GREAT RIVER ENERGY

MINNESOTA PUBLIC UTILITIES COMMISSION

MPUC DOCKET NO. ET-2/TL-22-235
OAH DOCKET NO. 23-2500-38942

SUPPLEMENTAL DIRECT TESTIMONY OF MARK STROHFUS

May 5, 2023

I. INTRODUCTION

Q. Please state your name, employer, and business address.

A. My name is Mark Strohfus. I am a Transmission Permitting, Project Manager, with Great River Energy. My business address is 12300 Elm Creek Boulevard, Maple Grove, Minnesota 55369.

Q. Did you previously submit direct testimony in this docket?

A. Yes. I submitted direct testimony on May 3, 2023.

Q. What is the purpose of your Supplemental Testimony?

A. The purpose of my Supplemental Testimony is to provide further comments on the draft route permit filed by the Department of Commerce, Energy Environmental Review and Analysis ("DOC-EERA") with the Environmental Assessment ("EA") prepared for the proposed rebuild of the existing 69-kilovolt ("kV") ST-WW transmission line to 115-kV in Stearns County (the "Project").

Q. Are there any schedules attached to your Supplemental Testimony?

A. Yes. Great River Energy's proposed revisions to the draft route permit are included in **Schedule B** to my Supplemental Testimony. I will describe these proposed revisions in further detail below. Schedule B includes both a clean version of Great River Energy's proposed revisions to the draft route permit, as well as a redline showing changes from the draft route permit filed by DOC-EERA.

II. DRAFT ROUTE PERMIT

Q. Please provide an overview of your comments on the draft route permit filed by DOC-EERA.

A. As I noted in my Direct Testimony, the draft route permit filed by DOC-EERA is largely consistent with the sample route permit filed by the Minnesota Public Utilities Commission ("Commission") in this docket on December 5, 2022, with a

few exceptions. In general, because of the limited scope and scale of this Project, Great River Energy believes that adhering to the Commission's typical route permit is supported by the record here. Great River Energy's proposed revisions to the draft route permit fall within the following categories:

- Revisions to Project description and details;
- Limited revisions to standard permit conditions to align the route permit with recently-issued route permits; and,
- Revisions to special conditions proposed by DOC-EERA.

Q. Please describe Great River Energy's proposed revisions to the Project description and details in the draft route permit.

A. As shown in Schedule B, Great River Energy has revised the following sections of the draft route permit to include specific information and details concerning the Project: 1, 2, 2.1, 2.2, 2.3, 2.4, 3, and 4. In general, these revisions and additions are made to conform the draft route permit to the Project description in the Application. With respect to Section 3, the revisions are also proposed to clarify that any route permit issued by the Commission will be for a route, rather than a specific alignment. As described in Section 3, the alignment will be located within the route identified by the Commission.

Q. Please summarize Great River Energy's proposed revisions to certain standard permit conditions.

A. Great River Energy proposes revisions to certain standard permit conditions, as identified in the list below and reflected in Schedule B. The proposed revisions are suggested to conform the draft route permit with recently-issued route permits; this language has worked well recently and accurately reflects the construction and restoration process.

- 4.1 – Route Width Variations: This provision was included in the sample route permit filed by the Commission, but was omitted from

the DOC-EERA version. The provision is commonly included in route permits, and Great River Energy requests that it be included.[1]

- 5.2 – Access to Property: Great River Energy proposes a revision to conform this provision to recently-issued permits. The current language could be ambiguous and, if strictly construed, would be unworkable in that it would require continual 14-day notices throughout construction and operation. Further, landowners will receive notice in advance of construction pursuant to other sections of the route permit. *See* Condition Nos. 5.1, 5.3.1. Great River Energy proposes revising Section 5.2 as follows, consistent with other recent route permits:[2] "The Permittee shall contact landowners prior to entering the property or conducting maintenance within the route, unless otherwise negotiated with the affected landowner."

- 5.3.7 – Soil Erosion and Sediment Control: Great River Energy proposes language consistent with recently-issued route permits.[3] The proposed revision retains the obligation to minimize erosion and sedimentation and the obligation to obtain any required permits from the Minnesota Pollution Control Agency ("MPCA"). However, Great River Energy's proposed revision removes the language which could imply that a permit from MPCA must be obtained, regardless of whether one is required under MPCA regulations. Specifically, the following language is proposed to be deleted: "In accordance with [MPCA] requirements, the Permittee shall obtain a [NPDES/SDS] permit from [MPCA]." Great River Energy submits that the proposed

[1] *See*, *e.g.*, *In the Matter of the Application of Great River Energy and Otter Tail Power Company for a Route Permit for the Frazee to Erie 115 kV Transmission Line Project in Becker and Otter Tail Counties* ("Frazee Route Permit"), Route Permit § 4.1, Docket No. E017, ET2/TL-20-423 (Dec. 17, 2021); *see also In the Matter of the Application of Big Bend Wind, LLC for a Route Permit for a 161 kV High Voltage Transmission Line in Cottonwood, Watonwan and Martin Counties, Minnesota* ("Big Bend Route Permit"), Route Permit § 4.1, Docket No. IP7013/TL-19-621 (Sept. 28, 2022).

[2] Frazee Route Permit § 5.2; Big Bend Route Permit § 5.2.

[3] Frazee Route Permit § 5.3.7; Big Bend Route Permit § 5.3.7.

revision is appropriate here because land disturbance associated with the proposed Project may not trigger the referenced MPCA permit.

Q. What special conditions have been proposed by DOC-EERA?

A. DOC-EERA proposes the following special conditions for the Project:

- 6.1 – Independent Third Party Monitor
- 6.2 – Coordination with Minnesota DNR
- 6.3 – Preparation of a Vegetation Management Plan
- 6.4 – Coordination with Local Jurisdictions on Pole Placements

Q. Does Great River Energy propose any revisions to the special conditions proposed by DOC-EERA?

A. Yes. I will discuss each proposed revision in more detail below.

Q. What revision does Great River Energy propose to Condition No. 6.1?

A. Great River Energy proposes the following revision to Condition No. 6.1 (revisions shown in underline):

> Prior to any construction, the Permittees shall propose a scope of work and identify an independent third-party monitor to conduct Project construction monitoring on behalf of Commerce. The scope of work shall be developed in consultation with and approved by Commerce. This third-party monitor will report directly to and will be under the control of Commerce with costs borne by the Permittee. <u>The Permittee shall file with the Commission the scope of work and the name, address, email, and telephone number of the third party-monitor at least 30 days prior to commencing any construction or right-of-way preparation and upon any change in contact information that may occur during construction of the Project and restoration of the right-of-way.</u>

These revisions are consistent with recent Commission route permits,[4] and Great River Energy proposes the revision to clarify the timing for compliance with this condition to provide greater certainty in determining construction schedule.

Q. What revision does Great River Energy propose to Condition No. 6.2?

A. DOC-EERA's proposed Condition No. 6.2 would require Great River Energy to coordinate with the Minnesota Department of Natural Resources ("MDNR") regarding bird flight diverters and the timing of tree clearing. However, Section 5.3.15 of the route permit already requires coordination regarding bird flight diverters. With respect to tree clearing, Great River Energy believes that the purpose of the proposed coordination relates to the northern long-eared bat ("NLEB"), which was recently up-listed to be classified as endangered by the U.S. Fish and Wildlife Service ("USFWS"). One measure to avoid/minimize impacts to NLEB is through tree-clearing restrictions that are defined by USFWS in certain locations. Because USFWS is the agency with jurisdiction over NLEB tree-clearing restrictions, Great River Energy proposes that Condition No. 6.2 be modified to require coordination with USFWS regarding the timing of tree clearing: "The Permittee will coordinate with the U.S. Fish and Wildlife Service regarding the timing of tree-clearing." This is consistent with prior Commission route permits,[5] which have implemented the USFWS tree clearing restrictions in place at the time of permit issuance.

