MINNESOTA DEPARTMENT OF COMMERCE

In the Matter of the Application of Odell Wind Farm, LLC for a Route Permit for the Odell Wind HVTL Project

ENVIRONMENTAL ASSESSMENT SCOPING DECISION
PUC DOCKET NO. IP6914/TL-13-591

The above matter has come before the deputy commissioner of the Department of Commerce (Department) for a decision on the scope of the environmental assessment (EA) to be prepared for the Odell Wind HVTL project proposed by Odell Wind Farm, LLC in Cottonwood, Jackson, and Martin Counties.

Project Description

Odell Wind Farm, LLC proposes to construct the Odell Wind Farm HVTL Project to transmit energy generated at the planned 200 MW LWECS Odell Wind Farm to the Woad Hill substation. As part of the Project, Odell Wind Farm proposes to construct approximately 9.5 miles of 115 kV HVTL and construct the Woad Hill substation.

Odell Wind Farm, LLC has proposed the project utilize a variable 150 to 600 foot route width for the 115 kV HVTL. The majority of the proposed route will be 150 feet wide extending from the road centerline. Odell Wind Farm, LLC is requesting that the proposed route width in sections 1 and 12 of Kimball Township in Jackson County be 300 feet, extending 150 feet on both sides of the road centerline. The proposed 300 foot route width in this area will allow additional flexibility to accommodate distances from homes. Odell Wind Farm, LLC is requesting a 600 foot route width in section 6 and 7 of Cedar Township in Martin County. In this area, the additional route width will allow flexibility to work around a known easement title issue.

Regulatory Background

A route permit application for the project was filed by Odell Wind Farm, LLC on December 12, 2013, and accepted as complete by the Minnesota Public Utilities Commission (Commission) on January 23, 2014. The route permit application will be reviewed under the alternative permitting process, pursuant to the Power Plant Siting Act (Minnesota Statues 216E) and Minnesota Rules 7850.2800 to 7850.3900.

Scoping Process

Scoping is the first step in the alternative permitting process after application acceptance. The scoping process has two primary purposes: (1) to ensure that the public has a chance to participate in determining what routes and issues are studied in the EA, and (2) to help focus the EA on impacts and issues important to a reasoned route permit decision. This scope identifies potential human and environmental issues that will be addressed in the EA. The scope also presents an anticipated schedule of the environmental review process.

Public Scoping Meeting
Commission and Department staff held a joint public information and environmental assessment scoping meeting on February 10, 2014, in Windom, Minnesota. The meeting provided members of the public an opportunity to learn about the proposed project and the state's permitting process, ask questions, provide comments, and identify potential impacts and route alternatives to be considered in the scope of the environmental assessment. Four members of the public attended the meeting. One landowner within the proposed route spoke at the meeting, and expressed support for the project and willingness to work with the applicant to accommodate routing on his property.

Public Comments
A comment period, ending on February 24, 2014, provided the public an opportunity to submit comments to Department staff on issues and route alternatives for consideration in the scope of the EA. One comment letter was received by the close of the comment period. No route alternatives were identified in these comment letters.

The Department of Natural Resources (DNR) staff submitted comments suggesting the Woad Hill Substation site be located in the western portion of the proposed substation site to provide an increased buffer between the substation and Cedar Creek. The DNR comment letter included a statement on the requirements of the License to Cross Public Lands and Waters. The DNR also commented that the Natural Heritage Review completed for the Odell Wind Farm project is not valid for the Odell Wind HVTL project, and a Natural Heritage Review request should have been submitted prior to the submission of the Route Permit Application.

Scoping comments are available for viewing on the Department's energy facilities permitting website: http://mn.gov/commerce/energyfacilities/Docket.html?Id=33682 and on eDockets: https://www.edockets.state.mn.us/EFiling/search.jsp (enter "13" for year and "591" for number).

