



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
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September 9, 2025

Dr. Sam Weaver, PhD
Minnesota Department of Commerce
85 7th Place East, Suite 280
Saint Paul, MN 55101

Dear Dr. Weaver:

Thank you for the opportunity to review and offer early comments on the Appleton-Benson 115 kV Transmission Line Project (Appleton-Benson Project). Our comments are provided in accordance with the Endangered Species Act (16 U.S.C. 1531-1544) (ESA), Migratory Bird Treaty Act (16 U.S.C. 703-712) (MBTA), and Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d).

- Please continue to consult with our Information for Planning and Consultation (IPaC) system (<https://ipac.ecosphere.fws.gov/>) as you progress through the planning phases for the most up-to-date species list, determination keys, and conservation measures. Species that are either federally protected or proposed for protection may occur in the project area (e.g., northern long-eared bat, Dakota skipper, monarch butterfly, western regal fritillary, as referenced in the Appleton-Benson Project's Environmental Assessment).
- The Appleton-Benson Project Area occurs within a sensitive area for migratory birds (i.e., the Lac Qui Parle-Big Stone Important Bird Area). We recommend consulting with the Cornell Lab of Ornithology's eBird database (<https://ebird.org/home>) and Birdcast website (<https://birdcast.info>) for more robust and real-time data on bird occurrence and timing/composition/estimated altitude of bird migration throughout the Appleton-Benson Project Area. While incidental take is not prohibited under the MBTA, we believe that siting and design concessions could avoid or minimize impacts of the project to migratory birds. We have attached a list of best management practices to this letter.
- If the Appleton-Benson Project may impact bald or golden eagles, we would encourage you to obtain an eagle take permit. Eagle take permits are voluntary, and Great River Energy must assess its own risk of impacts to eagles. The most up-to-date information on the permitting process (including eligibility requirements for "General" and "Specific" permits) can be found on the Eagle Incidental Take Permits for Powerlines webpage: <https://www.fws.gov/program/eagle-management/power-line-permits>.

- We recommend siting the Appleton-Benson Project to minimize habitat fragmentation by adhering to existing developed Rights-of-Way (ROW) to the greatest extent possible.
- We recommend preservation and enhancement of native plant communities, especially for re-vegetation of areas disturbed within new and existing ROW, to ensure on-going protection of native plant communities and pollinator species:
 - For temporary and permanent habitat restoration/abatement, we recommend you only use native and local (when possible) seed and plant stock. Pollinator-favored plants can be found on this list: <https://www.fws.gov/media/plants-favored-rusty-patched-bumble-bee>.
 - Consider cleaning vehicles prior to entering sensitive habitat areas to prevent accidental introduction of non-native plants.
 - Because pollinators are dependent on flowering plants for nutrients and energy, especially in the summer, we recommend mowing at a rate or height that does not reduce a significant number of flowering plants for foraging pollinators (for additional recommendations, please review this document: <https://www.fws.gov/media/conservation-management-technical-assistance-rusty-patched-bumble-bee>).
 - If possible, we recommend that any mowing or ground disturbance during construction or maintenance not take place until after the native plant communities have stopped flowering.

Please do not hesitate to contact Katie O'Brien at katie.obrien@fws.gov with the Minnesota-Wisconsin Ecological Services Field Office should you have any questions or concerns. We appreciate your early coordination efforts. We believe, through continued discussion, that we can help develop wildlife-focused measures to protect federal trust resources while meeting the Appleton-Benson Project's energy related objectives. We look forward to this continued collaboration.

Sincerely,

Nick Utrup, Acting Deputy Field Supervisor

cc: Samantha Bump, Martin Donovan, Bridget Henning-Randa, Jessica Parsons (MN DNR)
Rich Davis (MN PUC)

Attachment A: Optional Best Management Practices to Avoid or Minimize Impacts to Migratory Birds

- If the Appleton-Benson Project will include tree-clearing activities, we request that you evaluate and disclose impacts to all forest-dwelling species of federal interest and include associated conservation measures to minimize risk, impacts, and adverse effects:
 - We recommend limiting forest clearing activities to occur outside of the migratory bird nesting season (March 1 – August 31) and summer occupancy period for Northern Long-eared Bat (April 15 – September 30). If clearing must be completed within the bat occupancy season, we recommend surveys be conducted to avoid or minimize take of federally protected species.
- We recommend development of an Avian Protection Plan to reduce avian risk of electrocution, collision, and death, as well as bird-caused power outages. We recommend inclusion of the following guidelines from the Avian Power Line Interaction Committee:
 - To ensure adequate clearance, design structures should, at a minimum, provide at least 60 inches of horizontal separation between energized conductors and/or energized conductors and grounded hardware and 48-60 inches of vertical separation.
 - Avoid siting lines in areas where birds concentrate (i.e., wetlands, stream crossings, historic staging areas, roosts, and nesting colonies).
 - Install visibility enhancement devices (e.g., marker spheres, spirals, suspended devices, bird diverters) placed in varying configurations, depending on the line design and location; large diameter wire may also increase line visibility.
 - If a “problem pole” is identified (i.e., documented avian collision, electrocution, problem nest material, or high risk of avian mortality), we recommend retrofitting the pole by: 1) covering jumper wires, conductors, and equipment; 2) discouraging perching in unsafe areas (e.g., perch guards); 3) reframing; 4) replacing a structure; or 5) providing safe alternatives for perching and nesting (e.g., nesting platforms).
 - When collisions cannot be reduced by another method, such as line marking or managing surrounding lands, the configuration of an existing line can sometimes be changed to minimize collisions. Options for changes might include: 1) lowering the height of the lines (e.g., below the tree line); 2) changing the wire diameter; 3) bundling wires; 4) using spacers to improve visibility; 5) rearranging wire configuration (e.g., converting from vertical to horizontal); 6) changing the structure type to increase its visibility; or 7) decreasing span length (e.g., by adding a pole mid-span).
 - Consider construction, placement, and monitoring of nest boxes for cavity-nesting populations, as well as bats and flying squirrels.
- We recommend limiting any increase in lighting of native habitats during the avian

breeding season through the following actions:

- To the maximum extent practicable, limit construction activities to the time between dawn and dusk to avoid illumination of adjacent habitat areas.
- If construction activity time restrictions are not possible, use down shielding or directional lighting to avoid light trespass into wildlife habitat. To the maximum extent possible, while allowing for public safety, low intensity lighting should be used.
- Eliminate the use of steady burning lights on tall structures (e.g., greater than 200 feet in height).