

Appendix C

Original Route Permit Text
September 14, 2010

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STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

**ROUTE PERMIT FOR CONSTRUCTION OF A HIGH-VOLTAGE
TRANSMISSION LINE AND ASSOCIATED FACILITIES
IN**

**LINCOLN, LYON, YELLOW MEDICINE, CHIPPEWA, REDWOOD,
BROWN, RENVILLE, SIBLEY, LE SUEUR, SCOTT, AND DAKOTA
COUNTIES**

**ISSUED TO
GREAT RIVER ENERGY AND
NORTHERN STATES POWER COMPANY**

PUC DOCKET No. ET2/TL-08-1474

In accordance with the requirements of Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850, this route permit is hereby issued to:

GREAT RIVER ENERGY AND NORTHERN STATES POWER COMPANY

Great River Energy and Northern States Power Company, d/b/a Xcel Energy, are authorized by this route permit to construct the 169-mile segment located within the State of Minnesota, of a new 345 kilovolt (kV) high-voltage transmission line from a new Hampton Substation in Dakota County, Minnesota, to the Brookings Substation in Brookings County, South Dakota.

The transmission line and associated facilities shall be built within the route identified in this permit, as portrayed on the official route maps, and in compliance with the conditions specified in this permit.

Approved and adopted this 14th day of September 2010

BY ORDER OF THE COMMISSION

Burl W. Haar,
Executive Secretary

I. ROUTE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to Great River Energy and Xcel Energy (Permittees) pursuant to Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. This permit authorizes the Permittees to construct approximately 169 miles of new 345 kV transmission line and associated facilities in Lincoln, Lyon, Yellow Medicine, Chippewa, Redwood, Brown, Renville, Sibley, Le Sueur, Scott, and Dakota counties, Minnesota.

II. PROJECT DESCRIPTION

The Permittees are authorized to construct a project comprising an approximate 169-mile transmission line and associated facilities as evaluated in the Environmental Impact Statement and described below.

A. High-Voltage Transmission Line

The route authorized in this Permit includes five route segments (Segments 1,2,3, 5, and 6) totaling approximately 169 miles, constructed between (1) the Brookings County substation near White, South Dakota, and a new Hampton substation near Hampton, Minnesota and (2) the Lyon County substation near Marshall, Minnesota, and the Minnesota Valley substation near Granite Falls, Minnesota. See web links to the maps for the approved route segments on Attachment A.

1. Brookings County Substation to Lyon County Substation

The transmission line will originate at the Brookings County Substation, near White, South Dakota, and extend approximately four to eight miles to the Minnesota border. Minnesota permitting authority begins as this segment crosses the Minnesota border passing through Lincoln and Lyon counties for approximately 50 miles to the existing Lyon County Substation near Marshall, Minnesota. This segment will be constructed and operated as a 345 kV single-circuit on double-circuit structures.

2. Lyon County Substation to Hazel Creek Substation to Minnesota Valley Substation

This segment is approximately 28 miles long passing through Lyon, Yellow Medicine, and Chippewa counties, and will replace the existing Lyon County to Minnesota Valley 115 kV transmission line. This segment will be constructed and operated as a 345 kV single-circuit on double-circuit structures, with the exception of the segment of transmission line running from the newly proposed Hazel Creek Substation to the existing Minnesota Valley Substation, which will initially be operated at 230 kV.

3. Lyon County Substation to Cedar Mountain Substation

This segment is approximately 51 miles long passing through Lyon, Redwood, Brown, and Renville counties. This segment will be constructed and operated as a double-circuit 345 kV on double-circuit structures.

5. Helena Substation to Lake Marion Substation

Passing through Scott County, this section is approximately 20 miles in length. Similar to the first two segments this stretch of the route would also be constructed and operated as a 345 kV single-circuit on double-circuit structures.

6. Lake Marion Substation to Hampton Substation

This segment will connect the Lake Marion Substation to the final termination point, the newly proposed Hampton Substation. This segment is approximately 20 miles in length passing through Scott and Dakota counties. This route segment will be constructed and operated as a 345 kV single-circuit on double-circuit structures.