Commission Review
On March 10, 2014, Department staff provided the Commission with a summary of the EA scoping process. The summary indicated that Department staff would be recommending to the deputy commissioner of the Department that the scoping decision for the project include only that route proposed by Odell Wind Farm, LLC in its route permit application for evaluation in the EA. On April 10, 2014, the Commission voted to take no action with respect to the route alternatives to be considered in the EA.

HAVING REVIEWED THE MATTER, consulted with Department staff, and in accordance with Minnesota Rule 7850.3700, I hereby make the following scoping decision:

MATTERS TO BE ADDRESSED

The issues outlined below will be identified and described in the environmental assessment (EA) for the proposed Odell Wind HVTL project. The EA will describe the project and the human and environmental resources of the project area. It will also provide information on the potential

impacts the proposed project could have as they relate to the topics outlined in this scoping decision, including possible mitigation for identified impacts, identification of irretrievable commitment of resources, and permits from other government entities that may be required.

I. GENERAL DESCRIPTION OF THE PROJECT

- A. Project Description
- B. Project Purpose
- C. Route Description
  1. Route Width
  2. Right-of-Way
- D. Project Costs

II. REGULATORY FRAMEWORK

- A. Certificate of Need
- B. High Voltage Transmission Line Route Permit
- C. Environmental Review Process

III. ENGINEERING AND DESIGN

- A. Transmission Line Structures
- B. Transmission Line Conductors

IV. CONSTRUCTION

- A. Right-of-Way Acquisition
- B. Construction
- C. Restoration
- D. Operation and Maintenance

V. AFFECTED ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATIVE MEASURES

- A. Environmental Setting
- B. Socioeconomics
- C. Human Settlements
  1. Noise
  2. Aesthetics
  3. Displacement
  4. Property Values
  5. Public Services
     a) Roads and Highways
     b) Utilities
     c) Emergency Services
  6. Electronic Interference
     a) Radio
     b) Television
     c) Wireless Phone / Internet Services
- D. Public Health and Safety
  1. Electric and Magnetic Fields
  2. Implantable Medical Devices

3. Stray Voltage
4. Induced Voltage
5. Air Quality

E. Land Based Economies
1. Agriculture
2. Forestry
3. Mining
4. Recreation and Tourism

F. Archaeological and Historic Resources

G. Natural Environment
1. Water Resources
a) Surface Waters
b) Groundwater
c) Wetlands
2. Soils
3. Flora
4. Fauna

H. Threatened / Endangered / Rare and Unique Natural Resources

I. Zoning and Land Use Compatibility
1. Use of Existing Rights-of-Way

J. Adverse Impacts Which Cannot Be Avoided

K. Irreversible and Irretrievable Commitments of Resources

VI. ALTERNATIVE ROUTES TO BE EVALUATED IN THE ENVIRONMENTAL ASSESSMENT

The route proposed by Odell Wind Farm, LLC in its route permit application will be evaluated in the EA (see attached map). No other routes or route alternatives will be evaluated in the EA.

VII. IDENTIFICATION OF PERMITS

The EA will include a list and description of permits from other government entities that may be required for the proposed project.

ISSUES OUTSIDE THE SCOPE OF THE ENVIRONMENTAL ASSESSMENT

The EA for the Odell Wind HVTL project will not consider the following:

