

## Staff Briefing Papers

**Meeting Date**      **March 12, 2026**      **Agenda Item \*2**

**Company**            **Big Bend Wind, LLC and Great River Energy**

**Docket No.**        **IP7013/TL-25-389**

**In the Matter of the Application of Big Bend Wind, LLC and Great River Energy for a Route Permit for a 161-kV high voltage transmission line and associated facilities in Martin County.**

- Issues**
1. Should the Commission require an addendum to the Environmental Assessment?
  2. If an addendum is required, should the Commission authorize the issuance of an Environmental Assessment addendum scoping decision?
  3. Should the Commission issue the draft route permit attached to these briefing papers?
  4. Should the Commission request an ALJ from CAH conduct the public hearings for the project and prepare a summary of public testimony?

<b>Staff</b>	Cezar Panait	Cezar.Panait@state.mn.us	651-201-2207
	Rich Davis	Richard.Davis@state.mn.us	651-539-1077

 <b>Relevant Documents</b>	<b>Date</b>
Big Bend Wind, LLC and Great River Energy – Initial Filing (13 parts)	12/10/2025
PUC EIP – Application Completeness Determination Letter	12/24/2025
Big Bend Wind, LLC and Great River Energy – Supplemental Comments	12/29/2025
PUC EIP– Notice of Complete Route Permit Application and Public Information Meetings	12/30/2025
PUC EIP – Sample Route Permit	01/15/2026

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The attached materials are work papers of the Commission Staff. They are intended for use by the Public Utilities Commission and are based upon information already in the record unless noted otherwise.

✓ **Relevant Documents**

	<b>Date</b>
MN DNR Letter	01/26/2026
Big Bend Wind, LLC and Great River Energy – EA Addendum Comment	01/26/2026
PUC EIP – Public Info Meeting Minutes from 01/13/26	01/26/2026
PUC EIP – Public Info Meeting Minutes from 01/14/26	01/26/2026
Public Comment – Scholl Comment and Alternative Map	01/26/2026
Public Comment – Cory Ebeling	01/27/2026
PUC EIP – Scoping Comments and Draft Permit	02/18/2026
PUC Information Requests No.1-4	02/26/2026

## ISSUES

1. Should the Commission require an addendum to the Environmental Assessment?
2. If an addendum is required, should the Commission authorize the issuance an Environmental Assessment addendum scoping decision?
3. Should the Commission issue the draft route permit attached to these briefing papers?
4. Should the Commission request an ALJ from CAH conduct public hearings for the project and prepare a summary of public testimony? ?

## PROJECT DESCRIPTION

Big Bend Wind, LLC and Great River Energy (GRE) (applicants) have applied to the Minnesota Public Utilities Commission (Commission) for a route permit for a 161 kV high voltage transmission line and associated facilities (Extension Project) in Martin County, Minnesota. The applicants propose to construct a new 4.5-mile 161 kilovolt (kV) single-circuit transmission line and associated facilities, including new substations, to connect the Big Bend Wind Project to GRE's Lakefield Generating Substation in Martin County (Figure 1 Map).

The Extension Project is needed to interconnect Big Bend Wind's approximately 311.1 MW wind project and associated facilities in portions of Cottonwood, Watonwan, and Martin counties to the transmission grid. The Commission issued Big Bend Wind a site permit for the wind project in September 2022, extended the site permit in December 2024, and amended the site permit in February 2026.

The applicants generally requested a route width of 200 to 635 feet, with up to 1,731 feet on GRE-owned property. The applicants indicated that the project will require a right-of-way (ROW) of 100 feet when the transmission line follows parcel lines and a 150-foot-wide ROW when adjacent to roads. Structures utilized for the Project will be 70- to 120-foot-tall steel or laminate wood structures with spans of approximately 600 to 800 feet. Big Bend Wind has secured 100 percent of the easements for the Project right-of-way. The applicants anticipate construction to begin in July 2026 with an in-service date of March 2028.

## BACKGROUND

### I. Procedural History

On December 10, 2025, the applicants filed a route permit application with the Commission for the Big Bend Wind 161 kV transmission line extension project.

On December 24, 2025, the Commission found the application substantially complete conditioned on the Applicants providing additional information on potential impacts to property values no later than January 5, 2026.

On December 29, 2025, the applicants submitted supplemental information addressing

potential impacts to property values. The Applicants did not propose any additional mitigative measures regarding these impacts.

On December 30, 2025, the Commission issued a notice of complete route permit application and public information meetings.

On January 26, 2026, the Minnesota Department of Natural Resources (DNR) filed comments recommending a number of permit conditions to address potential environmental impacts generally associated with transmission line projects.

On January 26, 2026, the applicants submitted comments in response to the public comments received during the public meetings and the written comment period.

On January 26, 2026, PUC EIP staff efiled a comment received from Dana Scholl at the public meeting in Windom along with a map of a possible route alternative that would mitigate impacts to a local cemetery.

On January 27, 2026, Cory Eberling, a resident in the area submitted a public comment in support of the project, indicating he had no objection with the transmission line passing near the cemetery and does not oppose the line running on the north edge of the cemetery.

