



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

December 27, 2024

Suzanne Steinhauer
Minnesota Department of Commerce
85 7th Place East, Suite 280
St. Paul, MN 55101

RE: In the Matter of the Application for a Minor Alteration of the CapX2020 Brookings – Hampton Route Permit to Add the Brookings County – Lyon County and Helena – Hampton Second-Circuit Project, PUC Docket Number: E-002/TL-08-1474

Dear Ms. Steinhauer,

The Minnesota Department of Natural Resources (DNR) has reviewed the application for a minor alteration of the CapX2020 Brookings – Hampton Route Permit to add the Brookings County – Lyon County and Helena – Hampton Second-Circuit Project. Our agency offers the following comments and recommendations:

Blanding's Turtles

Blanding's turtles (*Emydoidea blandingii*), a state-listed threatened species, have been documented in the vicinity of the proposed project in Dakota and Scott counties. The project has the potential to impact this rare turtle through direct fatalities and habitat disturbance/destruction due to excavation, fill, and other construction activities. As stated in the DNR's Natural Heritage Review letter (September 22, 2023), **the following avoidance measures are required in Dakota and Scott counties:**

- Avoid wetland and aquatic impacts during hibernation (September 15 to April 15), if the area is suitable for hibernation,
- Implement erosion control blankets limited to bio-netting (no plastic, including hydro-mulch),
- Construction areas, especially aquatic or wetland areas, should be thoroughly checked for Blanding's turtles before the use of heavy equipment or any ground disturbance.
 - The Blanding's turtle flyer must be given to all contractors working in the area.
 - Monitor for turtles during construction and report any sightings to the DNR Nongame Specialist (Erica Hoaglund).
- If turtles are in imminent danger, they must be moved by hand out of harm's way, otherwise, they are to be left undisturbed.

Natural Heritage Review

If access routes and staging areas have been added since the original plan was submitted, our agency recommends contacting Natural Heritage Review staff to obtain an updated review.

Wetlands

If wetlands will be crossed during construction, our agency recommends poly/timber mats to avoid soil compaction.

Construction Dewatering

According to Table 6-1 of the minor alteration request, a DNR construction dewatering permit may be necessary. Our agency advises that a water use permit is required for all water users in Minnesota withdrawing more than 10,000 gallons of water per day or 1 million gallons per year from a surface water or groundwater.

Wildlife-Friendly Erosion Control

Due to entanglement issues with small animals, the DNR recommends that erosion control blankets be limited to “bio-netting” or “natural netting” types, and specifically not products containing plastic mesh netting or other plastic components. Hydro-mulch products may contain small synthetic (plastic) fibers to aid in its matrix strength. These loose fibers could potentially re-suspend and make their way into waterways.

The DNR appreciates the opportunity to comment on the Brookings County – Lyon County and Helena – Hampton Second-Circuit Project. If you have questions about our agency’s comments, I may be reached at 651-259-5078 or cynthia.warzecha@state.mn.us.

Sincerely,

/s/ Cynthia Warzecha

Energy Projects Planner

EC: Jacques Harvieux, Minnesota Public Utilities Commission
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