignment

COMMENT#:16 COMMENT SOURCE: MEETING TRANSCRIPT

Todd Purves

Comment:

I think I've heard today quite a few stories as to why the line shouldn't go across somebody's property, because you probably bought that property 40, maybe 50 years ago, and you've enjoyed it and you don't want to be disturbed. And I'm in favor of the power line from Monticello to St. Cloud because it's going to give us much more reliable service in St. Cloud. Right now St. Cloud is fed with one line and basically comes from the Sherco power plants, which are fine, but nobody likes coal anymore. So I think that what we've got to do is use the nuclear energy that we have here right now for a better use and get this line up there. And basically I think that I'd like to see it run within 1,000 feet of either side of Highway 94, unless there's something that you absolutely can't get and it has to go out wider.

Response:

Comment noted.

COMMENT#:17 COMMENT SOURCE: MEETING TRANSCRIPT**Debbie Schabel****Comment:**

These power lines are going to run south of Clearwater through Fish Lake, Fish Creek Basin and the backwaters of the Mississippi River. This is a devastating effect on Fish Lake that is already listed on the impaired waters.

Response:

Comment noted.

COMMENT#:18 COMMENT SOURCE: MEETING TRANSCRIPT**Catherine Meyers****Comment:**

My family and I have lived next to the existing transmission line for about 20 years. It started out with a few poles, not too bad. Then the power company came in, made the poles bigger, taller, more of them, really messed up the land, tore it up pretty good. And now this reasoning for putting in this huge power line along this existing line, coming across the river, messing up the river, you know, the Wild and Scenic program has been going on for so long and it's like that doesn't even matter. And it just seems ridiculous to jump across the river, go down to Monticello, and then jump back when there's an existing corridor along Highway 94. And I just think it's bad planning. I'm probably not alone. But we have about 1,800 feet of property that's going to be affected by the right-of-way, especially the 150 feet wide, and we're not alone, I'm sure, but I just think that it's bad planning on the part of the company.

Response:

The details of final alignment have not been developed yet, once the route is approved the project will go through a phase of final design and property acquisition. Your comment will be in the record considered by the PUC.

COMMENT#:19 COMMENT SOURCE: MEETING TRANSCRIPT**Phil Bautch****Comment:**

One question I have for this meeting. You say there is a meeting with the judge, and is it going to be set up with maps so that people can actually see the route from point A all the way through to point B? There are no maps here today, I'm pretty disappointed about that, there's no maps or nothing depicting it. At St. Joseph you had large maps, or the company did, I don't know who was in charge of it, but at least the people who attended that meeting could see the actual routes, so it's like being blindfolded pretty much again. The thing I really want to know

about is this meeting on March 8th with that judge, like I'm hoping that if we set this up with her, it makes most sense for me if you start from the origination point by Monticello, working its way up through all the affected landowners, to basically be asked if they want, you know, any questions or comments to this judge, work their way in route from that point all the way up to the transfer station or as large as you want to go through this area of land, you know. Because otherwise you're going to be pretty much wasting everybody's time. And then I was curious, also, what time is this judge's meeting going to actually start on that particular day. We have a large window of opportunity here, what I'm hoping is you'll go through each landowner, 'cause your alternate routes, in my opinion, are completely terrible. My neighbors I can see are all positioning around here right now, it's going right over the top of my neighbor's house to the right of myself. And I personally, I know for a fact that it's over a mile, a little over a mile right-of-way on my land you want to be taking away from me, in distance, a full length of a mile. Traveling along the 115 and crisscrossing through my farm to get back to Pleasant Lake. All the other landowners here are going to have a mile of their land taken up with this wonderful -- I mean, I'm fully in favor of following Interstate 94 as much as possible, and that's where it should be. You don't affect all the other landowners in any other direction of it; you're not affecting everybody's river that they're worried about. I mean, it makes the most sense. Yeah, I understand you need these power lines, but keep them in the right-of-way of the freeway. That makes the most sense to me. You're not affecting homeowners and landowners and farm fields and everything else.

Response:

Comment noted.

COMMENT#:20 COMMENT SOURCE: MEETING TRANSCRIPT

Jeff Schlingmann - Haven Township

Comment:

And I'm going to go on record for the township, along with everybody else from Sherburne County, with the displeasure of not being part and parcel of the decision for an alternate D, I think it is, coming across. The proposed crossing will be in Haven Township. We've had a history since 1973 when the state scenic river legislation came into effect protecting that corridor between St. Cloud and Clearwater, and we will continue to protect that corridor until our dying breath, you can count on that. So we've got agricultural interests in our township that are going to be affected by this line along with, if I recall, several miles of the scenic river corridor itself will be affected by this line and so we're stating our opposition to that alternative right now.

Response:

Alternate Route D was added as part of the results of scoping, therefore the draft EIS included evaluation of this alternative. The opportunity to comment is during the comment period on the Draft EIS. The entire DEIS record including comments will be passed on to the administrative law judge.

COMMENT#:21 COMMENT SOURCE: MEETING TRANSCRIPT**John Golly****Comment:**

I know you mentioned a couple of times that everybody will be notified. I know I've made a few phone calls today to get a hold of some landowners that it would be affected by. My question would be, is it -- it seems to me like it should be kind of your responsibility to notify somebody of something coming through their land. So my question, and you mentioned a couple times that if we're not signed up on your mailing list that we could get -- by email to get on that list. Don't you guys know everybody's land that you're going to be crossing? And another question. You said that everything that -- what the judge was going to be notified of before she gets here and you mentioned the scoping meeting. I don't know for sure the exact date that we got a copy of the alternate Route D, but I want to say it was in October sometime, and you had the public meeting, public information scoping meeting on 7/2, so I mean, how are any of the comments from alternate Route D going to be in front of this judge from the meeting?

Response:

Alternate Route D was added as part of the results of scoping, therefore the draft EIS included evaluation of this alternative. The opportunity to comment is during the comment period on the Draft EIS. The entire DEIS record including comments will be passed on to the administrative law judge.

COMMENT#:22 COMMENT SOURCE: MEETING TRANSCRIPT**Lynn Waytashek****Comment:**

In the Draft EIS, under the cost analysis portion, I think we'd like to see some additional information as to how you came to that cost analysis. And we're wondering whether or not you included the costs from the farmers' irrigation systems that are lost in these and if those costs were included? Sherburne County soils are much more sandy than the soils on the west side of the river so I believe there's a bigger impact when those irrigation systems are moved or removed. Secondly, there's also a very large construction demolition debris landfill in Becker Township and the airspace would be affected by this proposed easement line that would go through, and have the numbers from the airspace been included in the cost analysis?

Response:

The estimated capital costs in the DEIS are only for the transmission line itself. Other costs which may be associated with final alignment development and pole placement will not be identifiable until after route selection and the development of final design.

COMMENT#:23 COMMENT SOURCE: MEETING TRANSCRIPT**Al Witte****Comment:**

And I'd like to make a comment about the positioning of plan route B on sheet 8 of 10 on this drawing that was dated on the it looks like 4/8 of '09. In the previous meetings where they had drafts for proposals, this draft was never on there. This was never even on the radar. And our family installed an irrigator, as well as some other people here, and have a concern that, you know, we went ahead with that based on this not ever being on the scope and then it shows up. So a comment to that would be, you know, why are there routes on here, either, you know, B, C, D or whatever, when they weren't originally proposed? It sounds like there's -- I don't know, if we had a show of hands how many people are here because there's a different route being proposed, you know, whether it be the preferred route or A, B, C, D or E that wasn't proposed at those meetings. Some of the comments would lead me to believe that a lot of it was not even on there.

Response:

Under the Power Plant Siting Act a specific route and/or substation location(s) are not identified in the Draft EIS or Final EIS. The EIS will be used by the Minnesota Public Utilities Commission to make a decision on the final route and substation locations in spring 2010.

COMMENT#:24 COMMENT SOURCE: MEETING TRANSCRIPT**Joe Kenning****Comment:**

I am wondering what is going to happen to these ground currents. That's what we got a lot of problem with. You got a transmission line through there and you people have never come out and checked where these ground currents are. We got to have equal potential playing in that melting parlor, and I was over there. And I'm on life support with a pacemaker and defibrillator. My heart stopped over 50 times and that's when I got on this equal potential playing. We had to quit milking over there now, and then to me, this pacemaker, when I was on that equal potential playing in there, I was using it up to 98 percent. I got out of there and it dropped down to 5 percent. These are picking up the ground currents. What are you people going to do about the ground currents? You put another line through here and you haven't said anything about the ground current. You haven't even come out and shot the line down or tried to find out where the ground currents are all coming from. Are they coming from the 115 or from the grounding of the rest of the system? We need help out here. I'm angry with what you people have -- how you've treated us out here. We need electricity, but by golly, we can't have all these damages. The last year, over there, 18 cows died, with all the good environmental, all the drugs and all the good veterinaries, and they just died. Nobody had an answer. And there was 24 calves that died while we were there. When I put them out in the barn they don't die, but on the ground they

cannot take it. There's something wrong out there and you refuse to come out and go and examine where it's coming from and fix it. And that's my comment. And there should be a lot more.

Response:

Section 5.23 of the DEIS discuss electric and magnetic fields and stray voltage, and Section 5.24 discusses implantable medical devices. The predicted electric and magnetic field strengths are considerably less than recommended exposure guidelines. Manufacturers of medical devices have indicated that electric fields below 6 kV per meter are unlikely to affect their devices.

COMMENT#:25 COMMENT SOURCE: MEETING TRANSCRIPT

Joe Helget

Comment:

I have more of a question than anything. Most of this shows a 1,000 foot right-of-way. In the area that Jerry mentioned earlier, it encompasses an area a lot larger than that. I'm curious why.

Response:

State rules allow for a route to be as wide as 1.25 miles in certain situations where there are a number of resources that need to be avoided. Allowing a wider route provides the Applicant the flexibility to avoid these resources.

COMMENT#:26 COMMENT SOURCE: MEETING TRANSCRIPT

Jerry Finch - Lynden Township

Comment:

Please explain the procedure and submitting the written to the administrative law judge. Please go over that again.

Response:

Section 2.3 of the DEIS describes the environmental review process. The EIS provides information as part of the record. The administrative law judge in charge of the contested case hearing takes additional testimony and information and makes findings and a recommendation which is then provided to the PUC for a final decision.

COMMENT#:27 COMMENT SOURCE: MEETING TRANSCRIPT

Mike Aune

Comment:

Mr. Aune represents Ziegler Incorporated, the company is located at the intersection of County Rd 75 and I-94, and route D has been proposed to drop just south of I-94 for a short distance

and at that point it crosses. “So I am concerned about that. Obviously, we rent, sell and repair high lift type equipment and that would be a bad situation for us. So I don’t know why it takes that dip, I would like that further investigated and determined why -- what the reason for that is.”

Response:

The “dip” in Route D was developed to limit impacts to the I-94/County Highway 75 Interchange. Even if Route D were selected as the final route that may not exclude possible permit conditions that might utilize another alternative for a portion(s) of the line.

COMMENT#:28 COMMENT SOURCE: MEETING TRANSCRIPT

Donald Cox

Comment:

The Great River Road, I don’t know if anybody is familiar with that, I don’t know, all along, it goes through many states and whatever. But in here it talks about, from Monticello to St. Cloud, the Mississippi, you know, provides scenic driving opportunities for motorists in the project area. The Great River Road is a National Scenic Byway, it runs for more than 500 miles along the river, including a portion – and I’m just reading it, the project area, specifically Wright County Highway 75 and Stearns County and the construction and operation of the transmission line along these roads would likely have an adverse impact to the overall scenic nature of the Great River Road and would affect funding opportunities for the transportation enhancements. And then there’s, you know, references for Appendix G, which I don’t understand, I can’t find Appendix G. But I just want to comment on this being, you know, taking away from any opportunities for funding for, you know, the projects along the highways and whatever. And I don’t think it’s a good deal to lose -- you could lose merit-based funding, you know, that are listed in here and stuff like that.

Response:

Possible mitigation for impacts to the Great River Road are discussed in Section 5.6.3 of the DEIS. Potential impacts on scenic values are acknowledged in the DEIS and will be part of the record considered by the PUC in its route selection decision. Potential loss of funding for scenic byway improvements is speculative but is an issue for consideration. The Applicant Preferred Route may allow placement of the transmission line south and west of the Great River Road so that it does not lie between the River Road and the Mississippi River; this area provides most of the scenic value. Routes A and B provide more opportunity for placement farther from the Great River Road. Route D would include two river crossings which may require a permit from the MnDNR which could include conditions relating to mitigation for impacts to scenic values.

COMMENT#:29 COMMENT SOURCE: MEETING TRANSCRIPT**Donald Cox****Comment:**

And it's going to affect a lot of people adversely and it's going to affect the real estate values. I don't know. I just want to keep it close to 94 and away from the river and the scenic byways.

Response:

Effects on property values are discussed in Section 5.2 of the DEIS and potential impacts to residences are discussed in Section 5.4 of the DEIS. No displacements of residential property are anticipated under the Applicant preferred route.

COMMENT#:30 COMMENT SOURCE: MEETING TRANSCRIPT**Donald Cox****Comment:**

Then I also wanted to make another comment. And I don't know if it has anything to do with the environmental impact statement, but I have a transmission line on the west side of my property line, and if this goes through, you're preferred route, away from I-94 along 75, you know, through -- from like the Hasty up to the Fish Lake area, then I would have -- I'd be encroached from two sides with a high voltage transmission line. And when I built my place I pushed my house within 30 feet of the property line on the east side to stay away from the transmission line to begin with, and now a second one would be pushing against me. And I can't move now, you know, I'm stuck. And I think it's going to be a big -- I don't know if I'm part of the environment or not, but the electric transmission, there's been studies that there's stray voltage coming from the lines, and especially from two directions is adverse to your health. And I know you've had people speak on that here before. And I guess I have no way of proving anything, but it does bother me that, you know, you might as well put six loops around the house, as long as you're going to come through on two sides, you know. That's how I feel. But, anyways, I ain't got much more to say. I guess I'll leave somebody else talk who's got something to say.

Response:

Section 5.23 of the DEIS discuss electric and magnetic fields and stray voltage, and Section 5.24 discusses implantable medical devices. The predicted electric and magnetic field strengths are considerably less than recommended exposure guidelines. Manufacturers of medical devices have indicated that electric fields below 6 kV per meter are unlikely to affect their devices.

COMMENT#:31 COMMENT SOURCE: MEETING TRANSCRIPT**Donald Cox****Comment:**

I forgot, I was going to mention, I had talked about it before in the other meeting, that through our area from Hasty up to the hill, I'm not sure if you're familiar with the hill there before Fish Lake, there's a stretch of I-94 to Hasty. The proposed right-of-way that you guys called the preferred route, or whatever, it goes like this, and then all the way through that area it gets so wide, and then up there at the end it comes back. And there's -- I made a comment on how disgusted I was. That should have been listed as different routes. Because there's 2,000 feet there. Well, you can say, okay, they're going to okay this, and then you guys can come out and say, oh, we think we want it here because this whole route was okay and so we can put it anywhere. And I don't know if you guys commented on that after I spoke or not. That's like 2,000 or 3,000 foot through has got this 1,000 foot and we've got like 3,000 foot, you know.

Response:

State rules allow for a route to be as wide as 1.25 miles in certain situations where there are a number of resources that need to be avoided. Allowing a wider route provides the Applicant the flexibility to avoid these resources. However, route permits generally put some restrictions and conditions on how to determine an alignment within that route.

COMMENT#:32 COMMENT SOURCE: MEETING TRANSCRIPT**Scott Tellegen****Comment:**

Well, of course, I live right in the beginning of where this is all going to start. My environmental impact question is that for years, when we lived out there, there hasn't been a whole lot of Trumpeter Swans and now they are starting to come back. Well, they fly over my place quite a bit, and they fly south right from the plant all around there. I think a power line anywhere close is going to stop some of that. Monticello, I know they really promote their Trumpeter Swans. I mean, they've got pictures of them and everything like that. In Corcoran and around the Crow River, you never seen any bald eagles or anything. Well, they're starting to come back. And that aspect is usually cleaner rivers, they like to come back to that kind of stuff. I would think the Mississippi is going to get more of that over the years, and to me anything like that close to the river, following up the river, is certainly going to hinder a lot of that. Because, like he said, 75, Great River Road, I've been on a lot of Great River roads all around the state, it is a scenic byway, it's going to cut into a lot of that. That's my biggest question on that.

Response:

Another factor which tends to attract the swans is the warmer waters in the vicinity of the Monticello plant. As with any power plant there are multiple transmission lines in the area.

Mitigation measures can be employed to increase visibility and reduce collisions. Section 5.2 of the DEIS, notes that Xcel Energy entered into a voluntary memorandum of understanding (MOU) with the USFWS to work together to address avian issues throughout its service territories. In August 2009, Xcel Energy submitted a draft Avian Protection Plan to the USFWS. The intent of an Avian Protection Plan is to minimize risk of avian collision or electrocution with transmission lines.

COMMENT#:33 COMMENT SOURCE: MEETING TRANSCRIPT

Julie Blomberg

Comment:

Have you decided where the route is going to be?

Response:

The Environmental Impact Statement is intended to provide the Public Utilities Commission information to determine which route will be permitted.

COMMENT#:34 COMMENT SOURCE: MEETING TRANSCRIPT

Felix Schmiesing - Sherburne County Board

Comment:

I was here this afternoon, Felix Schmiesing, Sherburne County commissioner, and I'll try to be a little more brief than I was this afternoon. But I did want to share a few things, it's a different group, so I'm going to take the opportunity. I have a letter here from the Sherburne County Board of Commissioners. We have a number of concerns about the route on the other side of the river. And we would like for that to be considered. And we entered that into the record earlier today. But beyond that, our primary concern is with this process. They came with a couple of new routes, there were three routes originally. They selected a group of folks, very good folks, county commissioners from Stearns County, Rose, you were part of it, Wright County commissioners. We had folks from the cities up and down the corridor and the townships. There was one fault with it. It included no elected officials from the other side of the river. So we really think that that is problematic, with a process that has selected a route. And I guess I would -- you're not recommending any routes, no specific routes, but you have recommended an additional route. And it has been done without the input of the local elected officials, the county officials, so I think that that is something that somewhere will have to be addressed. And I just want that entered into the record, I wanted the people in this room to be aware of what this process is. So thank you.

Response:

Comment noted.

COMMENT#:35 COMMENT SOURCE: MEETING TRANSCRIPT

Donald Cox

Comment:

It was the same on this side of the river. There was meetings without information supplied to the county on this side of the river also.

Response:

Comment noted.

COMMENT#:36 COMMENT SOURCE: MEETING TRANSCRIPT

Heidi Cox

Comment:

So who does pick it? Does the judge? You did say something about a panel, but now you're talking about the judge. So who does she make the recommendation to?

Response:

Section 2.3 of the DEIS describes the environmental review process. The EIS provides information as part of the record. The administrative law judge in charge of the contested case hearing takes additional testimony and information and makes findings and a recommendation which is then provided to the PUC for a final decision.

COMMENT#:37 COMMENT SOURCE: MEETING TRANSCRIPT

Rose Thelen - Wright County

Comment:

Wright County Commissioner and I were on the task force. And partly in response to Felix, I'm assuming that the people from the other side of the river weren't part of the task force or the advisory task force because the proposed and alternate routes were all on this side. And one of the issues that came up for us is that the idea of using existing corridors, that wouldn't that reduce environmental impact and cut costs, and my understanding was that if it was considered then you'd have to go through the whole process of notifying homeowners on the other side of the river and that sort of thing, too, so the process is not finished at this point, right?

Response:

Alternate Route D was added as part of the results of scoping, therefore the draft EIS included evaluation of this alternative. The opportunity to comment is during the comment period on the Draft EIS. The entire DEIS record including comments will be passed on to the administrative law judge.

COMMENT#:38 COMMENT SOURCE: MEETING TRANSCRIPT**Rose Thelen - Wright County****Comment:**

And so, of course, nobody wants it in their backyard, the way it sounds, but we're just looking to see that maybe there is less impact when you don't have to create such a big swath. The other piece I wanted to add and to submit into this particular record is the study that was done by the Department of Commerce. And perhaps it's already in the record. And it was done, let's see, September 15th. And it's phase one study and phase two report for the -- how does it say it, transmission, one of the things they looked at was that it's like nine times cheaper, or from the data they've collected, nine times cheaper for the consumer to use already existing corridors. And so I know that they're making much adieu about this in the southern part of the state, but I hope that that will be looked at as well and the study be consulted for its findings. Are you aware -- you must be aware of the study, right?

Response:

The Phase I report referenced by the commenter is beyond the scope of the EIS.

COMMENT#:39 COMMENT SOURCE: MEETING TRANSCRIPT**Brad Zadow****Comment:**

I just wanted to make the comment on the implantable medical devices. That you should look at more than pacemakers, cause she has a spinal cord stimulator in her back, and the information that she got when it was implanted, electric pencils will zap her, welders will zap her, what are the high power lines going to do?

Response:

Strong EMF sources, such as produced by medical imaging devices have been indicated as a potential risk of electromagnetic interference (EMI) on implantable devices, such as a spinal cord stimulator. Discussions with medical device manufacturers and review of product literature indicate that EMI effects on spinal cord stimulators are similar to EMI effects on other implantable medical devices. EMF produced from High Voltage Transmission Lines (HVTL) decreases rapidly with distance from the conductor and would be considered a weak source of EMI, (magnetic field strength up to 20,000 times weaker than those produced by some medical imaging devices) outside of the setback distances designated for the transmission line. To minimize the risk of EMI, manufacturers of implantable devices recommend that individuals using these devices limit their exposure to EMF produced by HVTL. Mitigation for potential medical device effects could include setback requirements for the transmission line from residences; based on the currently available information, no residences would be located closer than 75' from the transmission line centerline.

COMMENT#:40 COMMENT SOURCE: MEETING TRANSCRIPT**Kevin Gohn****Comment:**

May I ask a question about the milestones? A procedural question? You mentioned that the first recommendation and the one recommendation that will be seriously considered is coming from the judge, correct? I didn't mean to ask a loaded question.

Response:

Section 2.3 of the DEIS describes the environmental review process. The administrative law judge in charge of the contested case hearing takes additional testimony regarding the proposed project and makes findings and a recommendation which is then provided to the PUC for a final decision.

COMMENT#:41 COMMENT SOURCE: MEETING TRANSCRIPT**Scott Tellegen****Comment:**

So this is really a question for you. Okay. I went to the library yesterday and looked at all the numbers for all the different routes because there is lists and lists of lists, how much percentage of woodland, 1(a), 2(a), you know, every single piece of property is listed along all the proposed routes. So you take credence on all those different things? It's almost like you got to put this all in a computer and spit it all out because there's a lot of information in there. Whether there's zero woodlands, zero parks, percentage wise, that's what they're going on. So basically they're just spitting all this information out, they're looking at it and everything and then deciding which way it's going to go through. Am I correct in that assumption? That's the way that I read all those different pages and the foldouts along with the map.

Response:

Comment noted.

COMMENT#:42 COMMENT SOURCE: EMAIL**Mike Aune****Comment:**

Please consider this our written comment, due by February 26, 2010, as per the notice issued January 11, 2010 of the DEIS for the Xcel Energy and Great River Energy Application for a High Voltage Transmission Line Route Permit. (PUC Docket Number: E002, ET2/TL-09-246) We have a concern regarding the route of Xcel Energy and Great River Energy's 345 kV transmission line from St Cloud to Monticello. ZIEGLER INC. owns property and operates a business located at 2225 255th. street. in St Cloud, MN. Our concern is route "D", being

recommended by the OES, puts the potential line over our property near the intersection of Interstate 94 and County Hwy 75. We feel this needs to be investigated more thoroughly and clarified. We question why the route would change from the Utility's "preference" to the other side of Interstate, over our property, and then continue back on the Utility's "preferred" route? I want to point out that route D at the intersection of Interstate 94 and County Hwy 75 deviates from the Utility's preferred route for a very short distance. Its within that short distance that it crosses over our property. We sell, rent and service large, high reaching, construction equipment. For example we rent aerial lift booms capable of reaching a height of 135 feet putting our people in a very high risk situation. We support the Utility's preferred route however, the short deviation from the preferred route does not seem practical or necessary. Please explain why this is being recommended and get back to me as soon as possible. I have attached your map highlighting the areas of our concern

Response:

Your comments on the impact on construction equipment is noted.

COMMENT#:43 COMMENT SOURCE: EMAIL

Heidi Cox

Comment:

First off, I would like to address that the preferred route being an abandoned railroad bed is nonsense, because the railroad bed is not is abandoned. It is land that has been bought back from the railroad and is owned by property owners. In many cases it has been restored and filled with houses, trees, and landscaping. There forth in our minds the notion of an abandoned railroad bed does not exist.

Response:

Details of property ownership will be determined following to selection of the route by the PUC.

COMMENT#:44 COMMENT SOURCE: EMAIL

Heidi Cox

Comment:

Secondly, we already have an existing power line (69KV) on the west side of our property. If one were placed on the south side of our property we would be encroached on two sides. We feel that this wipes out our property value and is harmful to our health.

Response:

Effects on property values are discussed in Section 5.2 of the DEIS and potential impacts to residences are discussed in Section 5.4 of the DEIS. No displacements of residential property are anticipated under the Applicant preferred route.

COMMENT#:45 COMMENT SOURCE: EMAIL

Heidi Cox

Comment:

We feel that this wipes out our property value and is harmful to our health. As well, when you do your environmental impact statement we would like to know why you do not include people as part of the environment in your study

Response:

Stakeholders have been included in the environmental study since the initiation of the permit application, the scoping process and the development of the DEIS. The Applicant will continue to work with stakeholders once the final alignment is selected.