Q. What revision does Great River Energy propose to Condition No. 6.3?

A. Great River Energy understands that vegetation management plans are likely to be required as a condition of transmission line route permits going forward. With that understanding, Great River Energy proposes limited revisions to provide greater specificity. Great River Energy requests that this condition be modified to clarify the agencies with which Great River Energy is required to coordinate and

[4] *See* Frazee Route Permit § 6.10; Big Bend Route Permit § 6.1.

[5] Frazee Route Permit § 6.5.

the timing for the submission of such plan. As proposed by Great River Energy, the vegetation management plan would be developed in coordination with DOC-EERA and any state agency with management authority over any lands impacted by the Project. Great River Energy further requests that the condition be modified to reflect that landowner decisions and preferences are a necessary part of any transmission line vegetation management plan, given that the landowner will continue to own and use the property after construction is complete:

> Permittee shall develop a vegetation management plan in coordination with EERA and state agencies with management authority over lands crossed by the Project. The Vegetation Management Plan and documentation of coordination efforts shall be filed at least 30 days prior to construction. The Vegetation Plan must recognize landowner preferences regarding site restoration, seed mixes, and tree removal.

This is consistent with a prior permit condition.[6]

Q. What revision does Great River Energy propose to Condition No. 6.4?

A. DOC-EERA proposes Condition No. 6.4, which would require Great River Energy to coordinate with local jurisdictions on pole placement prior to the final design of the Project. Great River Energy understands that coordination with local jurisdictions is important, and has and will continue such coordination regarding this Project. The coordination thus far is described in my Direct Testimony and Great River Energy's November 22, 2022, filing. However, the language in proposed Condition No. 6.4 is ambiguous and could be interpreted as eroding the Commission's preemptive routing authority under Minn. Stat. § 216E.10, subd. 1. The Commission's route permit preempts over local siting, and the proposed revision avoids any implication that the cities may have a de facto veto or final decision-making authority over the Project's Commission-approved route. Great River Energy believes that the proposed revision appropriately balances the benefit and obligation of ongoing coordination without limiting the scope of the Commission's authority. As such, Great River Energy proposes to revise this

[6] *Id.* at § 6.9.

condition to: (1) provide greater specificity regarding the local jurisdictions with which coordination will occur; (2) avoid the implication that local jurisdictions may exercise a de facto veto over the Commission-approved route; and (3) clarify the timing of any related compliance filing:

> At least 30 days prior to commencing construction, Great River Energy shall file documentation of the coordination regarding the Project which has occurred after the issuance of the route permit with the City of St. Joseph, the City of St. Cloud, and St. Wendell Township.

III. CONCLUSION

Q. Does this conclude your Supplemental Testimony?

A. Yes.

STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

ROUTE PERMIT FOR A
HIGH-VOLTAGE TRANSMISSION LINE AND ASSOCIATED FACILITIES

IN
STEARNS COUNTY

ISSUED TO
GREAT RIVER ENERGY

PUC DOCKET NO. ET2/TL-22-235

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

Great River Energy is authorized by this route permit to construct and operate approximately 3.2 miles of 115-kilovolt (kV) transmission line and associated facilities in St. Joseph Township, the City of St. Joseph, and St. Wendell Township in Stearns County, Minnesota, .

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

Approved and adopted this ____ day of [Month, Year]

BY ORDER OF THE COMMISSION

_____
Will Seuffert,
Executive Secretary

To request this document in another format such as large print or audio, call 651-296-0406 (voice). Persons with a hearing or speech impairment may call using their preferred Telecommunications Relay Service or email consumer.puc@state.mn.us for assistance.

1 ROUTE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to Great River Energy (Permittee) pursuant to Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. This permit authorizes the Great River Energy to construct and operate an approximately 3.2 miles of 115-kilovolt (kV) transmission line and associated facilities in St. Joseph Township, the City of St. Joseph, and St. Wendell Township in Stearns County, Minnesota (Project)], and as identified in the attached Route Maps, hereby incorporated into this document as Attachment 3.

1.1. Pre-emption

Pursuant to Minn. Stat. § 216E.10, this permit shall be the sole route approval required to be obtained by the Permittee for construction of the transmission facilities 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 governments.

2 PROJECT DESCRIPTION

The Project includes: (1) construction of approximately 3.2 miles of 115-kV transmission line and structures between the existing West St. Cloud, Westwood, and Le Sauk Substations; (2) extension of the transmission line approximately 170 feet northwesterly near the existing Le Sauk Substation to tap into a new 115-kV switch on Great River Energy's existing ST-FPT transmission line; (3) installation of an additional 115-kV breaker and associated equipment at the existing West St. Cloud Substation, which will require an approximately 6,500-square-foot expansion of the substation; and (4) installation of two 115-kV line switches: one for the tap feeding the existing Westwood Substation, and one north of the existing Le Sauk Substation.

2.1. Project Location

The Project is located entirely in Stearns County, Minnesota, in the City of St. Joseph, the Township of St. Joseph and a small section of St. Wendell Township.

County	City/Township Name	Township	Range	Section
Stearns	St. Joseph Township	124N	29W	12
Stearns	City of St. Joseph	124N	29W	1, 12
Stearns	St. Wendell Township	125N	29W	36

2.2. Substations and Associated Facilities

Substations and associated facilities include installation of:

- An additional 115-kV breaker and associated equipment at the existing West St. Cloud Substation, which will require an approximately 6,500-square-foot expansion of the substation;

- Two 115-kV line switches: one for the tap feeding the existing Westwood Substation, and one north of the existing Le Sauk Substation.

2.3. Structures

The majority of the rebuilt 115-kV line will consist of single circuit, monopole wood structures spaced approximately 300 to 400 feet apart. Transmission structures will typically range in height from 70 to 90 feet above ground, depending upon the terrain and environmental constraints. The average diameter of the wood structures at ground level is 20 inches.

Laminated wood structures or steel structures may be needed for switches and angled structures; the size of these structures is dependent on the weight of the switch material, the tension on the line, and/or the angle of deflection the pole location causes on the transmission line.

Multi-pole (3-pole dead-end) and/or H-frame structures may be used to cross underneath the existing Xcel Energy 115-kV line located between Ridgewood Road and 304th Street.

2.4. Conductors

The three single-conductor phase wires will be 795 ACSS (Aluminum Conductor Steel Supported) or a conductor of similar capacity. A shield wire will be installed above the conductors for lightning protection.

3 DESIGNATED ROUTE

The route designated by the Commission in this permit is the route described below and shown on the Route Maps in Attachment 3 of this permit. The route is generally described as follows:

The designated route exits the West St. Cloud substation and runs east on Ridgewood Road for approximately one-half mile to an upgraded switch and tap line for Stearns Electric Association's Westwood Substation. From the Westwood Substation, the designated route continues east for 1,100 feet along Ridgewood Road before turning north for approximately 1.4 miles to Mullen Road, then westerly along Mullen Road for approximately 0.9 miles where the existing 69-kV line terminates along County State Aid Highway (CSAH) 133. The 115-kV line will then extend approximately 170 feet northwest on new ROW, crossing over Mullen Road and CSAH 133, to a new switch pole on Great River Energy's existing ST-FPT 115-kV line.