On February 18, 2026, PUC EIP staff submitted recommendations regarding adequacy of the applicant-prepared Environmental Assessment, the issuance of a draft permit, and the appropriate record development for the project's public hearing.

On February 26, 2026, PUC EIP staff submitted an information request to the applicants seeking additional information regarding the applicants' discussions with local landowners.

## **II. Relevant Rules and Statutes**

Minn. Stat. § 216I.07, Subd. 3(b) states that if after the public meeting the Commission identifies other sites or routes or potential impacts for review, the Commission must prepare an addendum to the environmental assessment that evaluates (1) the human and environmental impacts of the alternative site or route, and (2) any additional mitigating measures related to the identified impacts consistent with the scoping decision made pursuant to section 216I.05, subdivision 10, clause (2).

Minn. Stat. § 216I.05, Subd. 10 states that upon close of the public comment period following the public meeting, the Commission must prepare a draft site or route permit for the large energy infrastructure facility. The Commission may change the draft permit in any respect before final issuance or may deny the permit. If the Commission determines that an addendum to the environmental assessment is necessary, it must identify the scope of the addendum prepared under section 216I.07.

## COMMENTS

### I. Applicants' Comments

The applicants responded to<sup>1</sup> the two public comments received at the January 13 public meeting in Windom. One comment was in support of the project and the other received from Dana Scholl suggested a route segment alternative (the Scholl Alternative) to minimize aesthetic impacts to the Cedar Lutheran Cemetery (Cemetery) (Figure 1). The Scholl Alternative departs from the proposed route along 40th Avenue and heads west along the quarter section line between 230th and 240th Streets until it reaches the existing 345 kV transmission line, where it turns southwest following the existing transmission line right-of-way to the west side of County Road 103 (20th Avenue), turning south and following County Road 103 (20th Avenue), and returning back to the proposed route on the south side of 220th Street.

The applicants stated that before accepting an alternative for study, the Commission typically evaluates whether the alternative is likely to have significant environmental benefit compared to the project as proposed, or if the environmental benefits are similar, whether the alternative would have substantially less adverse economic, employment, or sociological impacts.<sup>2</sup> The applicants cited the Environmental Assessment (EA) at page 35 which stated that views of the transmission line will generally be screened at residences due to the existence of windbreaks and outbuildings, but the transmission line will be visible along township roads, in fields, and other locations within the local vicinity. Because there is other existing infrastructure within one mile of the Extension Project, including wind turbines and other transmission lines which are taller than the proposed Extension Project, potential impacts associated with the new transmission line are expected to be incremental and minimal.

In the applicants' opinion, the Scholl Alternative recommendation to move the route farther from the Cemetery to minimize aesthetic impacts on the Cemetery does not minimize human and environmental impacts from the Project and should not be accepted for study as a route alternative in an EA Addendum. The applicants noted that the Project is designed to minimize impacts, including aesthetic impacts, in this area. There is existing vegetative screening abutting the Cemetery, running perpendicularly and parallel to 220th Street, that mitigates aesthetic impacts from the Project. Additionally, the applicants have minimized the number of transmission structures in this area as an additional mitigation measure. The transmission structures will be placed next to road rights-of-ways, which already disrupt the viewshed.

The applicants asserted that they have designed the new line to minimize aesthetic impacts by choosing an alignment that follows road right-of-way, avoiding structure placement directly in front of residences, and minimizing damage to vegetation near the transmission line to the greatest extent possible. Given the location of the Cemetery adjacent to the road, locating the

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<sup>1</sup> Big Bend Wind [EA Addendum Scoping Comments](#), January 26, 2026.

<sup>2</sup> See, e.g., Minn. Stat. § 4410.2300(G) (providing a general standard for evaluating alternatives under the Minnesota Environmental Policy Act).

transmission line along the road would most likely have resulted in conductors overhanging burial sites. As such, the applicants worked with an adjacent landowner and developed the application alignment to avoid the Cedar Lutheran Church and Cemetery while keeping structure locations along field edges.

The applicants pointed to two sections of the sample route permit that mitigate aesthetic impacts. Section 5.3.7 which provides for landowner input when placing structures and preserving the natural landscape to the extent possible. Section 5.3.10 also indirectly mitigates aesthetic impacts by requiring the permittee to minimize the number of trees removed and preserve windbreaks to the maximum extent practicable.

The applicants argued that the Scholl Alternative does not minimize impacts associated with the Project but instead shifts potential impacts onto landowners situated on the north side of 220th Street with whom the applicants do not have voluntary easement agreements. The applicants asserted that the Scholl Alternative would create a larger impact to agricultural land and operations. Accordingly, the applicants requested that the Commission find that an EA Addendum is not necessary for the Project.