COMMENT#:46 COMMENT SOURCE: EMAIL

Heidi Cox

Comment:

Furthermore, by running your line in this route you are disturbing the Protected Shorelines of Rice Lake the protected shoreline prohibits commercial development within its boundaries. We would like to know why CapX has the right to work within these restricted areas

Response:

The applicant will comply with existing shoreland ordinances implemented by the county. The final alignment has not been selected at this time, however, the route in this area is wider to allow flexibility to avoid areas with restrictions.

COMMENT#:47 COMMENT SOURCE: EMAIL

Heidi Cox

Comment:

Also, take into consideration the new fuel cell technology that is being developed. It shows great promise; eBay has five of these fuel cell cabinets on their property and they supply fifteen percent of the power needed at their main head quarters. With promise like this why are you waste your energy adding onto a grid that is possibly going to be obsolete in ten years.

Response:

Comment noted. Evaluation of alternative generation/distributed generation technologies is beyond the scope of this EIS. The need for this transmission line has already been established in accordance with state HVTL routing requirements; the purpose of the EIS is to provide a comparative analysis of the social, economic, and environmental effects of route alternatives.

COMMENT#:48 COMMENT SOURCE: EMAIL**Mike and Judy Jarmuzek****Comment:**

Sir; this e-mail is written to protest a few things that have been published concerning the purpose power line; first; using the term [abandoned railroad corridor] there is no such thing; my self plus fifteen others hired a lawyer in 1985 and met with the BN rail commission and we purchased the land for \$650.00 per acre we got 2.75 acres and with the cut in the hills I had to have heavy equip clean up the mess; at a cost \$12,000 and land is on my abstract so the term railroad property is a false claim;

Response:

Details of property ownership will be determined following the selection of a route by the PUC.

COMMENT#:49 COMMENT SOURCE: EMAIL**Mike and Judy Jarmuzek****Comment:**

Also our land comes under wildlife protection area ; why you people can't see the advantage of installing the line just south of interstate #94 in all that open land to Co Road #8 an then go north on Elder Ave where you will junction with an established power line right of way going east in the direction of the plant.

Response:

Comment noted.

COMMENT#:50 COMMENT SOURCE: EMAIL**Mike and Judy Jarmuzek****Comment:**

Also, I have gone to a few meetings on this subject here in Clearwater and after asking a few questions the answer we tend to get is "we will pretty much go the route we want. The meeting was mostly a P.R. event. We feel strongly about the effects this will have on the property value of our lake home and that of all the other homes that run along Co Road 75 from Clearwater to Hasty. It would be in the best interest of many people to look harder at running this big power line right along I 94 out of the way of people's homes. We don't want this in our yard. So I will say this, I know the line is needed, but I hope with all of if the experts involved that they have one oz. Of common since and cause us little grief.

Response:

Effects on property values are discussed in Section 5.2 of the DEIS and potential impacts to residences are discussed in Section 5.4 of the DEIS. No displacements of residential property are anticipated under the Applicant preferred route.

COMMENT#:51 COMMENT SOURCE: WEBSITE**Joyce Konz****Comment:**

Impact: The preferred route that runs through the area from Clearwater to St. Augusta appears to be running through the Fuller Lake and Warner Lake areas, as well as the KOA campground area. These are highly visited areas in the summer by campers and tourists. By putting a power line throughout this area it would hamper the amount of tourists and summer travelers through the area. Mitigation: By using the Alternate route B, it would go around Fuller and Warner Lakes and KOA campground. This would mitigate the impact on the amount of tourists and summer travelers that normally visit this area during the summer months.

Response:

The KOA campground also known as the St. Cloud/Clearwater RV Park has been added to the figures in Appendix C and D. The suggestion to consider Alternate B will be evaluated in the final route decision. (See Section 3.5 of the FEIS)

COMMENT#:52 COMMENT SOURCE: WEBSITE**Richard Phipps****Comment:**

After reading through the DEIS I believe the best route for the proposed 345V power line is route 'D'. The 'Great River Road' will not be disrupted, preserving the great scenic byway. There is already a 115V line in existence that the 345V line can be combined with or could be installed in the adjacent land. The displacement of residents would be avoided, thus providing additional power to many without any disruption to existing residents. This would also help reduce the number of businesses that would be affected, again minimizing economic impact in our communities. Running the 345V line with the route 'D' option would minimize the impact on the aesthetic appearance along I-94 and County Road 75, preserving the quality scenic way that many enjoy. Also, running the 345V line with the route 'D' option would avoid a negative impact on businesses in the city of Clearwater. Mitigation: Routes 'B' & 'C' would be my alternate choices if route 'D' could not become reality. Those lines run away from the I-94 / County Road 75 corridor, which would also preserve the 'Great River Road' and all of the aesthetics along this scenic byway. Also, running the 345V line away from the I-94 corridor will also preserve economic growth, thus fueling our economy.

Response:

Comment noted.

COMMENT#:53 COMMENT SOURCE: EMAIL**Ron Schabel****Comment:**

To whom it may concern, Comments to DEIS The following comments on the Monticello to St. Cloud 345 kV Transmission Line DEIS are comment submittal 1.Introduction In the following comments to the Draft Environmental Impact Statement (DEIS), Monticello to St. Cloud 345 kV Transmission Line, I reference the Council on Environmental Quality NEPA regulations 40 CFR 1500-1508. I found these regulations more clearly defined and understandable by a lay person such as myself. Comment 1-1 40 CFR 1500.4 (h) [Summarizing], allows for summarizing the EIS if the entire EIS if the latter is unusually long. In the DEIS abstract it is quoted, “The primary purpose of this draft EIS is to summarize the potential impacts of the Project and help the commission make an informed decision on the best route.” The DEIS is to also insure an informed Public by presenting concise, clear, to the point and supported by the evidence [1500.2 (b)]. Is the Draft EIS I downloaded from the PUC Website a circulated summary? If so, where can I obtain the more detailed copy of the DEIS, or will the DEIS be Supplemented so that the Final EIS is not summarized?

Response:

This environmental review is being done under the Minnesota rules for routing of High Voltage Transmission lines in Chapters 7850 of the Minnesota Rules. Federal NEPA rules apply to major federal actions. This is a state process under state rules therefore the federal environmental review rules are not applicable. The DEIS available from the website is the full document.

COMMENT#:54 COMMENT SOURCE: EMAIL**Ron Schabel****Comment:**

Comment 1-2 - 40 CFR 1506.5 (c) [Signed Disclosure Form], HDR Engineering Inc. is listed as a preparer of this DEIS. However, I was unable to locate their respective signed Disclosure form, insuring no conflict of interest in the preparation process. Please send me a copy of the respective signed Disclosure Form(s).

Response:

Federal Rule 40 CFR does not apply

COMMENT#:55 COMMENT SOURCE: EMAIL**Ron Schabel****Comment:**

Comment 1-3 - 40 CFR 1500.1 (b), the information must be of high quality with accurate scientific analysis to provide for informed public scrutiny. 1500.2 (b), the EIS shall be concise, clear and to the point and supported by the evidence. 40 CFR 1502.24 Methodology and scientific accuracy referenced by footnote. 40 CFR 1506.4 Only environmental documents in compliance with NEPA may be combined with any other agency document that is declared within its' content a NEPA document. As I was reading the DEIS I began to get a feeling of dejavu. It was as though I had read the text somewhere before. Checking the Applicants route permit application document I easily was able to read text that was duplicated in the DEIS (ref: DEIS Sec 15.19.1, 20.1, and the Applicants Route Permit pages 7-51,53 and 54). At this point I have not received an opinion on whether the verbatim use of an Applicant's document text is in conflict with the intent of NEPA. What percentage of the EIS analysis data comes directly or through NRG Inc. from the Applicant, Xcel Energy or Great River Energy? What percentage of the analysis in the EIS comes directly or through NRG Inc. from the Applicant, Xcel Energy or Great River Energy?

Response:

This environmental review is being done under the Minnesota rules for routing of High Voltage Transmission lines in Chapters 7850 of the Minnesota Rules. Federal NEPA rules apply to major federal actions. This is a state process under state rules therefore the federal environmental review rules are not applicable. The OES reviews information submitted by Applicants in their Application for adequacy, accuracy and completeness. If it is deemed adequate OES may incorporate it into the DEIS. If additional or supplemental information is needed, OES secures it or develops it.

COMMENT#:56 COMMENT SOURCE: EMAIL**Ron Schabel****Comment:**

Comment 1-4 - 40 CFR 1508.7 and 1508.8 (a) & (b) Cumulative Impacts-Effects direct & indirect. Cumulative impact analysis is the backbone of any EIS. MR 4410.2300 (H) Environmental, economic, employment, and sociological impacts: for the proposed project and each major alternative there shall be a thorough but succinct discussion of potentially significant adverse or beneficial effects generated, be they direct, indirect, or cumulative. My interpretation of "succinct discussion" is of "clarity" "concise" to the point under NEPA. I believe the Applicant broke the route alternatives into segments to provide a means to clarifying their decision process. Since the PUC has presented the DEIS in a summary form, as declared in the DEIS Abstract, the route impacts are described in a non-specific format. This reader was unable

to clearly understand from DEIS text the impacts of the Applicants Preferred Route segment Segment 59. The segment process was not used by the Prepares to present the Cumulative Impact/Effects in a congruent presentation. Please send me a copy of the Cumulative Impacts and direct and indirect Effects analysis on Segment 59 of the Applicants Preferred Route. In particular, that portion of segment 59 lying between Interstate 94 (I94) milepost 180 to 182 within the Fish Lake-Fish Creek Basin. The following elements are to be included; Fish Lake, the Fish Lake public boat landing recreational area, the residential cabins/homes, Fish Creek, the Mississippi Wild & Scenic flood plain and the Mississippi Wild & Scenic Riverway. See Appendix G sheet 6 of 9 for the boundaries of the Mississippi Wild & Scenic Riverway District. Previous Cumulative Impacts to the Basin was construction of the 1890 railroad berm and trestle, the 1930 US Highway 52 (now Gowan Ave), the CSAH road 75 and Interstate 94 in 1976.

Response:

A separate cumulative effects analysis is beyond the scope of this DEIS and is not required by the environmental review rules that this EIS is being prepared under (MR Ch 7850).

COMMENT#:57 COMMENT SOURCE: EMAIL

Ron Schabel

Comment:

Comment 1-5 - Surface Water DEIS Section 5.16 merely mentions the three largest bodies of water that the Applicants Preferred Route impacts in Wright County. These bodies of water are within 3 miles of each other. Fish Lake, Rice Lake and Locke Lake are popular recreational areas. Fish Lake, for example, is on the impaired lakes registry and is under the watchful eye of the Fish Lake Property Owner's Assoc. (FLPOA). Fishing on these lakes is a prime recreational use of these natural wonders. Therefore, I find it difficult that the DEIS failed to analyze the visual effects a HVTL with its' imposing towers would present to the serene visible horizon of these lakes. There is definitely a different rating to the changing contrast of a HVTL presented to a traveler in a moving vehicle on a roadway than there is of a fixed contrast presented to an individual in a boat in a serene natural environment on one of these lakes. I was unable to locate any type of a scientific visual impact analysis for these lakes or any other body of water. Please explain the methodology that the DEIS is utilizing in analyzing visual effects in this project.

Response:

Two of the five proposed routes impact the area specified by the commenter. This portion of each of the proposed routes exceeds the 1000-foot standard corridor width to ensure flexibility within these locations. The level of impact to visual resources generally depends on the sensitivity and exposure of a particular viewer and can vary greatly from one individual to the next. Residents are considered to possess high visual sensitivity. Recreationalists, whose activity is specific to a finite geographic location and who are sensitive to human-made structures and their impact on the view of the natural environment are considered to possess moderate visual

sensitivity. The details of a final alignment have not been developed at this time, once the route is approved the project will go through a phase of final design. Once the final alignment is selected the Applicant can work with stakeholders to develop mitigation measures for visual impacts as presented in Section 5.6.3 as applicable.

COMMENT#:58 COMMENT SOURCE: EMAIL

Ron Schabel

Comment:

Comment 1-6 - 40 CFR 1504, require early resolution of disagreements between agencies. Resolving the issues with the DOT and FHWA early in this process will provide a more clear understanding of the Alternatives by the public. Please provide me with an understanding where the PUC is at, in resolving the ROW issues with the DOT and FHWA.

Response:

Federal Rule 1504 does not apply. Coordination has been ongoing throughout the process and is continuing with Mn/DOT and FHWA

COMMENT#:59 COMMENT SOURCE: EMAIL

Ron Schabel

Comment:

Comment 1-7 - I attended the first Public information meeting held at the Clearwater, MN Legion. I asked Darrin Lahr, of CAPx, at his information station, whether CAPx had done an analysis of the weather history in the area of the proposed substation and route alternatives. He asked a consultant standing nearby whether there had been a weather study done. The consultant answer was no. At the first Area Task Force (ATF) meeting in Clearwater Township, I was asked by the Wright County Commissioner to present a public route alternative that the ATF could discuss and build their route analysis on. In the presentation I mentioned the lack of weather analysis and that that surprised me, since CAPx presents transmission reliability as priority purpose in requiring a totally separate and new HVTL corridor. The ATF members from Stearns County, Waite Park, St. Cloud and St. Augusta agreed that the area has a high number of tornadoes and property damaging high-energy straight-line winds. I personally witnessed a tornado that occurred on June 4, 1958 that did property damage in St. Augusta. I believe on average there has been a tornado in that area about every ten years. I was quite surprised that the DEIS did not include a weather analysis [40 CFR 1502.24]. Please provide me with the PUC's position on the importance of a weather analysis in the area of the proposed substation and route alternatives to the purpose described in the EIS Scoping document "The Project is designed to address three needs: local community reliability, regional reliability and generation outlet support."

Response:

This was not an issue raised during scoping. It would be possible to compile a historical record of tornadoes or other severe weather events in the Counties through which the transmission line might pass. However, given the limited geographic area involved and the relative low frequency of such events, it is unlikely this would provide useful information pertinent to choosing one route over another.

COMMENT#:60 COMMENT SOURCE: EMAIL

Ron Schabel

Comment:

Comment 1-8 - The DEIS section on Displacement table 5-7 lists 199 nonresidential structures in the Preferred route. However, the map in Appendix G sheet 6 of 9 at 16517 Gowan Ave. NW does not show two of my out buildings. Does this change the count for non-residential in table 5-7?

Response:

The Applicant identified both assumed residential and non-residential structures (barns, sheds, detached garages, etc.) as discrete data points to the extent possible based on field reconnaissance via publicly accessible roads and aerial imagery interpretation. OES reviewed the information provided by the Applicant. It is possible structures may not have been accounted for if there was not a clear view of them from publicly accessible roads due to distance or other obstructions such as existing vegetation, or they were not discernable based on aerial imagery interpretation.

COMMENT#:61 COMMENT SOURCE: EMAIL

Ron Schabel

Comment:

Please accept the following comment and the attached edited map pertaining to the Monticello to St. Cloud 345KV HVTL Draft EIS as submittal 2 Comment 2-1 The section of the applicants preferred route between Interstate I-94 mile post 180 and 182 passes through the Fish Lake, Fish Creek Basin and the flood plain back waters of the Mississippi Wild & Scenic Riverway. This area is noted on the map in Appendix G page 6 of 9 of the DEIS. This area is an environmentally sensitive area, not to mention the Great River Road (CSAH 75) National Scenic Byway. May I suggest that the OES consider a bypass of this area to the west. Referencing the applicant's route application document Appendix D.1 sheet 3, segment 307 at Wright County 7(near mile post 179.5 of I-94). Departing from the preferred route at segment 307, following segment 307 to segment 312B of Alternatives A & B continue to the Monticello Substation on Alternatives A,B or C. Please reference the attached edited map that depicts the above suggestion. In the PUC Docket No. E002/CN-06-1115 OAH 15-2500-19350-2 "Conclusions"

page 92 item 17. “The CapX projects will have a substantial impact on the natural environment. Routing and construction should be conducted to avoid harmful effects and, where damage is unavoidable, to significantly mitigate the impact.” I offer that the above suggested change in the Applicant’s routing scheme would: Avoid the environmentally sensitive Fish Lake Fish Creek Basin. Avoid the placement of transmission tower within the Basin. Avoid crossing of I94 within the Clearwater City-Clearwater Township Orderly Annexation Area (COAA). Avoid the FHWA/Mn/DOT planned I-94 Interchange between mile post 178.5 to 180.5. Minimize the cumulative impacts to the Great River Road National Scenic Byway view. Equally share the routing of the HVTL with the Preferred route and Alternate Routes A, B and C in Clearwater Township.

Response:

Route segment 307 was rejected based on the comparative analyses performed. The removal of route segments from consideration was determined by the following key factors: the Proposed segment did not optimize right-of-way sharing or corridor sharing along existing linear features, such as the I-94 right-of-way, the Proposed segment may have had a higher occurrence of impacts to sensitive resources and the Proposed segment may have the potential for impacts to existing residences or residential use areas, as well as agricultural use areas. Routes A & B offer routes that do go south of the Fish Lake area and that are still potential alternatives either in whole or in part.

COMMENT#:62 COMMENT SOURCE: LETTER

Roger Fiske - Fish Lake Property Homeowners Association

Comment:

As founder of the Fish Lake Property Homeowners Association, I have been involved for many years in protecting and preserving the environment in this area. The 1,000 foot wide Applicant Preferred Route slashes right through the Fish Lake basin and I would like to offer my comments on the DEIS for the proposed project and the dramatic impacts this route will have on the natural resources in the basin area. This basin is not only home to Fish Lake, it also contains Fish Creek, the Wild and Scenic Mississippi River Corridor, the Mississippi River Backwaters, numerous wetlands and the Clearwater Township Public Access recreational area. The DEIS admits that towers and transmission lines will have a negative impact on the scenic qualities of this area. We can all agree with that. County Road 75 sweeps down into the basin in both directions from the surrounding hills and offers a panoramic view of Fish Lake, Fish Creek and the Wild and Scenic Corridor. It has been designated as a Great River Road by the State of Minnesota and also as a National Scenic Byway by the Federal Highway Administration. This project would have a devastating impact on this scenic view and would put future funding opportunities at risk, as stated in the DEIS. Who would compensate Wright County and Stearns County residents for the loss of these funds? This economic impact needs to be fully addressed in the DEIS.

Response:

Possible mitigation for impacts to the Great River Road are discussed in Section 5.6.3 of the DEIS. Potential impacts on scenic values are acknowledged in the DEIS and will be part of the record considered by the PUC in its route selection decision. Potential loss of funding for scenic byway improvements is speculative but is an issue for consideration. The Applicant Preferred Route may allow placement of the transmission line south and west of the Great River Road so that it does not lie between the River Road and the Mississippi River; this area provides most of the scenic value. Routes A and B provide more opportunity for placement farther from the Great River Road. Route D would include two river crossings which would require a permit from the MnDNR which could include conditions relating to mitigation for impacts to scenic values.

COMMENT#:63 COMMENT SOURCE: LETTER**Roger Fiske - Fish Lake Property Homeowners Association****Comment:**

The National Scenic Byways Program also recognizes manmade elements of the landscape, such as Interstate 94, which runs parallel to the Great River Road as it sweeps down into and back out of the basin. Although it may not meet everybody's scenic expectations now, it surely wouldn't meet anybody's expectations if 180-foot towers and lines were installed alongside I-94.

Response:

Possible mitigation for impacts to the Great River Road are discussed in Section 5.6.3 of the DEIS. Potential impacts on scenic values are acknowledged in the DEIS and will be part of the record considered by the PUC in its route selection decision. Potential loss of funding for scenic byway improvements is speculative but is an issue for consideration. The Applicant Preferred Route may allow placement of the transmission line south and west of the Great River Road so that it does not lie between the River Road and the Mississippi River; this area provides most of the scenic value. Routes A and B provide more opportunity for placement farther from the Great River Road. Route D would include two river crossings which would require a permit from the MnDNR which may include conditions relating to mitigation for impacts to scenic values.

COMMENT#:64 COMMENT SOURCE: LETTER**Roger Fiske - Fish Lake Property Homeowners Association****Comment:**

The DEIS says that visual impacts will be mitigated if the towers are constructed on the western side of the route. This would bring the towers into Fish Creek, Fish Lake and the Clearwater Township Public Access recreational area. The DEIS only mentions the lake and the creek in passing and never mentions the recreational area at all. The DEIS needs to be done over in

order to address the impacts to these areas. On the other hand, if the project is built on the east side of I-94, the DEIS offers no mitigation for the visual impacts to the basin area and especially the National Scenic Byway. Again, who will make up the lost funding for the National Scenic Byway? This is not addressed in the DEIS. The resource maps in the DEIS depict hundreds of residences and buildings that are not within the proposed routes, yet they omit at least 40 residences and buildings around Fish Lake.

Response:

Two of the five proposed routes impact the area specified by the commenter. This portion of each of the proposed routes exceeds the 1000-foot standard corridor width to ensure flexibility within these locations. The details of a final alignment have not been developed at this time, once the route is approved the project will go through a phase of final design. Once the final alignment is selected an ultimate right-of-way required for the proposed route will be 150-feet wide. The level of impact to visual resources generally depends on the sensitivity and exposure of a particular viewer and can vary greatly from one individual to the next and are subjective by nature. Residents are considered to possess high visual sensitivity. Your comment will be included in the record considered by the PUC.

COMMENT#:65 COMMENT SOURCE: LETTER

Roger Fiske - Fish Lake Property Homeowners Association

Comment:

The DEIS maps need to be corrected. MNDOT's comments on this project offered compelling reasons why this environmental review process should have been done under the National Environmental Policy Act. Why wasn't this comment addressed in the DEIS? Many of the Lake Association's members and others felt that the DEIS public meeting was totally inadequate. There was no place to sign in, no maps or displays were on view and there were only two copies of the DEIS to be shared by the 50 people who attended the meeting. This route should not be chosen for the project because the other proposed routes have less harmful impacts. This DEIS is totally inadequate for a project of this magnitude and should be started over and the entire process conducted in a more professional manner.

Response:

This environmental review is being done under the Minnesota rules for routing of High Voltage Transmission lines in Chapters 7850 of the Minnesota Rules, under the Minnesota Power Plant Siting Act. Federal NEPA rules apply to major federal actions. This is a state process under state rules therefore the federal environmental review rules are not applicable. The DEIS available from the website is the full document.

COMMENT#:66 COMMENT SOURCE: LETTER**John Pazik****Comment:**

I would like to make the following comments on the Applicant Preferred Route in the above referenced DEIS: 1. - County Road 75 (Great River Road) has been designated as a National Scenic Byway (NSB). This term refers not only to the road itself, but also to the corridor through which it passes. - The NSB Discretionary Grants Program has awarded many millions of dollars to the State of Minnesota on a continual basis since 1992, including \$ 515,400 dollars last year. (National Scenic Byways Archive of Funded Projects) - The DEIS states, "...a transmission line would likely have an adverse effect to the overall scenic nature of the Great River Road and could affect future funding opportunities for transportation enhancements" (pg 5-33) The DEIS is inadequate because no feasible mitigation is offered for the visible impact (See #5) and no mitigation is offered to replace grant dollars lost by the State of Minnesota. 2. - National Scenic Byways attract tourists through numerous federal, state and local promotions and programs. An Explore Minnesota Tourism Survey states that 92% of travelers are attracted by natural scenery. - "The Secretary of Transportation may de-designate...National Scenic Byways...if they no longer possess the intrinsic qualities nor meet the criteria which supported their designation." (FHWA National Scenic Byways Program Policy) - If you put one section of an NSB at risk, you put other sections at risk. "An important criteria for National Scenic Byways...is continuity." (FHWA National Scenic Byways Program Policy) - In addition to the "adverse effect "on the scenic nature of the Great River Road, The DEIS also states, "Landscapes would be permanently impacted visually by the placement of the proposed transmission lines and structures." Common sense dictates that a National Scenic Byway that is "permanently impacted visually" will have an economic impact on tourism dollars spent in the State of Minnesota. No feasible mitigation is offered for the visual impact and no mitigation is offered for the economic impact of lost tourism dollars, therefore the DEIS is inadequate for failure to mitigate these impacts. Excel Energy and Great River Energy are for-profit utilities. This project has a built-in profit that is guaranteed through pre-approved rate increases and tax breaks. They should not be rewarded with profits at an economic and environmental impact cost to the State of Minnesota without proper mitigation. This should be addressed in the DEIS.

Response:

Possible mitigation for impacts to the Great River Road are discussed in Section 5.6.3 of the DEIS. Potential impacts on scenic values are acknowledged in the DEIS and will be part of the record considered by the PUC in its route selection decision. Potential loss of funding for scenic byway improvements is speculative but is an issue for consideration. The Applicant Preferred Route may allow placement of the transmission line south and west of the Great River Road so that it does not lie between the River Road and the Mississippi River; this area provides most of the scenic value. Routes A and B provide more opportunity for placement farther from the

Great River Road. Route D would include two river crossings which may require a permit from the MnDNR which could include conditions relating to mitigation for impacts to scenic values

COMMENT#:67 COMMENT SOURCE: LETTER

John Pazik

Comment:

The loss of tourism dollars and grant monies was not figured into the cost of the Applicant Preferred Route. This creates a cost-analysis bias in favor of the Applicant Preferred Route that is not allowed by Minnesota Rules. Therefore the DEIS is inadequate because it does not contain a true cost analysis for each alternative.

