



## Minnesota Department of Transportation

### Office of Land Management

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May 4, 2012

Ray Kirsch, State Permit Manager  
Minnesota Department of Commerce  
85 7th Place East, Suite 500  
St. Paul, MN 55101-2198

RE: In the Matter of the Route Permit Application for the Black Dog to Savage 115 kV  
Transmission Line Project in Anoka County  
PUC Docket No. E002/TL-11-795

Dear Mr. Kirsch,

On November 14<sup>th</sup>, 2011 the Minnesota Department of Commerce Energy Facility Permitting (EFP) issued a Notice of Public Information and Scoping meeting and a request for public comment on the scope of the environmental assessment (EA) relating to the route permit application by Xcel Energy for the Black Dog to Savage 115 kV Transmission Line Project in Dakota County. The Minnesota Department of Transportation (MnDOT) has reviewed the application regarding the proposed project and submits the following comments in response to the Notice.

MnDOT appreciates the opportunity to comment on the scope of the EA. MnDOT wishes to participate in the development of the EA so that it will contain a thorough evaluation of the effects various route proposals may have on the state transportation system. MnDOT's fundamental interest is to ensure that the EA identifies and quantifies, to the extent possible, any impacts the proposed high voltage transmission line (HVTL) may have on the safety of the transportation system, the effectiveness of the operations or maintenance of the state trunk highway system and any additional costs that may be imposed on the state trunk highway fund as a result of the location of the proposed HVTL.

MnDOT's approach to the HVTLs such as those involved in the Xcel Energy's proposal is to work to accommodate these HVTLs within or as near as feasible to the trunk highway rights of way, based on an evaluation of the specific locations to ensure that appropriate clearance is maintained to preserve the safety of the traveling public and highway workers and the effective operation of the highway system now and in the foreseeable future. MnDOT has adopted a formal policy and procedures for accommodation of utilities on the highway rights-of-way (Utility

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Accommodation Policy"). A copy of MnDOT's policy can be found at <http://www.dot.state.mn.us/utility/files/pdf/appendix-b.pdf>

MnDOT's policy seeks to permit utilities to occupy portions of the highway rights-of-way where such occupation does not put the safety of the traveling public or highway workers at risk or unduly impair the public's investment in the transportation system. The HVTL would not be permitted inside the control of access line for I-35W. See Minn. Rules part 8810.3300, subp. 4. The EA should assess the relationship of the placement of the proposed utility poles and the location of the highway activities for both the current traveled way and the future traveled way since future improvements to the highway may change the proximity of the proposed HVTL and make the line close enough to occupy a portion of the highway right-of-way.

Highway crossings by utilities generally do not pose insurmountable difficulties in issuing a permit, and MnDOT routinely grants such permits to a variety of types of utilities. These permits usually have conditions associated with them, such as ensuring that the wires are high enough that they will not pose a hazard to highway users or maintenance employees. Highway crossings should occur as close to right angles as possible.

MnDOT and community stakeholders in the Burnsville area have begun the process of planning improvements and alterations to I-35W in the area between Highway 13 and the Minnesota River. The alternatives being studied include the possibility of consolidating the interchanges at Black Dog Road and Cliff Road. The location where the proposed HVTL would cross I-35W could constrain the options available for the location and design of a new interchange, ramp terminals and frontage roads. MnDOT requests that Xcel consult with MnDOT's Metro District planners to minimize the likelihood that the final location of the HVTL would unduly constrain future options for highway improvements.

Any HVTL construction work, including delivery or storage of structures, materials or equipment that may affect MnDOT right of way is of concern such that MnDOT should be involved in planning and coordinating such activities. If work is required within MnDOT right-of-way for temporary or permanent access, please coordinate with Buck Craig, Metro Permits at 651-234-7911 or [Buck.Craig@state.mn.us](mailto:Buck.Craig@state.mn.us) .

MnDOT has a continuing interest in working with the EFP to ensure that possible impacts to highways, airports, waterways, rail lines and the environmentally significant areas of highway right-of-way are adequately addressed. We appreciate the opportunity to provide these comments.

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Sincerely,



Stacy Kotch  
Utility Transmission Route Coordinator  
Minnesota Department of Transportation

cc: Molly McCartney – Metro Sr. Transportation Planner  
Timothy Rogers – Xcel Energy

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