BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

COMMENTS AND RECOMMENDATIONS OF MINNESOTA DEPARTMENT OF COMMERCE ENERGY FACILITY PERMITTING STAFF

DOCKET NO. ET6675/TL-12-1337

Date: September 6, 2013

EFP Staff: Ray Kirsch…….…….....651-539-1841

In the Matter of the Route Permit Application by ITC Midwest, LLC for the Minnesota to Iowa 345 kV Transmission Line Project and Associated Facilities in Jackson, Martin, and Faribault Counties

Issues Addressed: These comments and recommendations discuss the environmental impact statement (EIS) scoping process, the route and alignment alternatives proposed during the scoping process, and those alternatives which Department of Commerce, Energy Facility Permitting staff intends to recommend for inclusion in the scope of the EIS.

Documents Attached: (1) Comments from DNR to EFP Staff, (2) Route Alternatives Maps

Additional documents and information can be found on eDockets: https://www.edockets.state.mn.us/EFiling/search.jsp (12-1337) and on the Department's energy facilities permitting website: http://mn.gov/commerce/energyfacilities/Docket.html?Id=33080.

This document can be made available in alternative formats (i.e., large print or audio) by calling 651-539-1530 (voice).

Introduction and Background

On March 28, 2013, ITC Midwest LLC (ITCM) filed a route permit application under the full permitting process to construct and operate a 345 kilovolt (kV) transmission line and associated facilities in Jackson, Martin, and Faribault counties.[1] On June 27, 2013, the Commission

[1] ITC Midwest LLC Application to the Minnesota Public Utilities Commission for a Route Permit, Minnesota – Iowa 345 kV Transmission Project and Associated Facilities in Jackson, Martin, and Faribault Counties, March 28, 2013, eDockets Numbers 20133-85110-01, 20133-85110-02, 20133-85110-03, 20133-85110-04, 20133-85110-05, 20133-85110-06, 20133-85110-07, 20133-85110-08, 20133-85110-09, 20133-85110-10, 20133-85114-01, 20133-

accepted the application as complete and requested that Department of Commerce, Energy Facility Permitting (EFP) staff present route alternatives for review and consideration by the Commission.[2] Following input from the Commission, the Deputy Commissioner of the Department of Commerce will finalize and issue the scoping decision for the environmental impact statement that will be prepared for the project.[3]

Project Description

ITCM proposes to: (1) construct approximately 75 miles of new 345 kV transmission line eastward from the Lakefield substation near Lakefield, Minn., to a new Huntley substation near Winnebago, Minn. and then southward to the Minnesota-Iowa border, crossing the border near the city of Elmore, Minn., (2) expand the existing Lakefield substation and construct a new substation (the Huntley substation) which will replace the existing Winnebago substation, and (3) relocate and reconfigure several segments of existing 161 kV and 69 kV transmission line which currently terminate at the Winnebago substation such that they will terminate at the new Huntley substation upon completion of the project (see attached maps, Overview Map).

ITCM is requesting a 1,000 foot route width for the 345 kV portion of the project, with a larger route width in select areas. ITCM indicates that the new 345 kV line will require a right-of-way (easement) of 200 feet. ITCM is requesting a 500 foot route width for the 161 kV portions of the project, with a right-of-way of 150 or 250 feet depending on location of the 161 kV lines. ITCM has proposed two possible routes for the project – designated in its route permit application as Routes A and B.

Regulatory Process and Procedures

In Minnesota, no person may construct a high voltage transmission line (HVTL) without a route permit from the Commission (Minnesota Statute 216E.03). A high voltage transmission line is defined as a conductor of electric energy designed for and capable of operation at a voltage of 100 kV or more and greater than 1,500 feet in length (Minnesota Statute 216E.01). ITCM's proposed project will consist of approximately 75 miles of new 345 kV transmission line and therefore requires a route permit from the Commission.[4]

Applications for HVTL route permits are subject to environmental review conducted by EFP staff.[5] ITCM's proposed project does not qualify for alternative review and thus must proceed under the full permitting process.[6] The full permitting process requires the preparation of an environmental impact statement (EIS). An EIS is a document which describes the potential

85114-02, 20133-85114-03, 20133-85114-04, 20133-85114-05, 20133-85114-06, 20133-85114-07, 20133-85114-08, 20133-85114-09, 20133-85115-01 [hereinafter Route Permit Application].