## **II. PUC EIP Comments**

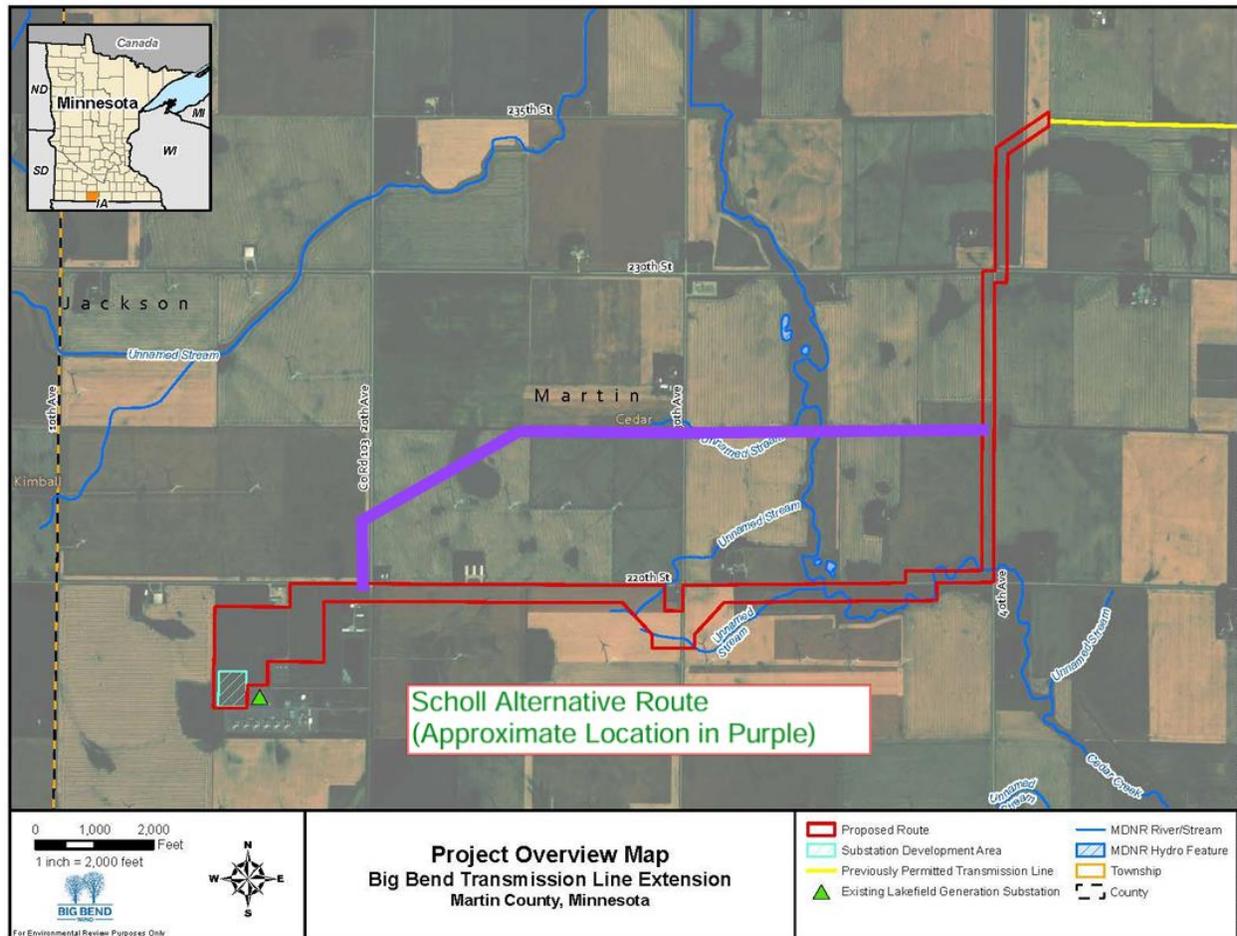
PUC EIP submitted comments addressing, among other topics, the public information and scoping process, making recommendations on adequacy of the environmental assessment, special conditions for the draft route permit, and record development for the public hearing.

PUC EIP staff described the public information meetings, one in-person held on January 13, 2026, in Windom, and a virtual meeting held on January 14. Two verbal comments were received. Ms. Dana Scholl noted the potential aesthetic impacts on a local cemetery; Mr. Cory Eberling indicated support for the project. Four written comments were received regarding the project. Ms. Scholl reiterated her concerns regarding potential impacts to the cemetery and suggested a potential alternative route for the project (Figure 1). Mr. Cory Eberling indicated his support for the project and noted that he had no objection to the project passing near the Cedar Lutheran Cemetery.

The DNR indicated its support for the permit conditions in the Commission's sample permit. DNR recommended the addition of a special permit condition requiring the applicants to avoid tree removal from June 1 through August 15. Finally, DNR noted approvals that may be required from the DNR for the project.

The fourth written comment received was from the applicant, which is summarized above.

Figure 1. Scholl Route Alternative



Regarding an environmental assessment (EA) addendum, PUC EIP staff indicated their agreement with the applicants that the Scholl Alternative primarily shifts the potential impacts of the project to other landowners and other resources rather than mitigating impacts. The Scholl Alternative places the proposed transmission line at a greater distance from the Cedar Lutheran Cemetery. However, in doing so, it appears that impacts to trees and to agricultural fields are greatly increased. Unlike the applicants' proposed route, the Scholl Alternative does not follow an existing roadway but proceeds across agricultural fields and through a wooded fence line.