Response:

Minnesota Rules require that the cost analysis for each route include the cost of constructing, operating and maintaining the High Voltage Transmission line. This analysis is included in Section 1.6 of the EIS. See Section 5.6.1 of the DEIS for potential effect on tourism.

COMMENT#:68 COMMENT SOURCE: LETTER

John Pazik

Comment:

The visual impacts of this project were studied in a subjective manner that makes it impossible to make comparisons between the alternatives. Rather than use accepted standards such as vividness, intactness and unity to create comparative values that have a defined meaning, the DEIS uses subjective terms such as low, medium and high that have no measurable scale of difference. The DEIS states that visual impacts can be mitigated by placing the lines and structures as far away from scenic resources as possible. When you are talking about a 1,000 foot wide route with transmission lines and towers that loom as high as 180 feet, this is like saying you can mitigate the visual impact of an elephant in your living room by placing him on the opposite wall. The Fish Lake/Fish Creek Basin is arguably the most sensitive and unique area along the 28-mile stretch of this project. It contains the Great River Road Corridor, the Wild and Scenic Mississippi River Corridor, Fish Lake, Fish Creek, the Mississippi River Backwaters, the Clearwater Public Access recreational area and numerous wetlands. The basin is too wide to span with a tower on each side. It will require a third tower somewhere in the floor of the basin, or possibly two towers, thus making the elephant larger and even more visually impacting. The hills surrounding the basin are 60 to 75 feet higher than the Wild and Scenic River Corridor. As you travel the Great River Road from either direction and crest the hills leading down into the basin, it is impossible to hide the elephant no matter where you put him. If the DEIS is to be believed, the intent is to be outside the Wild and Scenic Corridor... and it can't be built in the middle of I-94...or on the Great River Road...or on Gowan Avenue NW... or in Fish Lake... or in the Public Landing... so the possible sites for the tower(s) are very limited and the transmission

lines and the tower(s) will have to be placed right next to one or more of these resources, thus increasing the visual impact. It is also possible that the transmission lines may cross over I-94 in the basin area, thus creating a jagged visual experience that is even more impacting. The DEIS is inadequate because the problem of constructing towers in this confined area has not been studied, discussed, planned, drawn up or even sketched. If the DEIS is not to be believed, it is inadequate for this reason alone.

Response:

Section 5.6.2 of the DEIS describes potential visual and aesthetic impacts of the project and mitigation for those impacts. The DEIS recognizes that the visual profile of transmission line structures and wires may decrease the perceived aesthetic quality of property. Aesthetics refer to the natural and human modified landscape features or visual resources that contribute to the public's experience and appreciation of the environment. The level of impact to visual resources generally depends on the sensitivity and exposure of a particular (subjective) viewer and can vary greatly from one individual to the next. It is, therefore, difficult to predict to what degree a transmission line project would alter the perceived visual character of the environment, or view shed, and constitute a negative visual impact. A commonly used tool to gauge viewer response is based on the sensitivity and exposure of the viewer to a particular view shed as presented in Section 5.6.2 of the DEIS. Mitigation measures are presented in Section 5.6.3 of the DEIS including the option to bury or underground either the new or existing transmission line in that area. Three of the five proposed routes included in the DEIS would cross the Great River Road (County Highway 75). The DEIS did indicate that the proposed project has the potential to cause visual impacts, specifically to The Minnesota River National Scenic Byway. The visual impacts however were not determined to rise to the significance of detracting from the Byways' already established intrinsic qualities or de-designation under 23 U.S.C. Sec. 162. The goal of scenic byway corridor management is to carefully provide the proper balance between protecting the byway's natural, historic, cultural, and recreational resources for future generations while promoting economic development opportunities for the betterment of local government and local businesses. Actions that have explicitly been prohibited along scenic byways are the installation of outdoor advertising signs/devices. The route that crosses the river is proposed where there are already existing transmission lines. The Corridor Management Plan does not identify transmission line facilities as an issue of concern in their Corridor Management Plan. An example they do provide in the plan is the use of the Hydro-Axe roadside vegetation trimming equipment which leaves the vegetation mangled and unsightly for the season. The Alliance indicates that it is working with Mn/DOT to decrease the use of this equipment along the byway. A transmission line crossing in any of these areas would not have an impact on the qualities that led to the scenic designation of the two byways and was therefore not discussed further in the DEIS. However mitigation methods in these areas could be implemented such as strategic pole placement during final design as well as landscape or vegetation design to minimize any perceived aesthetic impacts as noted in Section 5.6.3 in the DEIS. As in any route permit application, final engineering for pole placements and construction requirements have not been full developed because a final route has not been determined.

COMMENT#:69 COMMENT SOURCE: LETTER**Carlos Lopez - Fish Lake Property Homeowners Association****Comment:**

On June 8, 2009, we, the Fish Lake Property Owners Association, Inc. (FLPOA), of Clearwater Minnesota, submitted a request, for an environmental impact study of the Fish Lake and Creek Basin area regarding the CapX2020 Route Permit Application. In 2007, Fish Lake was added to the biannually updated, federally required, 303D MPCA Impaired Water List, which lists the state's lakes and stream segments not support standards. Our lake association, through 18 years of tremendous volunteer efforts, has been working with state, local and non-profit agencies to develop and implement land use and surface water management practices.

Response:

A detailed study of the Fish Lake and Creek Basin area is outside of the scope of this EIS. However, additional discussion of the restrictions in this area (such as impaired waters, construction stormwater management, shoreland development requirements) and how such restrictions would impact the route selection process are included in the FEIS (see Section 3.10). According to Minn. Statute 216E.03 subd5. "No other state environmental review documents shall be required."

COMMENT#:70 COMMENT SOURCE: LETTER**Carlos Lopez - Fish Lake Property Homeowners Association****Comment:**

Our 2009, Lake Management Plan, developed through Wright County Healthy Lakes and Rivers Partnership, list mitigating negative impacts from the Fish Creek Basin, due to flooding from the Mississippi River, as our number one concern. Any development in the Fish Lake and Creek Basin areas would dislodge nutrients, remove valuable land in terms of absorption and filtration, and require removal and or future restriction of tree/shrub plantings, all of which would certainly increase the nutrient loading into Fish Lake. So again, the FLPOA, submits our request for an environmental impact study of the Fish Creek and Basin areas.

Response:

A detailed study of the Fish Lake and Creek Basin area is outside of the scope of this EIS. However, additional discussion of the restrictions in this area (such as impaired waters, construction stormwater management, shoreland development requirements) and how such restrictions would impact the route selection process are included in the FEIS (see Section 3.10). According to Minn. Statute 216E.03 subd5. "No other state environmental review documents shall be required."

COMMENT#:71 COMMENT SOURCE: LETTER**Carlos Lopez - Fish Lake Property Homeowners Association****Comment:**

The FLPOA has several concerns about the high voltage power lines passing through this area, either South or North of the current I-94, however; our greatest concern is the fatal blow such additional destruction of wet and grasslands, in this area would have on the water quality of an already impaired water way - Fish Lake. This area could not sustain pole “footprints” of up to eight feet in diameter and 30 feet deep without further degrading water quality. Any tree/shrub removal and or restriction on plantings by or near the basin and lake would also negatively impact water quality since they act as natural filters. We request a thorough environmental impact study of the Fish Lake and Creek Basin area.

Response:

The EIS contains an analysis of the route area involved with the proposed project alternatives. It is beyond the scope of this EIS to prepare an environmental impact study on the Fish Lake and Creek Basin area. However, additional discussion of the restrictions in this area (such as impaired waters, construction, stormwater management, shoreland development requirements) and how such restrictions would impact the route selection process are included in the FEIS (see Section 3.10). According to Minn. Statute 216E.03 subd5. “No other state environmental review documents shall be required.

COMMENT#:72 COMMENT SOURCE: LETTER**Carol Overland - Legalectric****Comment:**

The common name for this project is a misnomer – electricity would flow from St. Cloud to Monticello, not Monticello to St. Cloud – the name should be St. Cloud to Monticello. Elementary laws of physics belie fact that the direction of electrical flow is contrary to the name of this route. That should be corrected and public perception should thereby be corrected.

Response:

Electricity is an electromagnetic field that does not “flow” in any physical sense. Energy is generated at generation facilities and transmitted throughout the electrical grid to multiple points of demand. Therefore, whether it’s Monticello to St. Cloud or St. Cloud to Monticello makes no difference. To the extent there can be any directionality associated with electrical energy, by analogy, it would be from points of generation to points of demand. Since there are no major generating facilities in St. Cloud but there are in the area of Monticello and the Metro area in general, Monticello to St. Cloud is a rational name.

COMMENT#:73 COMMENT SOURCE: LETTER**Carol Overland - Legalectric****Comment:**

As you know, CapX 2020 Phase I is the largest transmission project in the history of the State of Minnesota, over 600 miles long and a cost approaching \$2 billion. It is false compartmentalization to claim that only the St. Cloud-Monticello portion of the Capx 2020 Phase I proposal is at issue for this environmental review – the entire project as proposed is subject to review as a phased and connected action, a part of a whole. The EIS must address impacts of entire CapX 2020 Phase I as granted a Certificate of Need -- It's all connected. The CapX 2020 project segment granted a Certificate of Need northwest of the Metro was the Fargo to Twin Cities project, not St. Cloud to Monticello. The St. Cloud-Monticello EIS must address the phased and connected project that is the Fargo-St. Cloud transmission line. As you know, the application for routing of this Fargo-St. Cloud project has been received and is moving forward. It is planned, applied for, and NOT speculative. The EIS must address phased and connected transmission projects. The St. Cloud-Monticello EIS must address the “phased and connected” projects revealed in Xcel/GRE 4/3 Press Release (Attachment A) and the MTO Transmission Plan – the three projects in the Dakotas connecting with the Fargo terminus of this project have a direct impact on the impacts of this connected line. This group of projects is planned and not speculative. CapX 2020 was developed as a whole, applied for as a whole and Certificate of Need granted as a whole. CapX 2020 was studied and developed as a whole¹. This map, Attachment A, is from a CapX 2020 power point presentation to MAPP NM-SPG planning group on June 14, 2006. The blue solid lines are “Phase I,” applied for in the Certificate of Need proceeding before the MN PUC, order granting Certificate of Need May 22, 2009. The blue dotted lines are future lines, some of which were announced April 3, 2009. Attachment B is the April 3, 2009, press release regarding those lines. A copy of this chart above is an integral part of the Application, “Technical Report” and record in the CapX 2020 Certificate of Need proceeding before the PUC. The Antelope Valley- Jamestown-Maple River (Fargo)-Alexandria-Benton County line is listed in the 2005 Biennial 1 See CapX 2020 Certificate of Need Application, Appendix A-1, available online at: CapX2020 Technical Update: Identifying Minnesota’s Electric Transmission Infrastructure Needs (October 2005) 4 Report filed by Transmission Utilities (p. 36); the CapX 2020 Certificate of Need Application, App. A-1, Technical Update October 2005, and the CapX PowerPoint update, June 14, 2006. Over and over and over, the Antelope Valley-Benton County line, the Minnesota part of which is Maple River-Benton Co. is presented as just one part of an inextricably linked inseparable network of transmission lines.

Response:

This environmental impact statement is being prepared pursuant to the state High Voltage Transmission Line Routing rules, MR Chapters 7850 and 7849. While connected actions is a concept encompassed by NEPA and the general state environmental review rules in Chapter

4410, This review is not required to address all segments of the potential transmission grid under the state HVTL routing environmental review rules. Environmental review is done on the line for which a route permit is applied for, including alternatives to that route.

COMMENT#:74 COMMENT SOURCE: LETTER

Carol Overland - Legalectric

Comment:

The RUS EIS must address impacts on river crossings of the Mississippi River and National and Minnesota Scenic Byways. As with the Brookings CapX transmission line, the Monticello routes would cross the Minnesota Scenic Byways, in this case the Great River Road. There is a likelihood that the Great River Road would lose its “Scenic Byway” designation if defaced by transmission lines. The potential for economic impact must be specifically quantified. The state of Minnesota receives over \$10 million annually for its National Scenic Byways, and this number must be addressed not only in the section on Aesthetics, but in the Socioeconomic Impacts section. Coverage of these economic impacts must receive separate attention in the appropriate category. USE NUMBERS! The state’s Scenic Byway designation may also be at risk. This would also mean loss of an important resource and loss of funding. These impacts must be addressed in the appropriate categories, with socioeconomic impacts disclosed with specificity. Even if routed away 5 from the Scenic Byways, the height of the towers would have an impact on the Great River Road, and any impacts must be mitigated.

Response:

Possible mitigation for impacts to the Great River Road is discussed in Section 5.6.3 of the DEIS. Potential impacts on scenic values are acknowledged in the DEIS and will be part of the record considered by the PUC in its route selection decision. Potential loss of funding for scenic byway improvements is speculative but is an issue for consideration. The Applicant Preferred Route may allow placement of the transmission line south and west of the Great River Road so that it does not lie between the River Road and the Mississippi River; this area provides most of the scenic value. Routes A and B provide more opportunity for placement farther from the Great River Road. Route D would include two river crossings which would require a permit from the MnDNR which could include conditions relating to mitigation for impacts to scenic values. In addition, the OES notes that this process consists of a state EIS under the HVTL routing rules there is not a federal National Environmental Policy Act review requirement.

COMMENT#:75 COMMENT SOURCE: LETTER

Carol Overland - Legalectric

Comment:

Project Purpose- Statements of “project purpose” such as that on p. 1-2 should state “claimed” or “purported” rather than parrot applicant’s statements.

Response:

OES has reviewed Applicant's statement of purpose and found it to represent the project need as established in the Certificate of Need PUC Docket No. 06-1115.

COMMENT#:76 COMMENT SOURCE: LETTER

Carol Overland - Legalectric

Comment:

Undergrounding is discussed generally on p. 63. It starts off with an unreasonable limitation: Underground lines are a viable transmission construction option where there are significant aboveground constraints that would make overhead transmission line construction difficult or impossible. *A full analysis of underground options, including location, configurations and cost, for all proposed river crossings should be included in the EIS. If there are other non-aerial options that are not underground, these should be analyzed as well. *A full analysis of underground options, including location, configurations and cost, should be considered for all densely populated areas. If there are other non-aerial options that are not underground, these should be analyzed as well. *Underground lines are viable independent of "significant aboveground constraints." This statement should be corrected. *The discussion of undergrounding does not address the Comments of US Fish and Wildlife and others regarding "non-aerial" crossings of the Mississippi River. *Applicants repeatedly state that they cannot underground 345kV lines. This is false. Applicants could, they just do not want to underground, and will if ordered or if an agreement is reached, such as that in the Chisago Transmission Project docket. The prior undergrounding experience of applicants should be incorporated into the EIS. *A recent report, released February 24, 2010, sheds light on underground, where undergrounding was found to be feasible and not as expensive as previously thought. This report, from the Alberta Electric Service Operator is available online², and the findings of this report regarding undergrounding of high voltage transmission must be incorporated into the EIS. See Attachment B, p. 28-32 and Table 45, §12.2, Technical Report by CCI: Feasibility Study for 500 kV AC Underground Cables for Use in the Edmonton Region of Alberta [Posted: February 24, 2010]. Underground 2 The iterations and comments and the full report are available on the AESO Feasibility Study for 50kV Underground Cables page: <http://www.aeso.ca/transmission/20001.html> 6 was also considered for part of the Mid-Atlantic Power Pathway, a 500kV transmission line, since suspended by PEPCO, the project promoter. *Section 5.6.3 Mitigation states on p. 107 and 108 that "undergrounding could be considered." This is insufficient. Consider it, and compare impacts and costs with aerial crossings. *In the narrative, the narrative regarding EMF, p. 5-144, states that underground lines still generate electric fields. Specifics should be disclosed in this narrative, because the amount detectable above ground is diminimus compared to above ground.

Response:

The DEIS explains the rationale as to why putting the transmission line underground is not included as an alternative in the impacts analysis. There are multiple factors including cost, maintenance problems, access, more disruptive construction effects, etc. Therefore, at this time OES does not perceive any situations where undergrounding has sufficient benefit to outweigh the numerous disadvantages. The Applicant has included a study in their Supplemental Testimony specifically addressing the issues and costs for undergrounding 345 kV transmission lines.

COMMENT#:77 COMMENT SOURCE: LETTER

Carol Overland - Legalectric

Comment:

Impacts analysis is skewed because the “route” in question is but a SMALL part of the Fargo to Benton County route that was granted a Certificate of Need, impacts are skewed. For example, river crossings are viewed through a microscope rather than a larger view showing all the impacts of the full transmission line, and full range of river crossings by this one connected project are not considered, i.e., crossings of Mississippi AND Red River, etc.. This skewing must be addressed. Because the “route” in question is but a SMALL part of the Fargo to Benton County route that was granted a Certificate of Need, costs are skewed. Undergrounding part of the route, if considered as mitigation, would have a much higher percentage of cost than if the entire line were considered. Undergrounding a small part might increase costs by 25-30% of the full line, as opposed to only 5% if the cost of the entire project were considered. This skewing must be addressed in the EIS. Impacts analysis is not sufficient Generally, the impacts analysis is not sufficient and impossible to compare the various alternatives. There is not sufficient quantification to compare impacts. Impacts are not sufficiently specific to identify. Impacts should individually be labeled as temporary and/or permanent and weighted accordingly.

Response:

See responses to comments - 163 & 166. The DEIS presents the facts and analysis within the scope of the EIS. The information is as complete and accurate as currently achievable.

COMMENT#:78 COMMENT SOURCE: LETTER

Carol Overland - Legalectric

Comment:

Cost information and analysis is insufficient The narrative text and tables, cost “matrix” in Appendix I, provides only estimated totals and no detail whatsoever. The chart provided does not give enough information to determine why one line would cost more than another, other than apparent length. Other considerations add to cost, for example, turning corners requires more robust structures and hence, higher cost. Structures capable of double circuiting are more

expensive. Foundations in sandy soil or wetlands could require additional engineering and materials, and cost more. Structures for large spans must also be more robust and cost more. These considerations must be addressed; the cost estimates must be itemized, etc., in sufficient detail to compare costs of the various alternatives. Staff analysis of project costs must also include costs such as the cost of loss of Byway funding, costs of mitigation, etc. Costs of mitigation must be addressed up front to determine adequacy, if not, impacts may be left unmitigated and who will pick up the tab? ROW acquisition costs vary widely and should be addressed. Routing up against ROW means cutting ROW acquisition costs almost in half where only 75 or so feet needs to be acquired. Railroad ROW use is sometimes leased. Lease cost should be factored in. Buy the Farm estimate should be included in cost.

Response:

The conceptual cost estimates in the DEIS are based on the limited conceptual design available at this time. Detailed costs for a transmission line require more detailed design information. These estimates are sufficient for identifying potential cost distinctions between routes. Similarly ROW costs can only be estimated in a general manner at this time. Mitigation requirements vary by the actual level of impact; the specific impacts depend on the final route selection and the ultimate alignment of the transmission line. Detailed mitigation costs cannot be developed at this stage of the project.

COMMENT#:79 COMMENT SOURCE: LETTER

Carol Overland - Legalectric

Comment:

Mn/DOT concerns must be considered and weighted Mn/DOT has a Policy of Utility Accommodation and statutory restrictions on sharing of Rights of Way. In the Brookings CapX environmental review and routing, the Mn/DOT concerns are likely determinative in routing, the issues raised such as scenic easements and Right of Way sharing constricted the range of routing alternatives. These concerns should have been addressed earlier in the process so that only realistic routes would be reviewed. In the Brookings docket, the Preferred route contained a LeSueur crossing that given Mn/DOT comments, was clearly not realistic and much time was wasted on its review. Worse, the Belle Plaine route did not get adequate attention and there were no hearings in that area. DON'T MAKE THE SAME SERIOUS ERROR IN THIS DOCKET. Specifically identify areas where planned route is not feasible due to Mn/DOT considerations. Remove infeasible routes from consideration.

Response:

The routes evaluated in the DEIS are all technically feasible. Furthermore, coordination between the Applicant, OES, and Mn/DOT continues in order to identify the appropriate limits to place upon the route that will limit impacts to transportation facilities.

COMMENT#:80 COMMENT SOURCE: LETTER**Carol Overland - Legalectric****Comment:**

Conductor blowout is a factor in DOT corridor sharing that was not adequately addressed by applicants or the EIS in the Brookings docket. A birds-eye blowout diagram, such as the one provided in Poorkers Post Hearing packet should be included in the EIS. However, the birds-eye blowout diagram was inaccurately drawn and measurements were from the centerline, not the connecting point of the conductor, and this should be corrected.

Response:

Conductor blowout is discussed in Section 5.13 of the DEIS.

COMMENT#:81 COMMENT SOURCE: LETTER**Carol Overland - Legalectric****Comment:**

The appendix contains information regarding ozone levels and a letter from the MPCA regarding Minnesota's potential status as an attainment area. This line, the St. Cloud to Monticello line, as part of the Antelope Valley-Jamestown-Maple River (Fargo)-Alexandria-Benton County line of the CapX 2020 Vision, will enable increased emissions in North Dakota that will contribute significantly to the ozone levels in Minnesota. This ozone impact must be addressed.

Response:

Once constructed the transmission line will be part of a much larger transmission grid. To the extent the grid has the capacity to transmit more energy; there will be potential for more generation facilities. However, most of the energy development in the Dakotas involves wind projects which are not significant sources of ozone or ozone precursors. There is no basis for a projection of effects on ozone levels.

COMMENT#:82 COMMENT SOURCE: LETTER**Carol Overland - Legalectric****Comment:**

Electromagnetic field – charts in EIS are way off - Electromagnetic fields are grossly under estimated in this EIS, as they were in the Brookings EIS. Table 5-62 presumes amperage levels that are so low as to be laughable – the project won't even be operational by 2011, yet this is the year chosen. Of course amps are low. This issue was raised in the Brookings line, and this EIS reflects the same error. MOES SHOULD CONSIDER ITSELF ON NOTICE THAT THE AMPERAGE VALUES PROVIDED BY APPLICANTS REQUIRE INDEPENDENT

VERIFICATION AND REVIEW AND THE MODELING MUST BE PERFORMED AGAIN. See Attachment C and D, from the SW MN 345kV project and the Certificate of Need for CapX 2020. The lines are double circuited or single circuited 345kV 954kcmil ACSS twin-bundled conductor, with thermal limit amperage range from Attachment A's 1729-1745 amps (single circuit), or Attachment B's 3700 amps (double circuit). Accepting utility information without independent verification and independent calculation based on conductor specifications is insufficient and irresponsible. Recalculate magnetic field levels for thermal limit amperage range. Recalculate magnetic field levels for a year that the project will be operational, and five years out, i.e., 2014 and 2019. Revise charts to include both utility provide amperage and thermal limits range.

Response:

OES had specific discussion and information exchange on the issue of operating conditions (amperage) used for EMF calculations with Applicants. The information originally submitted was revised upward to what appears in the DEIS. The Applicants project these values as typical average and peak operating values for 2015. Using the thermal amperage limit would not be representative of any long term operating condition. It would only represent a very unlikely and brief short term event. Therefore OES believes the values used are appropriate.

COMMENT#:83 COMMENT SOURCE: LETTER

Carol Overland - Legalectric

Comment:

Noise - The noise section, §5.22, does not address substation noise with any specificity, nor does the application. In the Arrowhead transmission project, a 345kV line, the substation was found to have potential to be "annoying" and although levels were modeled and expected to be just under the MPCA guidelines, mitigation was ordered in the Exemption Order. Establish specifications for all substation equipment, including transformers, switching gear, etc. Perform noise modeling based on equipment specifications. Include chart with substation noise modeling in the FEIS. Address substation mitigation techniques, including but not limited to a contained building, walls, berms and evergreen plantings.

Response:

Transformers used at substations associated with 345 kV transmission lines emit noise because the plates inside the transformers oscillate as electricity flows through them. The frequency of that oscillation (and the resulting sound) is a harmonic of the frequency of the system (i.e. 220 cycles/second or Hz). In this regard, transformer noise is considered tonal. Typically, transformer noise is not loud enough to exceed MPCA noise standards. Siting a transformer on the inside of the substation property, and therefore farthest away from adjacent property lines (and homes) is one way to minimize the amount of noise that propagates off-site. Tonal noises can sometimes stand out from the ambient acoustic environment, and can sometimes be perceivable even when they do not exceed MPCA noise standards. The MPCA noise standards

do not regulate tonal contents of environmental noise, and therefore noise mitigation measures are not recommended. Substation noise was evaluated using a spreadsheet noise model which predicts noise from noise sources at increasing distances. Representative transformer type noise levels were taken from “The Electrical Power Plant Environmental Noise Guide” (c.1978 Edison Electric Institute, Bolt Beranek and Newman Inc.). This model determined that the minimum receptor off-set distance needed to comply with MPCA Noise Guidelines was 500’. The table below details noise levels at increasing distances from the substation.

Transformer at 1 Meter (Leq)	Receptor Noise Levels at Distance (dBA)				
	250’	500’	1000’	2000’	3000’
83	55	50	46	41	39

At this time the location of the substation and transformers is not finalized. However, final siting decisions can include a 500’ off-set distance as a siting criterion. This minimizes the potential that transformer noise will exceed MPCA noise standards at the closest residential land use. Residences are quite infrequent in or near the siting areas. The proposed substation will occupy approximately 15 acres of a 40 acre site. The additional acreage will provide the applicant the flexibility to locate the substation to avoid noise receptors.