The final alignment must be located within this designated route. The identified route widths on the attached route maps provide the Permittee with flexibility for minor adjustments of the alignment or right-of-way to accommodate landowner requests and unforeseen conditions. The final alignment (i.e., permanent and maintained rights-of-way) will be located within this designated route unless otherwise authorized by this permit or the Commission.

4 RIGHT-OF-WAY

This Permit authorizes the Permittee to obtain a new permanent right-of-way for the transmission line up to 100 feet in width. The permanent right-of-way is typically 35 feet on both sides of the transmission line measured from its centerline. If guy wires are needed to support a structure, a 200-foot box right-of-way around such structures to accommodate guy wires and anchors are authorized.

The Project's anticipated alignment is intended to minimize potential impacts relative to criteria identified in Minn. R. 7850.4100. The actual right-of-way will generally conform to the anticipated alignment identified on the Route Maps, unless changes are requested by individual landowners and agreed to by the Permittee or for unforeseen conditions that are encountered or as otherwise provided for by this permit.

Any right-of-way modifications within the designated route shall be located so as to have comparable overall impacts relative to the factors in Minn. R. 7850.4100, as does the right-of-way identified in this permit, and shall be specifically identified and documented in and approved as part of the plan and profile submitted pursuant to Section 9.1 of this permit.

Where the transmission line parallels existing highway and other road rights-of-way, the transmission line right-of-way shall occupy and utilize the existing right-of-way to the maximum extent possible; consistent with the criteria in Minn. R. 7850.4100 and the other requirements of this permit; and for highways under the jurisdiction of the Minnesota Department of Transportation, the procedures for accommodating utilities in trunk highway rights-of-way.

4.1. Route Width Variations

Route width variations may be allowed to accommodate the potential site-specific constraints listed below. 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 route, including but not limited to railroads, natural gas and liquid pipelines, high voltage electric transmission lines, or sewer and water lines.

Any alignment modifications arising from these site-specific constraints that would result in right-of-way placement outside of the designated route shall be specifically reviewed by the Commission under Minn. R. 7850.4900.

5 GENERAL CONDITIONS

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

5.1. Permit Distribution

Within 30 days of permit issuance, the Permittee shall provide all affected landowners with a copy of this permit and the complaint procedures. In no case shall the landowner receive this route permit and complaint procedures less than five days prior to the start of construction on their property. An affected landowner is any landowner or designee that is within or adjacent to the permitted route.

At the time of first contact, the Permittee shall also provide all affected landowners with a copy of the Department of Commerce's Rights-of-Way and Easements for Energy Facility Construction and Operation fact sheet.[1]

5.2. Access to Property

The Permittee shall contact landowners prior to entering the property or conducting maintenance within the route, unless otherwise negotiated with the affected landowner.

5.3. Construction and Operation Practices

The Permittee shall follow those specific construction practices and material specifications described in Great River Energy's Application to the Commission for a route permit to Rebuild Existing 69-kV ST-WW Transmission Line to 115-kV, dated August 25, 2022, and the record of the proceedings unless this permit establishes a different requirement in which case this permit shall prevail.

5.3.1. Field Representative

The Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this permit during construction of the project. This person shall be accessible by telephone or other means during normal business hours throughout site preparation, construction, cleanup, and restoration.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the field representative 14 days prior to commencing construction. The Permittee shall provide the field representative's contact information to affected landowners, residents, local government units and other interested persons 14 days prior to commencing construction. The Permittee may change the field representative at any time upon notice to the Commission, affected landowners, residents, local government units and other interested persons.

[1] http://mn.gov/commerce/energyfacilities/documents/Easements%20Fact%20Sheet_08.05.14.pdf

5.3.2. Employee Training and Education of Permit Terms and Conditions

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

5.3.3. Public Services, Public Utilities, and Existing Easements

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

The Permittee shall consult with landowners, townships, cities, and counties along the route and consider concerns regarding tree clearing, distance from existing structures, drain tiles, pole depth and placement in relationship to existing roads and road expansion plans.

The Permittee shall cooperate with county and city road authorities to develop appropriate signage and traffic management during construction.

5.3.4. Temporary Work Space

The Permittee shall limit temporary easements to special construction access needs and additional staging or lay-down areas required outside of the authorized right-of-way. Temporary space shall be selected to limit the removal and impacts to vegetation. Temporary easements 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 using the shortest route possible. Construction mats should be used to minimize impacts on access paths and construction areas.

5.3.5. Noise

The Permittee shall comply with noise standards established under Minn. R. 7030.0010 to 7030.0080. Construction and maintenance activities shall be limited to daytime working hours to the extent practicable to ensure nighttime noise level standards will not be exceeded.

5.3.6. Aesthetics

The Permittee shall consider input pertaining to visual impacts from landowners or land management agencies prior to final location of structures, rights-of-way, and other areas with the potential for visual disturbance. Care shall be used to preserve the natural landscape, minimize tree removal and prevent any unnecessary destruction of the natural surroundings in the vicinity of the project during construction and maintenance. The Permittee shall work with

landowners to locate the high-voltage transmission line to minimize the loss of agricultural land, forest, and wetlands, and to avoid homes and farmsteads. Structures shall be placed at a distance, consistent with sound engineering principles and system reliability criteria, from intersecting roads, highways, or trail crossings.

5.3.7. Soil Erosion and Sediment Control

The Permittee shall implement those erosion prevention and sediment control practices recommended by the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Program. If construction of the facility disturbs more than one acre of land, or is sited in an area designated by the MPCA as having potential for impacts to water resources, the Permittee shall obtain a National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit from the MPCA that provides for the development of a Stormwater Pollution Prevention Plan (SWPPP) that describes methods to control erosion and runoff.

The Permittee shall implement reasonable measures to minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-vegetation and prevent erosion. All areas disturbed during construction of the facilities shall be returned to pre-construction conditions.

5.3.8. Wetlands and Water Resources

Wetland impact avoidance measures that shall be implemented during design and construction of the transmission line will include spacing and placing the power poles at variable distances to span and avoid wetlands, watercourses, and floodplains. Unavoidable wetland impacts as a result of the placement of poles shall be limited to the immediate area around the poles. To minimize impacts, construction in wetland areas shall occur during frozen ground conditions where practicable and shall be according to permit requirements by the applicable permitting authority. When construction during winter is not possible, wooden or composite mats shall be used to protect wetland vegetation. Soil excavated from the wetlands and riparian areas shall be contained and not placed back into the wetland or riparian area. Wetlands and riparian areas shall be accessed using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts. No staging or stringing set up areas shall be placed within or adjacent to wetlands or water resources, as practicable. Power pole structures shall be assembled on upland areas before they are brought to the site for installation.

Areas disturbed by construction activities shall be restored to pre-construction conditions. Restoration of the wetlands will be performed by the Permittee in accordance with the requirements of applicable state and federal permits or laws and landowner agreements.