B. Substations

The project includes the construction of four new substations (Hazel Creek, Cedar Mountain, Helena, and Hampton) and the expansion of and upgrades to three existing substations (Lyon County, Minnesota Valley, and Lake Marion). The location and description of the substations are as follows:

1. Hazel Creek Substation

The new Hazel Creek substation will be located at the southeast corner of the intersection of 520th Street (County Road B3) and 260th Avenue in section 18 of Minnesota Falls Township. The substation fenced and graded area will be approximately 10 to 12 acres. Equipment to be installed includes 345 kV equipment (one 345 kV breaker and a half-yard with nine breaker positions and five breakers with one new 345 kV (336 MVA) transformer and one future 345 kV transformer position), 230 kV equipment (a 230 kV yard with nine breaker positions and five breakers, one new 230 kV transformer, and one future 230 kV transformer position), and reactive support on the 115 kV yard. The substation will include the associated line switches, foundations, steel structures and control panels. The substation yard will require graded access roads.

2. Cedar Mountain Substation

The new Cedar Mountain Substation will be located at the northwest corner of the intersection of County Road 3 and 640th Avenue in Camp Township. The substation site will consist of five to eight acres of land, fenced and graded. The

substation will be designed and constructed with a 345 kV breaker and a half-yard with nine breaker positions and five breakers, one 345 kV transformer (448 MVA) and one future transformer position. A 115 kV breaker and a half-yard will be constructed with six to nine breaker positions and two breakers and a 115 kV bus with circuit breakers and reactive support. The new substation will require line switches, a control house, relay panels, foundations, steel structures, and switches. The substation yard will require graded access roads.

3. Helena Substation

The new Helena Substation will be located at the along West 270th Street between Church Avenue and Aberdeen Avenue in Belle Plaine Township. The substation fenced and graded area will be approximately five to eight acres. The substation will initially be designed and constructed with one 345 kV breaker and a half-yard with nine breaker positions and five breakers. The new substation will require line switches, a control house, relay panels, foundations, and steel structures. The substation yard will require graded access roads. The substation will include sufficient space for a future 115 kV substation yard and a future 345 kV transformer. The Helena Substation will also connect with the existing Wilmarth – Blue Lake 345 kV transmission line.

4. Hampton Substation

The Hampton Substation will be located on the west side of Highway 52 near 215th Street on the north side of 215th Street. The substation fenced and graded area will be approximately five to eight acres. The substation will be designed and constructed with one 345 kV breaker and a half-yard with nine breaker positions and five breakers. The new substation will require line switches, a control house, relay panels, foundations, and steel structures. The substation yard will require graded access roads. The Hampton Substation will be designed to connect with the existing Prairie Island – Blue Lake 345 kV transmission line. The Prairie Island – Blue Lake 345 kV transmission line will be split prior to the connection point, creating two transmission lines.

5. Lyon County Substation

The existing Lyon County 115/69 kV Substation will be modified by adding four to six acres of fenced and graded substation area and associated equipment. The substation expansion is proposed to extend to the north and east, no additional land acquisition will be required.

The substation expansion will upgrade the system with 345 kV equipment, including one 345 kV breaker and a half-yard with nine breaker positions and five breakers. One new 345 kV transformer (448 MVA), one future 345 kV transformer position and associated line switches, foundations, steel structures, and control panels will be installed to integrate this transformer into the existing equipment. The existing 115 kV yard will be expanded with two additional breakers and a total of six breaker positions. Two circuit breakers and capacitor banks will be installed.

6. Minnesota Valley Substation

Additions to the existing Minnesota Valley Substation will include a 230 kV breaker and a half-yard with nine breaker positions and five breakers and the associated foundations, steel structures and control panels. Additional land will not be required to accommodate the upgraded facilities.

