



**In the Matter of the Application of
Dairyland Power Cooperative for a Route
Permit for the Beaver Creek 161 kV
Transmission Line in Fillmore County,
Minnesota**

**ENVIRONMENTAL ASSESSMENT
SCOPING DECISION**

DOCKET NO. ET-3/TL-24-95

The above matter has come before the Commissioner of the Department of Commerce (Department) for a decision on the scope of the environmental assessment (EA) that will be prepared for the Beaver Creek 161 kilovolt (kV) transmission line project proposed by Dairyland Power Cooperative (applicant) in Fillmore County, Minnesota.

Project Description

Dairyland Power Cooperative filed a route permit application for the Beaver Creek 161 kV transmission line project (project) on August 26, 2024.¹ The Minnesota portion of the project consists of approximately 3.5 miles of a new 161 kV single-circuit high voltage transmission line and associated facilities on a new right-of-way, adjacent to existing road right-of-way in York Township, Fillmore County.

On September 5, 2024, the Minnesota Public Utilities Commission (Commission) issued a notice soliciting comments on the following completeness of the application and other concerns related to this matter.² On October 15, 2024, the Commission accepted the route permit application as complete.³

Project Purpose

The applicant indicates that the proposed project was identified as part of the 2017 August West Area Midcontinent Independent System Operator (MISO) Generation Interconnection Study as being needed to allow proposed generators studied in 2017 to interconnect to the transmission system, to mitigate negative impacts to the thermal and voltage performance of the regional transmission system and to increase the capability of proposed generators in the future to connect to the transmission system.⁴

¹ Route Permit Application for the Beaver Creek 161 kV Transmission Line Project, Dairyland Power Cooperative, August 26, 2024, eDockets Numbers – Filing Letter [20248-209763-01](#); [Application \(Text\) 20248-209763-02](#); [Appendix A \(Project Maps\) 20248-209763-03](#); [Appendix B \(MISO DPP August West Area Study Phase 3 Final Report\) 20248-209763-04](#); [Appendix C \(Agency and Tribal Correspondence\) 20248-209763-05](#); [Appendix D \(Alternative Process Letter\) 20248-209763-06](#); [Appendix E \(Property Owners Within or Adjacent to the Proposed Route\) 20248-209763-07](#); [Appendix F \(Vegetation Management Plan\) 20248-209763-08](#); [Appendix G \(Emissions Calculation Table\) 20248-209763-09](#); [Appendix H \(Cultural Literature Review\) 20248-209766-01](#); [\(Cultural Trade Secret\) 20248-209766-02](#); [Appendix I \(IPaC and MnDNR NHI Response\) 20248-209766-03](#); [Appendix J \(Unanticipated Discoveries Plan\) 20248-209766-04](#) [hereinafter Application].

² Notice of Comment Period on Application Completeness, September 5, 2024, eDocket Number [20249-209999-01](#).

³ Commission Order, October 15, 2024, eDockets Number [202410-211003-01](#).

Regulatory Background

The proposed project requires a route permit from the Commission. Department Energy Environmental Review and Analysis (EERA) staff is responsible for conducting environmental review of route permit applications on behalf of the Commission.⁴ EERA staff will prepare an environmental assessment (EA) that will inform Commission decisions on the applicant's route permit application. The first step in preparing the EA is scoping. The purpose of scoping is to provide citizens, local governments, tribal governments, and agencies an opportunity to focus the EA on those issues and alternatives that are relevant to the proposed project.

Scoping Process

The EA scoping process has two primary purposes: (1) to gather public input on the impacts, mitigation measures, and alternatives to study in the EA, and (2) to focus the EA on those impacts, mitigation measures, and alternatives that will aid in the Commission's decision on the route permit.

EERA staff gathered input on the EA scope through two public meetings and an associated comment period. This scoping decision identifies potential impacts and mitigation measures that will be analyzed in the EA.

Public Scoping Meetings and Written Comments

A 42-day comment period, which began on October 22, 2024, and closed on December 3, 2024, provided the public an opportunity to submit comments to EERA staff on potential impacts and mitigation measures for consideration during the EA scope development process.

Commission and EERA staff held two public information and EA scoping meetings. One meeting was in-person, and one meeting was virtual. The in-person meeting was held on Tuesday, November 12, 2024, at the LeRoy Community Center, LeRoy, Minnesota. Four members of the public attended this meeting. The virtual meeting was held on Wednesday, November 13, 2024. No members of the public attended the virtual meeting.

Public Meeting Comments

The following individuals provided comments and are summarized as follows:

Todd Stockdale

Mr. Stockdale requested a schematic of the proposed transmission line structure. The applicant provided Mr. Stockdale with a copy of the structure design.⁵

James Wendel

Mr. Wendel inquired as to whether this project will eliminate any of the existing power lines, the impact to land where the project will be built, if the project will be built from the road or adjacent fields, and compensation to landowners and the township for damages caused by construction. Mr. Wendel also wanted to know if the State of Iowa could stop the project for the portion of the project proposed to be in Iowa.⁶

⁴ Minnesota Statute 216E.04.