All requirements of the U.S. Army Corps of Engineers (wetlands under federal jurisdiction), Minnesota Department of Natural Resources (Public Waters/Wetlands), and County (wetlands under the jurisdiction of the Minnesota Wetland Conservation Act) shall be met.

5.3.9. Vegetation Management

The Permittee shall minimize the number of trees to be removed in selecting the right-of-way specifically preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and vegetation in areas such as trail and stream crossings where vegetative screening may minimize aesthetic impacts, to the extent that such actions do not violate sound engineering principles or system reliability criteria.

Tall growing species located within the transmission line right-of-way that endanger the safe and reliable operation of the transmission facility will be removed by the Permittee. The Permittee shall leave undisturbed, to the extent possible, existing low growing species in the right-of-way or replant such species in the right-of-way to blend the difference between the right-of-way and adjacent areas, to the extent that the low growing vegetation that will not pose a threat to the transmission facility or impede construction.

5.3.10. Application of Pesticides

The Permittee shall restrict pesticide use to those pesticides and methods of application approved by the Minnesota Department of Agriculture, Minnesota Department of Natural Resources, and the U.S. Environmental Protection Agency. Selective foliage or basal application shall be used when practicable. All pesticides shall be applied in a safe and cautious manner so as not to damage adjacent properties including crops, orchards, tree farms, apiaries, or gardens. The Permittee shall contact the landowner or designee to obtain approval for the use of pesticide at least 14 days prior to any application on their property. The landowner may request that there be no application of pesticides on any part of the site within the landowner's property. The Permittee shall provide notice of pesticide application to affected landowners and known beekeepers operating apiaries within three miles of the project site at least 14 days prior to such application.

5.3.11. Invasive Species

The Permittee shall employ best management practices to avoid the potential spread of invasive species on lands disturbed by project construction activities.

5.3.12. Noxious Weeds

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil the Permittee shall select site appropriate seed certified to be free of noxious weeds. To the extent possible, the Permittee shall use native seed mixes. The Permittee shall consult with landowners on the selection and use of seed for replanting.

5.3.13. Roads

The Permittee shall advise the appropriate governing bodies having jurisdiction over all state, county, city or township roads that will be used during the construction phase of the project. Where practical, existing roadways shall be used for all activities associated with construction of the facility. Oversize or overweight loads associated with the facility shall not be hauled across public roads without required permits and approvals.

The Permittee shall construct the least number of site access roads it can. Access roads shall not be constructed across streams and drainage ways without the required permits and approvals. Access roads shall be constructed in accordance with all necessary township, county or state road requirements and permits.

The Permittee shall promptly repair private roads or lanes damaged when moving equipment or when accessing construction workspace, unless otherwise negotiated with the affected landowner.

5.3.14. Archaeological and Historic Resources

The Permittee shall make every effort to avoid impacts to identified archaeological and historic resources when constructing the transmission facility. In the event that a resource is encountered, the Permittee shall contact and consult with the State Historic Preservation Office and the State Archaeologist. Where feasible, avoidance of the resource is required. Where not feasible, mitigation must include an effort to minimize project impacts on the resource consistent with State Historic Preservation Office and State Archaeologist requirements.

Prior to construction, workers shall be trained about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction. If human remains are encountered during construction, the Permittee shall immediately halt construction and promptly notify local law enforcement and the State Archaeologist. Construction at such location shall not proceed until authorized by local law enforcement or the State Archaeologist.

5.3.15. Avian Protection

The Permittee in cooperation with the Minnesota Department of Natural Resources shall identify areas of the project where bird flight diverters will be incorporated into the transmission line design to prevent large avian collisions attributed to visibility issues. Standard transmission design shall incorporate adequate spacing of conductors and grounding devices in accordance with Avian Power Line Interaction Committee standards to eliminate the risk of electrocution to raptors with larger wingspans that may simultaneously come in contact with a conductor and grounding devices.

5.3.16. Restoration

The Permittee shall restore the right-of-way, temporary work spaces, access roads, abandoned right-of-way, and other public or private lands affected by construction of the transmission line. 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 Permittee shall advise the Commission in writing of the completion of such activities.

5.3.17. Cleanup

All waste and scrap that is the product of construction shall be removed from the right-of-way and all premises on which construction activities were conducted 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.

5.3.18. Pollution and Hazardous Wastes

All appropriate precautions to protect against pollution of the environment must be taken by the Permittee. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all wastes generated during construction and restoration of the right-of-way.

5.3.19. Damages

The Permittee shall fairly restore or compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damages sustained during construction.

5.4. Electrical Performance Standards

5.4.1. Grounding

The Permittee shall design, construct, and operate the transmission line in a manner so 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 milliampere rms under steady state conditions of the transmission line and to comply with the ground fault conditions specified in the National Electric Safety Code. The Permittee shall address and rectify any induced current problems that arise during transmission line operation.

5.4.2. 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.

5.4.3. 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 Permittee shall take whatever action is necessary to restore or provide reception equivalent to reception levels in the immediate area just prior to the construction of the line.

5.5. Other Requirements

5.5.1. Safety Codes and Design Requirements

The transmission line and associated facilities shall be designed to meet or exceed all relevant local and state codes, the National Electric Safety Code, and North American Electric Reliability Corporation requirements. This includes standards relating to clearances to ground, clearance to crossing utilities, clearance to buildings, strength of materials, clearances over roadways, right-of-way widths, and permit requirements.

5.5.2. Other Permits and Regulations

The Permittee shall comply with all applicable state rules and statutes. The Permittee shall obtain all required permits for the project and comply with the conditions of those permits unless those permits conflict with or are preempted by federal or state permits and regulations. A list of the permits known to be required is included in the permit application. The Permittee shall submit a copy of such permits to the Commission upon request.

6 SPECIAL CONDITIONS

6.1. Independent Third Party Monitor

Prior to any construction, the Permittee shall propose a scope of work and identify an independent third-party monitor to conduct Project construction monitoring on behalf of Commerce. The scope of work shall be developed in consultation with and approved by Commerce. This third-party monitor will report directly to and will be under the control of Commerce with costs borne by the Permittee. The Permittee shall file with the Commission the scope of work and the name, address, email, and telephone number of the third party-monitor at least 30 days prior to commencing any construction or right-of-way preparation and upon any change in contact information that may occur during construction of the Project and restoration of the right-of-way.

6.2. Northern Long-Eared Bat

The Permittee will coordinate with the U.S. Fish and Wildlife Service regarding the timing of tree-clearing.

6.3. Vegetation Management Plan

Permittee shall develop a vegetation management plan in coordination with EERA and state agencies with management authority over lands crossed by the Project. The Vegetation Management Plan and documentation of coordination efforts shall be filed at least 30 days prior to construction. The Vegetation Plan must recognize landowner preferences regarding site restoration, seed mixes, and tree removal.

6.4. Coordination with Cities of St. Joseph and St. Cloud

At least 30 days prior to commencing construction, Great River Energy shall file documentation of the coordination regarding the Project which has occurred after the issuance of the route permit with the City of St. Joseph, the City of St. Cloud, and St. Wendell Township.

7 DELAY IN CONSTRUCTION

If the Permittee has not commenced construction or improvement of the route within four years after the date of issuance of this permit the Permittee shall file a report on the failure to construct and the Commission shall consider suspension of the permit in accordance with Minn. R. 7850.4700.

8 COMPLAINT PROCEDURES

Prior to the start of construction, the Permittee 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 of Minn. R. 7829.1500 or Minn. R. 7829.1700, and as set forth in the complaint procedures attached to this permit.

