

# **Appendix H**

## **Agency Consultation**



December 22, 2008

Name & Address

**Re: Proposed construction of transmission facilities to provide electric power to the Essar Steel Facility currently under construction.**

Dear:

On behalf of the Nashwauk Public Utilities Commission (NPUC), Essar Steel Minnesota (Essar) and Minnesota Power (MP), HDR Engineering, Inc. (HDR) is seeking your comments on two High Voltage Transmission Line (HVTL) projects described below.

### **230 kV Project**

NPUC and MP, as co-applicants, will be submitting a route permit application which will include the proposed construction of three 230 kV transmission lines and two 230 kV substations (230 kV Project). This proposal is subject to the Full Permitting Process with the Minnesota Public Utilities Commission (MPUC) under Minn. Rule 7849.5200. Minn. Statutes 116C.57, subd. 2c. requires that an Environmental Impact Statement be prepared prior to the MPUC granting a route permit for the 230 kV Project. The study area for the three 230 kV transmission lines and two substations is identified on the attached project location map and is shown in Table 1.

### **115 kV Project**

NPUC and/or MP will be applying for a route permit application for reroute of a 115 kV HVTL (115 kV Project) under the Local Review process included in Minn. Rules 7849.6200. We are anticipating that the local authority to approve the route application will be the City of Nashwauk. In accordance with the rule, an Environmental Assessment will need to be completed before the Route Permit application can be approved. The 115 kV transmission line study area is identified on the attached project location map and is shown in Table 2.

HDR is currently gathering information for the Applicants as they prepare to apply for the Full Permitting process with the MPUC and the Local Permitting Process. Both of these projects are located in Itasca County in Northern Minnesota. The Applicants and HDR would like you to provide information, issues, concerns, and comments on the proposed study areas for each of the projects.

**Table 1. Location of Proposed 230 kV Project.**

County	Township Name	Township	Range	Sections
Itasca	NA	55	23	1-9, 17-20
	Trout Lake	55	24	1-2, 11-14, 23-24
	Lone Pine	56	22	5-7, 18
	Greenway	56	23	1-35
	Iron Range	56	24	1-15, 22-26, 35-36
	Arbo	56	25	1-2, 11-12
	Nashwauk	57	22	6-7, 18-19, 30-31
	Nashwauk	57	23	1-2, 5-36
	Lawrence	57	24	1-5, 8-17, 19-36
	Wabana	57	25	35-36
	N/A	58	22	19, 30-31
	Balsam	58	23	23-26, 30-31, 35-36
	Balsam	58	24	25-28, 33-36

**Table 2. Location of Proposed 115 kV Project.**

County	Township Name	Township	Range	Sections
Itasca	Lone Pine	56	22	4-6
	Greenway	56	23	3-4
	Nashwauk	57	22	30-33
	Nashwauk	57	23	25-27, 34-36

We would appreciate receiving information/comments from you by January 26, 2009. Your information will be used as we compile data for the route applications, including route locations and route alternatives. The Applicants intend to hold a public information meeting in the project area in mid-February 2009.

The Applicants expect to file a route application to the MPUC in June of 2009 and will be seeking on-going feedback from you and your agency as this project proceeds through review. If you require further information or have questions regarding this matter, please do not hesitate to contact Lydia Nelson or Kelly Garvey at 763-591-5400. Thank you for your assistance.

Sincerely,

**HDR Engineering, Inc.**

A handwritten signature in black ink that reads "Lydia C. Nelson". The signature is written in a cursive style with a long horizontal flourish at the end.

