Minnesota Department of Natural Resources
500 Lafayette Road • St. Paul, MN • 55155-40_

May 4, 2012

Burl Haar, Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
Saint Paul, MN 55101-2147

Re: Application for the Southwest Twin Cities Scott County to Westgate 115 kV Transmission Line Rebuild Project [PUC Docket Number: E002/TL-11-948]

Dear Dr. Haar:

The Minnesota Department of Natural Resources (DNR) has reviewed the Application submitted for the Southwest Twin Cities Scott County to Westgate 115 kV Transmission Lines Rebuild Project and provides the following comments regarding application completeness and content. Please consider the following comments for either updates to the application and/or for development of the environmental review record as appropriate to the Public Utilities Commission process.

Geographic Information System (GIS) shapefiles, which project developers usually use for project planning, are very helpful to the efficiency and accuracy of DNR review because many natural resource data files are available to DNR reviewers in this format. The route can be viewed along with DNR data efficiently in this manner. The DNR requests that shapefiles of the project line and right-of-way corridor be provided as soon as possible because these files would be helpful in determining if there are resource impacts that need to be considered. These also assist with early coordination for DNR permits and/or licenses.

Where expansions have been identified for substations, impacts to resources, such as vegetation, should be considered when describing the footprints of the expansion area.

Section 6.5.3 Flora – Mitigative Measures. The Route Permit language reads that Xcel Energy will limit tree clearing and removal to the transmission line right-of-way, areas that limit construction access to the Project Area, and areas that impact the safe operation of the facilities. Mitigative Measures should include a reference to selective vegetation removal as included in Appendix H.

Section 6.5.4 Fauna includes a discussion on avian impacts. Xcel Energy included with the Route Permit application proposed bird diverter locations on maps provided in Appendices B.2 and B.3. The DNR appreciates Xcel Energy's proactive approach in identifying these proposed locations within the Route Permit Application. The DNR requests GIS shapefiles of the proposed route, route corridor and proposed diverter locations to be able to better assess the proposed locations. A more detailed discussion on why some water crossings or nearby water surface features have not been identified as bird diverter locations would be helpful in our assessment.

The section on Rare and Unique Natural Resources (6.6) Mitigative Measures is lacking some information. In the Natural Heritage Information System (NHIS) letter referenced in the Route Permit Application, dated 2010, and re-verified in 2011, the DNR identified two state-listed fish species of special concern and a state-listed threatened species that may be impacted by the proposed project. Neither impacts to these species nor mitigative measures to avoid and minimize impacts to these species

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were discussed in the Route Permit Application. The NHIS letter included a flyer and fact sheet for the state-listed threatened Blanding's turtle that included a list of recommendations for avoidance and minimization efforts. Xcel Energy should include the flyer and fact sheet in their discussion on potential impacts and Mitigative Measures and should specify which measures will be implemented.

The Route Permit Application does not mention invasive species management (including aquatic invasive species management) for construction and/or maintenance practices. As discussed in Section 6.5.2 Water Quality, there are numerous DNR public waters and wetlands and other jurisdictional water bodies that will be intersected by the proposed project. Given the high number of surface water features within the proposed route and surrounding area, invasive species management throughout all phases of the proposed project should be addressed.

As noted in the route permit application, utilities that cross DNR public waters and wetlands will be required to apply for a DNR Utility License to Cross Public Lands or Waters. The DNR may require additional terms and conditions pertaining to land and/or water crossings under DNR administration.

Thank you for the opportunity to provide comments regarding the Route Permit Application for the Southwest Twin Cities Scott County to Westgate 115 kV Transmission Rebuild Project. Please contact me with any questions.

Sincerely,

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C: Michael Kaluzniak, PUC
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