



Minnesota Department of Natural Resources
Division of Ecological and Water Resources
500 Lafayette Road
St. Paul, MN 55155-4040

November 25, 2024

Will Seuffert
Executive Secretary
Public Utilities Commission
121 Seventh Place East, Suite 350
St. Paul, MN 55101-2147

**RE: Northern Reliability Project Environmental Assessment
Docket No. ET2/CN-22-416; E015, ET2/TL-22-415**

Will Seuffert:

The Minnesota Department of Natural Resources (DNR) reviewed the Findings of Fact, Conclusions of Law, and Recommendations (report) issued by the Administrative Law Judge (ALJ) Kimberly Middendorf for the Northern Reliability Project (Project), proposed by Minnesota Power and Great River Energy (the applicants). The DNR appreciates Judge Middendorf's analysis of the record. However, the DNR provided comments on November 6, 2024, to the ALJ that were not able to be incorporated into the ALJ report. The DNR is therefore resubmitting the below supplemental information for consideration.

The DNR provided comments to the Minnesota Department of Commerce – Energy Environmental Review and Analysis on August 5, 2024. Since then, the applicant's preferred route has changed, which more evidently may affect DNR administered lands, namely Cuyuna Country State Recreation Area (CCSRA or Cuyuna Recreation Area).

Cuyuna Country State Recreation Area – Sagamore Unit

The CCSRA contains a 60-mile-long mountain bike trail system and has been ranked as a *silver level ride center* by the International Mountain Bicycling Association (IMBA). The [Sagamore Unit](#) is the newest trail unit offering an interconnected trail network that is available during all of Minnesota's seasons to a variety of users without the inconveniences of traveling between trailheads. These trails were designed to be adaptive mountain bike trails with varying levels of difficulty and constructed to be wider, with options for a gradual terrain, and no ride-stopping obstacles, creating a more accessible and family-friendly riding environment. The adaptive mountain bike trails are a unique component of the CCSRA trail system; there are no comparable trails in the region. These specialized trails offer the highest quality experience for persons using adaptive mountain bikes (aMTBs) and other types of adapted equipment.

aMTBs are bikes for people with physical, intellectual, neurological, or sensory limitations, such as trikes, hand bikes, and wheelchair bikes. The cumulation of these amenities has created an exceptionally desirable recreation destination and has also proved to be economically beneficial to the local communities and Minnesota.

As such, the DNR would like to elaborate on DNR's Comments 35.a. and b., included on page 19 of our August 5, 2024 letter:

35. Page 289, Section 6.3.8 Alignment Alternatives AA8 (DNR) and AA9 (Applicant):

a. AA8 follows County Highway 59 along the east side of the Sagamore Unit of the Cuyuna Recreation Area. AA8 is outside of the unit on the east side of the highway; while AA9 runs along the west side of Highway 59 and within the recreation area.

b. DNR Supports E1 which would make these alternatives (AA8 and AA9) unnecessary, as that alternative (E1) crosses this area on the west side of the Sagamore Unit of the Cuyuna Recreation Area. However, if route alternative E2 is selected, DNR prefers the selection of AA8 to pass by outside of the Cuyuna Recreation Area. DNR has invested significant time and money to improve infrastructure and add additional recreational opportunities for our diverse user groups in the Cuyuna Recreation area, and installation of the transmission line across this area would greatly impact visitor experiences.

In addition to DNR's EA comments, the significance of avoiding impacts to the CCSRA was communicated verbally and in writing during early coordination and throughout the environmental review process. During early coordination and at the time of the EA submittal, AA9 was not included in the applicant's preferred route, and therefore, not prioritized as the most likely option for permitting.

AA9 Alternative

Alignment alternative AA9 would be 1.6 miles long and include a 150 foot permanent right-of-way (ROW). A portion of the proposed AA9 follows the west side of Highway 59 and its existing ROW, which is in the vicinity of the Sagamore Unit of the Cuyuna Country State Recreation Area (CCSRA). Portions of the developed Sagamore trail system are currently within 35 feet of Highway 59 ROW. Impacts from the proposed AA9 alignment alternative include 11 acres of forested land cover, 6 acres of impacts to Native Plant Communities, and 1 acre of wetlands (Northern Reliability EA, Table 6-83).

Permanent impacts as a result of the AA9 would include a reduction in aesthetic value, increased noise, and overall limiting the usability of a portion of the trails within the CCSRA. Due to the intricacies of the limited space and topography, it is not feasible to relocate these trails. This level of impact does not follow [Minnesota Statute 86A](#) or the CCSRA Management Plan. Approximately \$3 million dollars of donations and publicly provided grants have been invested in the development of trails and facilities in the Sagamore Unit. The DNR has a responsibility to these funding sources and the public to utilize this funding as intended. It should also be noted that DNR owns the mineral rights to CCSRA and has the right to require removal of the transmission line to facilitate mining activities if needed. In summary, the provided issues with AA9 may result in challenges during the DNR permitting process without modifications that include avoiding impacts to CCSRA and its trail system. Furthermore, the DNR still supports E1, and AA8 if E1 is not feasible, to avoid impacts to the trails of CCSRA,

The DNR greatly appreciates the consideration of this supplemental information on the Northland Reliability Project. Please contact me with questions regarding this information.

Sincerely,

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Attachments: Northern Reliability EA DNR Comment Letter

CC: Jessica Parson, DNR Regional Environmental Assessment Ecologist
Cathy Handrick, DNR Parks and Trails Regional Resource Management Supervisor
Angela Means, DNR Lands and Minerals Reality Specialist

Equal Opportunity Employer