7. Lake Marion Substation

The Project will require an expansion to the south of the existing Lake Marion Substation of five to eight acres of fenced and graded substation area to house necessary equipment. The equipment will include a 345 kV breaker and a half-yard with six breaker positions and three breakers, one new 345 kV transformer (448 MVA) and one 345 kV transformer position. The expansion will also include expansion of the 115 kV yard to breaker and a half configuration with a total of twelve breaker positions and five breakers, and a 115 kV bus with circuit breakers and capacitor banks. The construction will include the associated line switches, foundations, steel structures and control panels.

8. Franklin Substation

The Project will require an expansion to the north of the existing Franklin Substation, which will consist of two to four acres of fenced and graded substation area to house necessary equipment. The equipment will include a new 115kV breaker-and-a-half yard with nine breaker positions, five breakers installed, and provisions for additional breakers and future reactive support. The construction will include the associated line switches, foundations, steel structures, equipment enclosures, and control panels.

C. Interconnections and Associated Facilities

The project will include a short transmission line connector (approximately one-half mile) between the existing Wilmarth – Blue Lake 345 kV line and the new Helena Substation; and a short transmission line connector (approximately one-half mile) between the existing Prairie Island – Blue Lake 345 kV line and the new Hampton Substation.

An approximate five-mile 115 kV transmission line will be constructed between the Cedar Mountain Substation and Franklin Substation and expansion of and modifications to the Franklin Substation to accommodate the new 115 kV transmission line facilities.

D. Structures

The transmission line will be supported by single pole, galvanized or self-weathering steel double-circuit structures for the majority of the 345 kV line portions of the Project. For the 345 kV line sections where only one circuit (three phases) is proposed to be initially installed, Permittees will place the second set of davit arms that will be used to support the second 345 kV circuit on these structures during the initial installation. The following table details specifics on the various structure types as presented in the route permit application.

Line Type	Structure Type	Structure Material	ROW Width (feet)	Structure Height (feet)	Structure Base Diameter (inches)	Foundation Diameter (feet)	Span Between Structures (feet)	Pole to Pole Span on Single H-Frame Structure (feet)
345/345 kV Double-Circuit	Single Pole Davit Arm	Steel	150	130-175	36-48 (tangent structures) 48-72 (angle structures)	6-12	750-1,100	N/A
345/345 kV Double-Circuit	H-Frame	Steel	150-180	105-125	30-42 (tangent structures)	5.5-9	750-1,100	27
115 kV	Horizontal Post	Wood	100	65-90	20-25 (tangent structures)	N/A	300-400	N/A
	Horizontal Post	Steel	100	65-90	18-24 (tangent structures)	2.5-3.5	300-400	N/A
345/345/115 kV Triple-Circuit	H-Frame	Steel	150-180	120-160	40-65 (tangent structures)	4.5-6.5	400-700	27
345/345/69 kV Triple-Circuit	H-Frame	Steel	150-180	120-160	40-65 (tangent structures)	4.5-6.5	400-700	27

Specialty structures not listed above may be required in consultation with the USFWS and MnDNR. Permittees will work with the USFWS, MnDNR, and the Commission when designing specialty structures for the Minnesota River crossings to ensure an appropriate crossing of these river areas and when considering the sensitive nature of these areas.

In areas where existing distribution lines are present, Permittees will coordinate with local distribution utilities to offer alternatives or undergrounding distribution lines, on a case-by-case basis to the extent that such actions do not violate sound engineering principles or system reliability criteria.

Transmission lines shall be equipped with protective devices (breakers and relays located where transmission lines connect to substations) to safeguard the public in the event of an accident or if the structure or conductor falls to the ground. Associated Facilities will be properly fenced and accessible only by authorized personnel.

E. Conductors

Each phase of the 345 kV line will consist of bundled conductors composed of two 954 kcmil 54/7 Cardinal Aluminum Conductor Steel Supported (ACSS) cables or conductors of comparable capacity. The same conductor and bundled configuration is being proposed for all the 345 kV single-circuit and double-circuit transmission line sections. Drake 795 ACSS conductor will be used for the 115 kV line between the Cedar Mountain Substation and Franklin Substation.