Lydia Nelson  
Project Manager

Attachment: Project Study Area

	Agency	First Name	Last Name	Title	Address1	Address2	City	State	Zip	Phone	Fax	email	Notes	
<b>Federal</b>	Dept of the Army Corps of Engineers; St. Paul District	Tamara	Cameron	Project Manager Team Leader	190 Fifth St. E		St. Paul	MN	55101-1638	(651) 290-5197		<a href="mailto:Tamara.J.Cameron@mvp02.usace.army.mil">Tamara.J.Cameron@mvp02.usace.army.mil</a>		
	Dept of the Army Corps of Engineers; St. Paul District, Bemidji Regulatory Office	Bill	Baer	Regional Permitting Staff Member	4111 Technology Drive	Suite 295	Bemidji	MN	56601	(218) 444-6381	(218)444-9328	<a href="mailto:William.A.Baer@mvp02.usace.army.mil">William.A.Baer@mvp02.usace.army.mil</a>	Cass, Hubbard, Itasca	
	Federal Aviation Administration	Barry	Cooper	Regional Administrator	O'Hare Lake Office Center	2300 East Devon Avenue	Des Plaines	IL	60018	(847) 294-7294	(847) 294-8490			
	Federal Highway Administration	Robin	Schroeder	Assistant Division Administrator	380 Jackson St.	Gallier Plaza, Suite 500	St. Paul	MN	55101-4802	(651) 291-6105		<a href="mailto:ROBIN.SCHROEDER@FHWA.DOT.GOV">ROBIN.SCHROEDER@FHWA.DOT.GOV</a>		
	U.S. Environmental Protection Agency	Ken	Westlake	Region V	77 West Jackson Blvd		Chicago	IL	60604			<a href="mailto:westlake.kenneth@epa.gov">westlake.kenneth@epa.gov</a>		
	US Fish and Wildlife Service - Twin Cities Field	Tony	Sullins	Field Office Supervisor	USFWS	4101 East 80th Street	Bloomington	MN	55425	(612) 725-3548 x201	(612) 725-3609	<a href="mailto:Tony_Sullins@fws.gov">Tony_Sullins@fws.gov</a>	Laurie Fairchild X 214. Big Stone, Chippewa, Lac	
	Mississippi Headwaters Board	Janet	Ekholm	Executive Director	Cass County Courthouse	PO Box 3000	Walker	MN	56484	(218) 547-7263	(218) 547-5376	<a href="mailto:cass.mhb@co.cass.mn.us">cass.mhb@co.cass.mn.us</a>		
<b>State</b>	Minnesota Dept of Natural Resources	Perry	Loeering	Area Wildlife Manager-Grand Rapids	1201 E. Hwy 2		Grand Rapids	MN	55744	(218) 999-7940	(218) 327-4263	<a href="mailto:perry.loeering@dnr.state.mn.us">perry.loeering@dnr.state.mn.us</a>		
	Minnesota Dept of Natural Resources	Maya	Hamady	non-game manager Grand Rapids	1201 E. Hwy 2		Grand Rapids	MN	55744	(218) 327-4267	(218)-999-7915	<a href="mailto:gaea.crozier@dnr.state.mn.us">gaea.crozier@dnr.state.mn.us</a>		
	Minnesota Dept of Natural Resources	Dave	Holmbeck	Environmental Review Staff	1201 E. Hwy 2		Grand Rapids	MN	55744	(218) 999-7805		<a href="mailto:dave.holmbeck@dnr.state.mn.us">dave.holmbeck@dnr.state.mn.us</a>		
	Minnesota Dept. of Agriculture	Bob	Patton	Local Govmt Outreach Coordinator	625 Robert Street North		St. Paul	MN	55155	(651) 201-6226		Bob.Patton@state.mn.us		
	Minnesota Dept. of Commerce	Deborah	Pile	Director of Energy Facility Permitting	85 7th Place East	Suite 500	St. Paul	MN	55101-2198			<a href="mailto:deborah.pile@state.mn.us">deborah.pile@state.mn.us</a>		
	Minnesota Dept. of Natural Resources	Matt	Langan	Environmental Planner	500 Lafayette Road	Suite 500	St. Paul	MN	56601	(651) 259-5115		<a href="mailto:matt.langan@dnr.state.mn.us">matt.langan@dnr.state.mn.us</a>		
	Minnesota Dept. of Transportation (Aeronautics)	Dick	Thiesen	Environmental Cordination	Office of Aeronautics	222 E. Plato Boulevard	St. Paul	MN	55107-1618	651-234-7192				
	Minnesota Public Utilities Commission	Bob	Cupit	Manager, Energy Facility Permitting	121 7th Place East	Suite 350	St. Paul	MN	55101-2147	(651) 201-2255		<a href="mailto:bob.cupit@state.mn.us">bob.cupit@state.mn.us</a>		
