



June 3, 2015

Richard Davis, Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul MN 55101

Re: In the Matter of the Application of Great River Energy and Minnesota Power for a
Route Permit for the Motley Area 115 kV Transmission Line Project in Morrison, Cass and
Todd Counties, Minnesota
Public Utilities Commission (PUC) Docket Numbers: ET-2, E-015/TL-15-204

Dear Mr. Davis:

The Minnesota Department of Natural Resources (DNR) has reviewed the Application for a Route Permit for the Motley Area 115 kV Transmission Line Project in Morrison, Cass, and Todd Counties. Please consider the following comments regarding the application and for scoping the Environmental Assessment (EA).

General Comments:

Two Mississippi River crossing options are included and associated with two (2) separate connection points. The EA should describe total impacts associated with each alternative and indicate which alternative is the proposed option. Cumulative total impacts associated with any pre-existing lines should also be described in the EA. For example, co-locating with an existing line crossing would expand the overall maintained right-of-way (ROW).

Specific Scoping Comments:

Natural Vegetation

The EA should describe the ecological setting of the project using the Ecological Classification System (ECS) to the Land Type Association level. The MDNR and the U.S. Forest Service developed the ECS for ecological mapping and landscape classification following the National Hierarchical Framework of Ecological Units (Ecomap 1993). ECS mapping enables resource managers to consider ecological patterns for areas as large as North America or as small as a single timber stand and identify areas with similar management opportunities or constraints relative to that scale.

Recently, preliminary Minnesota Biological Survey (MBS) data was provided to the applicant and is described using the Native Plant Community (NPC) classification that integrates with the ECS. This information should be included in the EA.



and Rare" describes conservation concerns for species of greatest conservation need (SGCN) and their *key habitats* within various landscape settings (also characterized using the ECS).

In the interests of consistency and accuracy, Minnesota's SWAP, ECS, NPC descriptions, and preliminary MBS data should all inform the content and assessment provided by the EA.

Wildlife/Rare and Unique Natural Features

The EA should attempt to identify potential impacts to all significant fish and wildlife resources (e.g. SGCN) and *key habitats* on or near the site. As previously mentioned, Minnesota's SWAP should be used to provide this information. Descriptions of measures to avoid or minimize adverse impacts to these wildlife resources should also be included in the EA.

Public Waters

The EA should describe short and long-term impacts of crossing public waters and what measures would be taken to mitigate such impacts. DNR recommends that neck downs, (modified vegetation management, or reduced tree clearing), in clearing widths as well as preservation and maintenance of woody buffers be adopted as an overall mitigation strategy.

Avian Collision Risk

The EA should discuss the effectiveness of the following measures to mitigate potential avian mortality impacts associated with collisions with power lines should:

1. Use of line markers - Periods of inclement weather and foggy conditions associated with lakes, water courses and wetlands increase collision risk and have been known to decrease the effectiveness of line marking devices. The EA should assess the effectiveness of various bird flight diverters in mitigating avian mortality due to collision with HVTL's.
2. Underground constructionⁱ - The EA should assess the effectiveness of underground construction in mitigating avian mortality due to collision with HVTL's.
3. Pole designs (e.g. H-frame vs. single pole) – Use of an H-frame structure or pole designs that minimize the number of vertical wires should be assessed for practicability. The effectiveness of various pole designs in mitigating bird strikes should be discussed in the EA.

A description of potential impacts (estimates of annual mortality), specific avoidance, minimization, and mitigation measures for the following bird flyway and concentration areas should specifically be included in the EA*:

- Mississippi River Crossing

**If other project alternatives are included in the scope of the EA, a description of the aforementioned mitigation measures should also be included for all public waters, public waters*

wetlands and adjoining floodplains and/or wetlands. An Avian Mitigation Plan should be developed and included as an avian impact risk mitigation strategy as part of the EA.

Other

The EA should discuss disposal or wasting of the black dirt resulting from the excavation of the tower footings.

The EA should describe the functions provided by the project area wetlands and how impacts associated with pole placement (fill placement and type conversion) and maintenance will change those functions. Specific mitigation proposed by the applicant and/or required by law should also be included in the assessment.

The EA should identify and discuss the impacts associated with additional work areas (e.g. marshaling yards) on or adjacent to the ROW that may be needed for construction, storage, or staging of materials.