Two shield wires will be strung above the conductors to prevent damage from lightning strikes. These shield wires are typically less than one inch in diameter and will include fiber optic cables, which allow a path for substation protection equipment to communicate with equipment at other terminals on the transmission line.

III. DESIGNATED ROUTE

The approved route is shown on the official route maps attached to this permit and further designated as follows:

A. Route Width and Alignment

The variable width of the designated route will be limited to between 600 feet to 1.1 miles as depicted on the attached route maps. The final alignment (i.e., permanent and maintained rights-of-way) will be located within this designated route unless otherwise authorized below. This width will provide the Permittees with the flexibility to do minor adjustments of the specific alignment or right-of-way to accommodate landowner requests and unforeseen conditions.

The designated route identifies an alignment that minimizes the overall potential impacts relating to the factors identified in Minnesota Rule 7850.4100 and which was evaluated in the environmental review and permitting processes. As such, this permit anticipates that the actual right-of-way will generally conform to this proposed alignment unless changes are requested by individual landowners or unforeseen conditions are encountered, or are otherwise provided for by this permit.

Route width variations outside the designated route may be allowed for the Permittees to overcome potential site specific constraints. These constraints may arise from any of the following:

1. Unforeseen circumstances encountered during the detailed engineering and design process.
2. Federal or state agency requirements.
3. Existing infrastructure within the transmission line route, including but not limited to roadways, railroads, natural gas and liquid pipelines, high voltage electric transmission lines, or sewer and water lines.
4. Planned infrastructure improvements identified by state agencies and local government units and made part of the evidentiary record during the contested case proceeding for this permit.

Any alignment modifications arising from these site specific constraints that would result in right-of-way placement outside the designated route shall be located to have comparable overall impacts relative to the factors in Minnesota Rule 7850.4100 as does the alignment identified in this permit and also shall be specifically identified in and approved as part of the Plan and Profile submitted pursuant to Part IV.A. of this permit.

B. Right-of-Way Placement

Where the transmission line route parallels existing highway and other road rights-of-way, the transmission line ROW shall occupy and utilize the existing right-of-way to the maximum extent possible, consistent with the criteria in Minnesota Rule 7850.4100, the other requirements of this permit and the requirements for highways under the jurisdiction of the Minnesota Department of Transportation (Mn/DOT), in accordance with Mn/DOT rules, policies, and procedures for accommodating utilities in trunk highway rights-of-way.

C. Right-of-Way Width

The 345 kV transmission line will be built primarily with single pole structures, which will typically require a 150 foot right-of-way. Where specialty structures are required for long spans or in environmentally sensitive areas, up to 180 feet of right-of-way may be employed. The 115 kV transmission line will require an 80 foot right-of-way.

When the proposed transmission line is adjacent to a roadway it shall share the existing road right-of-way and an easement of lesser width may be required from the landowner depending on road configuration, structure requirements consistent with local, county, and state policies and procedures or agreements.

When the transmission line is placed cross-country across private land, an easement for the entire right-of-way (150 to 180 foot width) shall be acquired from the affected landowner(s). Permittees shall locate the poles as close to property division lines as reasonably possible and in cooperation with landowners.

IV. PERMIT CONDITIONS

The Permittees shall comply with the following conditions during construction of the transmission line and associated facilities and the life of this permit.

A. Plan and Profile

At least 30 calendar days before right-of-way preparation for construction begins on any segment or portion of the project, the Permittees shall provide the Commission with a plan and profile of the right-of-way and the specifications and drawings for right-of-way preparation, construction, cleanup, and restoration for the transmission line. The documentation shall include maps depicting the plan and profile including the right-of-way and alignment in relation to the route and alignment approved per the permit.

The Permittees may not commence construction until the 30 days has expired or until the Commission has advised the Permittees in writing that it has completed its review of the documents and determined that the planned construction is consistent with this permit. If the Permittees intend to make any significant changes in its plan and profile or the specifications and drawings after submission to the Commission, the Permittees shall notify the Commission at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this permit.