PUC EIP staff prepared and included a draft permit with updates to project-specific information in sections 1, 2, 2.1, 2.2, 2.3, 3, and 4. In addition, staff recommended three special permit conditions :

- Section 6.1 would require the applicants to avoid tree removal from June 1 through August 15. This condition is responsive to the DNR's scoping comment.
- Section 6.2 would require the applicants to coordinate with the DNR and Martin County

on a tree replacement plan for the project. This condition is consistent with recent Commission permit decisions.<sup>3</sup>

- Section 6.3 would require the applicants to coordinate with the Cedar Lutheran Cemetery regarding additional tree plantings that could minimize aesthetic impacts of the transmission line on individuals visiting the cemetery. This condition is responsive to the scoping comment of Ms. Scholl.

Further, in order to further develop the record and provide additional information for the Commission to consider in its decision-making, on February 26, 2026, staff issued an information request to the applicants requesting that they provide more information about the discussions the applicants have had with Jeffrey and Dana Scholl, the officials from the Cedar Lutheran Church, and Bruce and Mynet Anderson regarding the project.

The information request also asked the applicants if they considered an alternative route continuing south of the proposed line to the first field line and then turning west along field lines south of the Lakefield Generating plant, turning north on the west side of the proposed substation addition.

### STAFF DISCUSSION

The following issues are before the Commission:

- Whether to find that an EA addendum is required for the project.
- Whether to issue the draft route permit prepared by EIP staff, including special permit conditions.
- Whether to request an ALJ from the Court of Administrative Hearings (CAH) conduct public hearings and prepare a summary of public testimony.

Based on the information in the permit application including the applicant-prepared environmental assessment and public comments, PUC staff provides the discussion below.

#### EA Addendum

Reviewing the public comments and record to date, EIP staff agrees that the applicant-prepared EA adequately describes potential human and environmental effects of the project and an EA addendum is not required for the project.

#### Draft Route Permit

Reviewing the public comments and record to date, EIP staff recommends the Commission issue a draft route permit with the three special conditions noted above.

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<sup>3</sup> PUC, [Order Issuing Site Permit](#) In the Matter of the Application of Iron Pine Solar Power, LLC for a Site Permit for the Iron Pine Solar Project in Pine County, Minnesota, July 15, 2025, Section 5.8.

**Public Hearing**

Reviewing the public comments and record to date, EIP staff recommends that the Commission request that an ALJ conduct the public hearings and prepare a summary of public testimony.

### DECISION OPTIONS

1. Find that an Environmental Assessment addendum is not required for the Project. (PUC EIP, Applicants)
2. Find that an EA addendum is required and authorize EIP staff to issue an Environmental Assessment addendum scoping decision that would include the route alternative proposed by Dana Scholl. (Staff interpretation of Scholl alternative proposal)
3. Issue the draft route permit prepared by EIP staff. (PUC EIP)
4. Request an ALJ from the CAH to conduct the public hearing and prepare a summary of public testimony. (PUC EIP)

**Staff Recommendation:** 1, 3, and 4.

**STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION**

**ROUTE PERMIT FOR  
BIG BEND 161 KV TRANSMISSION LINE EXTENSION**

**A HIGH-VOLTAGE TRANSMISSION LINE AND ASSOCIATED FACILITIES**

**IN  
MARTIN COUNTY**

**ISSUED TO  
BIG BEND WIND, LLC AND GREAT RIVER ENERGY**

**PUC DOCKET NO. IP7013/TL-25-389**

In accordance with the requirements of Minnesota Statutes Chapter 216I, this route permit is hereby issued to:

**BIG BEND WIND, LLC AND GREAT RIVER ENERGY**

Big Bend Wind, LLC and Great River Energy are authorized by this route permit to construct and operate a 161 kV transmission line approximately 4.5 miles in length and associated substations that connect to the Lakefield Generating Substation in Martin County, Minnesota.

The high-voltage transmission line shall be constructed within the route identified in this route permit and in compliance with the conditions specified in this route permit.

Approved and adopted this \_\_\_\_ day of [Month, Year]

BY ORDER OF THE COMMISSION

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Sasha Bergman,  
Executive Secretary

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**ATTACHMENTS**

Attachment 1 – Complaint Handling Procedures for Permitted Energy Facilities

Attachment 2 – Compliance Filing Procedures for Permitted Energy Facilities

Attachment 3 – Route Permit Maps

## **1 ROUTE PERMIT**

The Minnesota Public Utilities Commission (Commission) hereby issues this route permit to Big Bend Wind, LLC and Great River Energy (Permittees) pursuant to Minnesota Statutes Chapter 216I. This route permit authorizes the Permittees to construct and operate a new 4.5-mile 161 kV single-circuit transmission line between Structure 144 of route permitted by the Commission in Docket No. IP-7013/TL-19-621 and the Lakefield Generating Substation in Martin County, Minnesota, henceforth known as the Transmission Facility. The high-voltage transmission line shall be constructed within the route identified in this route permit and in compliance with the conditions specified in this route permit.

### **1.1 Pre-emption**

Pursuant to Minn. Stat. § 216I.18, this route permit shall be the sole route approval required for construction of the Transmission Facility. This route 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 TRANSMISSION FACILITY DESCRIPTION**

The Transmission Facility includes a new 4.5-mile 161 kV single-circuit transmission line between Structure 144 of route permitted by the Commission in Docket No. IP-7013/TL-19-621 and the Lakefield Generating Substation in Martin County, Minnesota. The Transmission Facility also includes a step-up substation and an interconnection substation.