COMMENT#:84 COMMENT SOURCE: LETTER

Carol Overland - Legalectric

Comment:

Substations - Section 3.3 of the DEIS addresses substation, but contains no information about design, whether either are enclosed or open, fenced, ringed with evergreens, nothing whatsoever. There is no drawing or computer simulation. The EIS should contain: Substation physical description (not just description of equipment), line drawing, plot plan, and drawing showing completed substation including fence, building, trees, etc. As above, noise modeling Review of lighting plan Substation lighting - Light can be regarded as pollution. Frequently substations are lit up like a spacestation or refinery. There is no information in the EIS about substation or other lighting for this project. The EIS must include a lighting plan and an analysis of lighting impacts.

Response:

The information presented in the DEIS was developed using the information available at this time and is sufficient for the purpose of route selection.

COMMENT#:85 COMMENT SOURCE: LETTER**Carol Overland - Legalectric****Comment:**

Property Values - Where an EPRI report states that property values could be affected by up to 20%. That report should be taken with great weight. Section 5.2.2 - It is not reasonable to make a blanket statement that there are no anticipated effects on property values. The EIS should contain: A range of property devaluation scenarios. Socioeconomic discussion should address impacts of devaluation to individual landowners. Socioeconomic discussion should address impacts of devaluation to tax base of local governments. Costs above should be addressed in the project cost section of the EIS.

Response:

No effect does not accurately represent the opinion of OES, however, the DEIS text has been revised (see Section 3.3 of the FEIS) to reflect more recent research on the effect of transmission line proximity on property values. A review of studies on the subject conducted over a 25-year period indicates that when a negative effect to property values occurs, it is generally limited in distance and temporary. Specific effects to individual properties will be determined during the right of way and easement acquisition phases of the project.

COMMENT#:86 COMMENT SOURCE: LETTER**Carol Overland - Legalectric****Comment:**

Impingement of future development A transmission line can be a barrier to development. The EIS should include: Examine the Comprehensive Plans of affected counties, cities and townships. Identify areas within expansion zones of cities, using maps to show impacts. Address impacts on existing and planned development plans. Address costs of impingement of future development and include in cost section of EIS

Response:

Comprehensive plans for the affected jurisdiction were considered in the analysis and the text has been revised to show this (see Section 3.4 of the FEIS). Areas where it was determined that the transmission line route could negatively affect specific land use types were identified in a qualitative analysis. These areas are predominantly on the edges of the incorporated areas near the highway where growth is planned and would logically occur. Specific types of future development are not known and therefore costs relating to potential land use conflict cannot be determined.

COMMENT#:87 COMMENT SOURCE: LETTER**Carol Overland - Legalectric****Comment:**

Inadequate Notice of Intervention window and various avenues of participation MOES did not provide sufficient notice to affected parties and local units of government regarding the opportunity to Intervene and rights and responsibilities of Intervention.

Response:

Notice of intervention is conducted by the Office of Administrative Hearings.

COMMENT#:88 COMMENT SOURCE: WEBSITE**Chris Miller - Minnesota Mississippi River Parkway Commission****Comment:**

The MN-MRPC has submitted recommendations and comments on the proposed Monticello-St. Cloud route on three occasions: 1) Letter to Project Manager David Birkholz on 10/22/09; 2) Letter to William Glahn and Deborah Pile, MN Office of Energy Security, on 1/11/10; and 3) Comments and recommendations read and submitted by MN-MRPC Commissioner Karl Samp at the public meeting on the draft EIS, February 9, 2010. 2 The communications listed above all identified concerns related to significant and damaging impact of the Preferred Route on the intrinsic qualities of the Great River Road National Scenic Byway. Regarding the testimony provided by the Applicant on February 1, 2010, we disagree with certain statements made as noted below and provide our response and concerns.

Response:

Three of the five route alternatives impact the Great River Road as discussed in Section 5.6.2 of the DEIS. Once the final route is selected, final alignment and other mitigations can be employed to address visual impacts if applicable.

COMMENT#:89 COMMENT SOURCE: WEBSITE**Chris Miller - Minnesota Mississippi River Parkway Commission****Comment:**

Testimony stated: The Preferred Route was selected because it impacts fewer homes, makes better use of existing rights-of-way, minimizes impacts to agricultural land uses, minimizes impacts to natural resources and archaeological sites and is shorter in length which reduces costs (p. 10, lines 2 -5). The Applicants have reviewed the proposals presented by the public and ATF during the EIS scoping process and do not believe any of the alternatives is a more prudent and reasonable alternative than the Preferred Route (p. 11, lines 4 --6) MN-MRPC response: The Preferred Route has significant impact to natural, recreational and scenic resources along the

Great River Road, primarily the rural landscape, the wooded right of way between I-94 and the Great River Road and the Mississippi River Trail (bicycle route) which contributed to the original placement of the byway. Other existing rights-of-way should be investigated including the area along TH 10/railroad corridor and existing utility line corridors on the east side of the Mississippi River.

Response:

Comment noted.

COMMENT#:90 COMMENT SOURCE: WEBSITE

Chris Miller - Minnesota Mississippi River Parkway Commission

Comment:

Testimony stated: But the future of federal funding for the National Scenic Byway projects is not clear (p. 29, lines 22 -- 23); In December 2009, Congress passed the Consolidated Appropriations Act, 2010, which generally appropriated funds for transportation, but no funds were earmarked for the National Scenic Byways program (p. 30, lines 2 -- 5). MN-MRPC response: Solicitations for 2010 grants under the National Scenic Byways Program were announced in late January 2010. According to the America's Byways Resource Center, there is no plan to discontinue the funding program. The grant program has grown from \$10M in 1992 to \$40M in 2009. And grants are only one of the many benefits National Scenic Byway designation provides. The recent solicitation noted, "In selecting projects, the FHWA will consider projects that can demonstrate a value-added livability component. In recognition that livable communities are affected at the projects level, we invite projects that integrate corridor management planning with larger transportation and community planning efforts that will improve mobility within and among byway communities; increase access to jobs, health and social services, tourism and educational opportunities; and projects that improve mobility by providing alternatives to vehicular travel along byways that enhance the visitor experience." New high voltage power lines do not enhance the visitor experience, and would clearly negatively impact the byway traveler experience, visually, emotionally, spiritually and physically by transforming the landscape from an oak savanna lined rolling rural landscape to a clear cut barren utility corridor. In addition to designating this corridor the Great River Road National Scenic Byway, the State of Minnesota designated much of the area along the preferred alignment as a Wild, Scenic and Recreation River. Clearly the state has long held this to be a special stretch of the Mississippi River and as such should not allow it to be destroyed by transforming it into a high voltage transmission corridor.

Response:

The DEIS presents multiple alternatives including routes that avoid impacts to the Great River Road and areas of the river designated as Wild and Scenic. River crossings in the Wild and Scenic River designated area are co-located with existing transmission lines. Section 5.6.3 includes co-location with existing transmission lines and undergrounding versus aerial river

crossings could be considered. Mitigation for crossing scenic and recreational waterways is presented in Section 5.10.3.

COMMENT#:91 COMMENT SOURCE: WEBSITE

Chris Miller - Minnesota Mississippi River Parkway Commission

Comment:

Of great concern is stray voltage as a possible source of direct harm to byway travelers, bicyclists, motorcyclists, and visitors to river amenities. Further tourism employment, currently on the rise in the Mississippi River corridor, can only be adversely impacted by the preferred alignment.

Response:

Section 5.23 of the DEIS discuss electric and magnetic fields and stray voltage, and section 5.24 discusses implantable medical devices. The predicted electric and magnetic field strengths are considerably less than recommended exposure guidelines. Manufacturers of medical devices have indicated that electric fields below 6 kV per meter are unlikely to affect their devices.

COMMENT#:92 COMMENT SOURCE: WEBSITE

Chris Miller - Minnesota Mississippi River Parkway Commission

Comment:

Testimony stated: Q. Does the 2000 study reference any resources directly adjacent to CSAH 75, or the scenic qualities of the roadway? A. Not specifically, no. In fact, the road 3 appears to be described primarily as a conduit to provide access to the destination points of the Mississippi River and various communities along the route. In addition, at pages 5-- 35, the DEIS confirms that motorists who see transmission lines from a roadway ordinarily experience low visual sensitivity to such utilities (p. 32, lines 2 -- 4). MN-MRPC response: The vision of the National Scenic Byways Program is to create a distinctive collection of American ROADS, their stories and treasured places. The fact that the National Scenic Byways Program is administered by the Federal Highway Administration clearly demonstrates the importance of roadways to the existence of the program. The Mississippi River is of course a main focal point, but the actual roads form the byway, carry the byway traveler and provide a major visual experience. In fact the Great River Road is itself a contributor to the historic nature of the byway experience, established in 1938 to honor and make available to our citizens the great river of our Nation: the Mississippi River. The road is a recreational resource that courses 575 miles through 21 counties and 60 Minnesota Communities, each benefitting from the critical mass of Minnesota's collection of Mississippi River places. Each place, including the stretch from Monticello to St. Cloud is unique and offers special experiences that collectively comprise the Great River Road.

Response:

Comment noted.

COMMENT#:93 COMMENT SOURCE: WEBSITE**Chris Miller - Minnesota Mississippi River Parkway Commission****Comment:**

This stretch is marketed as Scenic Mississippi, a reference to Minnesota designating much of it as a Wild, Scenic and Recreation River. Our recreational places are, in many ways, refuges from the other world we grind our way through. Why not improve both the world we work and live in as well as protect the landscapes in which we play? Or rather why permit it to be destroyed? Attractive places do not happen by accident. Choices and decisions are made on a daily basis that have influence on the visual appearance and character of our surroundings;our towns, our neighborhoods, our streets, our public lands, our byways: the places we all have pride in, the places we want to recreate in. The scenic character of our natural and built resources are more important now than ever. They are part of our national identity and this corridor is one of Minnesota's most visible opportunities to offer a positive curb appeal to visitors and residents. This corridor helps define America the Beautiful. As such the MN-MRPC requests a video visual impact simulation of the proposed lines and associated vegetation impacts from the vantage point of the both car traveler and bicyclists in motion along the Great River Road prior to further consideration of the preferred alignment. In summary: The Great River Road is one of the oldest, longest and most unique Scenic Byways in North America. It is nearly 3,000 miles long, starting here in Minnesota, the headwaters state. Minnesota has the longest stretch of Great River Road of any state -- 575 miles. It is a significant part of our state's history and future and must be preserved. The Great River Road was designated along the east side of the Mississippi in the Monticello to St. Cloud area for specific reasons, including avoidance of existing utility, highway and rail corridors. Mitigation: Other existing rights-of-way should be investigated including the area along TH 10/railroad corridor and existing utility line corridors on the east side of the Mississippi River. 4 The MN-MRPC requests a video visual impact simulation of the proposed lines and associated vegetation impacts from the vantage point of the both car traveler and bicyclists in motion along the Great River Road prior to further consideration of the preferred alignment. The MN-MRPC requests that a route along TH 10 be investigated, along with a route utilizing existing utility lines on the east side of the Mississippi River; in keeping with current non-proliferation statutes.

Response:

Three of the five routes have potential impacts on areas designated as Scenic and Recreational River Districts. The final route has not been selected at this time. Once the final route is selected, final alignment and other mitigations can be employed to address visual impacts if applicable. Your comment will be included in the record considered by the administrative law

judge and the PUC. In addition, the Applicant has produced and submitted the record Google Earth Flyovers of each of the routes as a comparative overhead view of impacts.

COMMENT#:94 COMMENT SOURCE: WEBSITE

Chris Miller - Minnesota Mississippi River Parkway Commission

Comment:

Placement of high voltage power lines along CSAH 75 is in direct conflict with the designation of the byway itself. We also have concern about affects of stray voltage on our byway travelers, including bicyclists. The MN-MRPC requests that a route along TH 10 be investigated, along with a route utilizing existing utility lines on the east side of the Mississippi River; in keeping with current nonproliferation statutes.

Response:

Section 5.23 of the DEIS discuss electric and magnetic fields and stray voltage, and section 5.24 discusses implantable medical devices. The predicted electric and magnetic field strengths are considerably less than recommended exposure guidelines. Manufacturers of medical devices have indicated that electric fields below 6 kV per meter are unlikely to affect their devices.

COMMENT#:95 COMMENT SOURCE: LETTER

David Graning - City of Becker

Comment:

The DEIS introduction states there was an advisory task force that consisted of a 15 member committee which included five township officials, six city officials, two county officials, a program manager from the Federal Highway administration (FHWA) and the Utilities Director from the Minnesota Department of Transportation (Mn/DOT).” What the DEIS fails to address is that the township, city and county officials only consist of representatives from Stearns and Wright Counties and cities and townships within those two counties. Sherburne County, and the townships and cities within Sherburne County were never even notified of the Transmission Line, or the route along the Mississippi River through Sherburne County, much less invited to participate in a task force that ultimately located a route through its jurisdictions. In act, even after the route (route D) was identified by the task force members, Sherburne County and its affected jurisdictions were never contacted by the Office of Energy Security and of the overall project or that there is a proposed route D running through our communities.

Response:

Alternative Route D was added as part of the results of scoping, therefore the draft EIS included evaluation of this alternative. The opportunity to comment is during the comment period on the draft EIS. The entire DEIS record including comments will be passed on to the administrative law judge.

COMMENT#:96 COMMENT SOURCE: LETTER**David Graning - City of Becker****Comment:**

There are existing 115 kV and 345 kV lines running through Becker Township. From a safety and reliability standpoint it does not appear that concentrating those lines and a new 345 kV line in one location is the best option. Also, locating new transmission lines along existing transmission line routes would appear to increase the amount of electric and magnetic fields people around these high voltage lines would be exposed to. The DEIS does not address the cumulative exposure levels if new HVTL are located alongside existing transmission lines. We request these two issues be addressed with the DEIS

Response:

Reliability issues of parallel transmission lines were addressed in the Certificate of Need process and the scoping decision for this EIS. The cumulative EMF levels from the addition of this proposed transmission line in Becker Township will be negligible at the transmission line ROW. Depending on the operational phases of the adjacent lines, there is potential for a minimal increase in EMF in the area between the existing and new transmission lines. It is not predicted that this increase will contribute to increased exposure to EMF by the public.

COMMENT#:97 COMMENT SOURCE: LETTER**David Graning - City of Becker****Comment:**

Natural Heritage Information System records identify 15 threatened or endangered species within on mile of Route D which is higher than any proposed routes.

Response:

Comment noted.

COMMENT#:98 COMMENT SOURCE: LETTER**David Graning - City of Becker****Comment:**

Two segments of the proposed Route D are located within the Town's Recreational and Scenic River Overlay Districts. The County Township have worked diligently to protect our Mississippi River resource. Because of the location of Xcel Energy's Monticello and Sherco generating plants we have one of the few areas of the river that are pristine and undeveloped. We ask that the DEIS recognize that all disturbances and impacts to the "Great River" itself negatively impact the "Great River Scenic Byway". If the Mississippi River's natural features and amenities are not protected there is nothing scenic for the byway to draw from.

Response:

Possible mitigation for impacts to the Great River Road are discussed in Section 5.6.3 of the DEIS. Potential impacts on scenic values are acknowledged in the DEIS and will be part of the record considered by the PUC in its route selection decision. Potential loss of funding for scenic byway improvements is speculative but is an issue for consideration. The Applicant Preferred Route may allow placement of the transmission line south and west of the Great River Road so that it does not lie between the River Road and the Mississippi River; this area provides most of the scenic value. Routes A and B provide more opportunity for placement farther from the Great River Road. Route D would include two river crossings which require a permit from the MnDNR which could include conditions relating to mitigation for impacts to scenic values.

COMMENT#:99 COMMENT SOURCE: LETTER

David Graning - City of Becker

Comment:

Section 5.10 states no additional visual impacts are anticipated where the proposed route will parallel the existing line. The Township questions and asks that the DEIS reevaluate this determination as the existing 115 kV transmission lines are only 70 to 90 feet in height whereas the proposed 345 kV transmission lines are stated to be almost twice the height at 130 to 175 feet.

Response:

Visual impacts to the affected environment relative to the proposed structure height are discussed in Section 5.6.2 of the DEIS. Visual impacts where existing transmission lines are present considered that the viewers in the surrounding area were low sensitivity due to the presence of existing infrastructure. The final alignment has not been selected at this time. Once the final alignment is selected the Applicant can work with stakeholders to develop mitigation measures for visual impacts as presented in Section 5.6.3 as applicable.

COMMENT#:100 COMMENT SOURCE: LETTER

David Graning - City of Becker

Comment:

Section 5.5 of the DEIS addresses Land Based Economics but nowhere does the document address future economic impacts of the proposed Route D on the communities. Route D as proposed runs diagonally through land identified for future industrial development within the Township (please see the attached Becker Township Land Use map). The Town asks that the DEIS incorporate the Land Based Economic impacts for both short and long term, of Route D on our community and adjacent Becker Township.

Response:

The text in the Land Use and Zoning section of the DEIS has been modified to address the potential land use conflict at this location (see Section 3.4 of the FEIS). Transmission line corridors are generally consistent with existing and planned industrial land uses. However, the location of the proposed transmission line within the industrial development area could limit the type or size of development. Therefore Route D could have an impact on the development potential in this area. It would be necessary for the Applicant to closely coordinate with the city and township to ensure that an alignment within this corridor limits interference with specific land use and infrastructure plans.

COMMENT#:101 COMMENT SOURCE: LETTER**David Graning - City of Becker****Comment:**

Section 5.7 states that there are no parks along Route D. Snuffy's Landing is a well used natural city park that has a DNR boat landing which is located directly abutting Route D. Please amend the DEIS to incorporate this park facility.

Response:

Snuffy's landing has been added to the figures in Appendices C and D of the FEIS, and is discussed in Section 3.4 of the FEIS.

COMMENT#:102 COMMENT SOURCE: LETTER**Gary Hammer - Becker Township****Comment:**

The DEIS introduction states there was an advisory task force that consisted of a 15 member committee which included five township officials, six city officials, two county officials, a program manager from the Federal Highway administration (FHWA) and the Utilities Director from the Minnesota Department of Transportation (Mn/DOT)." What the DEIS fails to address is that the township, city and county officials only consist of representatives from Stearns and Wright Counties and cities and townships within those two counties. Sherburne County, and the townships and cities within Sherburne County were never even notified of the Transmission Line, or the route along the Mississippi River through Sherburne County, much less invited to participate in a task force that ultimately located a route through its jurisdictions. In fact, even after the route (route D) was identified by the task force members, Sherburne County and its affected jurisdictions were never contacted by the Office of Energy Security and of the overall project or that there is a proposed route D running through our communities.

Response:

Alternate Route D was added as part of the results of scoping, therefore the draft EIS included evaluation of this alternative. The opportunity to comment is during the comment period on the draft EIS. The entire DEIS record including comments will be passed on to the administrative law judge.

COMMENT#:103 COMMENT SOURCE: LETTER

Gary Hammer - Becker Township

Comment:

There are existing 115 kV and 345 kV lines running through Becker Township. From a safety and reliability standpoint it does not appear that concentrating those lines and a new 345 kV line in one location is the best option. Also, locating new transmission lines along existing transmission line routes would appear to increase the amount of electric and magnetic fields people around these high voltage lines would be exposed to. The DEIS does not address the cumulative exposure levels if new HVTL are located alongside existing transmission lines. We request these two issues be addressed with the DEIS.

Response:

Reliability issues of parallel transmission lines was addressed in the Certificate of Need process and the DEIS. The cumulative EMF levels from the addition of this proposed transmission line in Becker Township will be negligible at the transmission line ROW. Depending on the operational phases of the adjacent lines, there is potential for a minimal increase in EMF in the area between the existing and new transmission lines. It is not predicted that this increase will contribute to increased exposure to EMF by the public.

COMMENT#:104 COMMENT SOURCE: LETTER

Gary Hammer - Becker Township

Comment:

Natural Heritage Information System records identify 15 threatened or endangered species within one mile of Route D which is higher than any other proposed routes.

Response:

Comment noted.

COMMENT#:105 COMMENT SOURCE: LETTER**Gary Hammer - Becker Township****Comment:**

Two segments of the proposed Route D are located within the Town's Recreational and Scenic River Overlay Districts. The County Township have worked diligently to protect our Mississippi River resource. Because of the location of Xcel Energy's Monticello and Sherco generating plants we have one of the few areas of the river that are pristine and undeveloped. We ask that the DEIS recognize that all disturbances and impacts to the "Great River" itself negatively impact the "Great River Scenic Byway". If the Mississippi River's natural features and amenities are not protected there is nothing scenic for the byway to draw from.

Response:

The final alignment has not been determined at this time. One of the five routes presented in the DEIS includes river crossings. Three of the five route alternatives impact the Great River Road as discussed in Section 5.6.2 of the DEIS. Once the final alignment is selected visual impacts can be identified and mitigated if applicable in coordination with affected municipalities.

COMMENT#:106 COMMENT SOURCE: LETTER**Gary Hammer - Becker Township****Comment:**

Section 5.10 states no additional visual impacts are anticipated where the proposed route will parallel the existing line. The Township questions and asks that the DEIS reevaluate this determination as the existing 115 kV transmission lines are only 70 to 90 feet in height whereas the proposed 345 kV transmission lines are stated to be almost twice the height at 130 to 175 feet.

Response:

Visual impacts to the affected environment relative to the proposed structure height are discussed in Section 5.6.2 of the DEIS. Visual impacts where existing transmission lines are present considered that the viewers in the surrounding area were low sensitivity due to the presence of existing infrastructure. The final alignment has not been selected at this time. Once the final alignment is selected the Applicant can work with stakeholders to develop mitigation measures for visual impacts as presented in Section 5.6.3 as applicable.

COMMENT#:107 COMMENT SOURCE: LETTER**Gary Hammer - Becker Township****Comment:**

Section 5.5 of the DEIS addresses Land Based Economics but nowhere does the document address future economic impacts of the proposed Route D on the communities. Route D as proposed runs diagonally through land identified for future industrial development within the Township (please see the attached Becker Township Land Use Map). The Town asks that the DEIS incorporate the Land Based Economic impacts, both short term and long term, of Route D on our community and adjacent Becker Township.

Response:

The text in the Land Use and Zoning section of the DEIS has been modified to address the potential land use conflict at this location (see Section 3.4 of the FEIS). Transmission line corridors are generally consistent with existing and planned industrial land uses. However, the location of the proposed transmission line within the industrial development area could limit the type or size of development. Therefore Route D could have an impact on the development potential in this area. It may be necessary for the Applicant to closely coordinate with the city and township to ensure that an alignment within this corridor limits interference with specific land use and infrastructure plans.

COMMENT#:108 COMMENT SOURCE: LETTER**Gary Hammer - Becker Township****Comment:**

There is an existing farm homestead located immediately adjacent to the existing 115 kV line and directly underneath proposed 345 kV corridor. The house, farm buildings, and agricultural land of the farm would be severely impacted by the increased line voltage, height, and right of way width.

Response:

Comment noted.

COMMENT#:109 COMMENT SOURCE: LETTER**Gary Hammer - Becker Township****Comment:**

There is a large construction and demolition debris landfill, Vonco II, in Becker Township along 140th Avenue. The proposed Route D would impact the airspace of the landfill which would result in much less operating capacity. The cost for this impact does not appear to have been taken into consideration in the DEIS, please include this analysis in the final document.

Response:

Minnesota Rules require that the cost analysis for each route include the cost of constructing, operating and maintaining the High Voltage Transmission line. This analysis is included in Section 1.6 of the EIS. In addition, the final alignment has not been selected. The applicant can be directed by permit condition to work with the landfill owner if this route is selected.

COMMENT#:110 COMMENT SOURCE: LETTER

Jack Gallagher - Clear Lake Township

Comment:

This letter contains comments from the Clear Lake Township regarding the proposed Monticello to St. Cloud 345 kV transmission line known as alternate route D. At our February 16th Township Board meeting the Board did pass a resolution opposing the placement of the transmission line on the east side of the Mississippi River. The following are the concerns of the Board. The proposed alternate D route for this transmission line goes directly through this farm land affecting 36 irrigation systems. There presently is a 115 kV transmission line running through this route which was installed in the 1950's and the farmers have designed the pivot irrigation systems to work around them. With another transmission line coming down this same route, pole settings will not align with the present pole settings and the irrigation systems will not be able to function. We are told that the proposed transmission line would require a 150 foot easement and with the 75 foot easement that is already in place for the 115 kV line there is no foreseeable way that the center pivot irrigation systems could operate. Without the water there would be no crops which ultimately led to farmers requesting changes in zoning laws so as they could sell the land to housing developers. We believe this country cannot afford to continue to lose food producing acres.

Response:

Comment noted.

COMMENT#:111 COMMENT SOURCE: LETTER

Jack Gallagher - Clear Lake Township

Comment:

The alternate D transmission line would run on the easterly border and parallel to the Clear Lake Township Park which consists of 36 acres and it would run directly through Sherburne County Park, known as Mississippi River Park, which is located in Clear Lake Township and consists of 63 acres.

Response:

These parks have been added to the figures in Appendices C and D, and is discussed in Section 3.5 of the FEIS.

COMMENT#:112 COMMENT SOURCE: LETTER**Jack Gallagher - Clear Lake Township****Comment:**

This alternate D route runs through the Wild Scenic River District and Natural Heritage Information Systems shows there are 15 different threatened or endangered species within one mile of route D. The proposed route D would cross the Mississippi River at two locations which would not only have an affect on the Wild and Scenic River District through excavation for the pole settings, but would create added costs to the project. If the other proposed route were implemented there would be no river crossings.

Response:

Comment noted.