B. Construction Practices

1. Application

The Permittees shall follow those specific construction practices and material specifications described in the Great River Energy and Xcel Energy Application to the Commission for a Route Permit, dated December 29, 2008, and as described in the environmental impact statement and findings of fact, unless this permit establishes a different requirement, in which case this permit shall prevail.

2. Field Representative

At least 10 days prior to commencing construction, the Permittees shall advise the Commission in writing of the person or persons designated to be the field representative for the Permittees with the responsibility to oversee compliance with the conditions of this permit during construction.

The field representative's address, phone number, and emergency phone number shall be provided to the Commission and shall be made available to affected landowners, residents, public officials and other interested persons. The Permittees may change the field representative at any time upon written notice to the Commission.

3. Local Governments

During construction, The Permittees shall minimize any disruption to public services or public utilities. To the extent disruptions to public services occur, these would be temporary and the Permittees will work to restore service promptly. Where any impacts to utilities have the potential to occur, Permittees will work with both landowners and local agencies to determine the most appropriate pole placement.

The Permittees shall cooperate with county and city road authorities to develop appropriate signage and traffic management during construction. Conductors and overhead wire stringing operations will use guard structures to eliminate potential delays. When appropriate, lead vehicles will accompany the movement of heavy equipment. Traffic control barriers and warning devices will be used when appropriate.

4. Cleanup

All waste and scrap that is the product of construction shall be removed from the area and properly disposed of upon completion of each task. Personal litter, including bottles, cans, and paper from construction activities shall be removed on a daily basis.

5. Noise

Construction and routine maintenance activities will be limited to daytime working hours to ensure nighttime noise level standards will not be exceeded.

6. Vegetation Removal in the Right-of-Way

The Permittees shall minimize the number of trees to be removed in selecting the right-of-way, specifically preserving to the maximum extent practicable, windbreaks, shelterbelts and living snow fences. As part of construction, low growing brush or tree species are allowable within and at the outer limits of the easement area. Taller tree species that endanger the safe and reliable operation of the transmission facility need to be removed. To the extent practical, low growing vegetation that will not pose a threat to the transmission facility or impede construction should remain in the easement area.

7. Aesthetics

The Permittees will consult with landowners or land management agencies prior to final location of structures, rights-of-way, and other areas with the potential for visual disturbance. Care will be used to preserve the natural landscape and prevent any unnecessary destruction of the natural surroundings in the vicinity of the project during construction and maintenance.

New structures will be designed to support the existing transmission and distribution lines, thereby allowing the use of existing alignments and will share existing road rights-of-way to the extent that such actions do not violate sound engineering principles or system reliability criteria.

Structures will be placed at the maximum feasible distance from intersecting roads, highway, or trail crossings and could cross roads to minimize or avoid impacts. The applicants work with landowners to identify issues related to the transmission line such as distance from existing structures, tree clearing, and other aesthetic concerns.

8. Erosion Control

The Permittees shall follow requirements outlined in the attached Agriculture Impact Mitigation Plan (AIMP) developed for this project to control erosion, weeds, water from other fields, and manage soils to continue the original status of the field.

The Permittees shall implement reasonable measures to minimize runoff during construction and shall promptly plant or seed, erect silt fences, and/or use erosion control blankets in non-agricultural areas that were disturbed where structures are installed. Contours will be graded as required so that all surfaces drain naturally, blend with the natural terrain, and are left in a condition that will facilitate re-vegetation, provide for proper drainage, and prevent erosion. All areas disturbed during construction of the facilities will be returned to their pre-construction condition.

Larger disturbed areas of one acre or more (proposed substation sites) will be regulated by a National Pollution Discharge Elimination System (NPDES) permit and Stormwater Pollution Prevention Plan prepared for the project.

Standard erosion control measures outlined in Minnesota Pollution Control Agency guidance and best management practices regarding sediment control practice during construction include protecting storm drain inlets, use of silt fences, protecting exposed soil, immediately stabilizing restored soil, controlling temporary soil stockpiles, and controlling vehicle tracking.