Big Bend Wind, LLC will construct, own, and operate the 161 kV transmission line and the step-up substation. Great River Energy will construct, own, and operate the interconnection substation.

<b>County</b>	<b>Township Name</b>	<b>Township</b>	<b>Range</b>	<b>Section</b>
Martin	Cedar	104	33	9, 10, 15-17, 19-22

### **2.1 Structures**

The structure types as described in the Permittees' route permit application are detailed in the table below.

Line Type	Structure		Foundation	Height (feet)	Span (feet)
	Type	Material			
161 kV	Tangent	Steel or wood	---	70-120	600-1,100
	Angle	Steel or wood	3-6 feet in diameter	70-120	600-1,100
	Dead-end	Steel or wood	3-6 feet in diameter	70-120	600-1,100

## 2.2 Conductors

Conductors will be T2-795 ACSR Drake aluminum-conductor steel reinforced or a conductor with similar capacity. The shield wire will be 0.465 optical ground wire.

## 2.3 Substations and Associated Facilities

The substations and associated facilities authorized by this Route Permit include:

- Construction of a new step-up station that will transform the transmission line voltage of 161 kV to 345 kV.
- Construction of a new interconnection substation that facilitates a connection between the new step-up substation and the existing Lakefield Generating Substation.

## 3 DESIGNATED ROUTE

The route designated by the Commission is depicted on the route maps attached to this route permit (Designated Route). The Designated Route is generally described as follows:

The Designated Route begins at Structure 144 of route permitted by the Commission in Docket No. IP-7013/TL-19-621 and proceeds approximately 4.5 miles south along 40<sup>th</sup> Ave. and west along 220<sup>th</sup> St. to the Lakefield Generating Substation in Martin County. The Designated Route ends at the step-up substation, which will be located adjacent to the Lakefield Generation Substation.

The Designate Route has a variable route width of 200 to 635 feet along the transmission line route and up to 1,733 feet at the step-up substation to facilitate interconnection with the substation.

The Designed Route includes an anticipated alignment and a right-of-way. The right-of-way is the physical land needed for the safe operation of the transmission line. The Permittee shall locate the alignment and associated right-of-way within the Designated Route unless otherwise authorized by this route permit or the Commission. The Designated Route provides the Permittee with flexibility for minor adjustments of the alignment and right-of-way to accommodate landowner requests and unforeseen conditions.

Any modifications to the Designated Route or modifications that would result in right-of-way placement outside the Designated Route shall be specifically reviewed by the Commission in accordance with Minn. Stat. § 216I.09 and Section 10 of this route permit.

#### **4 RIGHT-OF-WAY**

This route permit authorizes the Permittee to obtain a new permanent right-of-way for the transmission line up to 150 feet in width where the route parallels existing road right-of-way and up to 100 feet in width where the route does not parallel road fight-of-way.

The anticipated alignment is intended to minimize potential impacts relative to the criteria identified in Minn. Stat. § 216I.05, subd. 11. The final alignment must 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 route permit.

Any right-of-way or alignment modifications within the Designated Route shall be located so as to have comparable overall impacts relative to the factors in Minn. Stat. § 216I.05, subd. 11, as does the right-of-way and alignment identified in this route permit and shall be specifically identified and documented in and approved as part of the plan and profile submitted pursuant to Section 9.2 of this route 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. Stat. § 216I.05, subd. 11, and the other requirements of this route permit; and for highways under the jurisdiction of the Minnesota Department of Transportation (MnDOT), the procedures for accommodating utilities in trunk highway rights-of-way.

#### **5 GENERAL CONDITIONS**

The Permittees shall comply with the following conditions during construction and operation of the Transmission Facility over the life of this route permit.

### **5.1 Route Permit Distribution**

Within 30 days of issuance of this route permit, the Permittee shall provide all affected landowners with a copy of this route permit and the complaint procedures. An affected landowner is any landowner or designee that is within or adjacent to the Designated Route. In no case shall a landowner receive this route permit and complaint procedures less than five days prior to the start of construction on their property. The Permittee shall also provide a copy of this route permit and the complaint procedures to the applicable regional development commissions, county environmental offices, and city and township clerks. The Permittee shall file with the Commission an affidavit of its route permit and complaint procedures distribution within 30 days of issuance of this route permit.

### **5.2 Access to Property**

The Permittee shall notify landowners prior to entering or conducting maintenance within their property, unless otherwise negotiated with the landowner. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

### **5.3 Construction and Operation Practices**

The Permittee shall comply with the construction practices, operation and maintenance practices, and material specifications described in the permitting record for this Transmission Facility unless this route permit establishes a different requirement in which case this route permit shall prevail.

#### **5.3.1 Field Representative**

The Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this route permit during construction of the Transmission Facility. 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 at least 14 days prior to the pre-construction meeting. The Permittee shall provide the field representative's contact information to affected landowners, local government units and other interested persons at least 14 days prior to the pre-construction meeting. The Permittee may change the field representative at any time upon notice to the Commission, affected landowners, local government units and other interested persons. The Permittee shall file with the Commission

an affidavit of distribution of its field representative's contact information at least 14 days prior to the pre-construction meeting and upon changes to the field representative.

