

Written Public Comments Received During the Comment Period on the
Scope of the Environmental Assessment to be Prepared for the
Kohlman Lake to Goose Lake 115 kV Transmission Line Project
PUC Docket No. E002/TL-12-1151

Agencies

- (1) Metropolitan Council
- (2) Minnesota Department of Natural Resources
- (3) Minnesota Department of Transportation

February 26, 2013

Mr. Ray Kirsch
Minnesota Energy Facility Permitting
85 7th Place East, Suite 500
Saint Paul, MN 55101

RECEIVED

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MAILROOM

RE: Notice of Xcel Energy Filing of Route Permit Application with the Minnesota PUC Kohlman Lake to Goose Lake 115 kV Transmission Line Rebuild Project
Metropolitan Council District 11, Sandy Rummel
Metropolitan Council Review File No. 21081-1

Dear Mr. Kirsch:

The Metropolitan Council (Council) received a copy of Xcel Energy's application to the Minnesota Public Utilities Commission (PUC) for a Route Permit for the Kohlman Lake to Goose Lake 115 kV Transmission Line Rebuild Project on January 31, 2013. The proposed Project is located in Ramsey County in White Bear Township and the Cities of Maplewood, Vadnais Heights, and White Bear Lake.

The application indicates that the proposed project would entail removing a 2.8-mile segment of single circuit 115 kV transmission line and constructing 2.8 miles of new double circuit 115/115 kV transmission line in approximately the same alignment as the line to be removed. Additionally, the proposed project would include associated modifications to the Kohlman Lake and Goose Lake Substations.

Council staff reviewed the application to determine its potential for impact on Council property, activities, and/or facilities. Staff has identified one area of regional concern with the proposed route and permit, and offers the following comments for your consideration during the review process:

Sanitary Sewer (Roger Janzig, 651-602-1119)

The proposed project will involve the removal of existing and installation of new transmission line support structures along the entire alignment that may have the potential to impact multiple Council wastewater Interceptors in multiple locations along the proposed Project route. To assess the potential impacts to our interceptor system, prior to initiating this project, one set of the preliminary plans should be sent to Scott Dentz, Interceptor Engineering Manager of Metropolitan Council Environmental Services for review and comment. Scott can be reached at 651-602-4503 at 3565 Kennebec Drive, in Eagan, MN 55122-1058.

Please feel free to contact Jim Larsen PE, with any questions at 651-602-1159.

Sincerely,



LisaBeth Barajas, Manager
Local Planning Assistance

cc: Mr. Scot Ek, Minnesota Public Utilities Commission
Sandy Rummel, Council District 11
Scott Dentz, MCES Interceptor Engineering Manager
Kyle Colvin, MCES Engineering Services Assistant Manager
Judy Sventek, MCES Water Resources Assessment Manager
Raya Esmaeili, Reviews Coordinator

Minnesota Department of Natural Resources

500 Lafayette Road • St. Paul, MN • 55155-40



April 25, 2013

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

Re: Route Permit Application and Environmental Assessment Scoping for the Kohlman Lake to
Goose Lake 115 kV Transmission Line Upgrade Project
[PUC Docket Number: E-002/TL-12-1151]

Dear Mr. Kirsch:

The Minnesota Department of Natural Resources (DNR) has reviewed the Route Permit Application for the Kohlman Lake to Goose Lake 115 kV Transmission Line Upgrade Project. The following comments are provided for your consideration.

The Vegetation Schematic included in Appendix F is a helpful illustration of a clearing technique that avoids unnecessary tree clearing. This type of plan and schematic is recommended for various transmission projects.

The DNR sent a Natural Heritage Information System (NHIS) review letter on March 13, 2012. State-listed threatened Blanding's turtles were identified as being located in the vicinity of the project area. The attached flyer and factsheet provide DNR recommendations regarding Blanding's turtles. These recommendations are acknowledged in the Route Permit Application. However, there are several recommendations included on pages 2 and 3 of the attached Blanding's Turtle Fact Sheet. The Route Permit Application does not identify which recommendations the project developers intend to follow. The DNR suggests that a specific set of recommendations from pages 2 and 3 of the Blanding's Turtle Fact Sheet be identified in future project plans and the Environmental Assessment.

As acknowledged in the Route Permit Application, a DNR License to Cross Public Lands and Waters may be needed. A public water wetland may be intersected by the right-of-way.

Thank you for the opportunity to provide scoping comments regarding the Kohlman Lake to Goose Lake Transmission Project. Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Jamie Schrenzel".