9. Wetlands and Water Resources

Minimal grading of areas around pole locations may be required to accommodate construction vehicles and equipment. The Permittees will use wooden mats or the DURA-BASE[®] composite mat system or construction during frozen conditions to minimize disturbance and compaction of wetlands and riparian areas during construction. Soil excavated from the wetlands and riparian areas will be contained and not placed back into the wetland or riparian area. Silt fencing or other erosion control measures will be used to prevent sedimentation when working near wetlands and watercourses. Areas disturbed by construction activities will be restored to pre-construction conditions (soil horizons, contours, vegetation, etc.).

10. Temporary Work Space

The Permittees shall limit temporary easements to special construction access needs and additional staging or lay-down areas required outside of the authorized right-of-way. Space should be selected to limit the removal and impacts to vegetation.

Temporary lay down areas outside of the authorized transmission line right-of-way will be obtained from affected landowners through rental agreements and are not provided for in this permit

Temporary driveways may be constructed between the roadway and the structures to minimize impact by using the shortest route possible. Construction mats may also be used to minimize impacts on access paths and construction areas.

11. Restoration

The Permittees shall restore the right-of-way, temporary work spaces, access roads, abandoned right-of-way, and other private lands affected by construction of the transmission line. As necessary, areas will be reseeded with a seed mix recommended by the local DNR management and that is certified to be free of noxious weeds. Restoration within the right-of-way must be compatible with the safe operation, maintenance, and inspection of the transmission line. Within 60 days after completion of all restoration activities, the Permittees shall advise the Commission in writing of the completion of such activities. The Permittees shall compensate landowners for any yard/landscape, crop, soil compaction, drain tile, or other damages that may occur during construction.

12. Notice of Permit

The Permittees shall inform all employees, contractors, and other persons involved in the transmission line construction of the terms and conditions of this permit.

13. The Permittees shall distribute to relevant landowners information prepared by state agencies regarding landowner rights with respect to right-of-way negotiations concurrent with the Permittees' first contact with those landowners regarding right-of-way acquisition.

C. Periodic Status Reports

The Permittees shall report to the Commission on progress regarding finalization of the route, design of structures, and construction of the transmission line. The Permittees need not report more frequently than weekly.

D. Complaint Procedure

Prior to the start of construction, the Permittees shall submit to the Commission, the procedures that will be used to receive and respond to complaints. The procedures shall be in accordance with the requirements set forth in the complaint procedures attached to this permit.

E. Notification to Landowners

The Permittees shall provide all affected landowners with a copy of this permit and the complaints procedures at the time of the first contact with the landowners after issuance of this permit.

The Permittees shall contact landowners prior to entering the property or conducting maintenance along the route and avoid maintenance practices, particularly the use of fertilizer, herbicides, or pesticides, inconsistent with the landowner's or tenant's use of the land (e.g. organic certified farms).

The Permittees shall work with landowners to locate the high-voltage transmission lines to minimize the loss of agricultural land, forest, and wetlands, and to avoid homes and farmsteads. This may include sharing existing road or other utility rights-of-way to the greatest extent possible.

The Permittees shall distribute to relevant landowners information prepared by state agencies regarding landowner rights with respect to right-of-way negotiations concurrent with the Applicants' first contact with those landowners regarding right-of-way acquisition.

F. Completion of Construction

1. Notification to Commission

At least three days before the line is to be placed into service, the Permittees shall notify the Commission of the date on which the line will be placed into service and the date on which construction was complete.

2. As-Builts

The Permittees shall submit copies of all the final as-built plans and specifications developed during the project.

3. GPS Data

Within 60 days after completion of construction, the Permittees shall submit to the Commission, in the format requested by the Commission, geo-spatial information (GIS compatible maps, GPS coordinates, associated database of characteristics, etc.) for all structures associated with the transmission lines, each switch, and each substation connected.

