

January 9, 2017

Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: City of Burnsville Comments to the Public Utilities Commission Concerning Xcel Energy Route Permit for the Black Dog Natural Gas Pipeline Project in Burnsville, Minnesota.

PUC Docket Number G002/GP-16-656

To Whom This May Concern:

The purpose of this letter is to provide comments from the City of Burnsville for consideration by the Public Utilities Commission for the Black Dog Gas Pipeline Project proposed by Xcel Energy. These updated comments are based on additional information provided by Xcel and the USFWS. The City is in support of the project based on negotiations with Xcel. The following items 1 – 10 were identified in our November 15, 2016 letter to the PUC. The italicized comments that follow identify how the conditions have been met by Xcel.

1. The City supports the gas line extension down the route shown through the existing overhead transmission power corridor from TH 13 to the UP Railroad with the following conditions:
 - a. The original alternative alignment utilizing US Fish and Wildlife (USFW) property is not feasible.
 - The City received a letter dated 12/21/16 from the USFWS confirming they would not approve the original alignment proposing a new crossing across their property. This addresses City condition 1a from our 11/15/16 letter.
 - b. The new pipeline is constructed as close to the center of the City's property (as far from private property) as possible.
 - *Xcel Energy has submitted revised drawings to the City addressing this comment.*
 - c. Tree removal is minimized and buffer trees along the City property lines are not removed. All proposed tree removal should be clearly identified and approved by the City and a Tree Removal Permit shall be obtained prior to removal.
 - *Xcel has indicated they agree to this condition. This will be addressed as part of the City of Burnsville/Xcel Energy Construction or Easement Agreement.*

- d. All applicable safety measures are incorporated in to the design and maintenance of the proposed pipeline.
 - *Xcel Energy met with the City and has addressed our concerns about pipeline safety and the monitoring and programs they will have in place.*
- e. Xcel obtains an easement for the pipeline from the City of Burnsville.
 - *Xcel has indicates they agree to this condition. This will be addressed as part of the City of Burnsville/Xcel Energy Construction Easement or Easement Agreement.*
2. The City would like Xcel to construct a recreational 10' wide bituminous trail down this corridor from the trail on TH 13 to the City's parking area in Black Dog Park. This will require some trail construction out of this corridor to construct from the City land where the transmission lines are to the park. The City will provide access to these areas for no compensation beyond Xcel's construction of the described recreational trail.
 - *Xcel agrees to the condition. This new trail will be addressed as part of the City of Burnsville/Xcel Energy Construction or Easement Agreement.*
3. The existing trail along TH 13 will need to be replaced as the proposed route will impact our trail. The applicable right-of-way use, easements, permits for this work will need to be obtained from MnDOT and the City of Burnsville.
 - *Condition is met: Xcel agree to the condition. The trail replacement and easements will be addressed as part of the City of Burnsville/Xcel Energy Construction or Easement Agreement.*
4. The City will need to review any wetland delineations and proposed wetland impacts associated with the project.
 - *Xcel has provided copies of the delineations and proposed impacts. This is in-process and will be addressed per the standard City process for wetland impacts.*
5. Neighborhood meeting(s) should be held by Xcel to share the plans and gather community input.
 - *The City plans to have a public hearing/receive input at a future Parks and Natural Resources (PNRC) meeting prior the City Council considering approval of a Construction/Easement Agreement with Xcel.*
6. The proposed plans will need to be reviewed by the Burnsville Parks & Natural Resources Commission (PNRC) because part of the project impacts City park land.
 - *As noted in No. 5 this will go before the PNRC as part of the agreement approval process.*
7. The Xcel project design team will need to work with City staff early on to establish a trail alignment that will meet the needs of both parties.
 - *Xcel has indicated they agree to this condition. This will be addressed as part of the City of Burnsville/Xcel Energy Construction or Easement Agreement.*

8. Xcel will need to work with the Natural Resources Department staff to develop a landscaping plan that maximizes the use of native plants to restore the corridor after construction.
 - *Xcel has indicated they agree to this condition. This will be addressed as part of the City of Burnsville/Xcel Energy Construction or Easement Agreement*

9. The City of Burnsville and Xcel Energy have a signed "Road Access improvements/Assessment and Development Agreement" that states once the plant proceeds "with plans to repower the Plant with an approximately 600MW or greater power plant" that Xcel also will "improve Plant access by extending 12th Avenue through Black Dog Park to the Plant's southerly access". Please provide how many megawatts the plant will be operating at, in total, with the new gas powered burner addition, If it is 600 MW or more, the 12th Avenue extension is required to be built at the same time.
 - *The City concurs that this project does not trigger the construction of 12th Avenue*

10. Based on the documentation submitted to date, there does not appear to be any work proposed within the floodway of the Minnesota River therefore no Conditional Use Permit will be required for the project. A FEMA Elevation Certificate and No Rise Certificate will need to be provided and "as-constructed" plans will need to be submitted to the City. In the event plans change as the project evolves, a floodplain CUP may be required if the project meets or exceeds ordinance thresholds.
 - *Xcel has indicated they will submit a No Rise Certification meeting the City's requirements*

The City of Burnsville and Xcel Energy have worked together in partnership for many years and we understand the need for this project to provide electric services to the City and region. The City is in support of the project and based on the items identified herein and discussed with Xcel throughout this process, we believe that there will be mutual benefits to the public and all parties associated with this project.

Thank you for the opportunity to provide comments on the proposed Black Dog Pipeline Project.

Sincerely,

Deb Garross
City Planner

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