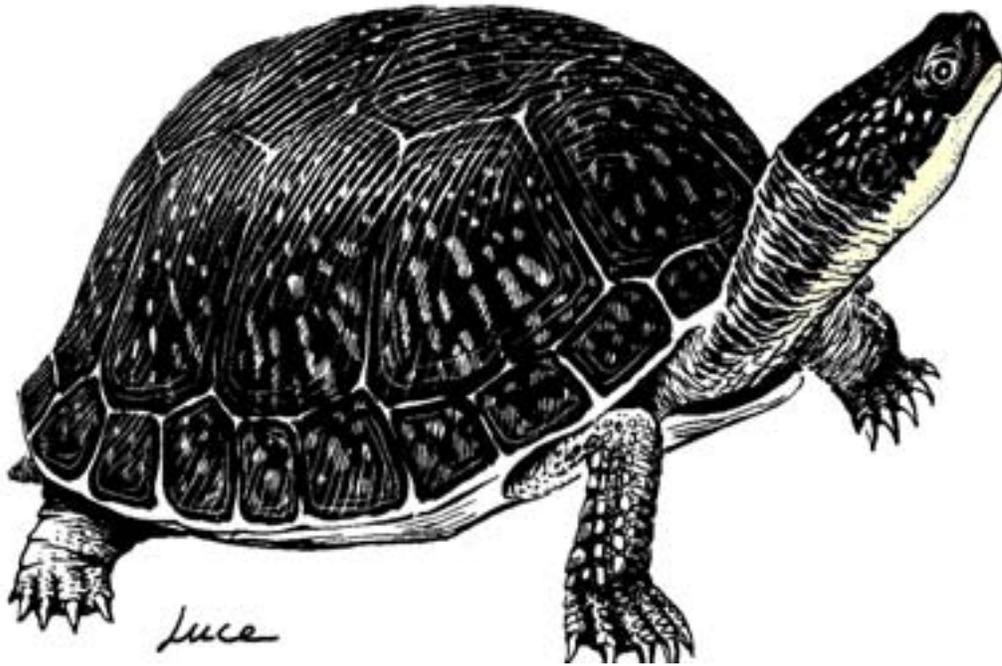
Jamie Schrenzel
Principal Planner
Environmental Review Unit
(651) 259-5115

Enclosures: 2

C: Scott Ek, Minnesota Public Utilities Commission
Sage Tauber, Xcel Energy



CAUTION



BLANDING'S TURTLES MAY BE ENCOUNTERED IN THIS AREA

The unique and rare Blanding's turtle has been found in this area. Blanding's turtles are a State Threatened species and are protected under Minnesota Statute 84.095, Protection of Threatened and Endangered Species. Please be careful of turtles on roads and in construction sites. For additional information on turtles, or to report a Blanding's turtle sighting, contact the DNR Nongame Specialist nearest you: Bemidji (218-308-2641); Grand Rapids (218-327-4518); New Ulm (507-359-6033); Rochester (507-280-5070); or St. Paul (651-259-5764).

DESCRIPTION: The Blanding's turtle is a medium to large turtle (5 to 10 inches) with a black or dark blue, dome-shaped shell with muted yellow spots and bars. The bottom of the shell is hinged across the front third, enabling the turtle to pull the front edge of the lower shell firmly against the top shell to provide additional protection when threatened. The head, legs, and tail are dark brown or blue-gray with small dots of light brown or yellow. A distinctive field mark is the bright yellow chin and neck.

SUMMARY OF RECOMMENDATIONS FOR AVOIDING AND MINIMIZING IMPACTS TO BLANDING'S TURTLE POPULATIONS

(see Environmental Review Fact Sheet Series for full recommendations)

- A flyer with an illustration of an adult Blanding's turtle should be given to all contractors working in the area. Homeowners should also be informed of the presence of Blanding's turtles in the area.
- Turtles which are in imminent danger should be moved, by hand, out of harms way. Turtles which are not in imminent danger should be left undisturbed to continue their travel among wetlands and/or nest sites.
- If a Blanding's turtle nests in your yard, do not disturb the nest, and do not allow pets near the nest.
- Blanding's turtles do not make good pets. It is illegal to keep this threatened species in captivity.
- Silt fencing should be set up to keep turtles out of construction areas. It is critical that silt fencing be removed after the area has been revegetated.
- Small, vegetated temporary wetlands should not be dredged, deepened, or filled.
- All wetlands should be protected from pollution; use of fertilizers and pesticides should be avoided, and run-off from lawns and streets should be controlled. Erosion should be prevented to keep sediment from reaching wetlands and lakes.
- Roads should be kept to minimum standards on widths and lanes.
- Roads should be ditched, not curbed or below grade. If curbs must be used, 4" high curbs at a 3:1 slope are preferred.
- Culverts under roads crossing wetland areas, between wetland areas, or between wetland and nesting areas should be at least 36 in. diameter and flat-bottomed or elliptical.
- Culverts under roads crossing streams should be oversized (at least twice as wide as the normal width of open water) and flat-bottomed or elliptical.
- Utility access and maintenance roads should be kept to a minimum.
- Because trenches can trap turtles, trenches should be checked for turtles prior to being backfilled and the sites should be returned to original grade.
- Terrain should be left with as much natural contour as possible.
- Graded areas should be revegetated with native grasses and forbs.
- Vegetation management in infrequently mowed areas -- such as in ditches, along utility access roads, and under power lines -- should be done mechanically (chemicals should not be used). Work should occur fall through spring (after October 1st and before June 1st).