G. Electrical Performance Standards.

1. Grounding

The Permittees shall design, construct, and operate the transmission line in a manner that the maximum induced steady-state short-circuit current shall be limited to five milliamperes, root mean square (rms) alternating current between the ground and any non-stationary object within the right-of-way, including but not limited to large motor vehicles and agricultural equipment. All fixed metallic objects on or off the right-of-way, except electric fences that parallel or cross the right-of-way, shall be grounded to the extent necessary to limit the induced short circuit current between ground and the object so as not to exceed one milliamperere rms under steady state conditions of the transmission line and to comply with the ground fault conditions specified in the National Electric Safety Code (NESC). Permittees shall address and rectify any stray voltage problems that arise during transmission line operation.

2. Electric Field

The transmission line shall be designed, constructed, and operated in such a manner that the electric field measured one meter above ground level immediately below the transmission line shall not exceed 8.0 kV/m rms.

3. Interference with Communication Devices

If interference with radio or television, satellite, wireless internet, GPS-based agriculture navigation systems or other communication devices is caused by the presence or operation of the transmission line, the Permittees shall take whatever action is prudently feasible to restore or provide reception equivalent to reception levels in the immediate area just prior to the construction of the line.

H. Other Requirements.

1. Applicable Codes

The Permittees shall comply with applicable requirements of the NESC including clearances to ground, clearance to crossing utilities, clearance to buildings, right-of-way widths, erecting power poles, and stringing of transmission line conductors. The transmission line facility shall also meet the North American Electric Reliability Corporation's (NERC) reliability standards

2. Other Permits

The Permittees shall comply with all applicable state rules and statutes. The Permittees shall obtain all required local, state and federal permits for the project and comply with the conditions of these permits. A list of the required permits is included in the route permit application and the environmental impact statement. The Permittees shall submit a copy of such permits to the Commission upon request.

3. Pre-emption

Pursuant to Minnesota Statutes 216E.10, subdivisions 1 and 2, this route permit shall be the sole route approval required to be obtained by the Permittees and this permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose government.

I. Delay in Construction

If the Permittees have not commenced construction or improvement of the route within four years after the date of issuance of this permit, the Commission shall consider suspension of the permit in accordance with Minnesota Rule 7850.4700.

J. Special Conditions

Applicants shall provide a report to the Commission as part of the Plan and Profile submission that describes the actions taken and mitigative measures developed regarding the following Special Conditions.

1. Alignment Alternatives

The five alignment alternatives identified below fall within the 1,000 foot requested route width. All the alignments were analyzed in the Environmental Impact Statement and provide one or more mitigations to the impacts potentially realized should a transmission line be constructed in these areas.

The Permittees will work with landowners in these areas and other areas to develop the most appropriate alignment to the extent that such actions do not violate sound engineering principles or system reliability criteria.

- The transmission alignment would follow along the north side of 275th Street in section 5 of New Avon Township.
- The transmission alignment would follow along the north side of County Road 12 through section 2 of Granite Rock Township.
- The transmission alignment would follow along the north side of County Road 74/660th Avenue from 470th Street to County Highway 4 just north of the city of Fairfax.
- The transmission alignment would follow along the south side of County Road 74/660th Avenue from 490th Street to County Highway 27/500th Street in sections 3 and 4 of Cairo Township.
- The transmission alignment would follow along the south side of County Road 74/660th Avenue at a point approximately 5,500 feet west of County Road 22 to County Road 22 in section 5 of Severance Township.

2. Archaeological and Historic Resources

The Permittees shall make every effort to avoid impacts to identified archaeological and historic resources when installing the high voltage transmission line on the approved route. In the event that an impact would occur, the applicants will consult with State Historic Preservation Office (SHPO) and invited consulting parties. Where feasible, avoidance of the resource is required.

In cooperation with SHPO, the applicants shall conduct a phase 1 survey of areas within the project that are known or have been reported as historic and/or archaeologically significant sites prior to commencing construction activities. Should the construction plans for the proposed project have the potential of disturbing known but unidentified historic, archaeological, or burial areas, monitoring by qualified personnel would be reasonable.