[2] Commission Order Finding Application Complete, Authorizing Advisory Task Force, and Requesting Draft Route Alternatives, June 27, 2013, eDockets Number 20136-88596-01 [hereinafter Commission Application Completeness Order].

[3] Minnesota Rule 7850.2500.

[4] ITCM's proposed project, as a large energy facility, also requires a certificate of need from the Commission (see docket number ET6675/CN-12-1053). These comments and recommendations do not address the certificate of need.

[5] Minnesota Statute 216E.03, Subd. 5.

[6] Minnesota Statute 216E.04, Subd. 2 (describing those projects which qualify for alternative review).

human and environmental impacts of a proposed project and potential mitigative measures.

After providing opportunity for public comment on the scope of the EIS, the Department of Commerce (Department) determines the scope of EIS.[7] Minnesota Statute 216E.03 anticipates that the Commission will have opportunity to comment on those route alternatives proposed during the scoping process and to provide input to the Department on which routes to include in the scope of the EIS.[8] The Commission has requested that the Department present these route alternatives to the Commission to facilitate the Commission's input.[9] The Department is to study and evaluate any site or route the Commission "deems necessary that was proposed in a manner consistent with rules concerning the form, content, and timeliness of proposals for alternate sites and routes."[10]

Scoping Process Summary

Commission staff and EFP staff held joint public information and environmental impact statement scoping meetings on July 16, 17, and 18, 2013, in the cities of Fairmont, Jackson, and Blue Earth. Total attendance at these meetings was approximately 200 persons. Comments were received from several persons at these meetings; some comments included specific route alternatives.[11]

A comment period, ending on August 2, 2013, provided the public an opportunity to submit comments to EFP staff on issues and route alternatives for consideration in the scope of the EIS. Comments were received from three agencies,[12] three local units of government,[13] the applicant,[14] and from 221 citizens.[15] Several of these comments included specific route and/or alignment alternatives for consideration in the EIS.

The advisory task force for the project – authorized by the Commission to aid the Department in developing the scope of EIS – recommended seven route alternatives for consideration in the EIS.[16] After close of the comment period, EFP staff conferred with the applicant, the Minnesota Department of Natural Resources (DNR) and the Minnesota Department of Transportation (MnDOT) on the alternatives proposed for study in the EIS.

[7] Minnesota Rule 7850.2500, Subp. 2.
[8] Minnesota Statute 216E.03, Subd. 5.
[9] Commission Application Completeness Order.
[10] Minnesota Statute 216E.03, Subd. 5.
[11] Oral Comments from Public Information and EIS Scoping Meetings, July 16-18, 2013, eDockets Number 20138-90314-01 [hereinafter Oral Comments].
[12] Written Agency Comments on Scope of EIS, eDockets Number 20138-90433-01 [hereinafter Agency Comments].
[13] Written LGU Comments on Scope of EIS, eDockets Number 20138-90433-02.
[14] Written Applicant Comment on Scope of EIS, eDockets Number 20138-90433-03.
[15] Written Public Comments on Scope of EIS, eDockets Numbers 20138-90434-01, 20138-90434-02, 20138-90434-03, 20138-90434-04, 20138-90434-05, 20138-90434-06, 20138-90434-07, 20138-90434-08, 20138-90434-09, 20138-90434-10 [hereinafter Public Comments]. The number of comment letters received was 221. Some persons submitted multiple comment letters; some letters were submitted on behalf of multiple persons. Thus, the total number of citizens commenting is an approximation.
[16] Minnesota to Iowa 345 kilovolt (kV) Transmission Line Advisory Task Force Report, August 2013, eDockets Number 20138-90358-01 [hereinafter Advisory Task Force Report].

EFP Staff Analysis and Comments

The scoping process for environmental review in Minnesota is designed to identify and analyze "only those potentially significant issues relevant to the proposed project" and alternatives to the project.[17] With respect to route and site alternatives, the Department is charged with including those alternatives which will "assist in the [Commission's] decision on the permit application."[18]

When route and site alternatives are proposed during the scoping process which could be carried forward for evaluation in the environmental review document for a project, EFP staff analyzes these alternatives using five criteria:

1) Was the alternative submitted within the scoping period, i.e., prior to the end of the public comment period for scoping?