Endangered, Threatened, and Special Concern Species of Minnesota

Blanding's Turtle
(Emydoidea blandingii)

Minnesota Status: Threatened
Federal Status: none

State Rank¹: S2
Global Rank¹: G4

HABITAT USE

Blanding's turtles need both wetland and upland habitats to complete their life cycle. The types of wetlands used include ponds, marshes, shrub swamps, bogs, and ditches and streams with slow-moving water. In Minnesota, Blanding's turtles are primarily marsh and pond inhabitants. Calm, shallow water bodies (Type 1-3 wetlands) with mud bottoms and abundant aquatic vegetation (e.g., cattails, water lilies) are preferred, and extensive marshes bordering rivers provide excellent habitat. Small temporary wetlands (those that dry up in the late summer or fall) are frequently used in spring and summer -- these fishless pools are amphibian and invertebrate breeding habitat, which provides an important food source for Blanding's turtles. Also, the warmer water of these shallower areas probably aids in the development of eggs within the female turtle. Nesting occurs in open (grassy or brushy) sandy uplands, often some distance from water bodies. Frequently, nesting occurs in traditional nesting grounds on undeveloped land. Blanding's turtles have also been known to nest successfully on residential property (especially in low density housing situations), and to utilize disturbed areas such as farm fields, gardens, under power lines, and road shoulders (especially of dirt roads). Although Blanding's turtles may travel through woodlots during their seasonal movements, shady areas (including forests and lawns with shade trees) are not used for nesting. Wetlands with deeper water are needed in times of drought, and during the winter. Blanding's turtles overwinter in the muddy bottoms of deeper marshes and ponds, or other water bodies where they are protected from freezing.

LIFE HISTORY

Individuals emerge from overwintering and begin basking in late March or early April on warm, sunny days. The increase in body temperature which occurs during basking is necessary for egg development within the female turtle. Nesting in Minnesota typically occurs during June, and females are most active in late afternoon and at dusk. Nesting can occur as much as a mile from wetlands. The nest is dug by the female in an open sandy area and 6-15 eggs are laid. The female turtle returns to the marsh within 24 hours of laying eggs. After a development period of approximately two months, hatchlings leave the nest from mid-August through early-October. Nesting females and hatchlings are often at risk of being killed while crossing roads between wetlands and nesting areas. In addition to movements associated with nesting, all ages and both sexes move between wetlands from April through November. These movements peak in June and July and again in September and October as turtles move to and from overwintering sites. In late autumn (typically November), Blanding's turtles bury themselves in the substrate (the mud at the bottom) of deeper wetlands to overwinter.

IMPACTS / THREATS / CAUSES OF DECLINE

- loss of wetland habitat through drainage or flooding (converting wetlands into ponds or lakes)
- loss of upland habitat through development or conversion to agriculture
- human disturbance, including collection for the pet trade* and road kills during seasonal movements
- increase in predator populations (skunks, racoons, etc.) which prey on nests and young

*It is illegal to possess this threatened species.

RECOMMENDATIONS FOR AVOIDING AND MINIMIZING IMPACTS

These recommendations apply to typical construction projects and general land use within Blanding's turtle habitat, and are provided to help local governments, developers, contractors, and homeowners minimize or avoid detrimental impacts to Blanding's turtle populations. **List 1** describes minimum measures which we recommend to prevent harm to Blanding's turtles during construction or other work within Blanding's turtle habitat. **List 2** contains recommendations which offer even greater protection for Blanding's turtles populations; this list should be used *in addition to the first list* in areas which are known to be of state-wide importance to Blanding's turtles (contact the DNR's Natural Heritage and Nongame Research Program if you wish to determine if your project or home is in one of these areas), or in any other area where greater protection for Blanding's turtles is desired.

