

STATE OF MINNESOTA
ENVIRONMENTAL QUALITY BOARD

In the Matter of the Minnkota Power
Cooperative Inc. Route Permit Application
for a High Voltage Transmission Line, near
Baudette, Minnesota.

Findings of Fact, Conclusions and Order
Issuing a Route Permit for a High
Voltage Transmission Line
EQB Docket No. 05-93-TR-
MINNKOTA

The above-entitled matter came before the Minnesota Environmental Quality Board at a regular meeting on June 16, 2005.

STATEMENT OF ISSUE

The issue before the Board is whether to grant a route permit to Minnkota Power Cooperative for its two proposed 230 kV transmission lines to interconnect its new Lund substation with the existing 230 kV and 69 kV transmission lines.

Based upon the information in the record, the EQB makes the following Findings of Fact, Conclusions and Order:

FINDINGS OF FACT

Project Description

1. Minnkota Power Cooperative Inc. of Grand Forks, North Dakota, has made an application to the Minnesota Environmental Quality Board for a Route Permit under the alternative permitting process of the Power Plant Siting Act as provided for in Minnesota Statutes § 116C.575, subd. 2. (3) and Minnesota Rules parts 4400.2010 to 4400.2950.
2. The permit application is for the construction, operation, and maintenance of two parallel 230 kilovolt high voltage transmission lines each approximately 2,600 feet in length to connect the new Lund substation to an existing Minnkota 230 kV transmission lines.
3. The Project will be located in Lake of the Woods County in Sections 19 and 30 in Township 160N, Range 30W, and in Section 24 in Township 160N, Range 31W. The project is located approximately three miles south of Baudette, Minnesota. Project vicinity and location maps are included as Figures 1 and 2 on pages 15 and 16 of the Environmental Assessment document.
4. The substation will be constructed on property owned by Minnkota. The non-Minnkota right-of-way area will be about 2600 feet long by 300 feet wide, parallel and adjacent to Highway 72.

Procedural

5. The EQB Chair accepted the application on March 31, 2005.
6. Minnkota made notice of route permit application filing on April 13, 2005.

7. Notice of public meeting and public hearing were provided by EQB in the Baudette Region paper, by mailed notification to interested and affected parties and by posting on the EQB website in mid April 2005.
8. A public meeting was held in the Baudette City Council Chamber, Baudette, MN on April 26, 2005. The purpose of the meeting was to provide information, to answer questions, and to scope the environmental assessment. No members of the public attended the meeting.
9. The scoping comment period ended on May 10, 2005. No comments were received.
10. The Chair issued the environmental assessment scoping decision on May 16, 2005, and it was mailed to those persons on the Project Contact List.
11. The environmental assessment was prepared by the EQB staff and made available on May 16, 2002. Notices of the public hearing and the availability of the environmental assessment were made by EQB in the Baudette Region paper, by mailed notification to interested and affected parties and by posting on the EQB website in mid May 2005.
12. The public hearing was held on May 24, 2002 in the Baudette City Council Chambers, Baudette, Minnesota and was presided over by George Johnson of the EQB staff. No members of the public attended. No issues or comments were raised.
13. The hearing record was held open through June 6, 2005 for written comments. No comments were received.

Environmental Assessment

14. The Environmental Assessment adequately addresses the issues that were identified in the scoping decision.

Standards and Criteria

15. Minnesota Rules part 4400.3050 describe the criteria to apply in evaluating a proposal for a new high voltage transmission line. This part provides that the board shall issue a permit for a HVTL when the board finds that the transmission line is consistent with state goals to conserve resources, minimizes environmental impacts and human settlement and other land use conflicts, and ensures the state's electric energy security through efficient, cost-effective power supply and electric transmission line infrastructure.
16. Minnesota Rules part 4400.3150 goes on to set forth factors to consider in deciding whether to issue a route permit for a proposed HVTL.
17. The applicant addressed the relevant factors in its permit application and the EQB has taken into account these factors in deciding whether to issue a permit. The board finds that the proposed transmission lines are consistent with state goals to conserve resources and do minimize environmental impacts and land use conflicts. The board further finds that the transmission lines are efficient and cost-effective and help to ensure the state's electric energy security.
18. The proposed transmission lines will be located primarily on land owned by the Permittee and do not cross or impact any areas specified in Minnesota Rules part 4400.3350 as areas where HVTLs are prohibited.

19. A Certificate of Need from the Public Utilities Commission is not required in this case because a Certificate of Need is required for a 230 kV transmission line only if the line is longer than one mile. Minnesota Statutes § 216B.243, subd. 8(4).
20. A number of permit conditions which have been included in other route permits issued by the Board are appropriate to include in this permit. The Permittee has no objection to inclusion of these conditions.

Based on these findings of fact the EQB makes the following:

CONCLUSIONS

1. The EQB has jurisdiction to issue a Route Permit for the proposed high voltage transmission lines.
2. No substantive comments on the environmental assessment or the application were filed with the EQB.
3. The Environmental Assessment document prepared for this project is adequate and no further environmental review is required for this project.
4. The proposed high voltage transmission lines meet the criteria and standards established for HVTLs.
5. A route permit authorizing construction of the proposed high voltage transmission lines along the route designated should be issued with conditions appropriate to ensure proper construction and operation of the lines.
6. Any findings that might properly be termed conclusions and any conclusions that might properly be termed findings are hereby adopted as such.

ORDER

Based on the Findings of Fact and Conclusions contained herein and on the entire record:

The Minnesota Environmental Quality Board hereby issues a Route Permit to Minnkota Power Cooperative for its proposed 230 kilovolt transmission lines to interconnect its new Lund substation with the existing nearby 230 kV and 69 kV transmission systems.

Approved and adopted this 16th day of June 2005.

State of Minnesota
Environmental Quality Board



Robert A. Schroeder, Chair