### **5.3.2 Employee Training**

The Permittee shall train all employees, contractors, and other persons involved in the Transmission Facility construction regarding the terms and conditions of this route permit. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

### **5.3.3 Independent Third-Party Monitoring**

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 the Commission. The scope of work shall be developed in consultation with and approved by Commission staff. This third-party monitor will report directly to and will be under the control of the Commission with costs borne by the Permittee.

The Permittee shall file with the Commission the approved scope of work and the name, address, email, and telephone number of the third party-monitor at least 14 days prior to commencing any construction or right-of-way preparation and upon any change in contact information that may occur during Project construction and restoration of the right-of-way.

The Permittee shall keep records of compliance with this section and ensure that status reports detailing the construction monitoring are filed with the Commission in accordance with the approved scope of work.

### **5.3.4 Public Services, Public Utilities, and Existing Easements**

During Transmission Facility 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 shall be temporary, and the Permittee shall restore service promptly. Where any impacts to utilities have the potential to occur the Permittee shall work with both landowners and local entities to determine the most appropriate mitigation measures if not already considered as part of this route permit.

The Permittee shall coordinate with county and city road authorities to develop appropriate signage and traffic management during construction. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

### **5.3.5 Temporary Workspace**

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. The Permittee shall obtain temporary easements outside of the authorized transmission line right-of-way from affected landowners through rental or lease agreements. Temporary easements are not provided for in this route permit.

The Permittee may construct temporary driveways between roadways and transmission structures to minimize impacts by using the shortest route feasible. The Permittee shall use construction mats to minimize impacts on access paths and construction areas. The Permittee shall submit the location of temporary workspaces and driveways with the plan and profile pursuant to Section 9.2.

### **5.3.6 Noise**

The Permittee shall comply with noise standards established under Minn. R. 7030.0010 to 7030.0080. The Permittee shall limit construction and maintenance activities to daytime working hours to the extent practicable.

### **5.3.7 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. The Permittee shall use care to preserve the natural landscape, minimize tree removal and prevent any unnecessary destruction of the natural surroundings in the vicinity of the Transmission Facility 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. The Permittee shall place structures at a distance, consistent with sound engineering principles and system reliability criteria, from intersecting roads, highways, or trail crossings.

### **5.3.8 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 Transmission 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 Construction Stormwater Permit from the MPCA that provides for development of a Stormwater Pollution Prevention Plan 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 Transmission Facility shall be returned to pre-construction conditions.

### **5.3.9 Wetlands and Water Resources**

The Permittee shall develop wetland impact avoidance measures and implement them during construction of the Transmission Facility. Measures shall include spacing and placing transmission structures at variable distances to span and avoid wetlands, watercourses, and floodplains. Unavoidable wetland impacts as a result of the placement of structures shall be limited to the immediate area around the structures. To minimize impacts, the Permittee shall construct in wetland areas during frozen ground conditions where practicable and according to permit requirements by the applicable permitting authority. When construction during winter is not possible, the Permittee shall use wooden or composite mats to protect wetland vegetation.

The Permittee shall contain soil excavated from the wetlands and riparian areas and not place it back into the wetland or riparian area. The Permittee shall access wetlands and riparian areas using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts. The Permittee shall not place staging or stringing set up areas within or adjacent to wetlands or water resources, as practicable. The Permittee shall assemble structures on upland areas before they are brought to the site for installation.

The Permittee shall restore wetland and water resource areas disturbed by construction activities to pre-construction conditions in accordance with the requirements of applicable state and federal permits or laws and landowner agreements. The Permittee shall meet the U.S. Army Corps of Engineers (USACE), Minnesota Department of Natural Resources (DNR), Minnesota Board of Water and Soil Resources, and local units of government wetland and water resource requirements.

### **5.3.10 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.

The Permittee shall remove tall growing species located within the transmission line right-of-way that endanger the safe and reliable operation of the transmission line. 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 will not pose a threat to the transmission line or impede construction.

The Permittees shall develop a vegetation management plan (VMP), in coordination with the Vegetation Management Plan Working Group (VMPWG), using best management practices established by the DNR and BWSR. The Permittee shall file the VMP and documentation of the coordination efforts between the Permittee and the DNR with the Commission as part of the plan and profile required in Section 9.2 of the Permit.

### **5.3.11 Application of Pesticides**

The Permittee shall restrict pesticide use to those pesticides and methods of application approved by the Minnesota Department of Agriculture (MDA), DNR, and the U.S. Environmental Protection Agency (EPA). 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 at least 14 days prior to pesticide application on their property. The Permittee may not apply any pesticide if the landowner requests that there be no application of pesticides within the landowner's property. The Permittee shall provide notice of pesticide application to landowners and beekeepers operating known apiaries within three miles of the pesticide application area at least 14 days prior to such application. The Permittee shall use the MDA's Apiary Registry (<https://mn.beecheck.org/map>) to identify known apiaries for purposes of compliance with this condition. The Permittee shall keep pesticide communication and application records and provide them upon the request of Commission staff.

