



**In the Matter of the Application of
Nobles 2 Power Partners, LLC for a
Certificate of Need for a 260 MW Wind
Project in Nobles County
PUC Docket No. IP-6964/CN-16-289**

ENVIRONMENTAL REPORT SCOPING DECISION

The above matter has come before the Department of Commerce for a decision on the content of the Environmental Report (ER) to be prepared in consideration of the Nobles 2 Power Partners, LLC Application for a Certificate of Need for the proposed 260 Megawatt (MW) Nobles 2 Wind project in Nobles County. Nobles 2 Power Partners, LLC is a wholly-owned subsidiary of Tenaska Wind Holdings II, LLC.

The project requires a Certificate of Need (CN) and a Site Permit to construct the project from the Minnesota Public Utilities Commission (Commission). The CN (CN-16-289) and the site permit (WS-17-597) are separate dockets being considered by the Commission. The Department of Commerce's Energy Environmental Review and Analysis (EERA) staff is responsible for preparing the ER, which must comply with Minnesota Rule 7849.1100-2100. The Commission considers the project record, including the ER, when issuing a CN.

The proposed project encompasses 42,547 acres, of which approximately 115.5 acres will be used for project facilities. The Applicant proposes to use a combination of Vestas wind turbines for the project. At least 10 of the turbines will be Vestas V110-2.0 MW with the remainder of the turbines being one of the following: V136-3.45 MW, V136-3.6 MW, V136-4.0 MW, V136-4.2MW models. Associated facilities for the project include a project substation, collector and feeder lines, access roads, meteorological towers and an operations and maintenance building.

On October 13, 2017, Nobles 2 Power Partners, LLC filed a Certificate of Need Application with the Commission for the Nobles 2 Wind Project¹. On January 4, 2018, the Commission issued an order accepting the Application as substantially complete and authorizing an informal review process². The proposed project is a large energy facility under Minnesota Statute 216B.2421. As such, it requires the Minnesota Department of Commerce to prepare an Environmental Report for the project pursuant to Minnesota Rule 7849.1200.

A public meeting was held on February 28, 2018, in Wilmont, Minnesota, to receive comments on the scope of the environmental report. Approximately 75 persons attended the meeting, with five individuals providing verbal comments at the meeting. The comment period closed on March 20, 2018. Sixteen written comments were received during the comment period.

¹ Application for a Certificate of Need (e-dockets numbers [201710-136484-01](#), [201710-136484-02](#), [201710-136484-04](#), [201710-136484-05](#))

² Order accepting Certificate of Need Application (e-dockets [20181-138636-01](#))

Citizen comments focus on the following concerns: ensuring internet and broadband service is not disrupted or minimized as a result of the project, as well cell phone disruption or “dead” zones; breaking or damaging drain tiles; impacts to native plant communities; potential changes to storm water run-off; and potential limitations to farming operations.

Verbal comments received at the meeting further emphasized concerns about disruption of internet and cell phone service and support for the use of labor from Minnesota for the construction of the project.

State agency comments focused on specific concerns. MNDOT provided comments on corridor sharing with utility projects in highway rights-of way and other possible roadway restrictions and concerns during project construction; and microwave paths used for communications. MDNR provided a range of comments on the project, including: turbine locations within the project area and potential avian and bat fatalities, possible setback distances from DNR managed wildlife areas, use of guyed meteorological towers, and potential impacts to natural communities. The MPCA commented on potential noise impacts and surface water and floodplain resources.

Nobles County Board of Commissioners submitted a letter in support of the economic benefits from wind projects in Nobles County, specifically the production taxes that are used for infrastructure projects.

Four organizations submitted comments. The comments from labor and industry organizations are in support of using Minnesota labor for the construction and maintenance of the project and Lismore Cooperative Telephone provided information on plans to install fiber/wireless hybrid internet system in Nobles County, which will include a repeater tower in Summit Lake Township section 5.

No system or project alternatives were submitted during the comment period.

The proposed project will produce renewable energy to meet Minnesota’s renewable energy objectives. Accordingly, alternatives examined in the ER are limited to “eligible energy technologies” that support these objectives (Minnesota Statute 216B.1691). These alternatives will include: (1) a generic 260 MW wind generation project sited elsewhere in Minnesota, (2) a 260 MW solar farm, and (3) a “no-build” option. An ER provides a high level environmental analysis of the proposed project and system alternatives, and reviews environmental impacts associated with alternative projects. It is a part of a larger Public Utilities Commission investigation of the Certificate of Need Application. The Commission in its overall review will address all the issues and alternatives required by rule.