	Minnesota Public Utilities Commission	Janet	Gonzalez	Energy Manager	121 7th Place East	Suite 350	St. Paul	MN	55101-2147	(651) 201-2231	(651)297-7073	<a href="mailto:janet.gonzalez@state.mn.us">janet.gonzalez@state.mn.us</a>		
	Minnesota State Farm Service Agency	Perry	Aasness	Executive Director	375 Jackson Street	Suite 400	St. Paul	MN	55101	(651) 602-7700	(651) 602-7744			
	Minnesota State Historic Preservation Office	Dennis	Gimmestad	Government Programs & Compliance Officer	345 Kellogg Blvd West		St. Paul	MN	55102			<a href="mailto:dennis.gimmestad@mnhs.org">dennis.gimmestad@mnhs.org</a>		
	MN Dept. of Natural Resources Natural Heritage & Nongame Research Program	Lisa	Joyal		500 Lafayette Road	Box 25	St. Paul	MN	55155	(651) 296-7863	(651) 296-1811	<a href="mailto:sarah.wren@dnr.state.mn.us">sarah.wren@dnr.state.mn.us</a>		
	MN Dept. of Transportation - District 1	Mike	Robinson	District Engineer	1123 Mesaba Avenue		Duluth	MN	55811	(218) 725-2704	(218) 725-2800	<a href="mailto:mike.robinson@dot.state.mn.us">mike.robinson@dot.state.mn.us</a>		
	Natural Resource Conservation Service	Bill	Lorenzen	Biologist	375 Jackson Street	Suite 600	St. Paul	MN	55101	(651) 602-7883		<a href="mailto:bill.lorenzen@mn.usda.gov">bill.lorenzen@mn.usda.gov</a>		
<b>Itasca County</b>	Itasca County	Amanda	Schultz	Deputy Clerk of the Itasca County Board	123 NE 4th St.		Grand Rapids	MN	55744	(218) 327-2847	(218) 327-2848	<a href="mailto:amanda.schultz@co.itasca.mn.us">amanda.schultz@co.itasca.mn.us</a>	Cell phone: (218) 244-1049	
	Itasca County Zoning Department	Dan	Hahn	Zoning Technician	123 NE 4th St.		Grand Rapids	MN	55744	(218) 327-2857	(218) 327-7331			
	Itasca County Highway Department	Dave	Christy	County Highway Engineer	123 NE 4th St.		Grand Rapids	MN	55744	(218) 327-2853	(218) 327-0688	<a href="mailto:dave.christy@co.itasca.mn.us">dave.christy@co.itasca.mn.us</a>		
	Itasca County SWCD	Jim	Gustafson	District Manager	1889 East Highway 2		Grand Rapids	MN	55744	218-326-0017	218-326-8938	<a href="mailto:jim.gustafson@mn.nacdnet.net">jim.gustafson@mn.nacdnet.net</a>		
<b>Municipal</b>	City of Coleraine	Sandy	Bluntach	Clerk	PO Box 670		Coleraine	MN	55722	(218) 245-2112				
	City of Bovey	Tiffany	Johnson	Clerk	PO Box 399		Bovey	MN	55709-0399	(218) 245-1633				
	City of Taconite	Mike	Troubly	Clerk	PO Box 142		Taconite	MN	55786-0137	(218) 245-1831				
	City of Marble	Randi Rollins	Jurganson	Clerk	PO Box 264		Marble	MN	55764	(218) 247-0180				
	City of Calumnet	April	Serich	Clerk	PO Box 154		Calumet	MN	55716	(218) 247-7187				
	City of Keewatin	Julie	Bardine	Clerk	PO Box 190		Keewatin	MN	55723	(218) 778-6517				
	Trout Lake Township	Jeanne	Newstrom	Clerk	24951 Co Rd 10		Bovey	MN	55709	(218) 245 1100				
	Lone Pine Township	Karen	Strege	Clerk	29215 Kaleva Beach Rd		Penngilly	MN	55775	(218) 885-2310				
	Greenway Township	Jay	Kolar	Clerk	Box 173		Marble	MN	55764	(218) 247-7318				
	Iron Range Township	Pat	Fillbrandt	Clerk	32423 Scenic Hwy		Bovey	MN	55709	(218) 245-2346				
	Lawrence Township	Catherine	Castle	Clerk	35201 Scenic Hwy		Bovey	MN	55709	(218) 245-1531				
	Balsam Township	Sue	Stish	Clerk	42852 Scenic Highway		Bovey	MN	55709	(218) 245-1549				
	Naskwauk Township	Warren	Stolp	Chairman	131 4th Street		Nashwauk	MN	55769	(218) 885-1042				
Great River Energy (GRE)	Carole	Schmidt	Supervisor, Transmission Permitting	12300 Elm Creek Boulevard		Maple Grove	MN	55369						
Arrowhead Regional Development Commission	Catherine	McLynn	Itasca County Commission			Grand Rapis	MN	55744						

