



**In the Matter of the Application for a Route
Permit for the EcoEnergy 161 Kilovolt
Transmission Line**

**ENVIRONMENTAL ASSESSMENT
SCOPING DECISION
PUC Docket No. IP-6688/TL-09-601**

The above matter has come before the Director of the Office of Energy Security (OES) for a decision on the Scope of the Environmental Assessment to be prepared on the EcoEnergy 161 Kilovolt (kV) transmission line project that involves the construction of an approximately 8.5-mile 161 kV transmission line, a substation in Bristol township, Fillmore County, and a switching station in Harmony township, Fillmore County (Figure 1).

The applicant indicates that the project will capture energy generated by the 280 megawatt EcoHarmony Wind Farm in Fillmore County, and connect to the grid at the new switching station in Harmony township.

A route permit application (IP-6688/TL-09-601) for the project was filed on July 30, 2009, and accepted by the Minnesota Public Utilities Commission (Commission) on September 8, 2009. Because the proposed transmission line capacity is greater than 100 kV, but less than 10 miles in length, a Certificate of Need application is not required.

The OES Energy Facility Permitting (EFP) staff held a public information and environmental assessment scoping meeting on October 8, 2009, at the Harmony Fire Department in Harmony, Minnesota, to discuss the project with the public and solicit public input on the scope of the environmental assessment to be prepared. Approximately 25 people attended the meeting. The public was given until October 22, 2009, to submit written and/or email comments.

In addition to the comments heard at the public meeting, the OES EFP also received a total of four comment letters, all of which were reviewed and considered during preparation of the Scope of the Environmental Assessment.

A letter from a citizen located along the proposed route requested the inclusion of an alternative route segment that avoids the applicant's proposed route that would run along 120th Street. The citizen requested the scope of the environmental assessment include a route that follows County Road 44 to the proposed switching station. This alternative route segment (Alternate Route A) would follow County Road 44, turn southeast on Garden Road, and then turn south on 331st Avenue. This alternative route segment has been incorporated into the scope of the environmental assessment, and is shown in Figure 1.

In addition, EcoEnergy submitted a letter on December 15, 2009 requesting an additional route segment be included in the scope. This route segment alternative (Alternate Route B) would continue along County Road 44, east of 305th Avenue, then turn south on State Highway 139, where it would join the proposed route on 120th Street. This alternative route segment has been incorporated into the scope of the environmental assessment, and is shown in Figure 1.

Having reviewed the matter, consulted with EFP staff, and in accordance with Minnesota Rules 7850.3700, I hereby make the following Scoping Decision:

MATTERS TO BE ADDRESSED

The Environmental Assessment on the proposed EcoEnergy 161kV Transmission Line project will address and provide information on the following matters:

A. REGULATORY FRAMEWORK

The Environmental Assessment will describe the regulations and regulatory processes which the project is being reviewed under, including environmental review and the public participation process.

B. GENERAL DESCRIPTION OF THE PROPOSAL

1. Purpose of the Transmission Line
2. Project Location and Environmental Setting
3. Engineering and Operation Design
 - a. Transmission Line and Structures (including size and type)
 - b. Transmission Capacity
 - c. Construction Procedures
 - d. Right-of-Way Requirements and Maintenance

C. IMPACTS AND MITIGATIVE MEASURES

1. Human Settlements and Socioeconomics
2. Public Health and Safety (including electric and magnetic fields)
3. Noise
4. Aesthetics
5. Recreation
6. Transportation and Public Services
7. Radio, Television, and Cellular Phone Interference
8. Archaeological and Historic Resources
9. Land Use (land-based economies: forestry, mining, agriculture, prime farmland)
10. Soils and Geology
11. Air Quality
12. Surface Water and Wetland Resources
13. Flora and Fauna
14. Rare and Unique Natural Resources

D. ALTERNATIVES TO BE ADDRESSED IN THE ENVIRONMENTAL ASSESSMENT

In addition to the route proposed by EcoEnergy, LLC, the Environmental Assessment shall address the following alternative route segment:

1. Alternate Route Segment A – This proposed alternative route segment would continue east along County Road 44 (instead of turning south on 305th Avenue), turn southeast on Garden Road, and turn south on 331st Avenue, terminating at the proposed switching substation in Harmony township (Figure 1.)
2. Alternate Route Segment B - This proposed route segment alternative would continue along County Road 44, east of 305th Avenue, then turn south on State Highway 139, where it would join the proposed route on 120th Street, terminating at the switching substation in Harmony township (Figure 1.)

E. IDENTIFICATION OF PERMITS

The Environmental Assessment will include a list of permits that will be required for the project.

F. ISSUES OUTSIDE THE SCOPE OF THE ENVIRONMENTAL ASSESSMENT

The Environmental Assessment will not consider the following:

1. The manner in which land owners are paid for transmission right-of-way easements, as that is outside the Commission's jurisdiction.
2. Any alternatives not described specifically in this Scoping Decision.
3. Whether a different size or different type of transmission line should be built.
4. The no-build option regarding the High Voltage Transmission Line or routes other than those noted herein.
5. The impacts of specific energy sources, such as carbon outputs from coal-generated facilities or environmental impacts from a wind generation installation.