| List 1. Recommendations for all areas inhabited by Blanding's turtles. | List 2. Additional recommendations for areas known to be of state-wide importance to Blanding's turtles. |
|---|---|
| GENERAL | |
| A flyer with an illustration of a Blanding's turtle should be given to all contractors working in the area. Homeowners should also be informed of the presence of Blanding's turtles in the area. | Turtle crossing signs can be installed adjacent to road-crossing areas used by Blanding's turtles to increase public awareness and reduce road kills. |
| Turtles which are in imminent danger should be moved, by hand, out of harms way. Turtles which are not in imminent danger should be left undisturbed. | Workers in the area should be aware that Blanding's turtles nest in June, generally after 4pm, and should be advised to minimize disturbance if turtles are seen. |
| If a Blanding's turtle nests in your yard, do not disturb the nest. | If you would like to provide more protection for a Blanding's turtle nest on your property, see "Protecting Blanding's Turtle Nests" on page 3 of this fact sheet. |
| Silt fencing should be set up to keep turtles out of construction areas. It is <u>critical</u> that silt fencing be removed after the area has been revegetated. | Construction in potential nesting areas should be limited to the period between September 15 and June 1 (this is the time when activity of adults and hatchlings in upland areas is at a minimum). |
| WETLANDS | |
| Small, vegetated temporary wetlands (Types 2 & 3) should not be dredged, deepened, filled, or converted to storm water retention basins (these wetlands provide important habitat during spring and summer). | Shallow portions of wetlands should not be disturbed during prime basking time (mid morning to mid- afternoon in May and June). A wide buffer should be left along the shore to minimize human activity near wetlands (basking Blanding's turtles are more easily disturbed than other turtle species). |
| Wetlands should be protected from pollution; use of fertilizers and pesticides should be avoided, and run-off from lawns and streets should be controlled. Erosion should be prevented to keep sediment from reaching wetlands and lakes. | Wetlands should be protected from road, lawn, and other chemical run-off by a vegetated buffer strip at least 50' wide. This area should be left unmowed and in a natural condition. |
| ROADS | |
| Roads should be kept to minimum standards on widths and lanes (this reduces road kills by slowing traffic and reducing the distance turtles need to cross). | Tunnels should be considered in areas with concentrations of turtle crossings (more than 10 turtles per year per 100 meters of road), and in areas of lower density if the level of road use would make a safe crossing impossible for turtles. Contact your DNR Regional Nongame Specialist for further information on wildlife tunnels. |
| Roads should be ditched, not curbed or below grade. If curbs must be used, 4 inch high curbs at a 3:1 slope are preferred (Blanding's turtles have great difficulty climbing traditional curbs; curbs and below grade roads trap turtles on the road and can cause road kills). | Roads should be ditched, not curbed or below grade. |

| ROADS cont. | |
|---|---|
| Culverts between wetland areas, or between wetland areas and nesting areas, should be 36 inches or greater in diameter, and elliptical or flat-bottomed. | Road placement should avoid separating wetlands from adjacent upland nesting sites, or these roads should be fenced to prevent turtles from attempting to cross them (contact your DNR Nongame Specialist for details). |
| Wetland crossings should be bridged, or include raised roadways with culverts which are 36 in or greater in diameter and flat-bottomed or elliptical (raised roadways discourage turtles from leaving the wetland to bask on roads). | Road placement should avoid bisecting wetlands, or these roads should be fenced to prevent turtles from attempting to cross them (contact your DNR Nongame Specialist for details). This is especially important for roads with more than 2 lanes. |
| Culverts under roads crossing streams should be oversized (at least twice as wide as the normal width of open water) and flat-bottomed or elliptical. | Roads crossing streams should be bridged. |
| UTILITIES | |
| Utility access and maintenance roads should be kept to a minimum (this reduces road-kill potential). | |
| Because trenches can trap turtles, trenches should be checked for turtles prior to being backfilled and the sites should be returned to original grade. | |
| LANDSCAPING AND VEGETATION MANAGEMENT | |
| Terrain should be left with as much natural contour as possible. | As much natural landscape as possible should be preserved (installation of sod or wood chips, paving, and planting of trees within nesting habitat can make that habitat unusable to nesting Blanding's turtles). |
| Graded areas should be revegetated with native grasses and forbs (some non-natives form dense patches through which it is difficult for turtles to travel). | Open space should include some areas at higher elevations for nesting. These areas should be retained in native vegetation, and should be connected to wetlands by a wide corridor of native vegetation. |
| Vegetation management in infrequently mowed areas -- such as in ditches, along utility access roads, and under power lines -- should be done mechanically (chemicals should not be used). Work should occur fall through spring (after October 1 st and before June 1 st). | Ditches and utility access roads should not be mowed or managed through use of chemicals. If vegetation management is required, it should be done mechanically, as infrequently as possible, and fall through spring (mowing can kill turtles present during mowing, and makes it easier for predators to locate turtles crossing roads). |