In the event that a resource is encountered, the SHPO should be contacted and consulted; the nature of the resource should be identified; and a determination should be made on the eligibility for listing in the NRHP.

Permittees shall work with Native American tribes and other state and federal permitting or land management agencies to assist in the development of avoidance, minimization or treatment measures.

3. Avian Concerns

The Permittees will evaluate mitigative measures in areas of the project where the chance of avian collision or electrocution is higher, specifically the areas where the route will span the Minnesota River.

The Permittees shall, in cooperation with the U.S. Fish and Wildlife Service (USFWS) and the Minnesota Department of Natural Resources (DNR), identify areas where bird flight diverters will be incorporated into the transmission line design to prevent avian collisions attributed to visibility issues.

Due to the areas importance to bald eagles and other raptors, Permittees standard transmission design shall incorporate adequate spacing of conductor(s) and grounding devices in accordance with Avian Power Line Interaction Committee (APLIC) standards to eliminate the risk of electrocution to raptors with larger wingspans that may simultaneously come in contact with a conductor and grounding devices.

Permittees shall work with the USFWS to ensure construction activities are scheduled so as not to disturb or impact normal eagle breeding, feeding, or sheltering behavior. Permittees shall consult with the USFWS to ensure the project conforms with the requirements of the Bald and Golden Eagle Protection Act in consultation with the USFWS.

4. Rare and Unique Resources

The DNR indicated occurrences of Blanding's turtles near the project area. The Blanding's turtle is considered a species in greatest need of conservation in Minnesota. Mitigation measures for potential impacts to the Blanding's turtle and its habitat shall include measures and recommendations outlined in the *Minnesota DNR Division of Ecological Resources Environmental Review Fact Sheet Series. Blanding's Turtle* (attached). Construction and maintenance personnel will be made aware of the Blanding's turtle and their habitat during pre-construction meetings in an effort to minimize possible disturbance.

Permittees will span, where possible, rivers, streams and wetlands, and any habitats where prairie remnants and rock outcrops have been recorded or are likely to occur. Wherever it is not feasible to span, a survey will be conducted to determine the presence of special status species or suitability of habitat for such species. Where the survey shows such species or habitat, Permittees will

coordinate with the MnDNR and other appropriate agencies to avoid and minimize any impact.

5. Scenic By-Ways

For the alignment crossing U.S. Highway 75 - The King of Trails and County Highway 5 – The Minnesota River Valley Scenic Byway, the Permittees shall consult with Mn/DOT Office of Environmental Services, the King of Trails Coalition, and the Minnesota River Valley Alliance regarding methods to minimize and prevent damage to vegetation along these scenic byways.

Methods may include preserving the natural and cultural landscape and using design and construction techniques and procedures to prevent unnecessary destruction, scarring, or defacing of vegetation in the right-of-way, minimizing the number of trees to be removed, and installing vegetative buffers to limit visual impacts to the extent that such actions do not violate sound engineering principles or system reliability criteria.

V. PERMIT AMENDMENT

The permit conditions in Section IV may be amended at any time by the Commission. Any person may request an amendment of the conditions of this permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment. The Commission will mail notice of receipt of the request to the Permittees. The Commission may amend the conditions after affording the Permittees and interested persons such process as is required.

VI. TRANSFER OF PERMIT

The Permittees may request at any time that the Commission transfer this permit to another person or entity. The Permittees shall provide the name and description of the person or entity to whom the permit is requested to be transferred, the reasons for the transfer, a description of the facilities affected, and the proposed effective date of the transfer.

The person to whom the permit is to be transferred shall provide the Commission with such information as the Commission shall require to determine whether the new Permittees can comply with the conditions of the permit. The Commission may authorize transfer of the permit after affording the Permittees, the new Permittees, and interested persons such process as is required.

VII. REVOCATION OR SUSPENSION OF THE PERMIT

The Commission may initiate action to revoke or suspend this permit at any time. The Commission shall act in accordance with the requirements of Minnesota Rules part 7850.5100 to revoke or suspend the permit.