Source:  
Date: December 2008



DEPARTMENT OF THE ARMY  
ST. PAUL DISTRICT, CORPS OF ENGINEERS  
SIBLEY SQUARE AT MEARS PARK  
190 FIFTH STREET EAST, SUITE 401  
ST. PAUL MINNESOTA 55101-1638

RECEIVED

JAN 22 2009

HDR Engineering, Inc.

January 20, 2009

REPLY TO  
ATTENTION

Operations  
Regulatory (2009-00043-WAB)

Ms. Lydia Nelson  
HDR Engineering, Inc.  
701 Xenia Avenue South  
Minneapolis, Minnesota 55416-3636

Dear Ms. Nelson:

We have received a letter from you dated December 22, 2008 concerning a proposal by the Nashwauk Public Utilities Commission and Minnesota Power to reroute a 115 kV high voltage transmission line (115 kV project), and construct three 230 kV transmission lines and two 230 kV substations (230 kV project) near Nashwauk, Minnesota. The project will provide electrical power to the Essar Steel Facility currently under construction. Due to the very general nature of the information provided to us, and the limited number of staff, the U.S. Army Corps of Engineers Regulatory Program will not be able to offer a specific response to your proposal. In lieu of a specific response, please consider the following general information concerning our regulatory program that may apply to the proposed project.

If the proposal involves activity in navigable waters of the United States, it may be subject to the Corps of Engineers' jurisdiction under Section 10 of the Rivers and Harbors Act of 1899 (Section 10). Section 10 prohibits the construction, excavation, or deposition of materials in, over, or under navigable waters of the United States, or any work that would affect the course, location, condition, or capacity of those waters, unless the work has been authorized by a Department of the Army permit.

If the proposal involves deposition of dredged or fill material into waters of the United States, including discharges associated with mechanical land clearing, it may be subject to the Corps of Engineers' jurisdiction under Section 404 of the Clean Water Act (CWA Section 404). Waters of the United States include navigable waters, their tributaries, and adjacent wetlands (33 CFR § 328.3). CWA Section 301(a) prohibits discharges of dredged or fill material into waters of the United States, unless the work has been authorized by a Department of the Army permit under Section 404. Information about the Corps permitting process can be obtained online at <http://www.mvp.usace.army.mil/regulatory>.

The Corps' evaluation of a Section 10 and/or a Section 404 permit application involves multiple analyses, including (1) evaluating the proposal's impacts in accordance with the National Environmental Policy Act (NEPA) (33 CFR part 325), (2) determining whether the proposal is contrary to the public interest (33 CFR § 320.4), and (3) in the case of a Section 404

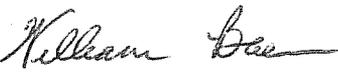
permit, determining whether the proposal complies with the Section 404(b)(1) Guidelines (Guidelines) (40 CFR part 230).

If the project requires a Section 404 permit, the 404(b)(1) Guidelines require that a discharge can not be permitted if there is a practicable alternative with less adverse impact on the aquatic environment, unless the alternative has other significant adverse effects on the natural environment (40 CFR § 230.10(a)). In addition, no discharge can be permitted under the Guidelines if it would, individually or cumulatively, cause or contribute to significant degradation of waters of the United States, or violate other applicable laws, such as State water quality standards, toxic effluent standards, or the Endangered Species Act. The 404(b)(1) Guidelines also prohibit discharges in wetlands unless appropriate and practicable steps have been taken which will minimize potential adverse impacts of the discharge on the aquatic ecosystem. Time and money spent on a proposal prior to applying for a Section 404 permit cannot be factored into the Corps' decision whether there is a less damaging practicable alternative to the proposal.