COMMENT#:113 COMMENT SOURCE: LETTER**Jack Gallagher - Clear Lake Township****Comment:**

We as a township feel that as there presently is an 115kV transmission line running through this Township that placing new lines in this same vicinity may not be a good idea from both a homeland security perspective and/or as protection against natural events.

Response:

Comment noted.

COMMENT#:114 COMMENT SOURCE: LETTER**Jack Gallagher - Clear Lake Township****Comment:**

We would like to bring attention to the fact that Clear Lake Township was never notified by either the State of Minnesota or by the power companies that a transmission line route was being considered in our township. This was learned through a newspaper article. We were not asked to participate on the Advisory Task Force which was established by the MN Office of Energy Security nor were we asked for any input in the discussions. None of the members of the Advisory Task Force are residents of Sherburne County. We thank you for allowing us to provide our comments and hope you will give them strong consideration.

Response:

Alternate Route D was added as part of the results of scoping, therefore the draft EIS included evaluation of this alternative. The opportunity to comment is during the comment period on the

Draft EIS. The entire DEIS record, including comments, will be provided to the administrative law judge.

COMMENT#:115 COMMENT SOURCE: LETTER

David Meyers - Rinke Noonan

Comment:

Attached and submitted as part of the comments on the Draft EIS is a copy of Haven Township Resolution No. 2010-02, dated February 22, 2010. Please include this Resolution as the official comment from Haven Township.

Response:

The details of final alignment have not been developed yet, once the route is approved the project will go through a phase of final design and property acquisition. Your comment will be in the record considered by the PUC.

COMMENT#:116 COMMENT SOURCE: LETTER

Virgil Hawkins - Wright County Dept of Highways

Comment:

We are writing to you because we have concerns over the routes being considered for the proposed Monticello to St. Cloud 345 kV Transmission line. Specifically, we are concerned about potential impacts to the Wright County Highway System, as some of the routes being considered would either be located along or cross several of the Wright County Highway right-of-way. We offer the following comments: 1) Right-of-Way permitting would be needed for any crossings of Wright County Highway right-of-way, or locations that there would be any airspace overhang within the County Highway right-of-way. 2) We are concerned about the potential pole locations. The pole locations should be located sufficiently far enough away from existing Highways to accommodate future highway improvements/expansion, such as potential future interchange at Orchard Road in Monticello.

Response:

Comment noted. If the PUC selects a route that could impact Wright County Highway right of way, it will be a condition of the route permit that the Applicant obtain all necessary County approvals/permits.

COMMENT#:117 COMMENT SOURCE: LETTER**Virgil Hawkins - Wright County Dept of Highways****Comment:**

The abandoned railroad bed, between the Cities of Clearwater and Monticello, has been discussed as a potential route for the recreational trail systems of the two cities. Consideration should be made to avoid any impacts to this potential future recreational facility. We trust that these review comments will be helpful to you, and please call me if you have any questions regarding these comments.

Response:

Comment noted.

COMMENT#:118 COMMENT SOURCE: LETTER**Brian Sanoski - Wright Soil and Water Conservation District****Comment:**

The Wright Soil and Water Conservation District (SWCD) has reviewed the EIS, proposed alternate routes, and comments in regards to this matter. Given the approaching deadline to submit comments in regards to the EIS the District encourages and supports the contents of this letter to be incorporated with comments submitted for Wright County. In regards to the land disturbing activity where the poles will be installed in the ground the District believes it may be of value to observe the topography of the northern part of the Wright County. The topography in these areas can visibly be seen as rolling hills. Placement of poles on these hillsides may require additional grading and excavation which increases the 55 sq ft impact being proposed in the EIS. Impacts of introducing a transmission line into previously undisturbed areas should be addressed. Proposed alternate routes show extensive transmission line placement from the I-94 corridor. This action would severely impact areas where mature resources and wildlife have been established for centuries. Following previously constructed or impacted transmission lines, highway corridors, or railroad beds would reduce these impacts on pristine areas in Wright County. As displayed throughout the EIS, routing the transmission line through Wright County versus Route D would cause increased impacts to the following: 1. Agricultural Land 2. Aquatic Environments 3. Archeological Sites 4. Higher Percentage of Prime Farmland 5. Municipal and Residential Land 6. Parks 7. Special Protection Agricultural Land 8. Trails 9. Woodland. The permit and approval for Wetland Conservation Act (WCA) would come from the Local Government Unit (LGU) not the Board of Water Soil Resources (BWSR). The LGU for Wright County regarding proposed impacts for wetland exemptions or replacement plans would be the Wright Soil and Water Conservation District (SWCD). The content and concerns of this letter may be untied under your jurisdiction to express environmental concerns for Wright County. Thank you for addressing our comments and concerns if you have any questions please feel free to contact myself or the District.

Response:

The permits/approvals table in the FEIS will be amended to reflect that the LGU issues permits under the Wetland Conservation Act (see Section 3.11 of the FEIS).

COMMENT#:119 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

Sherburne County representatives were never invited to participate or notified that multiple sites were now proposed to be located in Sherburne County. The notice that the County originally received showed only that the proposed locations of the transmission line were in Wright and Stearns County. The Advisory Task Force (ATF) established by the MN Office of Energy Security did not include any representation from Sherburne County. The ATF made the recommendation that the alternative location along the Mississippi River be placed in Sherburne County.

Response:

Comment noted.

COMMENT#:120 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

Sherburne County was never notified of the Draft EIS and only found out about the proposed project through an affected landowner. If a transmission line is proposed to be located within Sherburne County, it would seem that the local government should be notified early in the discussions to ensure all concerned entities are included in the discussion.

Response:

Comment noted.

COMMENT#:121 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

There is an existing 115 kV transmission line already located in Sherburne County. Placing new lines in the same vicinity may not be a good idea from a homeland security perspective and/or as protection against natural events.

Response:

In the FEIS, the discussion of Route D will include the security and redundancy issues associated with having a 115 kV line and a 345 kV line in the same corridor

COMMENT#:122 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

As proposed there would be 36 irrigators impacted in Sherburne County. Sherburne County soils have a much higher sand concentration than Stearns and Wright County. This requires many of the farm fields to be irrigated to ensure adequate crop production. Once the irrigators are moved the property is less productive as farmland and their only option may be to create housing developments. What is the anticipated cost to the farmers if they are unable to irrigate their fields? Has this cost been included in the overall project cost?

Response:

Minnesota Rules require that the cost analysis for each route include the cost of constructing, operating and maintaining the High Voltage Transmission line. This analysis is included in Section 1.6 of the EIS. Alignments can be designed to minimize impact to center-point irrigation systems. If disturbances would be required effecting an economic impact, easements should be designed to compensate for losses.

COMMENT#:123 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

Natural Heritage Information System records show 15 different threatened or endangered species within one mile of Route D. This is higher than each of the other proposed routes.

Response:

Comment noted.

COMMENT#:124 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

The projected cost of Route D is \$6,000,000 more than the applicant's preferred route. In the current economic times, it would seem in the public's best interest to be fiscally conservative in spending money.

Response:

Comment noted.

COMMENT#:125 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

Proposed location in Scenic River District. Sherburne County has been proactive in protecting this river corridor since adopting the Wild & Scenic River Ordinance in 1979. The County has spent considerable time and resources protecting the Mississippi River through limited development and enforcement of our existing ordinances. As listed in Table 5-9. Wooded Areas Within Routes - Sherburne County would have the greatest number of wooded areas (292 acres) impacted. This is an additional 137 acres wooded area impacted over the applicant's preferred route.

Response:

If Route D were selected an additional 150ft of ROW could be necessary to construct the transmission line. The maximum impact would be the permanent removal of approximately 5.67 acres of vegetation at the Mississippi River Crossing in Monticello and the permanent removal of approximately 1.1 acres of vegetation at the St. Augusta River Crossing. Undergrounding the transmission line could reduce the vegetation impacts, but not eliminate such impacts. Other impacts to wooded areas along Route D could be limited by occupying as much of the existing 115 kV transmission line and roadway rights of way; however, this could reduce system reliability and increase the potential for interference with roadway operations and maintenance.

COMMENT#:126 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

The proposed transmission line would cross the Mississippi River twice if route D is chosen. This will require footings potentially to be placed in the Mississippi River and excavation within the Wild and Scenic River District. The other proposed route would not require any river crossing.

Response:

Comment noted.

COMMENT#:127 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

Table 5-4. Zoning within each Route (Acres) - The table is incomplete. Wild and Scenic River District is a zoning designation in Sherburne County and should have been listed in this chart and evaluated for impact to the district.

Response:

The data presented in table 5-4 was obtained from the counties and cities that could be impacted by the transmission line routes. Some of the information was regrouped to fit into similar categories. The wild and scenic park district acreage in Sherburne County was included in the acreage accounted for under the Recreation/Park category.

COMMENT#:128 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

In Appendix I of the Draft Environmental Impact Statement - Effects of the Natural Environment, it does not appear that the different routes are being compared equally. It appears the Applicant's Preferred Route and Routes A-C refer to impacted acres of Wild and Scenic River District, but when discussing Route D in Sherburne County it refers to acres affected. It appears that either way a great deal more Scenic River District is being negatively affected in Sherburne County than on the other proposed routes.

Response:

Route D has the greatest impacts on areas designated as Scenic and Recreational River Districts. Acreage impacts to areas designated as Scenic and Recreational River Districts for each route are presented in Section 5.10.2 of the DEIS.

COMMENT#:129 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

5.7 Parks (City, County, State and Federal) - This section states on page 5-47 that there are no parks along Route D. This statement is incorrect. There are three (3) parks located along the proposed transmission line route. Sherburne County has a park located along the west side of the County Road 8 in Section 5 of Clear Lake Township, consisting of 63 acres known as West Mississippi River Park. This Regional Park was purchased with assistance from the MN Department of Natural Resources. The proposed transmission line would run directly through the existing park. Clear Lake Township as has a 36 acre park known as Riverwood Park that

directly abuts the proposed transmission line. The park is located in Section 30 of Clear Lake Township. There is also a park known as Snuffy's Landing that consists of 30 acres in sections 2 and 35 in the City of Becker. This park includes a boat landing on the Mississippi River. It is located approximately 1,000 ft from the transmission line easement area.

Response:

The west Mississippi River Park, the Clear Lake Township Riverwood Park and Snuffy's landing have been added to the figures in Appendix C and D in the FEIS.

COMMENT#:130 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

5.10 (Scenic & Recreational Waterways) - This section states that no additional visual impacts are anticipated where the proposed route will parallel the existing transmission line. However, Sherburne County questions this determination. The existing transmission line is 70-90 ft in height. The height of the proposed structure would be 130-175 ft. A visual impact would logically be expected from this increase. It is anticipated that the utility may place marker balls on the transmission line for safety purposes. This would be an additional visual impact.

Response:

Visual impacts to the affected environment relative to the proposed structure height are discussed in Section 5.6.2 of the DEIS. Visual impacts where existing transmission lines are present considered that the viewers in the surrounding area were low sensitivity due to the presence of existing infrastructure. The final alignment has not been selected at this time. Once the final alignment is selected the Applicant will work with stakeholders to develop mitigation measures for visual impacts as presented in Section 5.6.3 as applicable.

COMMENT#:131 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

Table 5-29 (Average Daily Traffic for Selected Roads Parallel to Route D) the table does not include numbers or acknowledgement that County State Aid Highway 8 runs parallel and adjacent to the majority of the proposed routes. No cross streets are identified as they are in the other proposed route tables. County Roads that are to be crossed with this proposed line include #53, #57 and a number of township roads. Minnesota State Highway 24 is also not shown in the table. This information should have been included in the Draft EIS to ensure equal comparison amongst the different options.

Response:

County State Aid Highway 8 has been added to the roadway table for Route D (see Section 3.8 of the FEIS) When transmission lines cross a roadway, impacts are considered temporary and occur during the construction phase only. Temporary guard structures would be used to string conductor over existing roads. When transmission lines run parallel to a roadway, the potential for long-term impacts exist due to issues associated with right-of-way sharing.

COMMENT#:132 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

In sections 17 and 18 of Becker Township there is a large existing permitted Construction and Demolition Landfill. If proposed Route D is chosen this will impact the airspace of the landfill, resulting in considerably less capacity for this operation. Was this considered in the cost analysis for Route D.

Response:

Minnesota Rules require that the cost analysis for each route include the cost of constructing, operating and maintaining the High Voltage Transmission line. This analysis is included in Section 1.6 of the EIS.

COMMENT#:133 COMMENT SOURCE: LETTER

Felix Schmiesing - Sherburne County Board

Comment:

6.0 Permits and Approvals, Table 6-1 (Potential Permits and Approvals) - It is shown that Wetland Conservation Act approvals are under the jurisdiction of Board of Water and Soil Resources. The jurisdiction of the Wetland Conservation Act lies with Sherburne County. All applications for wetland exemptions or replacement plans would need to be made with the Sherburne County Zoning Department.

Response:

The permits and approvals table in the FEIS has been amended to reflect that the LGU issues permits under the Wetland Conservation Act (see Section 3.11 of the FEIS).

COMMENT#:134 COMMENT SOURCE: LETTER

David Seykora - Minnesota Department of Transportation

Comment:

On January 11, 2010, the Minnesota Office of Energy Security (OES) issued a Notice of Availability of Draft Environmental Impact Statement and request for public comments on the

Draft Environmental Impact Statement (DEIS) relating to the route permit application by CapX2020 for a 345 kV transmission line from Monticello to St. Cloud, Minnesota. The Minnesota Department of Transportation (Mn/DOT) has reviewed the DEIS regarding the proposed transmission line project and submits the following comments in response to the Notice. Mn/DOT has adopted a formal policy and procedures for accommodation of utilities on the highway rights-of-way (“Utility Accommodation Policy”). Mn/DOT’s letter provides a detailed discussion of the legal framework for the policy regarding both the federal and state applicable laws. Mn/DOT’s letter provides and overview of transportation-related impacts of HVTLs on trunk highways...outside the highway right-of-way boundary line generally does not work well. A two-dimensional map does not provide sufficient information to determine a suitable alignment for a HVTL. Rather, Mn/DOT’s approach is to evaluate the type of activities that regularly occur on and along highways. These activities can be evaluated in three groups - (a) traffic that uses a highway, (b) maintenance, repair and related activities and structures associated with the Mn/DOT Comments 7 ongoing operation of the highway, and construction activities that are likely to occur in the foreseeable future. These functions or uses of the highway each have a zone - i.e., a height and width - in which they take place either along the roadway surface or in the ditches, near bridges, intersections or interchanges where the maintenance and construction activities take place.

Response:

Comment noted.

COMMENT#:135 COMMENT SOURCE: LETTER

David Seykora - Minnesota Department of Transportation

Comment:

The following is a summary of Mn/DOT’s comments on crossings. In regards to highway crossing locations Mn/DOT noted that is prefers that crossings occur as close to right angles as possible, they do not permit utilities to run diagonally across intersections. Mn/DOT further notes locations parallel to highway rights-of-way. The highway locations identified in the DEIS that are part of the trunk highway system over which Mn/DOT has jurisdiction include the following: Applicant Preferred Route: 1-94 and MN 23. Route A: 1-94, MN 15, MN 23 and MN 24. Mn/DOT Comments 11 Route B: MN 15, MN 23 and MN 24. Route C: MN 15, MN 23 and MN 24. Route D: 1-94 and MN 23. Additionally Mn/DOT does not issue permits that run between the highway and rest area or across rest area property. Mn/DOT notes two rest areas within the preferred route - Fuller Lake Safety Rest Area and The Enfield Safety Rest Area.

Response:

Section 3.8 of the FEIS includes a discussion of Mn/DOT’s preference for perpendicular crossings, avoiding diagonal crossings of intersections, and will note the limitations near the Fuller Lake and Enfield rest areas.

COMMENT#:136 COMMENT SOURCE: LETTER**David Seykora - Minnesota Department of Transportation****Comment:**

Scenic Area Along 1-94 Some potential alignments in the applicant's preferred route would require a waiver of Mn/DOT's Utility Accommodation Policy and federal regulations relating to areas of scenic enhancement and natural beauty. Specifically, the Fuller Lake Safety Rest Area is located in a congested location a short distance west of the 1-94 and MN 24 interchange in Clearwater. Warner Lake County Park lies adjacent to the 1-94 right-of-way directly opposite the west end of the rest area. It appears that alignments for the HVTL that follow the 1-94 right-of-way might need to have poles placed either in the public park or in the highway/rest area right-of-way. Mn/DOT Comments 12 The federal regulation governing scenic areas appears to affect Mn/DOT's ability to grant a permit to CapX2020 for this location. The regulation, 23 CFR §645.209(h), provides: Scenic areas. New utility installations, including those needed for highway purposes, such as for highway lighting or to serve a weigh station, rest area or recreation area, are not permitted On highway right-of-way or other lands which are acquired or improved with Federal-aid or direct Federal highway funds and are located within or adjacent to areas of scenic enhancement and natural beauty. Such areas include public park and recreational lands, wildlife and waterfowl refuges, historic sites as described in 23U.S.C. 138, scenic strips, overlooks, rest areas and landscaped areas. The State transportation department may permit exceptions provided the following Conditions are met: (1) New underground or aerial installations may be permitted only when they do not require extensive removal or alteration of trees or terrain features visible to the highway user or impair the aesthetic quality of the lands being traversed. (2) Aerial installations may be permitted only when: (i) Other locations are not available or are unusually difficult and costly, or are less desirable from the standpoint of aesthetic quality, (ii) Placement underground is not technically feasible or is unreasonably costly, and (iii) The proposed installation will be made at a location, and will employ suitable designs and materials, which give the greatest weight to the aesthetic qualities of the area being traversed. Suitable designs include, but are not limited to, self-supporting armless, single-pole construction with vertical configuration of conductors and cable. (3) For new utility installations within freeways, the provisions of paragraph (c) of this section must also be satisfied. Mn/DOT understands that to grant an exception under this regulation, the conditions specified in all subparts of 23 CFR §645.209(h) would need to be met. At this time, it is not clear what alignment would be used and whether an exception to this regulation will be required and requested. Therefore, Mn/DOT is not able to say at this whether it is possible to find an alignment that can be issued a permit in or adjacent to the 1-94 right-of-way in the vicinity of the Fuller Lake Safety Rest Area.

Response:

The final alignment has not been selected at this time. Once the final alignment is selected the Applicant will work with Mn/DOT to develop mitigation measures, including avoidance as presented in Section 5.6.3 of the DEIS as applicable.

COMMENT#:137 COMMENT SOURCE: LETTER**David Seykora - Minnesota Department of Transportation****Comment:**

New Interchange on 1-94 - The DEIS briefly mentions the plans to construct a new 1-94 to US 10 Interregional Connection. Approximately three years ago Mn/DOT completed an EIS concerning this project, and the preferred alternative identified for construction includes a new interchange approximately 1.6 miles southeast of the existing MN 24 interchange in Clearwater. The project will also include a new highway segment to the north, which will connect with US 10 approximately 1.2 miles west of the current MN 24/US 10 intersection. The highway will be constructed to freeway standards with full access control. The EIS for this project can be viewed at <http://www.dot.state.mn.us/d3/projects/interregionalconnection/index.html>. The project is currently anticipated to be constructed in the 2015 to 2023 time frame. Mn/DOT Comments 13 The footprint of the new interchange on 1-94 will be larger than the right-of-way currently occupied by the freeway in that location. If the applicant's preferred route is selected, an HTVL alignment along the current right-of-way boundary would very likely require relocation of the HVTL in the not too distant future. Therefore, Mn/DOT believes that any alignment in this location should be based on the planned configuration of the new interchange.

Response:

The future interchange at this location is discussed in Section 3.8 of the FEISo more fully disclose the likely footprint of the interchange, and the corresponding restrictions that would likely be placed within this area of the Applicant's preferred route.

COMMENT#:138 COMMENT SOURCE: LETTER**David Seykora - Minnesota Department of Transportation****Comment:**

Section 5.6.2, Aesthetics - Potential Impacts. On pages 5-35 to 5-36 the DEIS describes the relative sensitivity of various viewers of the HVTL, with motorists being classified as low visual sensitivity viewers. This observation is incomplete without including the number of such viewers. This section of the DEIS should include a cross reference to the average daily traffic counts for selected road reported later in Tables 5-25 through 5-29. In addition, as noted in the paragraph on page 5 37, motorists, bicyclists and other users of the Great River Road (Wright County Highway 75 and Stearns County Highway 75) should be considered recreationalists who have a higher level of sensitivity to visual impacts. Section 5.6.2, Aesthetics - Potential Impacts. On page 5-36 the DEIS discusses the Wright County parks that are near the applicant's preferred route. The DEIS appears to have inadvertently overlooked discussion here of Stearns County parks, and in particular Warner Lake County Park which is located immediately adjacent to 1-94 about a mile west of Clearwater. We note that this park is discussed later in Section 5.7.2. Section 5.6.3, Aesthetics - Mitigation. This section includes a partial list of potential steps that

can be taken to mitigate adverse aesthetic impacts. Some of the items recognize that once a route is selected, the applicant and Mn/DOT would work together to achieve mitigation in those locations where the route would run on or near a trunk highway right-of-way. With respect to Great River Road, by virtue of Minn. Stat. §161.142 the Commissioner of Transportation participates in the construction, improvement and maintenance of the Great River Road and therefore would also be involved along with the MN-MRPC in any discussions concerning mitigation associated with the Great River Road.

Response:

It is difficult to separate motorists utilizing the highway for recreational purposes and general travel purposes. However, recreational users are considered to have moderate sensitivity. Your comment will be included in the record considered by the PUC. Three of the five route alternatives impact the Great River Road as discussed in Section 5.6.2 of the DEIS. Once the final route is selected, the Applicant will work with stakeholders including Mn/DOT and MN-MRPC to address visual impacts through final alignment and other mitigations if applicable.

COMMENT#:139 COMMENT SOURCE: LETTER

David Seykora - Minnesota Department of Transportation

Comment:

Section 5.7.2, Parks - Potential Impacts. As noted above, Warner Lake County Park borders the 1-94 right-of-way. The discussion of Warner Lake County Park on pages 5-45 to 5-46 notes that specific alignments have not been determined, and then discusses only the three potential alignments illustrated by the applicant when discussing the possible impacts to the park. The DEIS should include evaluation of impacts to the park if alignments other than those illustrated by the applicant were to be selected. Such an evaluation would bear directly on the conclusion stated on page 5-48 that “No impacts on parks are anticipated.”

Response:

The potential alignments presented in the application are those included in the DEIS. There are no other proposed alignments being considered at this time. If the preferred route is permitted, any deviation from the studied alignments, a condition of the permit would require confirmation by the Applicant that alterations were of equal or lesser impact. There is no current assumption that an alignment would be permitted through the park.

COMMENT#:140 COMMENT SOURCE: LETTER

David Seykora - Minnesota Department of Transportation

Comment:

Section 5.10.2, Scenic and Recreational Waterways - Potential Impacts. On page 5-58, a statement is made in a couple places that because the proposed route travels along 1-94 where it

is located in the scenic district, no additional impacts to vegetation would be expected at this location. These statements are confusing. The fact that an HVTL route overlaps the 1-94 right-of-way in some locations does not necessarily mean that no removal of vegetation would be required.

Response:

Comment noted. The details of a final alignment have not been developed at this time, once the route is approved the project will go through a phase of final design. Once the final alignment is selected, impacts, including vegetation removal, will be determined and mitigated as applicable.

COMMENT#:141 COMMENT SOURCE: LETTER

David Seykora - Minnesota Department of Transportation

Comment:

Section 5.13, Highways and Roads. The discussion of highways and roads contains a significant amount of high quality data and description of the highway system and how it interacts with the proposed HVTL routes. Mn/DOT appreciates the attention paid to this important factor in the EIS process. There are, however, some matters that require adjustment, and some areas that appear to be overlooked in the discussion in this section of the DEIS. • Page 5-78 includes the statement “This strategy reduces the potential of having to relocate utility poles due to future roadway plans.” This should be explained in some other way, as we do not understand the meaning of this sentence. The likelihood of needing to relocate poles due to future roadway plans rests on a variety of factors, including the nature of the changes to the roadway and the width of the right-of-way at that location.

Response:

The word “reduces” in the sentence you referenced is in error, and should have been “increases”. Clearly, locating a transmission line adjacent to roadway right of way increases the risk of having to move the transmission line if the roadway were to be expanded. Section 3.87 of the FEIS includes this correction.

COMMENT#:142 COMMENT SOURCE: LETTER

David Seykora - Minnesota Department of Transportation

Comment:

Section 5.13, Highways and Roads - Pages 5-78 to 5-81 discuss highway expansion plans and improvement projects. While this is one important factor in maintaining the effectiveness of the operation of the trunk highway system, it is not the only factor. For example, depending on the topography and geology of the area in which the highway is located, the applicant may be required to use a different foundation than that described as the normal foundation in the DEIS,

which in turn could impact the drainage in the ditch along the highway and require changes to highway maintenance procedures.

Response:

At this stage of the process, there is insufficient information to identify specific locations where foundation requirements could have a lesser or greater impact on roadway operations and maintenance. However, this issue is discussed in general terms in Section 3.8 of the FEIS.

COMMENT#:143 COMMENT SOURCE: LETTER

David Seykora - Minnesota Department of Transportation

Comment:

Section 5.13, Highways and Roads - Pages 5-82 to the top of 5-85 discuss some of the safety considerations relevant to locating a HVTL in close proximity to a roadway. Our discussion in earlier portions of this letter expand on those issues plus some additional safety considerations, which should be reflected in this part of the DEIS.

Response:

Additional discussion of safety issues is included in Section 3.8 of the FEIS.