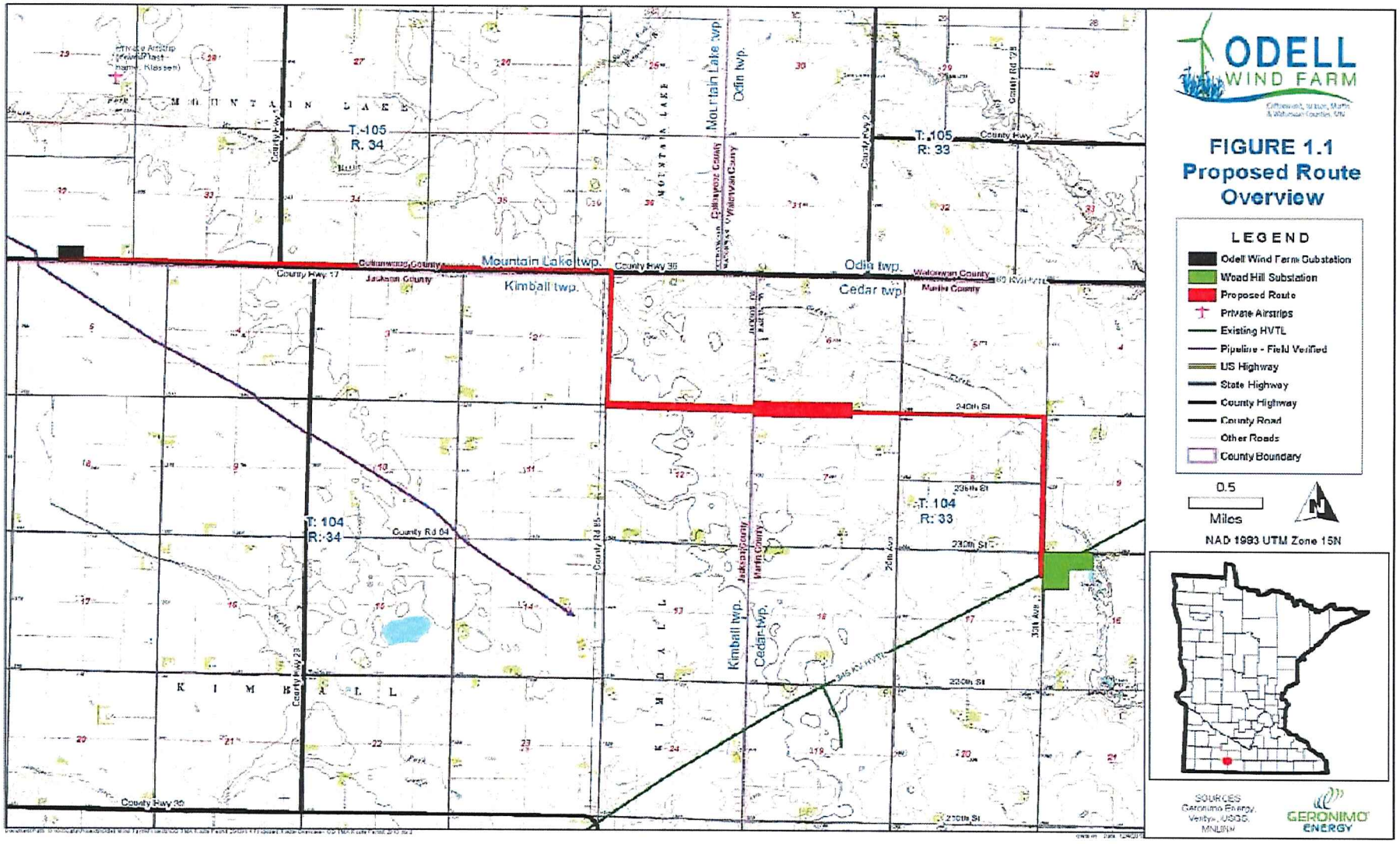
A. No-build alternative.
B. Issues related to project need, size, type, or timing.
C. Any route alternative not specifically identified in this scoping decision.
D. Policy issues surrounding whether utilities or local governments should be liable for the cost to relocate utility poles when roadways are widened.
E. The manner in which land owners are paid for transmission right-of-way easements, as that is outside the jurisdiction of the Commission.

SCHEDULE

The environmental assessment is anticipated to be completed and available in July 2014. A public hearing will be held in the project area after the environmental assessment has been issued and notice served.

Signed this 14th day of April, 2014

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

William Grant, Deputy Commissioner

Odell Wind HVTL Project
Route to be Evaluated in Environmental Assessment