Having reviewed the matter and consulted with the Department of Commerce Energy Environmental Review and Analysis staff, and in accordance with Minnesota Rules 7849.1400 and 7849.1500, I hereby make the following scoping decision:

MATTERS TO BE ADDRESSED

Abstract

- 1 Introduction**
- 2 Regulatory Framework**
 - 2.1 Environmental Report
 - 2.2 Permitting Authority and Additional Permits
 - 2.3 Public Participation
- 3 Description of the Proposed Project [Minn. Rule 7849.1500, subp. 1, A]**
 - 3.1 Project Description
 - 3.2 Project Location
 - 3.3 Project Cost and Schedule
- 4 Description of Project Alternatives [Minn. Rule 7849.1500, subp. 1, B]**
 - 4.1 260 MW LWECS
 - 4.2 260 MW Solar Farm
 - 4.3 No Build Alternative
- 5 The No Build Alternative**
 - 5.1 Impacts
 - 5.2 Benefits
- 6 Human and Environmental Impacts [Minn. Rule 7849.1500, subp. 1, C, D,E]**
 - 6.1 Air Quality [Minn. Rule 7849.1500, subp. 2,]
 - 6.1.1 Criteria Pollutants
 - 6.1.2 Hazardous Air Pollutants and Volatile Organic Compounds
 - 6.1.3 Ozone
 - 6.2 Water Resources
 - 6.2.1 Water Appropriations [Minn. Rule 7849.1500, subp. 2, G]
 - 6.2.2 Wastewater [Minn. Rule 7849.1500, subp. 2, H]
 - 6.2.3 Groundwater
 - 6.2.4 Surface Water
 - 6.2.5 Wetlands
 - 6.3 Solid and Hazardous Wastes [Minn. Rule 7849.1500, subp. 2, I]
 - 6.4 Natural Resources
 - 6.4.1 Environmental Setting
 - 6.4.2 Wildlife
 - 6.4.3 Vegetation
 - 6.4.4 Rare and Unique Natural Resources

- 6.5 Human and Social Environment
 - 6.5.1 Demographics
 - 6.5.2 Aesthetic Impact and Visibility Impairment
 - 6.5.3 Shadow Flicker
 - 6.5.4 Facility and Turbine lighting
 - 6.5.5 Noise [Minn. Rule 7849.1500, subp. 2, J]
 - 6.5.6 Property values
 - 6.5.7 Local Economy
 - 6.5.8 Public Health and Safety
- 6.6 Associated Electrical Facilities and Existing Infrastructure
 - 6.6.1 Associated Electrical Facilities [Minn. Rule 7849.1500, subp. 2, F]
 - 6.6.2 Existing Infrastructure
- 6.7 Fuel Availability [Minn. Rule 7849.1500, subp. 2, E]
- 6.8 Agriculture
 - 6.8.1 Cropland
 - 6.8.2 Livestock
- 7 Availability and Feasibility of Alternatives [Minn. Rule 7849.1500, subp. 1, F]**
 - 7.1 Nobles II Wind Project
 - 7.2 Generic 260 MW LWECS
 - 7.3 260 MW Solar Farm
 - 7.4 No-build Alternative
 - 7.5 Additional Renewable Alternatives
- 8 Permits [Minn. Rule 7849.1500, subp. 1, G]**

The above outline is not intended to serve as a “Table of Contents” for the ER document, and as such, the organization (i.e., structure of the document) of the information and the data may vary to that in the ER.

ISSUES OUTSIDE OF THE ENVIRONMENTAL REPORT

The Environmental Report will not consider the following matters:

1. Impacts or mitigative measures associated with specific sites, including specific tower or road locations for the proposed project and alternatives.
2. The negotiation and content of easement agreements by which land owners are paid for property rights, including wind rights.
3. Any alternatives not specifically described in this scoping decision.

SCHEDULE

The Environmental Report will be completed no later than May 30, 2018. A public hearing will be held in the Project Area before an Administrative Law Judge after the Environmental Report has been issued and notice served.

Signed this 29th day March 2018

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE
DIVISION OF ENERGY RESOURCES



William Grant, Deputy Commissioner

CERTIFICATE OF SERVICE

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce
Environmental Report Scoping Decision**

Docket No. IP6964/CN-16-289 and IP6964/WS-17-597

Dated this 29th day of March 2018

/s/Sharon Ferguson

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