⁵ Scoping Comments [eDocket No. [202412-213123-01](#), pp. 17-18, 22-23]

⁶ *Id.*, p. 19-21, 23-26.

Fred Scheevel

Mr. Scheevel's comments addressed the length of time needed to construct the project and the number of growing seasons and what will happen to the single-phase distribution lines operated by Mi Energy.⁷

Written Comments

The Minnesota Department of Natural (MnDNR) provided comments,⁸ including an attachment from the Minnesota Natural Heritage information System.⁹ Comments from MDNR noted the following:

1. A portion of the project is within a region prone to karst feature development and a suggested preparation of karst contingency plan prior to construction. MnDNR also noted the presence of two sinkholes adjacent to the project right-of-way and several other documented sinkholes with a mile of the project.
2. The presence of a calcareous fen in the project area. MnDNR requested that the applicant prepare a calcareous fen management plan if the project will impact the fen.
3. The need to utilize downlit and shielded lighting to minimize blue hue, if the project requires lighting.
4. Avoidance of products containing calcium chloride or magnesium which are used for dust control.
5. The use of erosion control blankets should be limited to "bio-netting" or "natural netting" types, and specifically not products containing plastic mesh netting or other plastic components.
6. Tree removal should be avoided from June 1 through August 15.

Route and Route Segment Proposals

No commenters proposed any new route or route segments for consideration in the EA. EERA staff is not proposing any modifications to Dairyland's proposed transmission line route.

Commission Review

On December 19, 2024, EERA staff provided the Commission with a summary of the EA scoping process.¹⁰ The summary noted that no route alternatives were proposed during the scoping process and recommended that the EA evaluate solely the route proposed by the applicant. In an order dated January 7, 2025, the Commission authorized EERA to include in the scoping decision solely the route for the project identified by Dairyland Power Cooperative in its route permit application.¹¹

⁷ *Id.*, p. 25.

⁸ Minnesota Department of Natural Resources, [eDocket No. [202412-212653-01](#)].

⁹ MnDNR-Natural Heritage Information System, [eDocket No. [202412-212653-02](#)].

¹⁰ December 19, 2024, Minnesota Department of Commerce, EERA Comments and Recommendations on the Scoping Process and Routing Alternatives for the Beaver Creek 161 kV Transmission Line Project [eDocket No. [202412-213201-01](#)].

¹¹ Commission Order, October 15, 2024, [eDocket Number [20251-213605-01](#)].

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 analyzed in the EA for the proposed Dairyland Power Cooperative Beaver Creek 161 kV transmission line project. The EA will describe the project and the human and environmental resources of the project area and will provide information on the potential project impacts as they relate to the topics outlined in this scoping decision, as well as possible mitigation measures. It will identify impacts that cannot be avoided, irretrievable commitments of resources, as well as permits from other government entities that may be required for the project. The EA will discuss the relative merits of the route studied in the EA using the routing factors found in Minnesota Rule 7850.4100.

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. High Voltage Transmission Line Route Permit
- B. Environmental Review Process
- C. Other Permits and Approvals

III. ENGINEERING AND DESIGN

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

IV. CONSTRUCTION

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

V. AFFECTED ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATIVE MEASURES

The EA will include a discussion of the human and environmental resources potentially impacted by the proposed project and the routing alternatives described herein (Section VI). Potential impacts, both positive and negative, of both the project and each alternative will be described. The EA will describe mitigation measures that could reasonably be implemented to reduce or eliminate the identified impacts. The EA will also describe any unavoidable impacts resulting from proposed project implementation.

The EA data and analyses will be commensurate with the importance of potential impacts and the relevance of the information for consideration of mitigation measures. Additionally, EERA staff will consider the relationship between the cost of data and analyses and the relevance and importance of the information in determining the level of detail of information to be prepared for the EA. Less important material may be summarized, consolidated, or simply referenced.

If relevant information cannot be obtained within timelines prescribed by statute and rule, or if the costs of obtaining such information is excessive, or the means to obtain it is not known, EERA staff will include a statement in the EA that such information is incomplete or unavailable and the relevance of that information in evaluating potential impacts.

- A. Environmental Setting
- B. Human Settlements
 - 1. Noise
 - 2. Aesthetics
 - 3. Displacement
 - 4. Property Values
 - 5. Socioeconomics / Environmental Justice
 - 6. Zoning and Land Use Compatibility
 - 7. Public Services
 - 8. Electronic Interference
- C. Public Health and Safety
 - 1. Electric and Magnetic Fields
 - 2. Implantable Medical Devices
 - 3. Stray Voltage
 - 4. Induced Voltage
- D. Land Based Economies
 - 1. Agriculture
 - 2. Forestry
 - 3. Mining
 - 4. Recreation and Tourism
- E. Archaeological and Historic Resources
- F. Natural Environment
 - 1. Air Quality
 - 2. Climate Change and Project Climate Change Resilience
 - 3. Water Resources
 - a) Surface Waters
 - b) Groundwater
 - c) Wetlands
 - 4. Soils
 - 5. Vegetation
 - 6. Wildlife
- G. Threatened / Endangered / Rare and Unique Natural Resources
- H. Electric System Reliability
- I. Operation and Maintenance Costs that are Design Dependent
- J. Adverse Impacts that Cannot be Avoided

- K. Irreversible and Irretrievable Commitments of Resources
- L. Cumulative Potential Effects

VI. ROUTES AND ROUTE ALTERNATIVES TO BE EVALUATED IN THE ENVIRONMENTAL ASSESSMENT

The EA will evaluate the route proposed in the applicant's route permit application.