Upon request, the Permittee shall assist the Commission with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

9 COMPLIANCE REQUIREMENTS

Failure to timely and properly make compliance filings required by this permit is a failure to comply with the conditions of this permit. Compliance filings must be electronically filed with the Commission.

9.1. Plan and Profile

At least 30 days before right-of-way preparation for construction begins on any segment or portion of the project, the Permittee 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, structure specifications and locations, cleanup, and restoration for the transmission line. The documentation shall include maps depicting the plan and profile including the right-of-way, alignment, and structures in relation to the route and alignment approved per this permit.

The Permittee may not commence construction until the 30 days has expired or until the Commission has advised the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this permit. If the Permittee intends to make any significant changes in its plan and profile or the specifications and drawings after submission to the Commission, the Permittee 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.

9.2. Status Reports

The Permittee shall report to the Commission on progress during finalization of the route, design of structures, and construction of the transmission line. The Permittee need not report more frequently than monthly. Reports shall begin with the submittal of the plan and profile for the project and continue until completion of restoration.

9.3. Notification to Commission

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

9.4. As-Builts

Within 90 days after completion of construction, the Permittee shall submit copies of all final as-built plans and specifications developed during the project.

9.5. GPS Data

Within 90 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (e.g., ArcGIS compatible map files, GPS coordinates, associated database of characteristics) for all structures associated with the transmission line and each substation connected.

9.6. Right of Entry

The Permittee shall allow Commission designated representatives to perform the following, upon reasonable notice, upon presentation of credentials and at all times in compliance with the Permittee's site safety standards:

(a) To enter upon the facilities easement of the property for the purpose of obtaining information, examining records, and conducting surveys or investigations.

(b) To bring such equipment upon the facilities easement of the property as is necessary to conduct such surveys and investigations.

(c) To sample and monitor upon the facilities easement of the property.

(d) To examine and copy any documents pertaining to compliance with the conditions of this permit.

10 PERMIT AMENDMENT

This permit 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 Permittee. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required.

11 TRANSFER OF PERMIT

The Permittee may request at any time that the Commission transfer this permit to another person or entity. The Permittee 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 Permittee can comply with the conditions of the permit. The Commission may authorize transfer of the permit after affording the Permittee, the new Permittee, and interested persons such process as is required.

12 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 Minn. R. 7850.5100, to revoke or suspend the permit.

~~Appendix B Draft Route Permit Template~~

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STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

ROUTE PERMIT FOR A
HIGH-VOLTAGE TRANSMISSION LINE AND ASSOCIATED FACILITIES

IN
STEARNS COUNTY
~~**Stearns County**~~
ISSUED TO
GREAT RIVER ENERGY
~~**Great River Energy**~~
PUC DOCKET NO. ET2/TL-22-235

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

Great River Energy is authorized by this route permit to construct and operate ~~a 3.2-mile 115 kV Transmission Line~~approximately 3.2 miles of 115-kilovolt (kV) transmission line and associated facilities in St. Joseph Township, the City of St. Joseph, and St. Wendell Township in Stearns County, Minnesota, .

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

Approved and adopted this ____ day of ~~2023~~[Month, Year]

BY ORDER OF THE COMMISSION

_____
Will Seuffert,
Executive Secretary

_____

To request this document in another format such as large print or audio, call 651-296-0406 ~~or 800-657-3782~~
(voice). Persons with a hearing or speech impairment may call using their preferred Telecommunications Relay Service or email consumer.puc@state.mn.us for assistance.

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~~Service or email consumer.puc@state.mn.us for assistance.~~

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Schedule B

~~ii~~

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~~**Draft Site Permit** GRE Rebuild of Existing 69-kV Transmission Line to 115-kV/ET2/TL-22-235~~

1 ~~1~~ ROUTE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to Great River Energy (Permittee) pursuant to Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. This permit authorizes the Great River Energy to construct and operate an ~~a 3.2-mile 115 kV Transmission Line~~approximately 3.2 miles of 115-kilovolt (kV) transmission line and associated facilities in St. Joseph Township, the City of St. Joseph, and St. Wendell Township in Stearns County, Minnesota~~.~~ (Project)], and ~~and~~ as identified in the attached Route Maps, hereby incorporated into this document as Attachment 3.

1.1. ~~1.1~~ Pre-emption

Pursuant to Minn. Stat. § 216E.10, this permit shall be the sole route approval required to be obtained by the Permittee for construction of the transmission facilities 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 governments.

2 ~~2~~ PROJECT DESCRIPTION

~~Great River Energy (GRE) will construct and own~~The Project includes: (1) construction of approximately 3.2 miles of ~~new~~ 115~~-kilovolt (~~-kV~~) high voltage~~ transmission line ~~(HVTL) and a substation~~and structures between the existing West St. Cloud, Westwood, and Le Sauk Substations; (2) extension of the transmission line approximately 170 feet northwesterly near the existing Le Sauk Substation to tap into a new 115-kV switch on Great River Energy's existing ST-FPT transmission line; (3) installation of an additional 115-kV breaker and associated equipment at the existing West St. Cloud Substation, which will require an approximately 6,500-square-foot expansion of the substation; and (4) installation of two 115-kV line switches: one for the tap feeding the existing Westwood Substation, and one north of the existing Le Sauk Substation.

2.1. Project Location

~~in St. Joseph Township,~~The Project is located entirely in Stearns County, Minnesota, in the City of St. Joseph, the Township of St. Joseph and a small section of St. Wendell Township ~~in Stearns County~~.

~~2.1~~ ~~Project Location~~

County	City/Township Name	Township	Range	Section

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Stearns	St. Joseph Township	124N	29W	12 ~~(North of Ridgewood Rd)~~
~~Stear~~	~~City of St. Joseph~~	~~124N~~	~~29W~~	~~12 (South of Ridgewood Rd)~~
Stearns	City of St. Joseph	124N	29W	1, 12
Stearns	St. Wendell Township	125N	29W	36

2.2. ~~2.2~~ Substations and Associated Facilities

Substations and associated facilities include installation of:

- An additional 115-kV breaker and associated equipment at the existing West St. Cloud Substation, which will require an approximately 6,500-square-foot expansion of the substation;
- Two 115-kV line switches: one for the tap feeding the existing Westwood Substation, and one north of the existing Le Sauk Substation.

~~The new line will exit the east side of the West St. Cloud substation and run east on the south side of Ridgewood Road for approximately one-half mile, then cross over to an upgraded switch and tap line for Stearns Electric Association's Westwood Substation. From the Westwood Substation, the project continues east for 1,100 feet along the north side of Ridgewood Road before turning north for approximately 1.4 miles to Mullen Road, then westerly along Mullen Road for approximately 0.9 miles where the existing 69-kV line terminates on the east side of County State Aid Highway (CSAH) 133. The 115-kV line will then extend approximately 170 feet~~

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~~northwest on new ROW, crossing over Mullen Road and CSAH 133, to a new switch pole on Great River Energy's existing ST-FPT 115-kV line.~~

2.3. ~~2.3~~ Structures

The majority of the rebuilt 115-kV line will consist of single circuit, monopole wood structures spaced approximately 300 to 400 feet apart. Transmission structures will typically range in height from 70 to 90 feet above ground, depending upon the terrain and environmental constraints. The average diameter of the wood structures at ground level is 20 inches.