COMMENT#:144 COMMENT SOURCE: LETTER

David Seykora - Minnesota Department of Transportation

Comment:

Section 5.13, Highways and Roads - The discussion of mitigation measures in section 5.13.3 focuses predominantly on temporary impacts associated with the construction of the HVTL rather than the permanent impacts the HVTL may have on the highway system. Mn/DOT considers the effects that the location a HVTL may have on the efficient operation and safety of a highway to be permanent impacts. The techniques for mitigation of these impacts merit a much more detailed discussion. The discussion of mitigation options for aesthetic considerations outlined in section 5.6.3 is an example of the scope of discussion that could be included regarding permanent highway impacts.

Response:

Section 3.87 of the FEIS includes additional language regarding potential mitigation options for impacts to transportation facilities.

COMMENT#:145 COMMENT SOURCE: LETTER**David Seykora - Minnesota Department of Transportation****Comment:**

Section 5.13, Highways and Roads - We are uncertain of the meaning of the paragraph on page 5-89 that discusses “additional shielding of the transmission lines and equipment.” What type of shielding can be done? What are the expected benefits? Who is responsible for installing, inspecting and maintaining such shielding?

Response:

The FEIS expands on the types of temporary and possibly permanent shielding that could be implemented to limit the potential for roadway maintenance/transmission line conflicts.

COMMENT#:146 COMMENT SOURCE: LETTER**David Seykora - Minnesota Department of Transportation****Comment:**

Section 5.13, Highways and Roads - The second to last paragraph on page 5-89 briefly mentions mitigation of impacts to the highway system through selection of pole location. Whatever route is ultimately selected, Mn/DOT intends to work closely with the applicant when issuing permits to select prudent alignments for the HVTL and specific locations for the poles where the route coincides with highway rights-of-way. Sufficient flexibility to assure that impacts on the highway can be mitigated is imperative.

Response:

Coordination with Mn/DOT will be a condition of the route permit, should a route be selected by the PUC that impacts Mn/DOT right of way.

COMMENT#:147 COMMENT SOURCE: LETTER**David Seykora - Minnesota Department of Transportation****Comment:**

Section 5.16, Surface Water. It appears that the discussion of waters potentially impacted by the applicant’s preferred route overlooks Fuller Lake. Also, Table 5-47 lists three crossings of the Mississippi River by Route D. This appears to be a typographical error, as page 5-40 states that Route D crosses the Mississippi River at two locations.

Response:

These corrections have been made in Section 3.10 in the FEIS.

COMMENT#:148 COMMENT SOURCE: LETTER**David Seykora - Minnesota Department of Transportation****Comment:**

Section 5.23.2, Electric and Magnetic Fields and Stray Voltage - Potential Impacts. The discussion in this section is highly relevant to highway operations. Highway workers in the vicinity of HVTLs are likely to experience induced voltage. The presence of HVTLs will likely require Mn/DOT to implement a permanent training program to ensure that workers are aware Mn/DOT Comments 15 of and operate safely around HVTLs. Equipment and structures in highway rights-of-way will need to grounded, and inspected for proper grounding regularly. By way of example, Mn/DOT maintains wire fences all along the right-of-way boundaries of freeways, and these will need to be grounded in all locations where HVTLs are placed nearby.

Response:

Mn/DOT will receive the same information on safety issues that will be provided too the affected landowners. The proposed alignment is not a unique situation for location of HVTLs along the trunk highway system. Therefore, we assume that Mn/DOT will apply procedures and measures it has in place or is developing for similar installations.

COMMENT#:149 COMMENT SOURCE: LETTER**David Seykora - Minnesota Department of Transportation****Comment:**

Indirect and Cumulative Impacts. Mn/DOT reviewed the DEIS for discussion of indirect impacts and cumulative impacts. For instance, we looked for evaluation of indirect economic impacts associated with changes in land use and development along highways or other indirect effects of the proposed HVTL routes which may affect the transportation infrastructure. We did not find any sections of the DEIS that focus on indirect impacts or cumulative impacts. Without such discussion the EIS appears incomplete and we recommend that such discussion be added to the final EIS.

Response:

The Environmental Impact Statement is done under MN Rules chapter 7850 and does not include a separate section for cumulative affects analysis. However, indirect and cumulative impacts are addressed within chapters along with other relevant impacts and mitigations.

COMMENT#:150 COMMENT SOURCE: LETTER**David Seykora - Minnesota Department of Transportation****Comment:**

Finally, Mn/DOT wishes to underscore the importance of preserving sufficient flexibility for Mn/DOT to work with the applicant to determine an appropriate specific location for each pole to be placed along a trunk highway right-of-way. As the selection of the final route is made, in all locations where the route will cross or run parallel to a trunk highway it is imperative that the designated route be sufficiently wide so that Mn/DOT and the applicant can work collaboratively to address the circumstances at each location and determine a specific alignment that can be permitted consistent with the considerations described in this letter.

Response:

This comment along with the complete comments in the Mn/DOT comment letter has been entered as an exhibit before the Administrative Law Judge in the contested case hearing.

COMMENT#:151 COMMENT SOURCE: LETTER**Jamie Schrenzel - Minnesota Department of Natural Resources****Comment:**

Page 5-28 (Route D, Forestry, second paragraph) - Please identify the acres of forest that would be impacted at the river crossings, by above-ground lines.

Response:

If Route D were selected an additional 150ft of ROW could be necessary to construct the transmission line. The maximum impact would be the permanent removal of approximately 5.67 acres of vegetation at the Mississippi River Crossing in Monticello and the permanent removal of approximately 1.1 acres of vegetation at the St. Augusta River Crossing.

COMMENT#:152 COMMENT SOURCE: LETTER**Jamie Schrenzel - Minnesota Department of Natural Resources****Comment:**

Page 5-31 (last sentence) - The DEIS discusses coordinating with the DNR in this section. If a route permit is issued for this project, please include a condition requiring the applicant to coordinate with the DNR to minimize impacts to sensitive habitats as discussed in this document

Response:

Permit conditions will be developed after the final route is selected.

COMMENT#:153 COMMENT SOURCE: LETTER**Jamie Schrenzel - Minnesota Department of Natural Resources****Comment:**

Page 5-36 (first two bullet points) and Page 5-40 (Route D, paragraph 2, last sentence) - The DNR disagrees with the characterization of recreational users of the Mississippi River, particularly in the reach designated as Scenic River District along a Wild and Scenic River, under the category of Moderate Visual Sensitivity. Recreational users of Wild and Scenic Rivers, for both the Scenic River District and the Recreational River District Route D crossings, should be considered High Visual Sensitivity viewers in the FEIS.

Response:

Aesthetics refer to the natural and human modified landscape features or visual resources that contribute to the public's experience and appreciation of the environment. The level of impact to visual resources generally depends on the sensitivity and exposure of a particular viewer and can vary greatly from one individual to the next and are subjective by nature. Viewer's Response definition and sensitivity ratings were originally defined in The Big Stone Transmission Line Final Environmental Impact Statement (p.85) by the Department of Commerce, December 2006. A commonly used tool to gauge viewer response is based on the sensitivity and exposure of the viewer to a particular view shed as presented in Section 5.6.2 of the DEIS.

COMMENT#:154 COMMENT SOURCE: LETTER**Jamie Schrenzel - Minnesota Department of Natural Resources****Comment:**

Page 5-40 (Route D, paragraph 2) - This section in the FEIS should include a discussion of potential visual impacts of forest clearing where aerial lines would cross the river.

Response:

Once the final alignment is selected, if the route crosses a river, a river crossing permit will be obtained. River crossings in the Wild and Scenic River designated area are co-located with existing transmission lines. Visual impact mitigations were discussed in Section 5.6.3 including co-location with existing transmission lines, and undergrounding versus aerial river crossings could be considered. Mitigation for crossing scenic and recreational waterways is presented in Section 5.10.3. Visual impact mitigation measures are presented in Section 5.6.3 of the DEIS including the option to bury or underground either the new or existing transmission line in that area.

COMMENT#:155 COMMENT SOURCE: LETTER**Jamie Schrenzel - Minnesota Department of Natural Resources****Comment:**

Page 5-43 (Mitigation, fifth and sixth bullet points) - As discussed in the general review of comments above, the concept of putting transmission lines underground versus over the river should be assessed in the FEIS. Likewise, the concept of consolidating the existing above ground lines with new underground lines should be assessed as part of the mitigation plan for this project.

Response:

The scoping process considered routes that would either avoid crossing the Mississippi River (the Applicant Preferred Route, and Routes A, B, and C), or would cross the Mississippi River at locations already traversed by an existing transmission line (Route D). The Applicant has submitted a report (*CapX 2020 345 kV Underground Report*, dated February 26, 2010; PUC Document ID 20102-47520-01, Docket Number 09-246) that compares the benefits and drawbacks of underground construction of a 345 kV transmission line.

COMMENT#:156 COMMENT SOURCE: LETTER**Jamie Schrenzel - Minnesota Department of Natural Resources****Comment:**

Page 55 (Route B Mitigation and Route C Mitigation) - The establishment of transmission lines along the boundary of Wildlife Management Areas (WMA) may negatively affect the ability to manage the WMAs using prescribed burns. The use of prescribed burns on WMA may also interfere with transmission lines. This issue should be addressed in the FEIS.

Response:

Two of the three proposed routes may impact Wildlife Management Areas (WMAs) as noted in the DEIS. The final route alignment has not been selected at this time. If the selected alignment follows the boundary of a WMA, a permit condition could require close coordination with the MnDNR.

COMMENT#:157 COMMENT SOURCE: LETTER**Jamie Schrenzel - Minnesota Department of Natural Resources****Comment:**

Page 5-60 (second and fourth paragraphs) - These two paragraphs appear to contradict each other. One states that no additional visual impacts are anticipated, and the other seems to discuss potential vegetation impacts from tree removal at the river crossing. Tree removal from a Scenic River District should be characterized as a visual impact in the FEIS.

Response:

As described in the text, this route is co-located with an existing transmission line. Impacts could occur if trees are removed to accommodate the new transmission line along this alignment. Mitigation measures for potential vegetation loss could include vegetation replacement in coordination with the MnDNR.

COMMENT#:158 COMMENT SOURCE: LETTER

Jamie Schrenzel - Minnesota Department of Natural Resources

Comment:

Pages 5-61 (Mitigation, second paragraph) and Page 5-62 (Route D, last paragraph) - Co-locating transmission lines would result in additional wires crossing the river. A mitigation plan to consolidate new and existing transmission lines underground where they cross the Mississippi River should be discussed in this section of the FEIS.

Response:

Mitigation measures are presented in Section 5.6.3 of the DEIS including the option to bury or underground the new transmission line in that area. Once the final route is selected, river crossing impacts will be identified and final mitigation will be identified in the permit conditions.

COMMENT#:159 COMMENT SOURCE: LETTER

Jamie Schrenzel - Minnesota Department of Natural Resources

Comment:

The following comments apply to the section: page 5-94 through page 5-107 (Rare and Unique Natural Resources/Critical Habitat). Several state-listed birds have been documented in the vicinity of the potential routes. In particular, the trumpeter swan (*Cygnus buccinator*), state-listed as threatened, may be at risk for collision mortality regardless of chosen route. Hundreds of trumpeter swans overwinter in Monticello and Fergus Falls, and often move between the two locations (overwintering sites are not included in the Natural Heritage Information System). Numerous bald eagles and other waterfowl species also winter and migrate along the Mississippi River. This section lists the state-listed birds that may occur in the area, but does not address how these species may be impacted by the proposed project. Please include discussion of impacts to these species and mitigation measures, such as the use of swan diverters, in this section of the FEIS.

Response:

A discussion of potential avian species impacts is presented in Section 5.20.2, Page 5-130 of the DEIS. Raptors, waterfowl, and other bird species may be affected by the construction and placement of the transmission line. Avian collisions are a possibility after the construction of the transmission line but typically due to the larger size of conductors associated with transmission

lines compared to distribution lines, transmission line conductors are more visible. Transmission lines oriented in a north/south alignment can increase potential collision hazards by reducing visibility into the horizon during sunrise or sunset especially if the transmission line divides feeding and resting areas. Waterfowl typically are more susceptible to transmission line collision, especially if the transmission line is placed between agricultural fields that serve as feeding areas and wetlands or open water, which serve as resting areas. In these areas, it is likely that waterfowl and other birds would be traveling between different habitats, potentially increasing the likelihood of avian conflicts with the transmission line. Because of the high density of birds in such nesting sites, disturbance to the site has the potential to impact individuals. Species' population reproductive success is not likely to be impacted. Construction impacts to these areas would be minimized as much as possible in coordination with the MnDNR. Mitigation measures are presented in Section 5.20.3, Page 5-132-3 of the DEIS. The Applicant can be directed by permit condition to address avian issues at water body crossings and other areas of concern by working with the MnDNR and USFWS to identify any areas that may require marking transmission line shield wires or to use alternate structures to reduce the likelihood of collisions. To mitigate possible impacts to wildlife, the Applicant intends to avoid areas known as major flyways or migratory resting spots, and span designated high quality wildlife habitat areas wherever feasible. Areas disturbed due to construction activities can be restored to pre-construction contours and can be reseeded with a MnDNR recommended seed mix that is free of noxious weeds. In areas where complete spanning is not possible, the Applicant can minimize the number of structures placed in high quality wildlife habitat by coordinating with the Mender and USFWS to determine appropriate minimization or mitigation measures. In 2002, Xcel Energy, entered into a voluntary Memorandum of Understanding (MOU) with the USFWS to work together to address avian issues throughout its service territories. In August 2009 Xcel Energy submitted a draft avian protection plan to the USFWS. As of the date of publication of this EIS the avian protection plan is being reviewed by the USFWS.

COMMENT#:160 COMMENT SOURCE: LETTER

Jamie Schrenzel - Minnesota Department of Natural Resources

Comment:

The Blanding's turtle (*Emydoidea blandingii*), a state-listed threatened species, may also be encountered along any of the routes. For additional information, a Blanding's turtle fact sheet is attached that describes the habitat use and life history of the species. The fact sheet also provides two lists of recommendations for avoiding and minimizing impacts to this rare turtle. For this project, please refer to the first list of recommendations. The attached flyer should also be given to all contractors working in this area.

Response:

Appendix E provides additional mitigation measures for Blanding's turtle. (*Emydoidea blandingii*)

COMMENT#:161 COMMENT SOURCE: LETTER**Jamie Schrenzel - Minnesota Department of Natural Resources****Comment:**

The tubercled rein-orchid (*Platanthera flava var herbiola*), a state-listed endangered plant, has been documented in the vicinity of the proposed project and may occur within wet prairies and meadows, swales in mesic prairies, or the sandy or peaty habitats along the edges of marshes, swamps, or lakeshores. Only high quality habitats that show little if any impact from human activities seem to be suitable for this orchid. A botanical survey will be needed if the proposed project will impact any suitable habitat for the species.

Response:

Once the final route is selected a permit condition could require the Applicant to coordinate with the MnDNR to determine the recommended surveys.

COMMENT#:162 COMMENT SOURCE: LETTER**Jamie Schrenzel - Minnesota Department of Natural Resources****Comment:**

The EIS should include an analysis of the potential for state-listed species to be impacted by the proposed project. Also, given the presence of the state-listed threatened birds, the EIS should include a discussion of the likelihood of incidental takings due to mortality from collisions.

Response:

A discussion of potential avian species impacts is presented in Section 5.20.2, Page 5-130.

COMMENT#:163 COMMENT SOURCE: LETTER**Jamie Schrenzel - Minnesota Department of Natural Resources****Comment:**

Page 5-105 (last sentence) - The DNR disagrees with the last sentence on this page. All of the proposed routes, and particularly Route D, have the potential to result in the deaths of state-threatened trumpeter swans due to collisions with powerlines. The potential for impacts needs to be comparatively assessed for each of the route alternatives, and appropriate mitigation measures need to be identified in the FEIS. Appropriate mitigation may include underground transmission lines at the Mississippi River if Route D is chosen, and installation of swan diverter markers on transmission lines for any of the routes chosen.

Response:

Once the final route is selected, the following mitigation measures could be applied to enhance those proposed in Section 5.20.2; avian-safe design and siting practices, including marking shield

wires with bird flight diverters and/or selecting suitable structures that can reduce opportunities for collisions and electrocutions. In addition, modern electrical transmission conductor is thicker and consists of two spiral-wrapped units that add visual depth to the lines. Collision impacts to birds can also be reduced by shielding lines with vegetation or topographic features. Permits typically require an applicant work with MnDNR, and USFWS when appropriate, to identify key avian-use areas where installation of bird flight diverters during stringing of shield wires would likely minimize future collision Impacts .

COMMENT#:164 COMMENT SOURCE: LETTER

Jamie Schrenzel - Minnesota Department of Natural Resources

Comment:

Pages 5-106 (first paragraph) and Page 5-107 - The proposed mitigation measures of spanning Minnesota County Biological Survey (MCBS) sites of biodiversity significance and unique habitats, or including minor route changes to avoid or minimize impacts are acceptable levels of mitigation for the communities affected.

Response:

Comment noted.

COMMENT#:165 COMMENT SOURCE: LETTER

Jamie Schrenzel - Minnesota Department of Natural Resources

Comment:

Page 5-126 (Route D) - The most significant vegetation along Route D may be the riparian vegetation where the lines would cross the Mississippi River twice. The draft EIS does not describe the affected environment or potential impacts regarding riparian vegetation. Please include this information in the FEIS.

Response:

If Route D were selected an additional 150ft of ROW could be necessary to construct the transmission line. The maximum impact would be the permanent removal of approximately 5.67 acres of vegetation at the Mississippi River Crossing in Monticello and the permanent removal of approximately 1.1 acres of vegetation at the St. Augusta River Crossing. Undergrounding the transmission line could reduce the vegetation impacts, but not eliminate such impacts

COMMENT#:166 COMMENT SOURCE: LETTER

Jamie Schrenzel - Minnesota Department of Natural Resources

Comment:

Page 5-131 (Applicant Preferred Route, last sentence) - The DNR concurs with this statement

Response:

Comment noted.

COMMENT#:167 COMMENT SOURCE: LETTER**Jamie Schrenzel - Minnesota Department of Natural Resources****Comment:**

Page 5-131 (Applicant Preferred Route, Route A, Route B, Route C and Route D) - It is inaccurate to describe the impacts of habitat loss by stating that “species would only be displaced a short distance.” Habitat loss reflects a permanent loss of carrying capacity for some species, and a gain for other species. Displacement of individuals also may increase impacts by spreading competition for resources and stress to surrounding habitats beyond the boundaries of the routes assessed.

Response:

The EIS states that “species would only be displaced a short distance” because the potential habitat removal would be very limited. However, the EIS recognizes the MnDNR concern about the loss of habitat and anticipates a permit condition could address the need to confer with the department once a final alternative is selected to determine the impacts of any habitat removal on permanent loss and species competition.

COMMENT#:168 COMMENT SOURCE: LETTER**Jamie Schrenzel - Minnesota Department of Natural Resources****Comment:**

Page 5-133 (Route D Mitigation) - Though this route represents the greatest co-location of lines of all alternatives, as discussed in other comments, more lines will pose additional risk of avian mortality. This potential impact should be addressed in the FEIS for Route D.

Response:

The EIS recognizes that avian mortality is a primary concern of the MnDNR and considers marking transmission line shield wires or using alternate structures to reduce the likelihood of collisions.

COMMENT#:169 COMMENT SOURCE: LETTER**Craig Affeldt - Minnesota Pollution Control Agency****Comment:**

A National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit is required from the MPCS prior to construction, and was noted in Section 6 of the Draft EIS. Also, all preferred alternative and variations on a route are

analyzed in concurrent sections for potential impacts to waterways. Information regarding the MPCA's Construction Stormwater Program can be found on the MPCA's Web site.

Response:

Compliance with applicable stormwater permits was addressed in the DEIS and will be a condition of the route permit issued by the PUC.

COMMENT#:170 COMMENT SOURCE: LETTER

Craig Affeldt - Minnesota Pollution Control Agency

Comment:

Impaired waters are listed in the narrative of section 5, but not listed on these maps. The MPCA suggest that the 2008 303(d) Total Maximum Daily Load (TMDL) List of Impaired Waters (found on the MPCA Web site) be included on these maps. Impairments will dictate additional increased stormwater treatment both during construction and require additional increased permanent treatment post construction. As the proposer is aware, any project that will result in over 50 acres of disturbed area and has a discharge point within one mile of impaired water is required to submit their Stormwater Pollution Prevention Plan to the MPCA for a review at least 30 days prior to the commencement of land disturbing activities. The MPCA encourages the project proposer to contact staff at preliminary points to avoid delays.

Response:

The FEIS added impaired waters to figures in DEIS Appendices G and H (See FEIS Appendices C and D).

COMMENT#:171 COMMENT SOURCE: LETTER

Craig Affeldt - Minnesota Pollution Control Agency

Comment:

Based on the project's need to obtain a United States Army Corp of Engineers Section 404 Permit and the project's proximity to impaired waters, this project may also require a Clean Water Act Section 401 Water Quality Certification or waiver from the MPCA to verify compliance with state water quality standards.

Response:

Should Section 404 permitting be required, the Applicant will likely also coordinate with the MPCA on Section 401 Water Quality Certification.

COMMENT#:172 COMMENT SOURCE: LETTER**Darin Lahr - Xcel Energy****Comment:**

On page 5-66, the DEIS discusses airports within 10 miles of the Project Area, and specifically discusses the Seven Hills Airport a private, non-public use airport. The DEIS states that “a maximum structure height of less than 149 feet would be required in the approach area” of the Seven Hill Airport. Applicants currently understand that such airports must maintain airspace free of obstructions, but that there are no regulatory requirements that specifically limit the height of transmission structures within this airspace. Therefore, it would more appropriate to state that potential conflicts with the Seven Hills Airport would be avoided if structure heights in the approach area are less than 149 feet.

Response:

This language has been revised in the FEIS (see Section 3.6).

COMMENT#:173 COMMENT SOURCE: LETTER**Darin Lahr - Xcel Energy****Comment:**

Upon further review and analysis, Applicants have reevaluated the transmission line costs for Route D and believe that Table 1-11 of the DEIS should be updated as follows in the FEIS. The updated estimate below is based on a preliminary alignment for Route D. Applicants are not yet sure if the alignment will be capable of being constructed on the Monticello Nuclear Generating Plant property. Additionally, Applicants have not consulted with the Army Corps of Engineers, United States Fish and Wildlife Service or the Minnesota Department of Natural Resources to determine what construction techniques and mitigation methods may be required for the two crossings of the Mississippi River that would be required for construction along Route D.

Response:

The cost for Route D has been revised in the FEIS (see Section 3.2 of the FEIS)

COMMENT#:174 COMMENT SOURCE: LETTER**Darin Lahr - Xcel Energy****Comment:**

On page 5-43, the DEIS discusses possible mitigation measures to minimize aesthetic impacts. One possible mitigation measure presented is undergrounding portions of the transmission line. The Applicants have prepared a report, with the assistance of a technical consultant, to evaluate various undergrounding methods and equipment.

Response:

As noted in the comment, the Applicant has submitted a report (*CapX 2020 345 kV Underground Report*, dated February 26, 2010; PUC Document ID 20102-47520-01, Docket Number 09-246) that compares the benefits and drawbacks of underground transmission line construction.

COMMENT#:175 COMMENT SOURCE: LETTER

Darin Lahr - Xcel Energy

Comment:

On page 5-52, the DEIS states that the Applicant will work with the County to maintain trail access during and after construction. If impacts to trails are [unavoidable], the Applicant will work with the County to re-align trails.” Applicants would like to clarify that every effort will be made during final design to avoid impacts to trails along the Project. If an impact becomes unavoidable, Applicants would then work with the County to mitigate impacts, including relocating portions of trails if appropriate.

Response:

The text for this section of the DEIS has been revised accordingly. See Section 3.5 of the FEIS.

COMMENT#:176 COMMENT SOURCE: LETTER

Darin Lahr - Xcel Energy

Comment:

The DEIS discusses archaeological and historic resources as they relate to the various proposed routes and the Quarry Substation Sites. This includes a general discussion on pages 5- 92 and 5- 93 of possible methods used to identify cultural resources and mitigate impacts. While the discussion presented in the DEIS provides a general description of these methods, Applicants believe that the FEIS should incorporate the following, more detailed, description of Applicants’ pre-construction and construction activities regarding the preservation of archaeological and historic resources specific to this Project: Applicants conducted a Phase Ia Literature Search for the Project, which encompassed an area within one mile of all proposed routes, to identify known archaeological and historic architectural resources that may be affected by the Project. To assess potential impacts to both documented and undocumented cultural resources that may be affected by the selected route and substation site, Applicants will take the following specific steps for the Project: 1. Prepare a scope of work for a Phase I survey of areas to be disturbed by Project activities. This document will present the results of the already-completed literature search and make recommendations regarding areas which will require survey. This document will be submitted to the State Historic Preservation Office (“SHPO”) and the office of the state archaeologist (“OSA”) as applicable or appropriate, for review and concurrence; 2. Conduct a Phase I survey of areas subject to ground disturbance to document the locations of any previously identified and undocumented archaeological and historic resources that may be

affected by the Project and create a master list of these newly identified resources; 3. Review the results of the previously conducted literature search and Phase I data to modify the locations of Project facilities to the extent feasible or practicable to avoid any identified resources that may be eligible for listing in the National Register of Historic Places (“NRHP”); 4. Conduct Phase II surveys of any cultural resources that may be eligible for listing in the NRHP that cannot be avoided, using appropriate field survey methodology; 5. Further modify the proposed locations of Project facilities, to the extent feasible or practicable, to avoid resources identified during the Phase II surveys that are determined to be eligible for the NRHP; and 6. Develop treatment options in consultation with the SHPO, and if applicable the OSA, for any resources that are determined to be eligible for the NRHP that cannot be avoided. Applicants do not anticipate any direct impacts to cultural resources as a result of Project construction. The following measures would be implemented prior to and during construction to avoid or minimize impacts: 1. Field identification of resource sites of concern in the vicinity of the construction zone; 2. Fence off or otherwise flag resource sites of concern in the vicinity of construction work; 3. Inform construction crews of resource sites and train them to avoid/minimize impacts to such sites; and 4. Make available to construction crews properly qualified cultural resource personnel to provide assessment and monitoring of construction sites if unknown resources are identified. In the event that a Phase III survey is considered for the Project, Applicants would meet with the SHPO and the OSA, as applicable or appropriate. Any Phase III survey would be conducted in accordance with the Secretary of Interior Standards and Guidelines for Archaeology and Historic Preservation, the SHPO Manual for Archaeological Projects in Minnesota and Guidelines for History/Architecture Projects in Minnesota, as appropriate. Applicants will provide study results and coordinate with the SHPO throughout this process. Lastly, on page 5-92, the DEIS states that “[e]ight archaeological resources have been identified within the Applicants’ proposed Project Routes.” It would be helpful to state the number of archaeological resources identified within each of the Applicants’ proposed Project Routes in this section in addition to the references on page 5-91. The quoted sentence above could be replaced with the following in the FEIS: “Three archaeological resources have been identified within the Proposed Route, three archaeological resources have been identified within Route A and two archaeological resources have been identified within Route B.”