A project proposer may request a pre-application consultation meeting with the Corps to obtain information regarding the data, studies or other information that will be necessary for the permit evaluation process. A pre-application consultation meeting is strongly recommended if a proposal has substantial impacts to waters of the United States, or if it is a large or controversial project.

For further information or to request a pre-application consultation meeting, please contact Bill Baer at 218-444-6381, the Corps' project manager for Itasca County in which this proposal is located.

Sincerely,

  
*for* Robert J. Whiting  
Chief, Regulatory Branch

Cf: Matt Johnson, Itasca County SWCD



Natural Resources Conservation Service  
375 Jackson Street, Suite 600  
St. Paul, MN 55101-1854

Phone: (651) 602-7900  
FAX: (651) 602-7914

JAN 14 2009

HDR Engineering, Inc.

File Code: 190-15-13

January 12, 2009

**Re: Proposed construction of transmission facilities to provide electric power to the Essar Steel Facility currently under construction, Nashwauk, MN.**

Lydia Nelson, Project Manager  
HDR Engineering, Inc.  
701 Xenia Avenue South, Ste. 600  
Minneapolis, MN 55416-3636

Dear Ms. Nelson:

I'm pleased that our agency had the opportunity to review the subject project. NRCS appreciates the opportunity to have discussed this subject project with all you.

However, since no federal sponsoring agency is involved, and neither federal financial nor technical assistance will be involved in the implementation of this project, the Federal Farmland Policy Protection Act (FPPA) assessment will not apply. Therefore, FPPA review and compliance will not be required because the project is exempt from federal review by NRCS.

Sincerely,

A handwritten signature in black ink, appearing to read "William E. Lorenzen".

WILLIAM E. LORENZEN  
Environmental Review/Justice Coordinator

RECEIVED

JAN 22 2009

 Minnesota  
Historical Society  
STATE HISTORIC PRESERVATION OFFICE

HDR Engineering, Inc.

January 21, 2009

Lydia Nelson  
HDR Engineering, Inc.  
701 Xenia Avenue South, Suite 600  
Minneapolis, MN 55416

RE: Construction of High Voltage Transmission Lines to Essar Steel Facility  
Itasca County  
SHPO Number: 2009-0739

Dear Ms. Nelson:

Thank you for the opportunity to review and comment on the above project. It has been reviewed pursuant to the responsibilities given the Minnesota Historical Society by the Minnesota Historic Sites Act and the Minnesota Field Archaeology Act.

Due to the nature of the proposed project, we recommend that an archaeological survey be completed. The survey must meet the requirements of the Secretary of the Interior's Standards for Identification and Evaluation, and should include an evaluation of National Register eligibility for any properties that are identified. For your information, we have enclosed a list of consultants who have expressed an interest in undertaking such surveys.

If the project area can be documented as previously disturbed or previously surveyed, we will re-evaluate the need for survey. Previously disturbed areas are those where the naturally occurring post-glacial soils and sediments have been recently removed. Any previous survey work must meet contemporary standards.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36CFR800, procedures of the Advisory Council on Historic Preservation for the protection of historic properties. If this project is considered for federal assistance, or requires a federal license or permit, it should be submitted to our office with reference to the appropriate federal agency.

If you have any questions on our review of this project, please contact me at (651) 259-3456.

Sincerely,



Dennis A. Gimmestad  
Government Programs and Compliance Officer

Enclosure: List of Consultants



Minnesota Department of Transportation

Office of Aeronautics  
Mail Stop 410  
222 East Plato Boulevard  
St. Paul, MN 55107-1618

Phone: 651/234-7200  
Fax: 651/234-7261

RECEIVED  
DEC 31 2008  
HDR Engineering, Inc.

December 29, 2008

Lydia Nelson  
HDR Engineering, Inc.  
701 Xenia Avenue South  
Minneapolis, MN 55416-3636

Dear Ms. Nelson:

Thank you for your letter to Dick Thiesen dated December 22, 2008 requesting comments to the proposed construction of transmission facilities to provide electric power to the Essar Steel Facility.

We have reviewed the proposed projects and determined that the transmission lines have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or to public airports and licensed private use airports in the surrounding area.