2) Does the alternative contain "an explanation of why the site or route should be included in the [environmental review document]"?[19] EFP staff interprets this text to require that route and site alternatives – to be included in the scope of the environmental review document – must mitigate a potential impact of the proposed project, and this mitigation must be, in general terms, explained by the proposer of the route or site alternative.[20] The proposer need not provide extensive supporting data for their alternative, but must provide enough explanation such that it is fairly clear the potential impact(s) being mitigated by the route or site alternative.

3) Is the alternative outside of areas prohibited in Minnesota Rule 7850.4300, e.g., state and national parks?

4) Does the alternative meet the applicant's stated need for the project?

5) Is the alternative feasible?

EFP staff has used the above the criteria to review and analyze the route and alignment alternatives proposed during the scoping process. All route and alignment alternatives received during the scoping process, excepting one, are indicated on the attached maps and discussed here.

The exception is a route alternative that was proposed by Daniel and Terry Peterson.[21] The Petersons suggested "if the line is truly necessary, [that] it be routed south from the Lakefield Junction [substation] through Iowa."[22] EFP staff believes that this routing alternative does not meet the applicant's stated need for the project. The applicant indicates that the need for the

[17] Minnesota Rule 4410.2100, Subp. 1.
[18] Minnesota Rule 7850.2500, Subp. 3.
[19] Id.
[20] As an example, if a proposed transmission line proceeds past 10 residences and a citizen suggests route alternative A, which also proceeds past 10 residences but in another location, it is not clear how alternative A mitigates potential impacts of the project.
[21] Comment Letter of Daniel and Terry Peterson, Public Comments.
[22] Id.

project is satisfied by connecting two substations in Minnesota (Lakefield and Huntley) before proceeding southward to Iowa.[23] As the Peterson's proposed alternative does not connect these two substations in Minnesota, EFP staff believes it does not meet the applicant's stated need for the project. Accordingly, the alternative is not included on the attached maps or discussed further here.

All other route and alignment alternatives proposed during the scoping process are discussed here in a west-to-east fashion – from Jackson County through Martin County to Faribault County. Alternatives are referenced with an initial for the county in which the alternative occurs, an identifying number, and an indicator of whether the alternative is a route alternative (R) or an alignment alternative (A). The only exception to this nomenclature is the route alternative proposed to proceed along Interstate 90 (I-90), which is denoted as I-90-R.

As an initial matter, and with respect to the above criteria, all alternatives proposed during the scoping process were timely, provided adequate explanation of the impact(s) to be mitigated, were outside areas prohibited in Minnesota Rule 7850.4300, and, with the exception noted above, met the applicant's stated need for the project. Thus, the only criteria discussed here are whether the alternative is feasible and whether the alternative will aid in the Commission's decision on ITCM's route permit application.

Jackson County

Just east of the Des Moines River in Jackson County, ITCM's proposed Route A accommodates the runway approach surfaces for the Jackson Municipal Airport by leaving the existing 161 kV transmission line corridor, jogging northward, then eastward for approximately two miles, and then back southward to rejoin the existing 161 kV line (Map Sheet 1). EFP staff received several comments on this Route A "bump out." The DNR proposed that Route A be expanded eastward to avoid paralleling the Des Moines River and impacting the natural resources associated with the river (J1-R and J7-A).[24] EFP staff will be recommending these alternatives for inclusion in the scope of the EIS

Mary and David Lanford noted potential impacts associated with Route A along 525th Ave., and suggested proceeding east-west on a route north of 525th Ave (J2-R, J4-A, J5-A, J6-A).[25] EFP staff will be recommending J2-R and J6-A for inclusion in the scope of the EIS. J6-A has the potential to address the concerns of the Lanfords and also the concerns noted by Ronald and Mary Mulder – i.e., impacts to hog barns in close proximity to 525th Ave. and to a well.[26] J4-A and J5-A do not address the concerns of the Mulders and likely have aesthetic and economic impacts greater than J6-A. Accordingly, EFP staff believes evaluating J4-A and J5-A in the EIS would not aid in the Commission's decision on the permit application and staff does not intend to recommend them for inclusion in the scope of the EIS.