Laminated wood structures or steel structures may be needed for switches and angled structures; the size of these structures is dependent on the weight of the switch material, the tension on the line, and/or the angle of deflection the pole location causes on the transmission line.

Multi-pole (3-pole dead-end) and/or H-frame structures may be used to cross underneath the existing Xcel Energy 115-kV line located between Ridgewood Road and 304th Street.

2.4. ~~2.4~~ Conductors

~~The single circuit structures will have three single conductor phase wires and one shield wire. It is anticipated that the phase wires will be 795 thousand circular mil aluminum conductor steel supported with seven steel core strands and 26 outer aluminum strands, or a conductor with similar capacity. The shield wire will be 0.528 optical ground wire.~~
~~The table below details specifics on the various structure and conductor types as presented in the route permit application.~~

~~Structure Type~~	~~Material~~	~~Approximate Height Above Ground (feet)~~	~~Structure Base Diameter (inches)~~	~~Span Between Distances (feet)~~	~~Potential number of poles~~
~~Monopole with horizontal post or braced post~~	~~Wood, steel or ductile iron~~	~~70 - 90~~	~~18 - 36~~	~~300 – 400~~	~~38 - 49~~
~~H-Frame~~	~~Wood, steel or ductile iron~~	~~40 - 60~~	~~18 - 60~~	~~300 - 400~~	~~1~~
~~Dead-end~~	~~Wood, steel~~	~~70 - 90~~	~~18 - 60~~	~~300 - 400~~	~~6 - 10~~

The three single-conductor phase wires will be 795 ACSS (Aluminum Conductor Steel Supported) or a conductor of similar capacity. A shield wire will be installed above the conductors for lightning protection.

3 ~~3~~ DESIGNATED ROUTE

The route designated by the Commission in this permit is the route described below and shown on the Route Maps in Attachment 3 of this permit. The route is generally described as follows:

The ~~new line will exit the east side of~~designated route exits the West St. Cloud substation and ~~run~~runs east on ~~the south side of~~ Ridgewood Road for approximately one-half mile~~, then cross over~~ to an upgraded switch and tap line for Stearns Electric Association's Westwood Substation. From the Westwood Substation, the ~~project~~designated route continues east for 1,100 feet along ~~the north side of~~ Ridgewood Road before turning north for approximately 1.4 miles to Mullen Road, then westerly along Mullen

Road for approximately 0.9 miles where the existing 69-kV line terminates ~~on the east side of~~along County State Aid Highway (CSAH) 133. The 115-kV line will then extend approximately 170 feet northwest on new ROW, crossing over Mullen Road and CSAH 133, to a new switch pole on Great River Energy's existing ST-FPT 115-kV line.

The final alignment must be located within this designated route. The identified route widths on the attached route maps provide the Permittee with flexibility for minor adjustments of the alignment or right-of-way to accommodate landowner requests and unforeseen conditions. The final alignment (i.e., permanent and maintained rights-of-way) will be located within this designated route unless otherwise authorized by this permit or the Commission.

4 ~~4~~ RIGHT-OF-WAY

This Permit authorizes the Permittee to obtain a new permanent right-of-way for the transmission line up to ~~450~~100 feet in width. The permanent right-of-way is typically 35 feet on both sides of the transmission line measured from its centerline. If guy wires are needed to support a structure, a 200-foot box right-of-way around such structures to accommodate guy wires and anchors are authorized.

The Project's anticipated alignment is intended to minimize potential impacts relative to criteria identified in Minn. R. 7850.4100. The actual right-of-way will generally conform to the anticipated alignment identified on the Route Maps, unless changes are requested by individual landowners and agreed to by the Permittee or for unforeseen conditions that are encountered or as otherwise provided for by this permit.

Any right-of-way modifications within the designated route shall be located so as to have comparable overall impacts relative to the factors in Minn. R. 7850.4100, as does the right-of-way identified in this permit, and shall be specifically identified and documented in and approved as part of the plan and profile submitted pursuant to Section 9.1 of this permit.

Where the transmission line parallels existing highway and other road rights-of-way, the transmission line right-of-way shall occupy and utilize the existing right-of-way to the maximum extent possible; consistent with the criteria in Minn. R. 7850.4100 and the other requirements of this permit; and for highways under the jurisdiction of the Minnesota Department of Transportation, the procedures for accommodating utilities in trunk highway rights-of-way.

4.1. Route Width Variations

Route width variations may be allowed to accommodate the potential site-specific constraints listed below. 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 route, including but not limited to railroads, natural gas and liquid pipelines, high voltage electric transmission lines, or sewer and water lines.

Any alignment modifications arising from these site-specific constraints that would result in right-of-way placement outside of the designated route shall be specifically reviewed by the Commission under Minn. R. 7850.4900.

5 ~~5~~ GENERAL CONDITIONS

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

5.1. ~~5.1~~ Permit Distribution

Within 30 days of permit issuance, the Permittee shall provide all affected landowners with a copy of this permit and the complaint procedures. In no case shall the landowner receive this route permit and complaint procedures less than five days prior to the start of construction on their property. An affected landowner is any landowner or designee that is within or adjacent to the permitted route.

At the time of first contact, the Permittee shall also provide all affected landowners with a copy of the Department of Commerce's Rights-of-Way and Easements for Energy Facility Construction and Operation fact sheet.[~~1~~1]

5.2. ~~5.2~~ Access to Property

The Permittee shall ~~notify~~contact landowners ~~or their designee at least 14 days in advance but not greater than 60 days in advance of~~prior to entering the property or conducting maintenance within the route, unless otherwise negotiated with the affected landowner.

5.3. ~~5.3~~ Construction and Operation Practices

The Permittee shall follow those specific construction practices and material specifications described in Great River Energy's Application to the Commission for a route permit ~~for the~~to Rebuild ~~of~~ Existing 69-kV ST-WW Transmission Line ~~and Substations~~ to 115-kV, dated August 25, ~~2023~~2022, and the record of the proceedings unless this permit establishes a different requirement in which case this permit shall prevail.

5.3.1. ~~5.3.1~~ Field Representative

The Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this permit during construction of the project. This person shall be accessible by telephone or other means during normal business hours throughout site preparation, construction, cleanup, and restoration.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the field representative 14 days prior to commencing construction. The Permittee shall provide the field representative's contact information to

~~1 http://mn.gov/commerce/energyfacilities/documents/Easements%20Fact%20Sheet_08.05.14.pdf~~

[1] http://mn.gov/commerce/energyfacilities/documents/Easements%20Fact%20Sheet_08.05.14.pdf

affected landowners, residents, local government units and other interested persons 14 days prior to commencing construction. The Permittee may change the field representative at any time upon notice to the Commission, affected landowners, residents, local government units and other interested persons.

5.3.2. ~~5.3.2~~ Employee Training and Education of Permit Terms and Conditions

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

5.3.3. ~~5.3.3~~ Public Services, Public Utilities, and Existing Easements

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

The Permittee shall consult with landowners, townships, cities, and counties along the route and consider concerns regarding tree clearing, distance from existing structures, drain tiles, pole depth and placement in relationship to existing roads and road expansion plans.

The Permittee shall cooperate with county and city road authorities to develop appropriate signage and traffic management during construction.