We appreciate your cooperation with this office by providing advance notice of future construction and alteration projects.

Sincerely,

A handwritten signature in cursive script that reads 'Darlene Dahlseide'.

Darlene Dahlseide  
Aviation Representative

Cc: Dick Thiesen

Lujdia .

1-9-09

Mn/DOT's general HVTL  
placement guidelines  
for your information &  
records.

\* In reference to the  
NPUC 230 KV (w/ Essar  
Steel & MN Power)



Minnesota Department of Transportation

Office of Technical Support  
Utility Permits and Agreements Unit  
Mailstop 678  
395 John Ireland Blvd  
St. Paul, MN 55155

Telephone: 651-366-4635  
Fax: 651-366-4667

January 14, 2008

This letter is intended to provide guidelines for transmission line routing on or near Minnesota trunk highways. Please consider these factors when reviewing and planning new lines.

Clearance for existing structures

For all appurtenances within the right of way such as light standards, type-A traffic signs, Road Weather Information Systems (RWIS) stations, etc., Mn/DOT will require a minimum vertical access zone of 10 feet plus an OSHA safety zone of 25 feet to allow for overhead maintenance of these structures. This 35 foot minimum vertical clearance is needed to accommodate boomed equipment.

Clear zone Requirements

Clear zone requirements must be met for any structure on Mn/DOT right of way.

Interchanges and separated grade crossings

Interchange areas are particularly important to keep clear of utilities due to bridge maintenance and construction requirements, increased presence of highway facilities, and traffic considerations. At ramped interchanges lateral crossings will be allowed at a minimum distance of 50 feet outside the interchange ramps. At interchanges with bridges over the highway, a safe distance for possible reconstruction or maintenance would need to be determined on a bridge by bridge basis. When bridges run parallel with the road, a minimum distance of 50 feet from the structures is required.

Conductor Movement Envelope a.k.a. "blow out" zone or area of influence

(The area that is affected by the sway of the line under wind and heat conditions)

Mn/DOT would prefer to keep all lines far enough from the right of way that this has no influence on the highway.

Crossings

As a general rule crossings are allowed. Mn/DOT prefers that they are perpendicular to the roadway.

Vegetation

Anywhere inside the right of way, whether vegetation exists or not, as a minimum requirement, vegetation must be allowed to attain a minimum height of 35 feet. A vegetation management plan must be worked out with each District.

Safety rest areas

Mn/DOT will not permit the physical location of utility lines or structures to encroach. The vegetation requirements remain in force at rest areas and may be of a more strict nature for aesthetic reasons.

Additional Factors

A Utility Permit from Mn/DOT is required for any line that would affect Mn/DOT right of way.

General placement for aerial lines is within the outer 5 feet of trunk highway right of way.

By Policy any utility placed within Mn/DOT trunk highway right of way by permit would be required to relocate at the owner's expense if future highway construction necessitated.

The entire Mn/DOT Utility Accommodation Policy is available at [www.dot.state.mn.us/utility/files/pdf/appendix-b.pdf](http://www.dot.state.mn.us/utility/files/pdf/appendix-b.pdf) and needs to be adhered too.

For lines around rest areas contact the Safety Rest Area Program Manager at 651-366-4702.

For issues involving airports and their height clearances and restrictions contact Rick Braunig at 651-234-7230 or email at [rick.braunig@dot.state.mn.us](mailto:rick.braunig@dot.state.mn.us).

Mn/DOT's main contact for Transmission Line Route Coordination is Stacy Kotch. I can be reached at 651-366-4635 or by email at [Stacy.Kotch@dot.state.mn.us](mailto:Stacy.Kotch@dot.state.mn.us).