[23] Route Permit Application, Executive Summary; ITC Midwest LLC Application to the Minnesota Public Utilities Commission for a Certificate of Need, Minnesota – Iowa 345 kV Transmission Project in Jackson, Martin, and Faribault Counties, March 22, 2013, eDockets Number 20133-84946-02 (appendices not listed).
[24] DNR Comment Letter, Agency Comments.
[25] Comment Letter of Mary and David Lanford, Public Comments.
[26] Comment Letters of Ronald and Mary Mulder, Public Comments.

Martin County

Fox Lake

Several route alternatives were suggested during the scoping process to better navigate the Fox Lake region in Martin County (Map Sheet 2). Two alternatives which connect Route A and Route B (M1-R and M7-R) were proposed by the DNR to facilitate switching between these routes and mitigating potential impacts to natural resources in the area.[27] EFP staff will be recommending these alternatives for inclusion in the scope of the EIS.

Mr. Tim Stahl suggested a short route alternative that would keep the proposed line north of the city of Sherburn for a short distance before crossing over I-90 and rejoining Route A (M16-R).[28] EFP staff will be recommending this alternative for inclusion in the scope of the EIS. The advisory task force recommended several route alternatives in the Fox Lake area – M3-R, M4-R, M5-R, and M6-R.[29] EFP staff will be recommending these alternatives for inclusion in the scope of the EIS.

Mr. Paul Gaalswyk suggested a route alternative around the northwest edge of the Fox Lake Game Refuge (M17-R).[30] This alternative would utilize the applicant's proposed Route A and Fox Lake West connector and would then proceed cross country and through the Seymour Lake WMA to connect with the existing 161 kV line. DNR has indicated that M17-R has the potential to impact wetlands and public waters (see attached DNR comments). DNR notes that it is not likely to issue a license to cross Seymour Lake WMA given that reasonable and feasible alternatives exist for avoiding the WMA and recommends that M17-R not be included in the scope of the EIS. Alternately, DNR recommends analyzing a route south of Seymour Lake that would connect to M3-R. EFP staff notes that the impacts that Mr. Gaalswyk seeks to mitigate with M17-R can be mitigated by other route alternatives (M3-R, M4-R, Fox Lake West connector, Route B) that also utilize or could connect with the existing 161 kV line and do not proceed cross country or impact the WMA.[31] Accordingly, EFP staff believes that M17-R would not aid in the Commission's decision on the route permit application and staff does not intend to recommend this alternative for inclusion in the scope of the EIS.

Lake Charlotte

Several route alternatives were suggested during the scoping process in the Lake Charlotte region in Martin County (Map Sheet 3). Mr. Dennis Thate proposed a route alternative connecting Routes A and B west of Lake Charlotte to mitigate potential impacts to his airfield (M8-R).[32] EFP staff will be recommending this alternative for inclusion in the scope of the EIS. The advisory task force recommended several route alternatives to mitigate potential impacts in

[27] DNR Comment Letter, Agency Comments.
[28] Comment Letter of Mr. Tim Stahl, Public Comments.
[29] Advisory Task Force Report. MnDOT also suggested the M5-R alternative; see MnDOT Comment Letter, Agency Comments.
[30] Comment Letter of Mr. Paul Gaalswyk, Public Comments.
[31] Mr. Gaalswyk lists the following potential impacts that M17-R seeks to mitigate: (1) impacts to the Assembly of God church in Sherburn, (2) impacts to the Hilgendorf airstrip in Section 23 of Fox Lake Township, (3) impacts to building sites, and (4) impacts to aerial agricultural spraying and scouting. Comment Letter of Mr. Paul Gaalswyk, Public Comments.
[32] Comment Letter of Mr. Dennis Thate, Public Comments.

the Lake Charlotte area – M9-R, M10-R, M11-R, and M12-R.[33] EFP staff will be recommending these alternatives for inclusion in the scope of the EIS.

Dan and Jen Wedel suggested a route alternative that builds off of Route A and proceeds east-west along 160th St., south of Lake Charlotte (M18-R).[34] The Wedel's alternative is, for a good deal of its length, concurrent with alternatives M9-R and M11-R; however, it does provide an alternative more closely aligned with Route A on the west side of Lake Charlotte. EFP staff will be recommending this alternative for inclusion in the scope of the EIS.