G. SCHEDULE

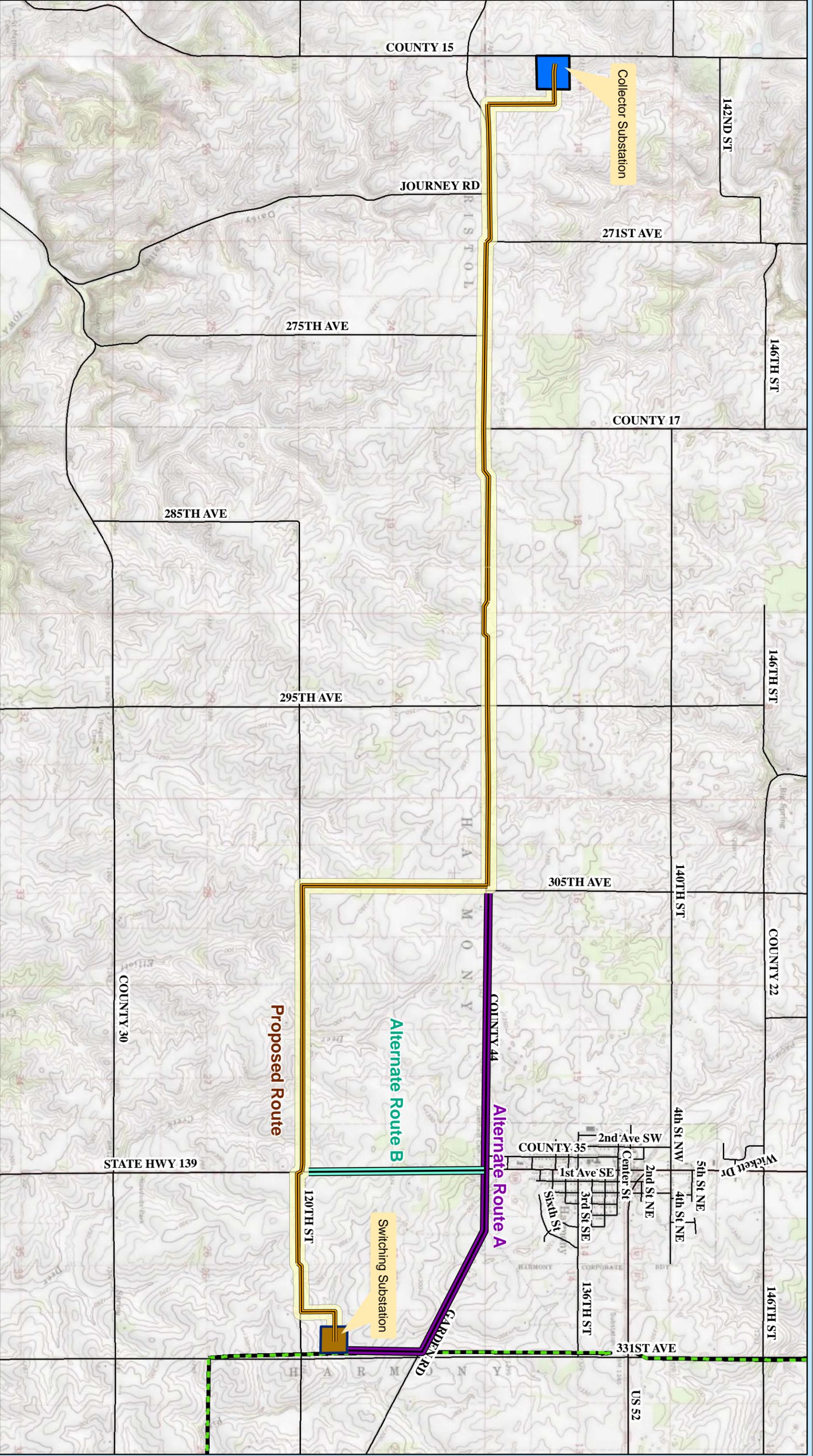
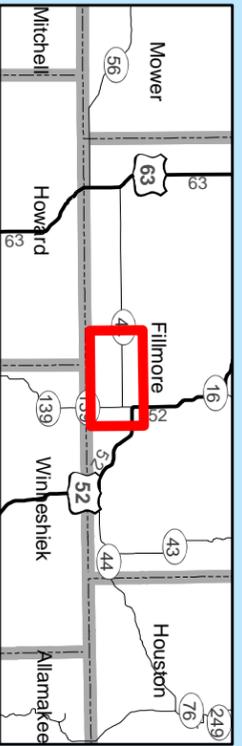
The Environmental Assessment shall be completed and available in February 2010. A public hearing will be held in the project area after the Environmental Assessment has been issued and notice served.

Signed this ____ day of _____, 2009

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE
OFFICE OF ENERGY SECURITY

William Glahn, Director

EcoHarmony West Transmission Line Route Layout Map Figure 1



Legend

- Proposed Transmission Line Route
- ITC Interconnect Line
- Alternate Transmission Line Route A
- Alternate Transmission Line Route B
- 220ft Buffer Route Width
- Collector Substation
- Switching Substation
- Roads
- County Boundary
- municipalities

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