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 will not consider the following:

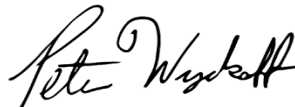
- A. Any route, route segment, or alignment alternative not specifically identified for study in this scoping decision.
- B. Policy issues concerning whether utilities or local governments should be liable for the cost to relocate utility poles when roadways are widened.
- C. The way landowners are paid for transmission line right-of-way easements.

SCHEDULE

The EA is anticipated to be completed and available on March 27, 2025. Public hearings are anticipated to be held in April 2025 and will be held in the project area.

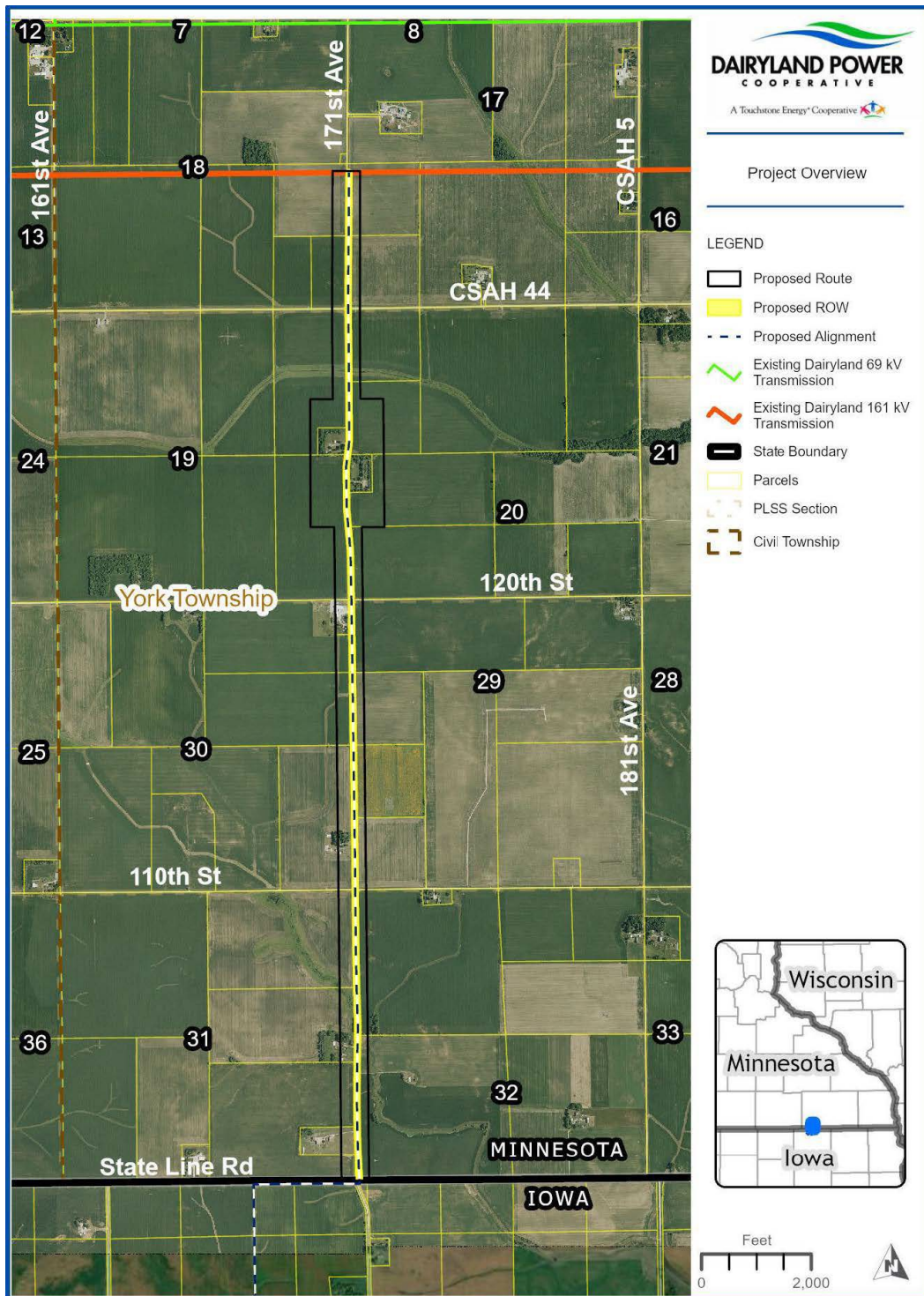
Signed this 23rd day of January, 2025.

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE



Pete Wyckoff, Deputy Commissioner

Project Overview Map



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