### **5.3.12 Invasive Species**

The Permittee shall employ best management practices to avoid the potential introduction and spread of invasive species on lands disturbed by Transmission Facility construction activities. The Permittee shall develop an Invasive Species Prevention Plan and file it with the Commission at least 14 days prior to the pre-construction meeting. The Permittee shall comply with the most recently filed Invasive Species Prevention Plan.

### **5.3.13 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 keep records of compliance with this section and provide them upon the request of Commission staff.

### **5.3.14 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 Transmission Facility. Where practical, existing roadways shall be used for all activities associated with construction of the Transmission Facility. Oversize or overweight loads associated with the Transmission Facility shall not be hauled across public roads without required permits and approvals.

The Permittee shall construct the fewest number of site access roads required. 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.

### **5.3.15 Archaeological and Historic Resources**

The Permittee shall make every effort to avoid impacts to archaeological and historic resources when constructing the Transmission Facility. In the event that a resource is encountered, the Permittee shall 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 Transmission Facility impacts on the resource consistent with State Historic Preservation Office and State Archaeologist requirements.

The Permittee shall develop an Unanticipated Discoveries Plan (UDP) to identify guidelines to be used in the event previously unrecorded archeological or historic properties, or human remains, are encountered during construction, or if unanticipated effects to previously identified archaeological or historic properties occur during construction. The UDP is in addition to and not in lieu of any other obligations that may exist under law or regulation relating to these matters. The Permittee shall file the UDP with the Commission at least 14 days prior to the preconstruction meeting.

The Permittee shall train workers 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, in accordance with Minn. Stat. Ch. 307 (Private Cemeteries Act), immediately halt construction and promptly notify local law enforcement and the State Archaeologist. The Permittee shall not resume construction at such location until authorized by local law enforcement or the State Archaeologist. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

#### **5.3.16 Avian Protection**

The Permittee in cooperation with the DNR shall identify areas of the transmission line 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. The Permittee shall submit documentation of its avian protection coordination with the plan and profile pursuant to Section 9.2.

#### **5.3.17 Drainage Tiles**

The Permittee shall avoid, promptly repair, or replace all drainage tiles broken or damaged during all phases of the Transmission Facility's life. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

### **5.3.18 Restoration**

The Permittee shall restore the right-of-way, temporary workspaces, access roads, abandoned right-of-way, and other public or private lands affected by construction of the Transmission Facility. 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 file with the Commission a Notice of Restoration Completion.

### **5.3.19 Cleanup**

The Permittee shall remove and properly dispose of all construction waste and scrap from the right-of-way and all premises on which construction activities were conducted upon completion of each task. The Permittee shall remove and properly dispose of all personal litter, including bottles, cans, and paper from construction activities daily.

### **5.3.20 Pollution and Hazardous Wastes**

The Permittee shall take all appropriate precautions to protect against pollution of the environment. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all waste generated during construction and restoration of the Transmission Facility.

### **5.3.21 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. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

### **5.3.22 Facility Lighting**

The Permittee shall use shielded and downward facing lighting and LED lighting that minimizes blue hue.

### **5.3.23 Dust Control**

The Permittee shall utilize non-chloride products for onsite dust control during construction.

### **5.3.24 Wildlife Friendly Erosion Control**

The Permittee shall use only “bio-netting” or “natural netting” types of erosion control materials and mulch products without synthetic (plastic) fiber additives or malachite green dye.

## **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 milliamperes 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 Permittee shall design, construct, and operate the transmission line 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 Facility, 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 Transmission Facility. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

## **5.5 Other Requirements**

### **5.5.1 Safety Codes and Design Requirements**

The Permittee shall design the transmission line and associated facilities 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 statutes and rules. The Permittee shall obtain all required permits for the Transmission Facility and comply with the conditions of those permits unless those permits conflict with or are preempted by federal or state permits and regulations.

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission an Other Permits and Regulations Submittal that contains a detailed status of all permits, authorizations, and approvals that have been applied for specific to the Transmission Facility. The Other Permits and Regulations Submittal shall also include the permitting agency name; the name of the permit, authorization, or approval being sought; contact person and contact information for the permitting agency or authority; brief description of why the permit, authorization, or approval is needed; application submittal date; and the date the permit, authorization, or approval was issued or is anticipated to be issued.

The Permittee shall demonstrate that it has obtained all necessary permits, authorizations, and approvals by filing an affidavit stating as such and an updated Other Permits and Regulations Submittal prior to commencing construction. The Permittee shall provide a copy of any such permits, authorizations, and approvals at the request of Commission staff.

## **6 SPECIAL CONDITIONS**

The special conditions shall take precedence over other conditions of this permit should there be a conflict.

### **6.1 Tree Removal Timing**

The Permittees shall not remove trees for the construction or operation of the project from June 1 through August 15.

## **6.2 Tree Replacement Plan**

The Permittees, in coordination with the Minnesota Department of Natural Resources and Martin County, shall develop a tree replacement plan to replace any trees that are removed for the construction of the project and file the plan with the Commission at least 14 days before the preconstruction meeting. Replacement trees may be planted on public lands with the permission of the public entity/owner.