Response:

The additional information regarding the Applicant’s approach to identification and mitigation of cultural resources has been included in Section 3.9 of the FEIS.

3.0 ADDITIONS AND REVISIONS TO THE DEIS

The purpose of this section is to discuss additional information that was brought forth during the public comment period through written comments or testimony. The references in the parentheses following the titles in this section are the corresponding sections in the DEIS in which the addition or revision is being made. Where specific DEIS text has been deleted or added, the revision has been identified using strikeout or underline font. New text added to the DEIS has also been underlined.

3.1 ADDITIONAL QUARRY SUBSTATION 4 (SECTION 1.4 AND 3.3 OF THE DEIS)

The Permit Applicant provided direct testimony on the DEIS to the Office of Administrative Hearings on February 1, 2010. The direct testimony included a request to add evaluation of a new Quarry Substation site (Quarry Substation 4) to the FEIS. The request was made as a result of further review and discussion with affected landowners near proposed Quarry Substation Sites 1 and 2. Quarry Substation Site 4 is proposed to be located north of the intersection of State Highway 23 and 76th Avenue in St. Joseph Township (Township 124N, Range 29E, Section 24). The Applicants have requested that the commission evaluate the proposed Quarry Substation 4 area for human and environmental impacts. The figures in the DEIS Appendices G and H have been revised to include the Quarry Substation 4 site (see FEIS Appendices C and D). Figure 3-1 shows the Quarry Substation 4 site.

The proposed Quarry Substation 4 would be connected to the existing 115 kV transmission line running between the St. Cloud and Sauk River Substations. This transmission line runs in a north south direction on the western border of the proposed Quarry Substation Site 4. Equipment being installed during the initial phase includes a 345 kV ring bus with three circuit breakers, two 345 kV line positions, 448 MVA, 345/115 kV transformer, 115 kV ring bus with three circuit breakers and two 115 kV line positions. The substation equipment being installed also includes the associated switches, bus work, foundations, steel structures and control equipment. The substation would be configured to accommodate any future addition of the second circuit of the Monticello to St. Cloud 345 kV line and other future high voltage transmission lines. The fully developed substation would require a total graded and fenced area of up to 15 acres. The Applicant would also maintain a buffer around the substation site; the combined substation and buffer area totaling up to 40 acres.

The OES analyzed the human and environmental impacts within the Quarry Substation Site 4 alternative using the same approach used in the DEIS for the other substation alternatives. This approach provides the information to make an informed decision on the selection of a substation site that avoids or minimizes social, economic, and environmental impacts.

3.1.1 Land Cover (Section 5.3-5.4 of the DEIS)

The table below identifies the GAP land cover data within the Quarry Substation 4 boundary.

Table 3-1. GAP Land Cover Data, Quarry Substation Site 4

<u>Routes and Substations</u>	<u>Agricultural Lands (Grasslands and Croplands)</u>	<u>Wooded and Forested Land</u>	<u>Aquatic Environments</u>	<u>Urban and Vacant Land</u>	<u>Shrubland</u>
Quarry Substation 4	113.6	4.3	2.2	0.2	1.8

GAP Data for substation siting area

The Quarry Substation Site 4 consists of approximately 122 acres, 62 percent of which is zoned for agricultural uses and approximately 60 percent for industrial/municipal uses. There are no residential or non residential structures in the area.

3.1.2 Land Based Economies (Section 5.5 of the DEIS)

Quarry Substation Site 4 has no prime farmland or center pivots within the substation site boundary. The USGS 2001 National Land Cover Dataset (which is a different data set than the GAP land cover data set used in the above table) indicates that there are zero wooded acres within the substation boundary. While none of the soils present at the site are designated as prime farmlands, the Quarry Substation Site 4 would have permanent impacts on agricultural land based on land cover which includes croplands and grasslands at the site. The fully developed substation would require a total graded and fenced area of up to 15 acres. The proposed Quarry Substation Site 4 is located primarily in agricultural land with no areas of commercial forestry within one mile.

The Proposed Quarry Substation Site 4 is located north of the intersection of State Highway 23 and 76th Avenue in St. Joseph Township. Substation Site 4 consists of lands zoned or classified for agricultural and industrial use. Since industrial and commercial properties currently exist in this area, a substation would be consistent with existing and planned land use.

3.1.3 Aesthetics, Parks and State Wildlife Management Areas (Section 5.6-5.9 of the DEIS)

Quarry Substation Site 4 is located approximately 2.5 miles west of the Great River Road, and is not anticipated to have an impact on any of the intrinsic qualities of this scenic byway. In addition there are no parks, trails, State Wildlife Management Areas or Scientific and Natural Areas located in the area of Quarry Substation 4.

Quarry Substation Site 4 is located more than five miles from the Mississippi River and its designated Scenic River District. There is no National Wildlife Refuge or Waterfowl Production Area within a mile of this substation. And the substation will not be located on any U.S. Fish and Wildlife Service (USFWS) easements. There are no impacts anticipated on these resources.

3.1.4 Airports (Section 5.12 of the DEIS)

No facilities open to public use are expected to be impacted by Quarry Substation 4. The nearest public airport is St Cloud Regional Airport located 10.2 miles east of the proposed substation area. The nearest private airport is Guggenberger Airport 5.3 miles to the northeast in Le Sauk Township. No impacts on airports are anticipated, and therefore no mitigation is proposed.

3.1.5 Highways and Roads (Section 5.13 of the DEIS)

Additional roadways/driveways would need to be constructed to provide access to the site. Access to the substation may be provided by making use of the existing nearby access from County Highway 138.

The Quarry Substation Site 4 also has the potential to impact the proposed Southwest Beltway Project. There are two potential alignment routes (West and Central) that pass within the vicinity of the Quarry Substation Site 4. Coordination with state and local transportation officials may be necessary should Quarry Substation Site 4 be selected.

3.1.6 Archaeological and Historic Resources (Section 5.14 of the DEIS)

No previously identified archaeological resources, historic facility resources, or historic landscapes have been identified within the Quarry Substation Site 4.

3.1.7 Rare and Unique Natural Resources/Critical Habitat (Section 5.15 of the DEIS)

There are no Natural Heritage Information System (NHIS) occurrences within the Quarry Substation Site 4 or within one mile of the area. No sites of biodiversity significance as identified in the Minnesota County Biological Survey (MCBS) are located at the Quarry Substation Site 4.

3.1.8 Surface Waters and Wetlands (Section 5.16 and 5.17 of the DEIS)

There are no major named surface waters within the Quarry Substation Site 4. County Ditch 17, which is listed on the Public Water Inventory (PWI), is located within Quarry Substation Site 4. The area analyzed for Quarry Substation Site 4 covers approximately 122 acres. There are approximately 22.3 acres of freshwater emergent wetlands located within the 122 acre site. Final engineering and design has not been determined at this time. However, the final constructed fenced area of the Quarry Substation Site 4 would be approximately 15 acres within the 122 acre site. The 122 acre site analyzed provides the Applicant the flexibility to locate the substation so that impacts to surface waters and wetlands are avoided or minimized.

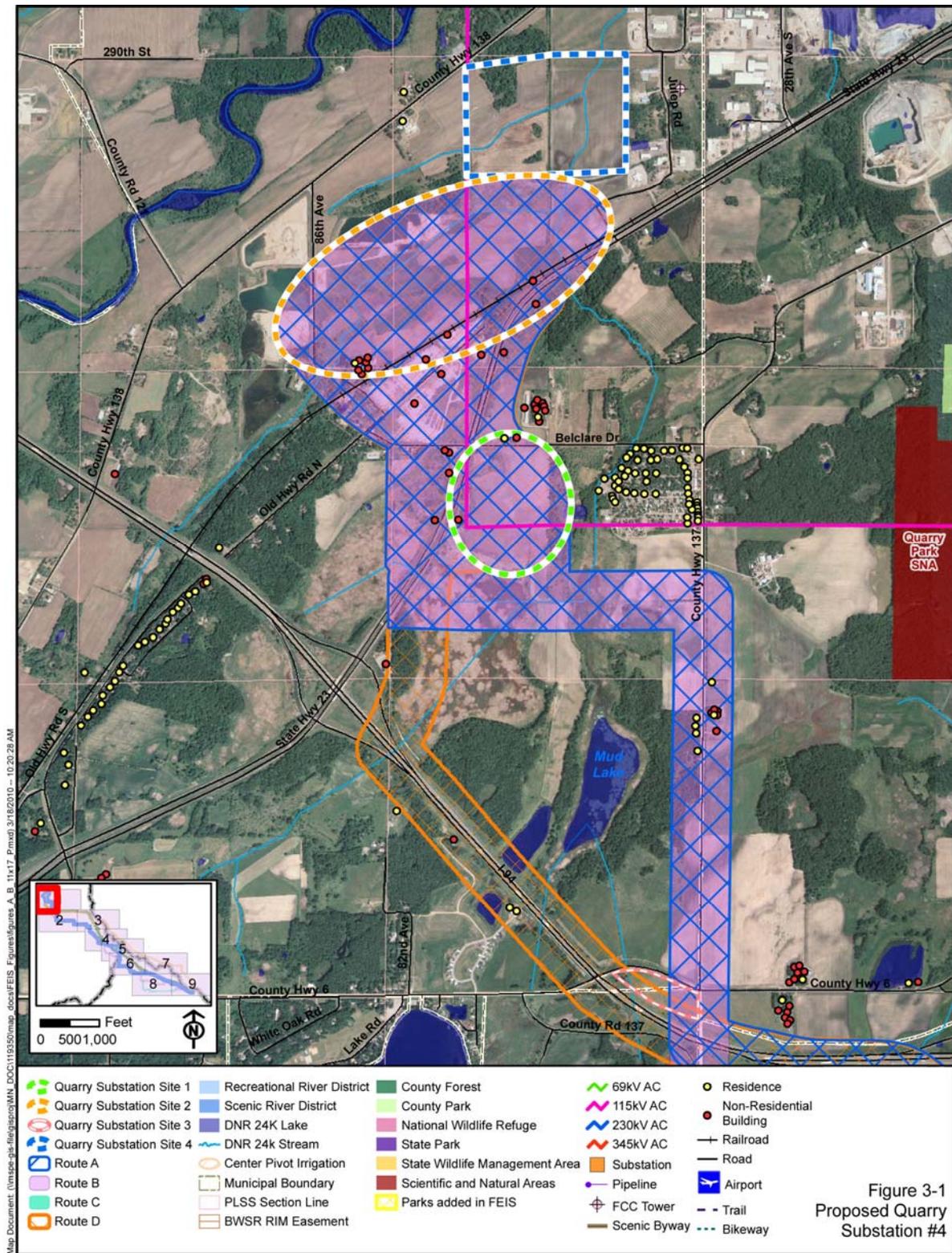
3.1.9 Flora (Section 5.19 of the DEIS)

The land use within Quarry Substation Site 4 area is generally agricultural, therefore the flora at these locations is not likely to be very diverse. No MCBS sites of biodiversity significance would be located within Quarry Substation Site 4. Although National Wetland Inventory (NWI) wetlands occur within the Quarry Substation Site 4 location, it appears from a review of recent aerial photography that they have been previously disturbed by agricultural activities or are actively cultivated.

3.1.10 Fauna (Section 5.20 of the DEIS)

The land use associated with Quarry Substation Site 4 is mostly agricultural. Impacts on wildlife at this location are expected to be minimal due to the abundance of similar adjacent habitat.

Construction may displace wildlife; however additional impacts on wildlife are not expected. The Applicant could work with the appropriate agencies should sensitive wildlife or their habitats exist at these locations to minimize disturbance.



3.2 COST ESTIMATE (SECTION 1.6 OF THE DEIS)

The Applicants submitted a comment letter that included changes to the original cost estimate for Route D. The revised estimate is included in the table below.

The updated estimate below is based on a preliminary alignment for Route D. Applicants are not yet sure if the alignment will be capable of being constructed on the Monticello Nuclear Generating Plant property. Additionally, Applicants have not consulted with the United States Army Corps of Engineers (USACE), USFWS or the Minnesota Department of Natural Resources (MnDNR) to determine what construction techniques and mitigation methods may be required for the two crossings of the Mississippi River that would be required for construction along Route D.

Table 3-2. Revised Transmission Line Costs

Alternative	Cost
Transmission Line Routes	
Applicant Preferred Route	\$54,200,000
Route A	\$65,400,000
Route B	\$71,500,000
Route C	\$65,500,000
Route D	\$60,200,000 \$53,600,000
Substations	
Monticello Substation Modifications	\$7,800,000
Applicants' Substation	\$14,200,000
Substation with 115kV Interconnect	\$15,600,000

3.3 PROPERTY VALUES (SECTION 5.2 OF THE DEIS)

Concerns regarding potential effects to property values for parcels of land crossed by the alternative routes were voiced by members of the public during project scoping. A number of research studies have been conducted on the effect of HVTL and other energy facilities on residential properties. A literature review was conducted to determine if conclusive impact assessments can be made. These studies included appraiser studies, attitudinal studies, and statistical analyses. None of the studies reviewed during this research provided conclusive findings which could isolate the impacts of transmission lines on property values.

Property values for parcels of land crossed by or adjacent to the proposed transmission line are not anticipated to significantly change. Literature reviews indicate that although value losses up to 20 percent have been reported (EPRI, 2003), study results are highly dependent on methodology and location. Numerous studies have found that property values in parcels neighboring transmission lines are more dependent on traditional assessment categories, such as location, house size, and amenities, rather than the presence of a transmission line. Impacts are the greatest for agricultural lands where the transmission lines interfere with cultivating paths

and spraying practices, high-end vacation properties, and small homesteads. Loss of value for residential parcels results from concern about health and visual impacts. However, impacts typically diminish within 10 years of transmission line construction. Positive impacts to property values can occur when transmission line ROWs are allowed to be cultivated or developed into recreational areas (Cowger, 1996 and Wisconsin Public Service Commission, 2000).

Several of the studies reviewed indicated that property value losses have been experienced, but decreases in property values are typically minor and the amount of decrease is dependent on the unique circumstances of each property. A literature review and statistical analysis conducted in 2008 reviewed a number of studies conducted between 1984 and 2007 and evaluated the effect on property values from HVTL in Connecticut and Massachusetts (Voorvaart and Chalmers, 2008). ~~The study concluded that there is no evidence of effects on residential real estate values due to either proximity or visibility of HVTL.~~ Of the primary studies most relied upon in the professional literature, Voorvaart and Chalmers made the following conclusions.¹

- About half of the studies found negative property effects due to proximity to transmission lines, and about half found no effect.
- When effects were found, they tended to be less than 10%, usually within a range of 3% to 6%.
- Where effects were found, they tended to diminish rapidly as distance from the lines increase and usually disappear around 200 to 300 feet away.
- Negative effects tend to dissipate over time.
- Two Swedish health-effects studies released in 1992 on proximity to high-voltage transmission lines do not appear to have affected market behavior.

Even with the extensive research conducted regarding the effect of HVTL proximity on property value, determining a conclusive methodology with which to measure an effect is difficult. The extent to which transmission line proximity could affect property values is dependent on a variety of other factors besides the location of a transmission line or easement. These other factors include size of the property, square footage of residence, amenities including proximity to schools and employment, and other neighborhood characteristics. Generally speaking, proximity to a transmission line may or may not have an effect on property values. The extent of any effect is dependent on the individual property and would vary under changing market conditions. Possible negative effects to property values can be mitigated by routing the alignment to avoid any residences.

~~Based on the research conducted, it is not anticipated that the proposed transmission line routes evaluated would significantly affect the value of properties adjacent to the proposed transmission lines.~~

¹ Voorvaart, Frank A. and Chalmers, James A. "High-Voltage Transmission Lines: Proximity, Visibility, and Encumbrance Effects", *The Appraisal Journal*, Appraisal Institute. (2009)

3.4 LAND USE, ZONING, AND PLANNING (SECTION 5.3 OF THE DEIS)

The construction and operation of a transmission line can impact existing and planned land uses and local zoning through the conversion of existing land use to transmission line ROW. Within the route alternatives, the majority of land is used for agriculture or is zoned for agricultural use, therefore this land use type would be most likely to be affected by the Project. However, these impacts are anticipated to be limited to pole locations, and the majority of the transmission line ROW could continue to be used for agricultural purposes.

This section discusses the typical land uses and zoning requirements in the area of the project, and describes the amount of zoned land use and the potential impacts to ~~those~~ existing and future land uses as a result of the project.

3.4.1 Affected Environment (Section 5.3.1 of the DEIS)

The land use study area includes all land within the routes and adjacent properties. Land uses in this area include agricultural, residential, and commercial uses. Agricultural uses predominate; commercial uses are located in and adjacent to the incorporated areas of Monticello, Becker, Clearwater, St. Augusta, and St. Cloud where development densities are higher. Existing land uses near these incorporated areas include residential, commercial, and industrial uses.

The study area is primarily zoned for agricultural and rural residential uses. The entire study area is planned and zoned by county or city zoning jurisdictions. Sherburne, Wright, and Stearns counties administer zoning over their respective unincorporated areas. The cities of Monticello, Becker, Clearwater, St. Cloud, and St. Augusta also administer zoning regulations within their city limits. The local area is zoned as general agricultural, agricultural/residential, and suburban/residential.

Table 3-3 shows the acreage of zoning affected by each of the alternative 1,000-foot routes. Zoning in the routes is also reflective of the existing and in some cases, future land uses in the area. The majority of land use and zoning that would be affected by any of the alternatives is agricultural.

Table 3-3. Zoning Within Each Route (Acres)

	Acres and Percentage of Zoned Land Use						
	Agriculture	Commercial	Municipal	Industrial	Recreation /Park	Residential	Special Protection Agriculture
Applicant Preferred Route	3,625 79%	108 2%	36 1%	352 8%	164 4%	265 6%	20 .4%
Route A	4,174 87%	44 1%	47 1%	212 4%	129 3%	88 2%	103 2%
Route B	4,044 88%	13 .3%	47 1%	182 4%	70 2%	160 3%	87 2%

	Acres and Percentage of Zoned Land Use						
	Agriculture	Commercial	Municipal	Industrial	Recreation /Park	Residential	Special Protection Agriculture
Route C	3,905 85%	13 .3%	47 1%	182 4%	70 2%	299 6%	87 2%
Route D	2,909 72%	60 1%	82 2%	632 16%	246 6%	80 2%	19 .5%
Quarry Substation Site 3 with 115 kV Interconnect	231 54%	0	61 14%	0	36 8%	6 1%	97 23%

3.4.2 Potential Impacts (Section 5.3.2 of the DEIS)

Zoning within each route is illustrative of the type of land use that could be impacted by the ultimate 150-foot transmission line alignment (see Section 5.3.1). Specific alignment alternatives are not available for all routes; however, a qualitative evaluation of land use impacts can be made by determining the type of uses that are likely to be affected by an alignment. The future land use plans from each jurisdiction affected were consulted to qualitatively determine if potential land use conflicts would occur under future development scenarios.

Quantitative data on specific alignments is also provided for the three levels of alignments proposed within the Applicant Preferred Route, Route A, and a portion of Route D. These alignments consider ROW sharing with transportation routes, specifically with Interstate 94. The maximum ROW occupancy alignment proposes an alignment within the 5 feet of ROW. The minimum ROW occupancy alignment proposes an alignment within 25 feet of the interstate ROW. A third option, the no ROW occupancy alignment, proposes no ROW sharing with Interstate 94.

3.4.3 Applicant Preferred Route

The Applicant Preferred Route crosses Wright and Stearns counties and several incorporated cities including Monticello, Clearwater, and St. Cloud. Within this route, nearly 80 percent of land is zoned for agricultural uses and less than 10 percent of land within the route is zoned for industrial/commercial or residential uses. The residential uses affected are primarily single-family rural residential parcels located intermittently along the route, but a concentration of residential land uses is located near the intersection of Interstate 94 and Minnesota Highway 24. Most industrial and commercial uses are located near the interchanges with Interstate 94, such as at Minnesota Highway 24, 15, and 23. Commercial and industrial uses are also concentrated near St. Cloud and Monticello. Municipal, recreation, and special protection agriculture land would be minimally affected. Recreation land affected is located at Fuller Lake east of Clearwater.

As shown in Table 5-6, the ROW occupancy alignments proposed within the Applicant Preferred Route would have similar impacts on land use. Nearly 80 percent of land use affected would be in agricultural zoning, however, some commercial or industrial uses located within 5 feet or 25 feet of the interstate ROW at the Interstate 94 interchanges would also be affected. Compared to the no occupancy alternative, the maximum or minimum ROW occupancy options could cause greater conflicts with existing and planned commercial or industrial land uses at interchanges with Minnesota Highway 8 and County Road 7 in St. Cloud and along the north side of Interstate 94 east of Clearwater because of the close proximity of some businesses to the interstate ROW. In these areas, the no ROW occupancy alternative would result in fewer conflicts with these commercial or industrial operations because the alignment would be located away from the ROW. However, throughout the remaining alignment sections of the route, the minimum and maximum ROW occupancy alignments would impact less land and fewer acres of agricultural land use.

Table 3-4. Zoned Land Use Affected by ROW occupancy Alignments for Applicant Preferred Route

	Acres and Percentage of Zoned Land Use in ROW occupancy Alignments						
	Agriculture	Commercial	Municipal	Industrial	Recreation /Park	Residential	Special Protection Agriculture
Maximum ROW Occupancy	407 79.0%	17 3.3%	4 <1%	39 7.6%	19 3.7%	30 5.8%	<1 <1%
Minimum ROW Occupancy	410 79.6%	18 3.5%	4 <1%	34 6.6%	19 3.7%	30 5.8%	<1 <1%
No ROW Occupancy	420 79.4%	14 2.6%	4 <1%	38 7.2%	18 3.4%	35 6.6%	<1 <1%

3.4.4 Route A

Route A, like the Applicant Preferred Route, also crosses Wright and Stearns counties affecting the cities of Monticello, Clearwater, and St. Cloud as well as surrounding townships. Areas that are zoned for and planned to remain in agriculture make up the majority of land affected by the route with an even higher percentage than the Applicant Preferred Route (87 percent compared to 79 percent). Within Route A, nearly 90 percent of land is zoned for agricultural uses. Less than 5 percent of land within the route is zoned for industrial/commercial or residential uses. As with the Applicant Preferred Route, most industrial and commercial uses are located near the Interstate 94 corridor and the incorporated areas. Commercial zoning classifications along Route A reflect businesses along the Interstate 94 corridor and businesses within the cities and townships that Route A crosses. Commercial and industrial land uses are not as prominent along Route A (one and four percent, respectively) compared to the Applicant Preferred Route (two

and eight percent, respectively). Similar to the Applicant Preferred Route, minimal county-identified municipal area, recreation uses, and special protection agriculture land would be affected

As shown in Table 3-5, the ROW occupancy alignments proposed within Route A would have similar impacts on land use. Nearly 90 percent of land use affected would be in agricultural zoning. The maximum and minimum ROW occupancy alignments would have similar effects on agricultural and residential land uses; however, location within 5 feet or 25 feet of the interstate ROW at interchanges could interfere with some existing or planned commercial or industrial uses compared to the no ROW occupancy alternative. The maximum or minimum interstate route sharing options could cause greater conflicts with commercial or industrial land uses at the I-94 and Minnesota Highway 8 interchange because these uses occupy land situated close to the interchange footprint. Similar impacts would also occur west of the Interstate 94 and Minnesota Highway 24 interchange. The no ROW occupancy alternative at these locations would affect additional agricultural land, but would result in fewer conflicts with existing and planned commercial or industrial operations. However, throughout the remaining alignment that is not near interchanges, the minimum and maximum ROW occupancy alignments would impact less land and fewer acres of agricultural land use.