Protecting Blanding's Turtle Nests: Most predation on turtle nests occurs within 48 hours after the eggs are laid. After this time, the scent is gone from the nest and it is more difficult for predators to locate the nest. Nests more than a week old probably do not need additional protection, unless they are in a particularly vulnerable spot, such as a yard where pets may disturb the nest. Turtle nests can be protected from predators and other disturbance by covering them with a piece of wire fencing (such as chicken wire), secured to the ground with stakes or rocks. The piece of fencing should measure at least 2 ft. x 2 ft., and should be of medium sized mesh (openings should be about 2 in. x 2 in.). It is *very important* that the fencing be **removed before August 1st** so the young turtles can escape from the nest when they hatch!

REFERENCES

- ¹Association for Biodiversity Information. "Heritage Status: Global, National, and Subnational Conservation Status Ranks." NatureServe. Version 1.3 (9 April 2001). <http://www.natureserve.org/ranking.htm> (15 April 2001).
- Coffin, B., and L. Pfannmuller. 1988. Minnesota's Endangered Flora and Fauna. University of Minnesota Press, Minneapolis, 473 pp.

REFERENCES (cont.)

- Moriarty, J. J., and M. Linck. 1994. Suggested guidelines for projects occurring in Blanding's turtle habitat. Unpublished report to the Minnesota DNR. 8 pp.
- Oldfield, B., and J. J. Moriarty. 1994. Amphibians and Reptiles Native to Minnesota. University of Minnesota Press, Minneapolis, 237 pp.
- Sajwaj, T. D., and J. W. Lang. 2000. Thermal ecology of Blanding's turtle in central Minnesota. *Chelonian Conservation and Biology* 3(4):626-636.



Minnesota Department of Transportation

Office of Land Management

395 John Ireland Boulevard
Saint Paul, MN 55155

Phone: 651-366-4635

Fax: 651-366-3450

stacy.kotch@state.mn.us

Mailstop 678

May 7th, 2013

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

RE: In the Matter of the Application of Xcel Energy for a Route Permit for the Kohlman Lake to Goose Lake 115 kV Transmission Line Upgrade Project in Ramsey County
PUC Docket No. E002/TL-12-1151

Dear Mr. Kirsch,

On March 20th, 2013 the Minnesota Public Utilities Commission (Commission) and the Department of Commerce (DOC) 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 Kohlman Lake to Goose Lake 115 kV Transmission Line Upgrade in Ramsey 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 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 Accommodation Policy"). A copy of MnDOT's policy can be found at <http://www.dot.state.mn.us/utility/files/pdf/appendix-b.pdf>

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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 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.

A review of route permit application shows that the proposed HVTL rebuild would cross both TH 61 and I-694. The application also states that the new double circuit 115/115kV will have "approximately" the same alignment as the line to be removed. Given this approximation, and that the required route width and right of way for any upgrade may be larger, we request that Xcel coordinate with our agency on the final design and construction with regard to proximity to any MnDOT right of way.

Recent MnDOT construction and future plans for the project area include the Gem Lake Bridge replacement and pavement work. This work was performed at the location where the HVTL line crosses TH 61 in 2010 and required coordination with Xcel on clearance requirements. The new bridge grade should be used to set the clearance height with the new transmission line as well. There is no expectation that MnDOT would be undertaking further work on this section of 61 for some time. There has been discussion about turning TH 61 back to Ramsey County after work in 2014 to the north of the affected area of Xcel's proposed project. If a turnback should occur, this section of 61 would no longer be part of the state trunk highway system. TH 61 is on a house moving route. Therefore, the transmission line would need to provide adequate clearance for that purpose. A long term pavement project was completed in 2012 through the affected section of I-694. Again, we wouldn't expect there to be any major work in this area in the near future. This section of I-694 has not shown significant traffic volume increases that would result in needing additional capacity or expansion, and it is not in the MnPASS studies as a selected corridor. If at some point this information would change, we would anticipate that any additional facility would go along the inside rather than the outside of the section. Currently, there are no known additional long range plans for the affected areas of TH 61 and I-694. This information is subject to change.

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.

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MnDOT has a continuing interest in working with the Commission and the DOC 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.

Sincerely,



Stacy Kotch
Utility Transmission Route Coordinator
Minnesota Department of Transportation

cc: Tod Sherman – MnDOT Metro Planning Supervisor
Sage Tauber – Xcel Energy Permitting Analyst

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