With respect to the Lake Charlotte area, DNR noted that it would like the EIS to include an analysis of removing lines from Lake Charlotte completely and co-locating the 345 kV and 161 kV lines along the common section of Routes A and B on the south side of Lake Charlotte.[35] To honor this request, ITCM has indicated that it would be necessary to add a route alternative that facilitates connection of the 161 kV line to the Rutland substation (M19-R). This alternative would facilitate incoming and outgoing 161 kV connections at the Rutland substation along different transmission line routes, greatly increasing the reliability of service at the substation. EFP staff will be recommending this alternative, solely for a 161 kV line, for inclusion in the scope of the EIS.

Center Creek WMA

In late 2012 and early 2013, the DNR purchased land for the new Center Creek Wildlife Management Area (WMA) just northeast of the city of Granada in Martin County (Map Sheet 4). ITCM was, at the time, unaware of these purchases and proposed Route B in its route permit application to proceed through the Center Creek WMA. Upon learning of the land purchase for the WMA and of DNR's opinion that it would be "unlikely to issue a license to cross the main portion of the WMA,"[36] ITCM proposed route and alignment alternatives that would avoid the Center Creek WMA (M15-R, M14-A, M14a-A, and M14b-A).[37] DNR has indicated that M14b-A, the alignment alternative that most closely parallels the Center Creek WMA, would compromise potential future WMA expansion and wetland restoration (see attached DNR comments). DNR recommends that M14b-A not be included for study in the EIS as there are other feasible and reasonable routing options in the area. Accordingly, EFP staff will be recommending M15-R, M14-A, and M14a-A for inclusion in the scope of the EIS; staff does not intend to recommend inclusion of M14b-A.

Faribault County

Huntley Substation

In Faribault County, two route alternatives were suggested near the proposed site of the Huntley substation (Map Sheet 5). A group of landowners proposed proceeding from Route A in a

[33] Advisory Task Force Report. Study of an alternative that crossed Lake Charlotte (M10-R) was also proposed by DNR and several citizens.
[34] Comment Letter of Dan and Jen Wedel, Public Comments.
[35] DNR Comment Letter, Agency Comments.
[36] Id.
[37] Written Applicant Comment on Scope of EIS, eDockets Number 20138-90433-03.

southeasterly direction cross county to the Huntley substation (F1-R).[38] These landowners proposed the alternative primarily to avoid impacts to agricultural lands and operations.[39] DNR has indicated that F1-R includes two public watercourse crossings and has the potential to significantly impact wetland, riparian, and forest habitat (see attached DNR comments). DNR notes that it is unlikely to license the public water crossings for F1-R when reasonable and feasible alternatives exist and recommends that F1-R not be included in the scope of the EIS. Accordingly, EFP staff believes that F1-R would not aid in the Commission's decision on the route permit application and staff does not intend to recommend this alternative for inclusion in the scope of the EIS.

Proceeding south out of the Huntley substation, DNR suggested an alternative that would allow the line to be placed west of Route A for a short stretch to minimize impacts to the Blue Earth River (F2-R).[40] To EFP staff's understanding, DNR would like alternative F2-R evaluated in the EIS only if the alternative would include both the new 345 kV line and the existing 161 kV line. That is, the alternative should be evaluated in the EIS if the lines can be co-located. If the 161 kV line will remain in place, DNR does not suggest evaluating multiple, parallel crossings of the Blue Earth River.

To EFP staff's understanding, ITCM desires to keep the existing 161 kV line in place and to utilize the existing Blue Earth River crossings to place the new 345 kV line. However, it is feasible to abandon these crossings for crossings (or a crossing) further west (F2-R). Thus, EFP staff will be recommending this alternative for inclusion in the scope of the EIS, with the condition that it be evaluated as a 345 kV / 161 kV double circuit alternative.

South to Iowa

Two alignment alternatives (F3-A, F4-A) and one route alternative (F5-R) were suggested by landowners as Routes A and B proceed south to Iowa (Map Sheets 6 and 7).[41] EFP staff will be recommending these alternatives for inclusion in the scope of the EIS.