Table 3-5. Zoned Land Use Affected by ROW occupancy Alignments for Route A

	Acres and Percentage of Zoned Land Use in ROW occupancy Alignments						
	Agriculture	Commercial	Municipal	Industrial	Recreation /Park	Residential	Special Protection Agriculture
Maximum ROW occupancy	518 88.2%	6 1.0%	3 <1%	18 3.1%	12 2.0%	13 2.2%	17 2.9%
Minimum ROW occupancy	523 89.1%	7 1.2%	3 <1%	11 1.9%	13 2.2%	12 2.0%	17 2.9%
No ROW occupancy	531 88.8%	8 1.3%	3 <1%	11 1.8%	16 2.7%	12 2.0%	17 2.8%

Route D

Within Route D, 72 percent of the land potentially affected is zoned for agricultural uses. Land planned and zoned for industrial uses represents 16 percent of the route and is primarily located in an industrial park in Becker. Transmission line corridors are typically compatible with industrial land uses. Route D cuts through a large area of land planned for industrial use as indicated in the Becker Township Land Use Plan. The City of Becker has indicated that this route could interfere with a future rail spur in this location. In addition, the location of the proposed transmission line within this area could limit the type or size of development. Since the exact alignment through this area has not yet been determined, coordination with the city and

township would be necessary to minimize any potential conflict the corridor could have on future growth plans.

Municipal and residential land accounts for 1 percent and 2 percent, respectively, of the route. Recreation land accounts for 6 percent of the route, and is mainly reflective of the open space areas along the Mississippi River. Quarry Substation Site 1

The Quarry Substation Site 1 is nearly 100 acres of land zoned for agriculture. Less than one half of 1 percent is zoned for residential and reflects the one existing residence located there. The substation will ultimately be located within the approved siting area so as to avoid the displacement of this residence.

3.5 TRAILS (SECTION 5.8 OF THE DEIS)

Applicant Preferred Route and Route A Mitigation

Locating the transmission lines east of I-94 would avoid any impacts to Warner Lake County Park and its trails. The portion of the route that includes a section of Warner Lake County Park is at a location where the route is wider than 1000 feet so impacts to the trails can be avoided. If the Project was located west of I-94 near Warner Lake County Park and there was no ROW collocation with Mn/DOT, the Applicant would work with the County to maintain park access to trails and park amenities. The maximum ROW occupancy would have the smallest impact on the park (one acre) if the proposed transmission line alignment were located on the west side of the interstate.

The Applicant will would work with the County to maintain trail access during and after construction. The Applicants have indicated that every effort would be made during final design to avoid impacts to trails along the project. If impacts to trails are unavoidable, the Applicant will work with the County to re-align trails would then work with the County to mitigate impacts, including relocating portions of trails if appropriate.

The Project would span trails that are crossed by the transmission line. Impacts to trails could include temporary construction impacts to trails crossed by or along a route. Visual impacts could occur for users within one-half mile of the line where the foreground is not vegetated by mature trees.

3.6 MISSING PARKS (SECTION 5.7 OF THE DEIS)

Commenters noted that there were parks missing from the maps included in the DEIS. Following is a description of the parks along Route D of the proposed project that were inadvertently omitted in the DEIS:

- River access is available via a MnDNR property called Snuffy's Landing on the Mississippi River at river mile 905. The property is southwest of Becker Township on the north side of the river. Amenities include picnicking facilities, fishing access, canoe access and a parking area. It is seven miles upstream from Montisippi Park and nearly 10 miles upstream of Ellison Park in Monticello. The property boundary is located more

- than 1,000' west of the proposed 150' ROW for Route D. This landing has been added to the map in Appendix C of this FEIS.
- Riverwood Park is a residential community known as “the park” located along the northern bank of the Mississippi River east of Clearwater. The park permits motor homes, travel trailers and park model trailers. Residents, known as “members” own a share in the park and receive a lease to a lot. Amenities in the community include an executive golf course, swimming pool, tennis courts, horseshoes and shuffleboard. Fishing is permitted from shore or by boat. The Travelers County Club has been added to the map in Appendix E. The community boundary is bisected by Route D.
 - The approximately 63 acre West Mississippi River Park is located on the west side of CR 8 in Section 5 of Clear Lake Township. The polygon shown on the map is larger than 63 acres because the exact location could not be verified. This park is not identified by the County or the MnDNR. The West Mississippi Park has been added to the map in Appendix C. Route D encroaches on the eastern edge of the park; impacts to the park could be avoided by selecting a transmission line alignment in the eastern half of this segment of Route D.
 - The St Cloud/Clearwater RV Park is located on 2454 County Road 143. It provides full hook ups for motor homes, wooded campsites or cabins. Amenities include a meeting room, laundromat, showers and picnicking facilities. The St Cloud /Clearwater RV Park has been added to the map in Appendix E. The Applicant Preferred Route and Route A pass through the park, however, the park could be avoided by selecting a transmission line alignment in the southern portion of this segment.

3.7 AIRPORTS (SECTION 5.12 OF THE DEIS)

The applicant suggested the text revision to the airport discussion in the DEIS. The revised text is included below.

3.7.1 Route A

No facilities open to public use are expected to be impacted by Alternate Route A. Seven Hills Airport, a private, non-public use airport, is located within 0.30 miles of Route A. The airport has one turf runway (9/27) measuring 2100x25 feet that runs east-west and is marked with reflectors. The eastern end of the runway is approximately 2,300 feet from the edge of Alternate Route A. A 20:1 approach slope would allow a maximum structure height of 115-191 feet depending on its placement in the route. Using the maximum, minimum, or no route sharing alignments and a 20:1 approach slope, a maximum structure height of less than 149 feet would be required in the approach area. potential conflicts with the Seven Hills Airport would be avoided if structure heights in the approach area are less than 149 feet.

3.8 HIGHWAYS AND ROADS (EXCERPT FROM SECTION 5.13 OF THE DEIS)

This section discusses potential impacts and mitigation on local roadways and highways in the area of the project. Paralleling roadways reduces the need for additional right of way. Under the

routes evaluated for this project, transmission lines would parallel and cross roads including township roads, county roads, county highways, state highways, and one interstate. Impacts can be anticipated when the transmission line crosses over a roadway or when local or state government expands existing roadways and utility poles require relocation. When transmission lines cross a roadway, impacts are considered temporary and occur during the construction phase only. Temporary guard structures would be used to string conductor over existing roads. When transmission lines run parallel to a roadway, the potential for long-term impacts exist due to issues associated with right-of-way sharing.

Route D

Route D is approximately 30 miles in length and is located on the north side of the Mississippi River. After exiting the Monticello Substation this route would travel north for approximately one mile crossing the Mississippi River. The route would travel in a northwesterly direction for approximately 20 miles crossing Becker, Clear Lake and Haven townships in Sherburne County. The route would then travel in a southwesterly direction crossing back over the river for one mile where it enters the St Cloud city limits. The route then turns in a northwest direction for two miles and heads straight west for another three miles. The route enters into the St Cloud city limits and travels in a slightly north west direction taking several turns for approximately three miles. This route would terminate at one of the Quarry substation locations.

Table 3-6 lists the main roads that Route D would follow and traffic data, if available, for those roads.

Table 3-6. Average Annual Daily Traffic for Selected Roads Parallel to Route D

Route D	Existing Average Annual Daily Traffic	Parallel Length (miles)
CSAH 8/Existing Transmission Line	1,900	20
I-94, Stearns County	39,000	8.6
State Highway 23	15,000	1.1

Source: Minnesota Department of Transportation, 2006-2007

Roadway ROW and Expansion Plans

The applicants have indicated that a 150-foot wide ROW (easement) would be required for the proposed transmission line. Specialty structures may be required for long spans or in environmentally sensitive areas. In these cases, a ROW of up to 180 feet may be required. When a transmission line is placed entirely across private land, an easement for the entire 150-foot to 180-foot-wide ROW would need to be acquired from the landowner(s). The applicants have indicated they would locate the poles as close to property division lines as reasonably feasible to reduce the amount of ROW impact on a particular property.

When paralleling roadways, the applicants plan to install poles just outside the public roadway ROW. Placement of poles would typically range from 5 feet to 25 feet into fields or other private property when possible. Thus, although the pole is still located on private property, the transmission line can occupy some of the public ROW, thereby reducing the size of the easement required from the private landowner. For example, if the required ROW is 150 feet, and the pole is placed five feet off of an existing road ROW, then only an 80-foot easement would be required from the landowner. The roadway and transmission line would share the other 70-foot-wide section of ROW. However, this strategy ~~reduces~~ increases the potential of having to relocate utility poles due to future roadway expansions. See Diagrams 1-2 through 1-4 for examples of these scenarios. Another potential concern is the need for appropriate foundations for transmission poles. The maximum corridor occupancy scenario places poles five feet from the roadway ROW line. Should significant soil correction be needed to support the pole foundation, there would likely be a need to encroach on Mn/DOT ROW during construction. In cases where soil stability may be exceptionally poor, it is possible that the minimum corridor occupancy scenario (where poles would be 25 feet from the ROW line) could result in encroachment on Mn/DOT ROW during construction.

In order to share ROW, the applicants would need to acquire necessary approvals from the owner or the agency (e.g., Mn/DOT). Mn/DOT's Utility Accommodation Policy outlines the policies and procedures governing use and collocation of state trunk highway ROWs by utilities. The policy was developed in accordance with the requirements of state and federal law (Code of Federal Regulations, Title 23, Part 645, Subpart B). It is designed to ensure that the placement of utilities does not interfere with the flow of traffic and the safe operation of vehicles.

Mn/DOT has a responsibility to preserve the public investment in the transportation system and to ensure that non-highway uses of the ROW do not interfere with the ability of the state to make long-term highway improvements, such as adding lanes, interchanges, or bridges, or to safely maintain the existing system. In addition, state law requires Mn/DOT to reimburse the utility if a utility must be relocated from an ROW along an interstate highway as a result of future expansion or new interchanges.

Requirements vary based on whether the utility is crossing the highway or being installed parallel to it and based on the type of highway. For controlled access highways or freeways, "The installation of new utility facilities shall not be allowed longitudinally within the ROW of any freeway, except in special cases under strictly controlled conditions." (Mn/DOT Procedures for Accommodation of Utilities on Highway Right of Way – Highways No. 6.4.G-1). This means that the transmission structure—the poles and davit arms—must be completely outside of the ROW. For this Project, this would mean placing a pole approximately 20 to 25 feet outside the ROW.

The Federal Utility Accommodation Policy (Code of Federal Regulations, Title 23, Part 645, Subpart B) does provide for exceptions where special circumstances exist. If the highway is part of the National Highway System, the exception must be approved by the Federal Highway Administration (FHWA) and would be considered a federal action, meaning that the requirements of the National Environmental Policy Act must be met.

Future Roadway Improvement Projects

Mn/DOT State Transportation Improvement Program contains a list of programmed projects that have received funding for fiscal years 2009-2012. The Mn/DOT Statewide 20-Year Highway Investment Plans: 2009-2028 contains descriptions of planned projects that may be implemented at a future date. Each of these documents was reviewed to determine which programmed (funded) and planned projects may be impacted by the Project alternatives. The Highway 10 Interregional Connection (See Table 5-30 of the DEIS) is an example of a project that will require a significant increase in ROW. In this case, the additional ROW will be needed for the footprint of the interchange at I-94. Even under the no ROW occupancy alignment scenario for the Applicant Preferred Route and Route A, there would likely be a conflict between the transmission line and the future ROW need. Other transportation improvement projects that would require additional right of way could also result in a future conflict between transportation and electric transmission needs.

Even in situations where additional ROW would not be necessary, there could be potential conflicts between transmission lines and construction equipment used to reconstruct roadways and bridges, and install, repair, or replace signage.

Roadway ROW and Safety Requirements

The DEIS provides an overview of ROW and safety requirements; these requirements are expanded upon by Mn/DOT in their comment letter dated February 26, 2010. A copy of this letter is included in Appendix A of the FEIS. Mn/DOT identifies several federal and state laws and policies regulating the proper use of Federal-aid System highways. These include Section 109(I) of Title 23 of the U.S. Code which indicates:

“(1) In determining whether any right of way on any Federal-aid highway should be used for accommodating any utility facility, the Secretary [of Transportation] shall---

(A) first ascertain the effect such use will have on highway and traffic safety, since in no case shall any used be authorized or otherwise permitted, under this or any other provision of law, which would adversely affect safety;”

Minnesota Statute §222.37, Subd. 1 indicates that:

“Any...power company...may use public roads for the purpose of constructing, using, operating, and maintaining lines...for their business, but such lines shall be so located as in no way to interfere with the safety and convenience of ordinary travel along or over the same...”

Additional citations can be found in the Mn/DOT letter.

Mitigation

Generally, mitigation includes limiting or eliminating negative effects on transportation operation and maintenance activities. Mitigation measures would be similar for the alternative

routes, although the Applicant Preferred Route and Route A would require the greatest level of coordination with Mn/DOT. Potential mitigation measures could include:

- Final structure locations, ROW, and any disturbed areas could be determined by considering input from responsible transportation agencies (e.g. Mn/DOT, counties, townships) to minimize visual or construction impacts.
- Consideration of planned future transportation improvements could be made to select specific alignments that would be less likely to require future relocation.
- Structures could be located at the maximum feasible distance from highway and trail crossings within the limits of the structure design.
- Where practical, crossings of roadway rights of way would be perpendicular to minimize the occupancy of roadway right of way airspace.
- Where possible, transmission line alignments could be selected that would avoid the Fuller and Enfield Rest Areas.

Should a route be permitted that would impact transportation facilities, discussions would be conducted with the appropriate transportation agencies regarding final alignment and construction methods.

3.9 CULTURAL RESOURCES (SECTION 5.14 OF THE DEIS)

The Applicant provided additional information regarding the identification and mitigation process for cultural resources; this information is included below.

The Applicants conducted a Phase Ia Literature Search for the Project, which encompassed an area within one mile of all proposed routes, to identify known archaeological and historic architectural resources that may be affected by the Project. To assess potential impacts to both documented and undocumented cultural resources that may be affected by the selected route and substation site, Applicants will take the following specific steps for the Project:

- Prepare a scope of work for a Phase I survey of areas to be disturbed by Project activities. This document will present the results of the already-completed literature search and make recommendations regarding areas which will require survey. This document will be submitted to the State Historic Preservation Office (“SHPO”) and the office of the state archaeologist (“OSA”) as applicable or appropriate, for review and concurrence;
- Conduct a Phase I survey of areas subject to ground disturbance to document the locations of any previously identified and undocumented archaeological and historic resources that may be affected by the Project and create a master list of these newly identified resources;
- Review the results of the previously conducted literature search and Phase I data to modify the locations of Project facilities to the extent feasible or practicable to avoid any

identified resources that may be eligible for listing in the National Register of Historic Places (“NRHP”);

- Conduct Phase II surveys of any cultural resources that may be eligible for listing in the NRHP that cannot be avoided, using appropriate field survey methodology;
- Further modify the proposed locations of Project facilities, to the extent feasible or practicable, to avoid resources identified during the Phase II surveys that are determined to be eligible for the NRHP, and;
- Develop treatment options in consultation with the SHPO, and if applicable the OSA, for any resources that are determined to be eligible for the NRHP that cannot be avoided.

The Applicants have indicated that they do not anticipate any direct impacts to cultural resources as a result of Project construction. They have also indicated that the following measures would be implemented prior to and during construction to avoid or minimize impacts:

- Field identification of resource sites of concern in the vicinity of the construction zone;
- Fence off or otherwise flag resource sites of concern in the vicinity of construction work;
- Inform construction crews of resource sites and train them to avoid/minimize impacts to such sites;
- Make available to construction crews properly qualified cultural resource personnel to provide assessment and monitoring of construction sites if unknown resources are identified.

In the event that a Phase III survey is considered for the Project, Applicants would meet with the SHPO and the OSA, as applicable or appropriate. Any Phase III survey would be conducted in accordance with the Secretary of Interior Standards and Guidelines for Archaeology and Historic Preservation, the SHPO Manual for Archaeological Projects in Minnesota and Guidelines for History/Architecture Projects in Minnesota, as appropriate. Applicants will provide study results and coordinate with the SHPO throughout this process.

3.10 SURFACE WATER (SECTION 5.16 OF THE DEIS)

A commenter noted that Fuller Lake was missing from the Applicant preferred discussion and corresponding table. It was also noted that the number of Mississippi River Crossings were inaccurately represented in the table describing waterbodies crossed by Route D. These corrections have been made below.

Applicant Preferred Route

Numerous surface water resources including lakes, rivers, streams, and wetlands are located along the Proposed Routes (see Appendix H). Major named surface waters within the Applicant Preferred Route include Warner, Locke, Fuller, and Fish lakes and the Clearwater River. The

largest surface water body along this route is Locke Lake. In order to avoid impacts associated with the crossing of Locke Lake, the Applicant Preferred Route parallels the north side of Interstate 94 (I-94). All of the major surface waters listed here are MnDNR protected waters.

Several small or unnamed streams also occur along the Applicant Preferred Route. Water features crossed by the Applicant Preferred Route are summarized in Table 3-7. Waterbodies listed in the PWI are denoted in this table.

Table 3-7. Waterbodies Crossed by the Applicant Preferred Route

Waterbody Name	Number of Crossings	PWI Stream
Silver Creek	1	Yes
Stream (perennial) to Rice Lake	1	No
Stream (perennial) from Fish Lake to Mississippi River	1	No
Clearwater River	1	Yes
Plum Creek	1	Yes
Johnson Creek	1	Yes
Robinson Hill Creek	2	Yes
<u>Fuller Lake</u>	<u>1</u>	<u>No</u>
Drainage Ditch to Mud Lake	2	No
County Ditch 17	1	Yes
Drainage Ditch to County Ditch 17	1	No
Unnamed Stream to County Ditch 17	1	No

Determined by HDR Inc. based on 150 foot ROW for all options

Route D

Major named surface waters within Route D include the Mississippi River. The Mississippi River is a MnDNR protected water.

Several small or unnamed streams also occur along Route D. The surface water resources crossed by Route D are listed below and identified on the detailed route maps in Appendix H. (that shows detailed route maps).

Table 3-8. Waterbodies Crossed by Route D

Waterbody Name	Number of Crossings	PWI Stream
Mississippi River	3-2	Yes
Johnson Creek	1	Yes
Robinson Hill Creek	2	Yes
Drainage Ditch to Mud Lake	2	No
County Ditch 17	1	Yes
Drainage Ditch to County Ditch 17	1	No
Unnamed Stream to County Ditch 17	1	No

Determined by HDR Inc. based on 150 foot ROW for all options

Fish Lake Area

Several commenters expressed concerns regarding the impacts from the transmission line being located in the area of Fish Lake. The following provides additional information regarding Fish Lake Area.

Fish Lake is a 98 acre lake located just south of the I-94 corridor approximately 2.5 miles southeast of the City of Clearwater. Fish Lake drains to the northeast to the Mississippi River and its backwaters. Figure 3-2 focuses on Fish Lake and its surroundings.

This area has been significantly altered by the I-94 and County Highway 75 corridors which run in an east west direction skirting the northeast shore of Fish Lake. Prior to roadway construction, the lake and the Mississippi River were broadly hydrologically connected through a large wetland area. Since the construction of the roadway, the surface water connection between Fish Lake and has been constricted to a channel running beneath I-94 and County 75. A large wetland area is still present on the northeast side of I-94.

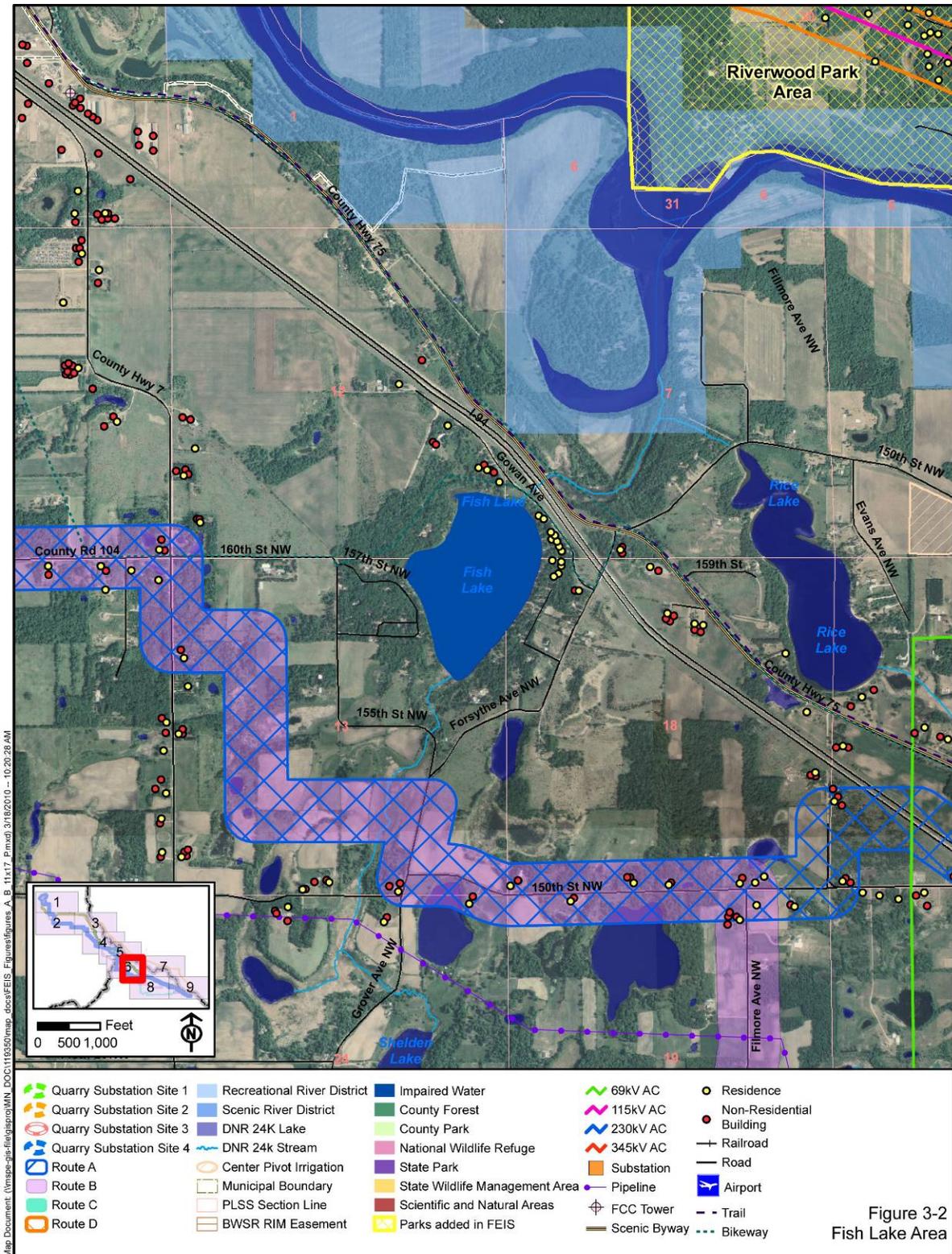
Fish Lake is listed on the MPCA impaired waters list due to excessive levels of nutrients which increases the eutrophication². The Minnesota Pollution Control Agency is in the process of establishing total maximum daily loads (TMDLs) for impaired waters across the state. This process will govern discharges to the lake and within the watershed.

Of the routes under consideration in this EIS, only the Applicant Preferred Route overlaps Fish Lake. Construction of a transmission line adjacent to the Fish Lake area would be conducted under the requirements of the Clean Water Act (CWA), which would require the Applicant to obtain a National Pollutant Discharge Elimination System (NPDES) construction stormwater permit. This permit includes a stormwater pollution prevention plan (SWPPP) which specifies best management practices to limit or eliminate the discharge of sediment to adjacent water bodies. It is not anticipated that the project would have a direct impact on the impaired status of

² Eutrophication is the accumulation of nutrients that support a dense growth of algae and other organisms, which when they decay can deplete oxygen levels in the lake.

Fish Lake, since neither construction nor operation activities would affect the discharge of nutrients to the lake.

One option to minimize impacts to Fish Lake itself would be to construct the transmission line on the northeast side of I-94; this would potentially increase impacts to wetlands, and would increase the potential for impacts to the Great River Road (discussed in Section 5.6.3 of the DEIS). Mitigation options for wetlands are discussed in Section 5.17 of the DEIS.



3.11 PERMITS AND APPROVALS (SECTION 6.0 OF THE DEIS)

Counties noted that the permits and approvals for Wetland Conservation Act (WCA) would come from the Local Government Unit (LGU) not the Board of Water Soil Resources (BWSR). This change is reflected in the table below.

Table 3-9. Potential Permits and Approvals

Permit	Jurisdiction
Local Approvals	
Road Crossing/ROW Permits	County, Township, City
Lands Permits	County, Township, City
Building Permits	County, Township, City
Over width Loads Permits	County, Township, City
Driveway/Access Permits	County, Township, City
<u>Wetland Conservation Act</u>	<u>County, or other LGUs</u>
Minnesota State Approvals	
Certificate of Need	Minnesota PUC
Route Permit	Minnesota PUC
Cultural and Historical Resources Review	Minnesota SHPO
Endangered Species Consultation	Minnesota DNR - Ecological Services
License to Cross Public Waters	Minnesota DNR - Lands and Minerals
Utility Permit	Mn/DOT
Wetland Conservation Act	BWSR
NPDES Permit	MPCA
Federal Approvals	
Section 10 Permit	USACE
Section 404 Permit	USACE
Permit to Cross Federal Aid Highway	FHWA
Notice of Proposed Construction (7460-1)	FAA
Notice of Actual Construction or Alteration	FAA
Farmland Protection Policy Act/Farmland Conversion Impact Rating	USDA/NRCS
Spill Prevention, Control and Countermeasure (SPCC) Plan	EPA
Compatibility Analysis of Disturbed Easements/Lands	USFWS