## **6.3 Cemetery Screening**

The Permittees shall coordinate with the manager(s) of the Cedar Lutheran Cemetery regarding additional tree plantings that could minimize aesthetic impacts of the transmission line on individuals visiting the cemetery. Any plantings could be coordinated with those required by Section 6.2 of this permit to meet tree replacement requirements. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

## **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 route permit the Permittee shall file a Failure to Construct Report and the Commission shall consider suspension of this route permit in accordance with Minn. Stat. § 216I.24.

## **8 COMPLAINT PROCEDURES**

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission the complaint procedures that will be used to receive and respond to complaints. The complaint 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 route permit.

Upon request, the Permittee shall assist Commission staff 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 route permit is a failure to comply with the conditions of this route permit. Compliance filings must be electronically filed with the Commission.

### **9.1 Pre-Construction Meeting**

Prior to the start of construction, the Permittee shall participate in a pre-construction meeting with Commission staff to review pre-construction filing requirements, scheduling, and to coordinate monitoring of construction and site restoration activities. Within 14 days following the pre-construction meeting, the Permittee shall file with the Commission a summary of the topics reviewed and discussed and a list of attendees. The Permittee shall indicate in the filing the anticipated construction start date.

### **9.2 Plan and Profile**

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission, and provide the counties where the Transmission Facility, or portion of the Transmission Facility, will be constructed 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 Facility. 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 by this route permit.

The Permittee may not commence construction until the earlier of (i) 30 days after the pre-construction meeting or (ii) until the Commission staff has notified the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this route permit.

If the Commission notifies the Permittee in writing within 30 days after the pre-construction meeting that it has completed its review of the documents and planned construction, and finds that the planned construction is not consistent with this route permit, the Permittee may submit additional and/or revised documentation and may not commence construction until the Commission has notified the Permittee in writing that it has determined that the planned construction is consistent with this route 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 and county staff 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 route permit.

### **9.3 Status Reports**

The Permittee shall file with the Commission monthly Construction Status Reports beginning with the pre-construction meeting and until completion of restoration. Construction Status

Reports shall describe construction activities and progress, activities undertaken in compliance with this route permit, and shall include text and photographs.

If the Permittee does not commence construction of the Transmission Facility within six months of this route permit issuance, the Permittee shall file with the Commission Pre-Construction Status Reports on the anticipated timing of construction every six months beginning with the issuance of this route permit until the pre-construction meeting. The Status Reports shall include information on the Project's Midcontinent Independent System Operator (MISO) interconnection process, if applicable.

#### **9.4 Labor Statistic Reporting**

The Permittee shall file quarterly Labor Statistic Reports with the Commission within 45 days of the end of the quarter regarding construction workers that participated in the construction of the Project. The Labor Statistic Reports shall:

- A. detail the Permittee's efforts and the site contractor's efforts to hire Minnesota workers; and
- B. provide an account of:
  - 1) the gross number of hours worked by or full-time equivalent workers who are Minnesota residents, as defined in Minn. Stat. § 290.01, subd. 7;
  - 2) the gross number of hours worked by or full-time equivalent workers who are residents of other states, but maintain a permanent residence within 150 miles of the Project; and
  - 3) the total gross hours worked or total full-time equivalent workers.

The Permittee shall work with its contractor to determine the suitable reporting metric. The report may not include personally identifiable data.

#### **9.5 Prevailing Wage**

The Permittee, its contractors, and subcontractors shall (1) pay no less than the prevailing wage rate as defined in Minn. Stat. § 177.42; and (2) shall be subject to the requirements and enforcement provisions under Minn. Stat. §§ 177.27, 177.30, 177.32, 177.41 to 177.435, and 177.45. The Permittee shall keep records of contractor and subcontractor pay and provide them at the request of Commission staff.

### **9.6 In-Service Date**

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

### **9.7 As-Builts**

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

### **9.8 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 Facility and each substation connected.

### **9.9 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 route permit.

## **10 ROUTE PERMIT AMENDMENT**

The Commission has the authority to modify this route permit at any time. The Permittee may request an amendment of the conditions of this route permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment.

The Commission may amend the conditions after affording the Permittee and interested persons such process as is required under Minn. Stat. § 216I.09.

#### **11 TRANSFER OF ROUTE PERMIT**

The Permittee may request at any time that the Commission transfer this route permit to another person or entity (transferee). In its request, the Permittee must provide the Commission with:

- A. the name and description of the transferee;
- B. the reasons for the transfer;
- C. a description of the facilities affected; and
- D. the proposed effective date of the transfer.

The transferee must provide the Commission with a certification that it has read, understands and is able to comply with the plans and procedures filed for the Transmission Facility and all conditions of this route permit. The Commission may authorize transfer of the route permit after affording the Permittee, the transferee, and interested persons such process as is required under Minn. Stat. § 216I.13.

#### **12 REVOCATION OR SUSPENSION OF ROUTE PERMIT**

The Commission may initiate action to revoke or suspend this route permit at any time. The Commission shall act in accordance with the requirements of Minn. Stat. § 216I.24, to revoke or suspend this route permit.