Interstate 90

Several citizens and the advisory task force suggested using I-90 for ITCM's proposed transmission line project.[42] ITCM, in coordination with EFP staff, has developed a transmission line route that would utilize I-90 for the project (I-90-R, Map Sheets 8-16).

On the west end of the project, I-90-R begins east of the city of Jackson, with a connection to Route A or B (Map Sheet 8). EFP staff believes it is not feasible to utilize I-90 more directly from the Lakefield substation due to the Jackson Municipal Airport. The approach surfaces of the airport must be accommodated by the new 345 kV line – either to the north or to the south of

[38] Comment Letter of Craig and Deborah Sinning et al., Public Comments. The landowners proposing alternative F1-R are: Craig and Deborah Sinning, Darrell Eastvold, Duane and Mary Larson, Tom and Judy Golly, and Todd and Mindy Golly.
[39] Id.
[40] DNR Comment Letter, Agency Comments.
[41] Comment Letter of Mr. Greg Mastin, Public Comments (F3-A); Comment Letter of Mr. John Stewart, Public Comments (F4-A); Comment Letter of Allen and Joanne Sukalski, Public Comments (F5-R).
[42] Advisory Task Force Report. See also, e.g., Comments of Mr. Maynard Jagodzinske and Mr. Eugene Lehman, Fairmont Public Meeting, July 16, 2013, 6:00 p.m., Oral Comments.

the airport. Transmission line routes to the north of the airport (Routes A and B) have been proposed by ITCM and are feasible to construct. EFP staff believes that a transmission line south of the airport is not feasible or, if feasible, would entail significant impacts to the city of Jackson and its residents. Accordingly, I-90-R would utilize Route A or B (or some combination of these routes) to pass north of the Jackson Municipal Airport before dropping southward to I-90.

On the east end of the project, ITCM, in coordination with EFP staff, has developed four routing options for utilizing I-90 and making those connections proposed in the route permit application (Map Sheets 13-16):

(1) Option 1 sites the Huntley substation at an alternate southern location near I-90 and introduces new 161 kV transmission line routes in the area to connect with the Huntley substation. The routes are west and east of the existing north-south 161 kV line and also include a 161 kV line running eastward from the Huntley substation (double circuited with a 69 kV line);

(2) Option 2 also utilizes an alternate southern location for the Huntley substation, and runs all of the connecting 161 kV and 69 kV lines southward following the existing north-south 161 kV line;

(3) Option 3 places the Huntley substation at the location proposed in the route permit application and utilizes a separate route segment to run the 345 kV line northward from I-90 to the substation site, with a 345/161 kV double circuit line then following Route A or B south to Iowa (as proposed in the route permit application);

(4) Option 4 also sites the Huntley substation at the location proposed in the route permit application with the 345 kV line following the existing north-south 161 kV line northward from I-90 to the substation site, and then following Route A or B back south to Iowa as a 345/161 kV double circuit line (as proposed in the route permit application).

EFP staff and ITCM believe that all of these routing options are feasible for the I-90-R route alternative, and none, at this time, can be eliminated without further evaluation in the EIS. Thus, EFP staff will be recommending the I-90-R route alternative with routing options 1 through 4 for inclusion in the scope of the EIS

Applicant's Routes

In addition to the route alternatives submitted during the scoping process and noted above as being recommended for inclusion in the scope of the EIS, the EIS will also study those routes proposed in ITCM's route permit application.[43] However, as discussed above, Route B near the Center Creek WMA is no longer a feasible route, i.e., it is not a route that DNR will license. Thus, EFP staff will evaluate Route B using route alternative M15-R in this area. EFP staff believes that it may be appropriate for ITCM to clarify with the Commission that Route B as proposed in the route permit application has been amended by ITCM's comments during the scoping period regarding the Center Creek WMA.

[43] Minnesota Statute 216E.03, Subd. 5.

Attachment 1. Comments from DNR to EFP Staff

From:	Schrenzel, Jamie (DNR)
To:	Kirsch, Raymond (COMM); Pile, Deborah (COMM)
Cc:	Mixon, Kevin (DNR); Hobart, Bob J (DNR); Doperalski, Melissa (DNR); Doneen, Randall (DNR)
Subject:	Meeting Follow-up - MN - Iowa Transmission Line Scoping
Date:	Tuesday, September 03, 2013 4:34:07 PM
Attachments:	Boat Launch Warning Sign.jpg F1SampleBridgeNorthOfCrossings.jpg LakeGuckeenWMA.JPG August29-2013MeetingCommentsDNR-MN-Iowa130903.docx

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Ray and Deb,

I have attached some additional comments as discussed in our meeting last week regarding the MN to Iowa Transmission Line Project. Some site visit photos that Kevin took are also attached.