Mn/DOT District contacts are:

**District 1**

WAYNE SCHEER (218) 725-2780

**District 2A**

STEPHEN FRISCO (218) 755-6553

**District 2B**

EARL HILL (218) 277-7964

**District 3**

TERRY HUMBERT (320) 223-6527

CLAUDIA DUMONT (320) 223-6530

**District 4**

JIM UTECHT (218) 846-7949

JODY MARTINSON (218) 846-7964

**District 6**

CHRIS MOATES (507) 286-7594

PETER WASKIW (507) 286-7680

**District 7**

JIM FOX (507) 831-8012

RICHARD "KENT" PURRIER (507) 304-6151

**District 8**

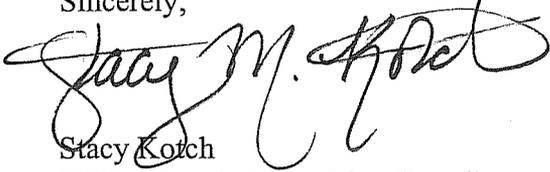
GERI VICK (320) 214-6364

JARRETT HUBBARD (320) 214-6362

**METRO**

CURT FAKLER (651) 582-1382

Sincerely,

A handwritten signature in black ink, appearing to read "Stacy M. Kotch". The signature is fluid and cursive, with a large initial "S" and "K".

Stacy Kotch  
Utility Transmission Line Coordinator



# Minnesota Department of Natural Resources

Division of Ecological Resources, Box 25

500 Lafayette Road

St. Paul, Minnesota 55155-4025

Phone: (651) 259-5109 Fax: (651) 296-1811 E-mail: [lisa.joyal@dnr.state.mn.us](mailto:lisa.joyal@dnr.state.mn.us)

April 15, 2009

**Correspondence# ERDB 20090731**

Kelly Garvey  
HDR Engineering, Inc.  
701 Xenia Avenue South, Suite 600  
Minneapolis, MN 55416

RE: Natural Heritage information in the vicinity of the proposed Nashwauk Public Utilities Commission – Three 230 kV Transmission Lines, Itasca County

Dear Ms. Garvey,

As requested, the Minnesota Natural Heritage Information System has been queried to determine if any rare species or other significant natural features are known to occur within an approximate one-mile radius of the proposed project. Based on this query, several rare features have been documented within the search area (for details, see the enclosed database reports; please visit the DNR Rare Species Guide at <http://www.dnr.state.mn.us/rsg/index.html> for more information on the biology, habitat use, and conservation measures of these rare species). Please note that the following **rare features may be impacted** by the proposed project:

- A bald eagle (*Haliaeetus leucocephalus*) nesting area has been documented south of Upper Panaca Lake in T56N R23W Section 28. Eagles often build several nests in a territory and use different nests in different years, so the potential exists for eagles to use these nests again in the future. Bald eagles are a state-listed species of special concern, and they are federally protected under the Migratory Bird Treaty Act and under the Bald and Golden Eagle Protection Act. Both acts prohibit killing, selling, or otherwise harming eagles, their nests or eggs. For assistance in determining whether an activity may disturb nesting bald eagles, please refer to the following USFWS website: <http://www.fws.gov/midwest/eagle/guidelines/index.html>.
- Several mussel species, including state-listed species of special concern, have been documented in the rivers and creeks within the area of interest. As mussels are particularly vulnerable to deterioration in water quality, especially increased siltation, it is important that effective erosion and sediment control practices be implemented and maintained near these waterways. In addition, **please contact me if any riverbeds will be disturbed by the proposed utility construction, as a mussel survey may be required**. We will need to discuss potential surveyors, survey protocol, and other requirements before any survey work is initiated.
- Several rare plants have been identified within the area of interest. Every effort should be made to avoid known locations of these plants, as provided to HDR under License Agreement #488. **Please contact me if avoidance of the known location of any threatened or endangered species is not feasible**. Minnesota's endangered species law (*Minnesota Statutes*, section 84.0895) and associated rules (*Minnesota Rules*, part 6212.1800 to 6212.2300 and 6134) prohibit the taking of threatened or endangered species without a permit.
- State-listed threatened and endangered plants documented in the area include blunt-lobed grapefern (*Botrychium oneidense*), pale moonwort (*B. pallidum*), St. Lawrence grapefern (*B. rugulosum*), and turbercled rein-orchid (*Platanthera flave* var. *herbiola*). Although many of these records are associated

with mine tailings, these species have the potential to occur in other suitable habitat within the project boundaries. **Please contact me when more definitive alignments have been selected, as botanical surveys may be required.** We will need to discuss potential contractors, survey protocol, and other requirements before any survey work is initiated.

