

# APPENDIX F

## SUBMITTED COMMENTS ON THE ENVIRONMENTAL ASSESSMENT

APPENDIX F.1  
MINNESOTA DEPARTMENT OF NATURAL RESOURCES COMMENTS



# Minnesota Department of Natural Resources

Division of Ecological and Water Resources – Reg. 1 (NW)

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April 13, 2012

Tim Magnusson  
Clay County Planning and Zoning  
Clay County Courthouse – 3<sup>rd</sup> Floor  
807 11<sup>th</sup> St. North  
Moorhead, MN 56560

RE: Tamarac Line, LLC 115kV Environmental Assessment (EA)  
Minnesota Department of Natural Resources (DNR) Comments

Dear Mr. Magnusson,

DNR recently received a copy of the Environmental Assessment (EA) for the Tamarac Line, LLC 115kV Transmission Line which is associated with the recently permitted Lakeswind project. We have reviewed the EA and offer the following comments.

### Potential for avian mortality due to collisions with power lines

DNR's February 17, 2012 Natural Heritage Review (Correspondence #ERDB 20120218) recommended the use of bird diverters on overhead lines near lakes and rivers, or other areas that may attract large concentrations of waterfowl. DNR scoping comments recommended that the EA include an inventory of nearby areas which provide potential waterfowl concentrations and flyways between them. For areas identified, we recommended that the EA include a discussion of measures which will be taken to avoid and minimize potential collision mortality (i.e. specific bird diverter locations, type, and spacing) along with information about staff training, monitoring, and reporting.

The EA is adequate in providing information on bird diverter types and locations. Use of the Swan Flight Diverter (SFD) is specifically mentioned in the EA as a commonly used bird flight diverter. We believe SFD's can be effective in reducing avian collisions with power lines and support using manufacture recommended spacing. We also agree with the proposed bird diverter use areas generally described in the EA (page 15), however; we would like to work with the proponent to identify and agree upon specific placement locations.

The EA does not include information about staff training, monitoring or reporting. DNR recommends that the proponent describe existing protocols or policies in place for monitoring and reporting of avian fatalities. We also request that incidental reports of state endangered or threatened species fatalities be reported to DNR Non-Game staff.

DNR recommends that County permits include a condition requiring usage of bird flight diverters and requiring and the proponent to work with DNR and USFWS on identifying type, locations and spacing.

#### Wetland Impacts

DNR scoping comments recommended that the EA provide an inventory of wetlands, functions provided, potential impacts to wetlands (functions and direct impacts), and measures to avoid and minimize impacts should be included in the EA. The information provided in the EA is adequate.

The EA indicates that Tamarac Line, LLC will minimize wetland impacts by maximizing the typical span length through wetlands. DNR agrees with this approach, however; review of the preliminary structure locations provided with the EA shows uniform pole spacing with no spacing adjustment through wetlands (e.g. structures 69, 70, and 71). We recommend that final plans minimize encroachment into wetland to the extent feasible.

#### Invasive Species

DNR agrees that by staying within existing roads right-of-ways and previously disturbed areas, the risk of introduction and transfer of invasive species will be minimized. We recommend that areas of biodiversity significance be identified on the Storm Water Pollution Prevention Maps as sensitive areas for which no staging or equipment storage should occur.

Thank you for the opportunity to provide these comments. Please call me with any questions at 218-308-2672. I should also be contacted for establishing consensus on specific bird diverter locations and spacing.

Sincerely,



Nathan Kestner  
Regional Environmental Assessment Ecologist – NW  
MN DNR Division of Ecological and Water Resources

Cc: Shelly Becklund – DNR  
Lisa Joyal - DNR

APPENDIX F.2  
RESPONSES TO DNR COMMENTS

On April 13, 2012, the Minnesota DNR, provided comments on the Environmental Assessment (EA) for the Tamarac 115kV Transmission Line. Clay County has reviewed these comments and recommends the three primary issues be incorporated into the EA as noted below.

Potential for avian mortality due to collisions with power lines. The DNR confirms that the EA provides adequate information regarding bird diverter types and locations. The recommendation that the DNR participate in the process to identify and define the specific placement for bird diverter locations is reasonable. The county requests that the project proponent meet with DNR staff and coordinate with the DNR to determine the necessity and placement of bird diverters within the defined project area. While it is requested that the County permits required for the construction of the project include provisions requiring the placement of bird diverters, is it the County's opinion for this EA that such consultations be made between the project proponent and the DNR staff.

DNR also requested information regarding the protocols and policies for the monitoring and reporting of avian fatalities. The proponent will coordinate with the local utility (LREC) and adopt protocols and policies comparable to those established by LREC to monitor and report avian fatalities to the DNR.

Wetland Impacts. The information in the EA regarding wetland impacts within the project area was identified as adequate. DNR recommended that final project plans minimize encroachment into wetlands to the maximum extent possible. Project proponent shall design the project to minimize encroachment into wetlands to the extent possible. Based on the current design, it appears that there is potential to reduce impacts by relocating structure 69 to the north and spanning that wetland body.

Invasive Species. DNR agrees with the protocol of maintaining construction efforts within existing ROW and previously disturbed areas to minimize the potential for the transport of invasive species into the project area. DNR recommended that the identified areas of biodiversity be identified on prepared storm water pollution prevention plan (SWPPP) documentation and maintained as areas in which no construction staging or materials storage would occur. Project proponent shall make this information available for inclusion on SWPPP maps and coordinate with construction contractors to minimize encroachment into these areas to the maximum extent possible.