Thanks,
Jamie

Follow-up Comments to Thursday, August 29, 2013 EFP/DNR Meeting:

The following comments do not reflect all of the DNR concerns for Wildlife Management Areas (WMA) or public waters as they are focused on the new routes being considered for the DEIS. The comments are intended to be in addition previous comments and those discussed at the August 29, 2013 meeting.

An analysis of using the existing routes that cross Fox Lake and Charlotte Lake would be useful to the DNR in order to provide additional information for determining if licenses will be issued. The analysis should include the following: number (if any) of poles in the public water (PW), schematic of poles and line layout (#wires, height), increased right-of-way required, shoreline, aesthetic, and recreation impacts. It would also be helpful for the DNR to understand a cost analysis for all of the routes carried forward. A photo of an aged sign posted at the Fox Lake boat launch is included. It directs certain boaters to the edges of Fox Lake to avoid transmission line clearance problems in the center of the lake. It is an interesting sign and gives an indication of the type of safety and recreational effects possible from public water crossings by transmission lines.

M-17 - The DNR recommends this route segment not be carried into the DEIS due to: presence of Reinvest In Minnesota easements, impacts to Seymour Lake WMA and Rooney Run WMA, wetland impacts, public water crossings, and because the line wraps around a public water. The proximity of the route to the WMA, public water, and wetlands would increase the avian collision risk. Considering the possibility of other routes in the area, the DNR is not likely to issue a utility license to cross Seymour Lake WMA. If the M17 route is carried forward, then the DNR would recommend analyzing a route in the DEIS south of Seymour Lake WMA going west to east to connect with M3.

The Rooney Run WMA contains intact wildlife habitat, including wetlands. If a route is included in the EIS near the Rooney Run WMA, the DNR recommends including a route to the South of the WMA for a comparative analysis in the DEIS. This area has an existing transmission line and heavily grazed pasture.

M14b- M14b parallels the Center Creek WMA. The DNR recommends this route segment not be carried into the DEIS. The route would compromise future possible WMA expansion & wetland restorations, and aesthetically impact the new WMA. Nearby options appear to adequately offer options for analysis in the vicinity.

The Interstate 90 route should be carried in the DEIS as it appears to be a generally viable route. However, the route should avoid Lake Guckeen WMA (T102N R28W Section 5) as it would be difficult to develop an acceptable alignment between the Interstate right-of-way and the public water contained within the WMA (photo of the interstate, Lake Guckeen WMA, and the public water is attached).

F1-The DNR conducted a site visit on August 30, 2013 and reviewed Route F1. We recommend that this route not be carried into the DEIS. The route would include two public watercourse crossings and substantial impacts to wetland, riparian, and forest habitat. This route would have greater natural resource impacts and an increased risk to avian collisions when compared to other routes being considered. The DNR is unlikely to issue a license for the public water utility crossings considering other reasonable and feasible alternatives exist. An example of the stream that F1 would cross is included in

the attached photo. The area of the actual crossing has higher quality habitat than the photo. The photo was taken from an accessible bridge outside of the route to give an idea of the type of habitat in the vicinity.

Please note that if federal funds were used for the purchase of the above described state properties, that federal approval may be required. Federal approval may require that replacement lands be provided for unavoidable impacts. The DNR is working on obtaining federal funding information regarding state land along the I-90 Route.

The DNR has no comment until reviewing the DEIS regarding the Cramer WMA.

We also requests shapefiles of new routes to assist in reviewing these routes.

We suggest that the applicant be required to obtain a concurrence letter or a NHIS review from Lisa Joyal prior to drafting the EIS.

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BOATS WITH MASTS SHOULD
APPROACH & CROSS WITH CARE.
BOATS WITH MASTS TALLER
THAN ABOVE WATER MUST
AS CLOSE TO
SHORE AS POSSIBLE. POWER
LINE CLEARANCE IS LOWER AT
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