5.3.4. ~~5.3.4~~ Temporary ~~Workspace~~Work Space

The Permittee shall limit temporary easements to special construction access needs and additional staging or lay-down areas required outside of the authorized right-of-way. Temporary space shall be selected to limit the removal and impacts to vegetation. Temporary easements 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 using the shortest route possible. Construction mats should be used to minimize impacts on access paths and construction areas.

5.3.5. ~~5.3.5~~ Noise

The Permittee shall comply with noise standards established under Minn. R. 7030.0010 to 7030.0080. Construction and maintenance activities shall be limited to daytime working hours to the extent practicable to ensure nighttime noise level standards will not be exceeded.

5.3.6. ~~5.3.6~~ Aesthetics

The Permittee shall consider input pertaining to visual impacts from landowners or land management agencies prior to final location of structures, rights-of-way, and other areas with the potential for visual disturbance. Care shall be used to preserve the natural landscape, minimize tree removal and prevent any unnecessary destruction of the natural surroundings in the vicinity of the project during construction and maintenance. The Permittee shall work with landowners to locate the high-voltage transmission line to minimize the loss of agricultural land, forest, and wetlands, and to avoid homes and farmsteads. Structures shall be placed at a distance, consistent with sound engineering principles and system reliability criteria, from intersecting roads, highways, or trail crossings.

5.3.7. ~~5.3.7~~ Soil Erosion and Sediment Control

The Permittee shall implement those erosion prevention and sediment control practices recommended by the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Program. If construction of the facility disturbs more than one acre of land, or is sited in an area designated by the MPCA as having potential for impacts to water resources, the Permittee shall obtain a National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit from the MPCA that provides for the development of a Stormwater Pollution Prevention Plan (SWPPP) that describes methods to control erosion and runoff.

The Permittee shall implement reasonable measures to minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-vegetation and prevent erosion. All areas disturbed during construction of the facilities shall be returned to pre-construction conditions.

~~In accordance with Minnesota Pollution Control Agency requirements, the Permittee shall obtain a National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Construction Stormwater permit from the Minnesota Pollution Control Agency.~~

5.3.8. ~~5.3.8~~ Wetlands and Water Resources

Wetland impact avoidance measures that shall be implemented during design and construction of the transmission line will include spacing and placing the power poles at variable distances to span and avoid wetlands, watercourses, and floodplains. Unavoidable wetland impacts as a result of the placement of poles shall be limited to the immediate area around the poles. To minimize impacts, construction in wetland areas shall occur during frozen ground conditions where practicable and shall be according to permit requirements by the applicable permitting authority. When construction during winter is not possible, wooden or composite mats shall be used to protect wetland vegetation. Soil excavated from the wetlands and riparian areas shall be contained and not placed back into the wetland or riparian area. Wetlands and riparian areas shall be accessed using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts. No staging or stringing set up areas shall be placed within or adjacent to wetlands or water resources, as practicable. Power pole structures shall be assembled on upland areas before they are brought to the site for installation.

Areas disturbed by construction activities shall be restored to pre-construction conditions. Restoration of the wetlands will be performed by the Permittee in accordance with the requirements of applicable state and federal permits or laws and landowner agreements.

All requirements of the U.S. Army Corps of Engineers (wetlands under federal jurisdiction), Minnesota Department of Natural Resources (Public Waters/Wetlands), and County (wetlands under the jurisdiction of the Minnesota Wetland Conservation Act) shall be met.

5.3.9. ~~5.3.9~~ Vegetation Management

The Permittee shall minimize the number of trees to be removed in selecting the right-of-way specifically preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and vegetation in areas such as trail and stream crossings where vegetative screening may minimize aesthetic impacts, to the extent that such actions do not violate sound engineering principles or system reliability criteria.

Tall growing species located within the transmission line right-of-way that endanger the safe and reliable operation of the transmission facility will be removed by the Permittee. The Permittee shall leave undisturbed, to the extent possible, existing low growing species in the right-of-way or replant such species in the right-of-way to blend the difference between the right-of-way and adjacent areas, to the extent that the low growing vegetation that will not pose a threat to the transmission facility or impede construction.

5.3.10. ~~5.3.10~~ Application of Pesticides

The Permittee shall restrict pesticide use to those pesticides and methods of application approved by the Minnesota Department of Agriculture, Minnesota Department of Natural Resources, and the U.S. Environmental Protection Agency. Selective foliage or basal application shall be used when practicable. All pesticides shall be applied in a safe and cautious manner so as not to damage adjacent properties including crops, orchards, tree farms, apiaries, or gardens. The Permittee shall contact the landowner or designee to obtain approval for the use of pesticide at least 14 days prior to any application on their property. The landowner may request that there be no application of pesticides on any part of the site within the ~~landowner's~~landowner's property. The Permittee shall provide notice of pesticide application to affected landowners and known beekeepers operating apiaries within three miles of the project site at least 14 days prior to such application.

5.3.11. ~~5.3.11~~ Invasive Species

The Permittee shall employ best management practices to avoid the potential spread of invasive species on lands disturbed by project construction activities.

5.3.12. ~~5.3.12~~ Noxious Weeds

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil the Permittee shall select site appropriate seed certified to be free of noxious weeds. To the extent possible, the Permittee shall use native seed mixes. The Permittee shall consult with landowners on the selection and use of seed for replanting.

5.3.13. ~~5.3.13~~ Roads

The Permittee shall advise the appropriate governing bodies having jurisdiction over all state, county, city or township roads that will be used during the construction phase of the project. Where practical, existing roadways shall be used for all activities associated with construction of the facility. Oversize or overweight loads associated with the facility shall not be hauled across public roads without required permits and approvals.

The Permittee shall construct the least number of site access roads it can. Access roads shall not be constructed across streams and drainage ways without the required permits and approvals. Access roads shall be constructed in accordance with all necessary township, county or state road requirements and permits.

The Permittee shall promptly repair private roads or lanes damaged when moving equipment or when accessing construction workspace, unless otherwise negotiated with the affected landowner.

5.3.14. ~~5.3.14~~ Archaeological and Historic Resources

The Permittee shall make every effort to avoid impacts to identified archaeological and historic resources when constructing the transmission facility. In the event that a resource is encountered, the Permittee shall contact and consult with the State Historic Preservation Office and the State Archaeologist. Where feasible, avoidance of the resource is required. Where not feasible, mitigation must include an effort to minimize project impacts on the resource consistent with State Historic Preservation Office and State Archaeologist requirements.

Prior to construction, workers shall be trained about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction. If human remains are encountered during construction, the Permittee shall immediately halt construction and promptly notify local law enforcement and the State Archaeologist. Construction at such location shall not proceed until authorized by local law enforcement or the State Archaeologist.

5.3.15. ~~5.3.15~~ Avian Protection

The Permittee in cooperation with the Minnesota Department of Natural Resources shall identify areas of the project where bird flight diverters will be incorporated into the transmission line design to prevent large avian collisions attributed to visibility issues. Standard transmission design shall incorporate adequate spacing of conductors and grounding devices in accordance with Avian Power Line Interaction Committee standards to eliminate the risk of electrocution to raptors with larger wingspans that may simultaneously come in contact with a conductor and grounding devices.

5.3.16. ~~5.3.16~~ Restoration

The Permittee shall restore the right-of-way, temporary work spaces, access roads, abandoned right-of-way, and other public or private lands affected by construction of the transmission line. 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 Permittee shall advise the Commission in writing of the completion of such activities.