- Forest stands designated as old growth, defined as stands containing trees more than 120 years in age, have been documented in T57N R25W Section 36 and T57N R24W Sections 28 & 31 (please see attached map). A century and a half ago, Minnesota had 13.9 million acres of old growth forest. Currently, less than 610,000 acres remain, representing a loss of 96-99%. Given the rarity of these features, we recommend that disturbance to the old growth stands be avoided.
- The above information, along with any proposed avoidance or mitigation measures, should be addressed in the PUC route permit application.

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist within the project area.

The enclosed results include an Index Report and a Detailed Report of records in the Rare Features Database, the main database of the NHIS. To control the release of specific location information, which might result in the destruction of a rare feature, both reports are copyrighted.

The Index Report provides rare feature locations only to the nearest section, and may be reprinted, unaltered, in an environmental review document (e.g., EAW or EIS), municipal natural resource plan, or report compiled by your company for the project listed above. If you wish to reproduce the index report for any other purpose, please contact me to request written permission. **The Detailed Report is for your personal use only as it may include specific location information that is considered nonpublic data under *Minnesota Statutes*, section 84.0872, subd. 2. If you wish to reprint or publish the Detailed Report for any purpose, please contact me to request written permission.**

This letter does not constitute review or approval by the Department of Natural Resources as a whole. Instead, it identifies issues regarding known occurrences of rare features and potential effects to these rare features. Additional rare features for which we have no data may be present in the project area, or there may be other natural resource concerns associated with the proposed project. For these concerns, please contact your DNR Regional Environmental Assessment Ecologist, Rian Reed at 218-999-7826. Please be aware that additional site assessments or review may be required.

Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources. An invoice will be mailed to you under separate cover.

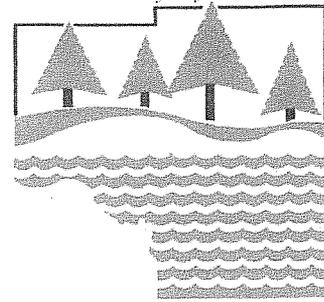
Sincerely,



Lisa Joyal  
Endangered Species Environmental Review Coordinator

enc. Rare Features Database: Index Report  
Rare Features Database: Detail Report  
Rare Features Database Reports: An Explanation of Fields  
Map

cc: Rian Reed  
Matt Langan



**ITASCA COUNTY**  
**Department of Surveying and Mapping**  
**123 NE 4<sup>th</sup> Street Room 156**  
**Grand Rapids, MN 55744-2600**  
Hours: Monday thru Friday 8:00AM to 4:30PM  
Telephone: 218-327-2854 Fax: 218-327-2895  
Website: [www.co.itasca.mn.us](http://www.co.itasca.mn.us)

November 12<sup>th</sup>, 2008

TO: Chuck Michael  
Utility Management Corporation  
16612 Saddle Horn Court  
Eden Prairie, MN 55347

RE: Knowledge of Burial Site; Little Sucker Lake Are, Section 34 Township 57 North,  
Range 23 West of the 4<sup>th</sup> PM.

Dear Mr. Michael,

On May 22<sup>nd</sup> 2008, Deputy County Surveyor Guy Carlson was recovering Bench Marks in Township 57 North, Range 23 West along County Highway 58 in Itasca County. He had a short conversation with Mr. Roy Belanger, 18499 Sucker Lake Road, Naswauk, MN, 55769. Mr. Belanger informed Deputy County Surveyor Carlson of having personal knowledge of the location of two Native American burial sites that were shown to him by his father some years back in the Little Sucker Lake area. I tried to contact Mr. Belanger at 218-885-2007 a number of times and was not successful. I write this note to inform you of what knowledge we have in hope that the protection of the burial sites are insured and that the gas line serving the Minnesota Steel project proceeds.

I would hope that you contact Mr. Belanger concerning your construction project. Minnesota Statute 307.08 DAMAGES; ILLEGAL MOLESTATION OF HUMAN REMAINS; BURIAL; CEMETERIES; PENALTY is the statue that covers burial sites.

Thank You,

A handwritten signature in black ink, appearing to read 'Timothy J. Wotzka', written over a horizontal line.

Timothy J. Wotzka  
Itasca County Surveyor

CC: Guy Carlson, Deputy County Surveyor  
Roy Belanger, 18499 Sucker Lake Road, Naswauk MN 55769