DNR Land and Water Crossing Licenses:

The review and issuance of DNR land and water crossing licenses are coordinated by the Division of Lands and Minerals. The proposed project is located in both the Northwest and Central DNR Regions. The Lands and Minerals Realty Specialist in the NW Region is Pamela Arndt (218-308-2683). Contact Pamela if you have any questions on completing the land or water crossing applications in the NW region. The Central Region Lands and Minerals contact is Maryanna Harstad (651-259-5781).

The project proposer should allow adequate time for review and modification of the license applications after the completion of environmental review. The DNR is requesting the following information in license applications:

1. Length and width of each proposed state land and public water depicted on maps and plan sheets. Each crossing must be identified by legal description to the forty.
2. Clearing activities, construction methods, schedule, and staging of operations including equipment and materials storage proposed on state land or in public waters.
3. Permanent and temporary access points to the proposed ROW affecting state land or public waters.
4. Temporary work areas on state land adjacent to the ROW that may be needed during construction. These areas should be clearly delineated and identified in the application materials.
5. General location of existing utility lines or transportation ROWs within or near the proposed ROW on state land or in public waters.
6. State trails or Grant in Aid trails proposed to be crossed.

7. Location and design of tower structures including proposed methods for disposal or wasting of the black dirt resulting from the excavation of the tower footings.
8. Restoration methods including proposed seed mixes and invasive species control measures.
9. ROW maintenance methods and schedule on state land or in public waters.

In addition, the project proposer should be aware of the following points related to the licensing of state land and public water crossings:

1. DNR invasive species standards will apply to state-administered lands and public waters to include cleaning of equipment.
2. Certain pesticides are restricted from use on certified forest lands. Adequate notice of herbicide or pesticide use on state lands will be required and only approved herbicides will be allowed.
3. Use of native species for re-vegetation and clean weed-free straw for mulch will be required on certain state land and public water crossings.
4. In-stream work on certain public waters (trout streams, for example) must be avoided at prescribed times to accommodate fish spawning.
5. State lands purchased with the assistance of various federal grant programs may require mandatory federal aid review and approval before the license can be issued. Supplemental information may be required for the federal review. If federal approval is required, additional time will be needed to process the application.
6. If a state land parcel becomes isolated due the construction of the ROW, the project proposer must provide access to the isolated state land across the ROW.
7. A monitoring fee will be assessed for DNR projected reasonable costs for monitoring the construction of the utility line and preparing special terms and conditions of the license to ensure proper construction.
8. Permission for temporary access to the ROW across state land is considered a separate transaction and may be granted through a lease. Requests for temporary access are subject to review and approval, and in some cases may not be granted. Allow adequate time for processing access lease requests.

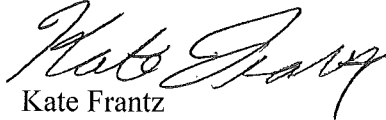
Rare and Unique Natural Resources:

Resources and concerns identified in the enclosed March 30, 2015 DNR Natural Heritage letter should be included in the EA. Also, corrections to the Fauna and Rare and Unique Natural Resources sections of the Route Permit Application will be sent to the Department of Commerce in a Track Changes format. They include updates to species' status (e.g. Bald Eagle – state listed

NON, Northern Long Eared Bat – federally listed Threatened, American Bittern – state listed NON), information updates from the NHIS letter in Table 9-10, and other minor changes.

Thank you for the opportunity to review the Route Permit Application for the Motley Area 115 kV Transmission Line Project. Please contact me with any questions.

Sincerely,



Kate Frantz
Environmental Review Planning Director

Enclosure: 1

cc: Tricia DeBleekere, Public Utilities Commission
Rick Heuring, Great River Energy

¹6135.1200 STANDARDS FOR STRUCTURE DESIGN.

Subpart 1. Location of utility. With regard to locating the utility overhead or under the ground or water:

A. Primary consideration shall be given to underground and underwater placement in order to minimize visual impact. If the proposal is for overhead placement, the applicant shall explain the economic, technological, or land characteristic factors, which make underground placement infeasible. Economic considerations alone shall not be the major determinant. Statutory Authority: *MS s 84.415 Posted: June 11, 2008*