5.3.17. ~~5.3.17~~ Cleanup

All waste and scrap that is the product of construction shall be removed from the right-of-way and all premises on which construction activities were conducted 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.

5.3.18. ~~5.3.18~~ Pollution and Hazardous Wastes

All appropriate precautions to protect against pollution of the environment must be taken by the Permittee. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all wastes generated during construction and restoration of the right-of-way.

5.3.19. ~~5.3.19~~ Damages

The Permittee shall fairly restore or compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damages sustained during construction.

5.4. ~~5.4~~ Electrical Performance Standards

5.4.1. ~~5.4.1~~ Grounding

The Permittee shall design, construct, and operate the transmission line in a manner so 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 milliampere rms under steady state conditions of the transmission line and to comply with the ground fault conditions specified in the National Electric Safety Code. The Permittee shall address and rectify any induced current problems that arise during transmission line operation.

5.4.2. ~~5.4.2~~ 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.

5.4.3. ~~5.4.3~~ 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 Permittee shall take whatever action is necessary to restore or provide reception equivalent to reception levels in the immediate area just prior to the construction of the line.

5.5. ~~5.5~~ Other Requirements

5.5.1. ~~5.5.1~~ Safety Codes and Design Requirements

The transmission line and associated facilities shall be designed to meet or exceed all relevant local and state codes, the National Electric Safety Code, and North American Electric Reliability Corporation requirements. This includes standards relating to clearances to ground, clearance to crossing utilities, clearance to buildings, strength of materials, clearances over roadways, right-of-way widths, and permit requirements.

5.5.2. ~~5.5.2~~ Other Permits and Regulations

The Permittee shall comply with all applicable state rules and statutes. The Permittee shall obtain all required permits for the project and comply with the conditions of those permits unless those permits conflict with or are preempted by federal or state permits and regulations. A list of the permits known to be required is included in the permit application. The Permittee shall submit a copy of such permits to the Commission upon request.

6 ~~6~~ SPECIAL CONDITIONS

~~Special conditions shall take precedence over other conditions of this permit should there be a conflict.~~

6.1. ~~6.1~~ Independent ~~Third Party~~Third Party Monitor

Prior to any construction, the ~~Permittees~~Permittee shall propose a scope of work and identify an independent third-party monitor to conduct Project construction monitoring on behalf of Commerce. The scope of work shall be developed in consultation with and approved by Commerce. This third-party monitor will report directly to and will be under the control of Commerce with costs borne by the Permittee. The Permittee shall file with the Commission the scope of work and the name, address, email, and telephone number of the third party-monitor at least 30 days prior to commencing any construction or right-of-way preparation and upon any change in contact information that may occur during construction of the Project and restoration of the right-of-way.

~~6.2 Coordination with Minnesota DNR~~
6.2. Northern Long-Eared Bat

The ~~permittee shall~~Permittee will coordinate with the ~~Minnesota DNR on the placement of swan-diverters~~U.S. Fish and Wildlife Service regarding the timing of tree-clearing.

~~and the timing of tree removal activities.~~

6.3. ~~6.3 Preparation of a~~ Vegetation Management Plan

~~The permittee~~Permittee shall develop a vegetation management plan in coordination with EERA and ~~other relevant agencies~~state agencies with management authority over lands crossed by the Project. The Vegetation Management Plan and documentation of coordination efforts shall be filed at least 30 days prior to construction. The ~~plan shall address~~Vegetation Plan must recognize landowner preferences regarding site restoration, seed mixes, and tree removal.

6.4. Coordination with Cities of St. Joseph and St. Cloud

At least 30 days prior to commencing construction, Great River Energy shall file documentation of the coordination regarding the Project which has occurred after the issuance of the route permit with the City of St. Joseph, the City of St. Cloud, and St. Wendell Township.

~~6.4 Coordination with Local Jurisdictions on Pole Placements~~

~~The permittee shall coordinate with local jurisdictions on pole placements within the alignment prior to final design.~~

7 ~~7~~ DELAY IN CONSTRUCTION

If the Permittee has not commenced construction or improvement of the route within four years after the date of issuance of this permit the Permittee shall file a report on the failure to construct and the Commission shall consider suspension of the permit in accordance with Minn. R. 7850.4700.

8 ~~8~~ COMPLAINT PROCEDURES

Prior to the start of construction, the Permittee 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 of Minn. R. 7829.1500 or Minn. R. 7829.1700, and as set forth in the complaint procedures attached to this permit.

Upon request, the Permittee shall assist the Commission with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

9 ~~9~~ COMPLIANCE REQUIREMENTS

Failure to timely and properly make compliance filings required by this permit is a failure to comply with the conditions of this permit. Compliance filings must be electronically filed with the Commission.

9.1. ~~9.1~~ Plan and Profile

At least 30 days before right-of-way preparation for construction begins on any segment or portion of the project, the Permittee 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, structure specifications and locations, cleanup, and restoration for the transmission line. The documentation shall include maps depicting the plan and profile including the right-of-way, alignment, and structures in relation to the route and alignment approved per this permit.

The Permittee may not commence construction until the 30 days has expired or until the Commission has advised the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this permit. If the Permittee intends to make any significant changes in its plan and profile or the specifications and drawings after submission to the Commission, the Permittee 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.

9.2. ~~9.2~~ Status Reports

The Permittee shall report to the Commission on progress during finalization of the route, design of structures, and construction of the transmission line. The Permittee need not report more frequently than monthly. Reports shall begin with the submittal of the plan and profile for the project and continue until completion of restoration.

9.3. ~~9.3~~ Notification to Commission

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

9.4. ~~9.4~~ As-Builts

Within 90 days after completion of construction, the Permittee shall submit copies of all final as-built plans and specifications developed during the project.

9.5. ~~9.5~~ GPS Data

Within 90 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (e.g., ArcGIS compatible map files, GPS coordinates, associated database of characteristics) for all structures associated with the transmission line and each substation connected.

9.6. ~~9.6~~ Right of Entry

The Permittee shall allow Commission designated representatives to perform the following, upon reasonable notice, upon presentation of credentials and at all times in compliance with the Permittee's site safety standards~~.~~:

~~(a)~~ (a) To enter upon the facilities easement of the property for the purpose of obtaining information, examining records, and conducting surveys or investigations.

~~(b)~~ (b) To bring such equipment upon the facilities easement of the property as is necessary to conduct such surveys and investigations.

~~(c)~~ (c) To sample and monitor upon the facilities easement of the property.

~~(d)~~ (d) To examine and copy any documents pertaining to compliance with the conditions of this ~~route~~ permit.

10 ~~10~~ PERMIT AMENDMENT

This permit 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 Permittee. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required.

11 ~~11~~ TRANSFER OF PERMIT

The Permittee may request at any time that the Commission transfer this permit to another person or entity. The Permittee 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 Permittee can comply with the conditions of the permit. The Commission may authorize transfer of the permit after affording the Permittee, the new Permittee, and interested persons such process as is required.

12 ~~12~~ 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 Minn. R. 7850.5100, to revoke or suspend the permit.

Summary report: **Litera® Change-Pro for Word 10.7.0.7 Document comparison done on 5/5/2023 10:21:53 AM**	
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Intelligent Table Comparison: Active	
Original DMS: iw://ECDBB-DMS.IMANAGE.WORK/FB1/79043986/1	
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Table Insert	0
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~~Table moves from~~	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	354