

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Katie J. Sieben
Hwikwon Ham
Valerie Means
Joseph K. Sullivan
John A. Tuma

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of Matter of Dairyland Power
Cooperative's Application to Relocate an
Existing 161 kV Transmission Line in Wabasha
County, Minnesota

SERVICE DATE: September 17, 2024

DOCKET NO. ET-3/TL-23-388

The above-entitled matter has been considered by the Commission and the following disposition made:

Accepted Dairyland Power Cooperative's proposed route and the routing alternative noted in Table 1 of the Department of Commerce – Energy Environmental Review and Analysis' August 30, 2024 comments. Both of which must be included in the EA scoping decision. RSA – H will not be included in the EA scoping decision.

This decision is issued by the Commission's consent calendar subcommittee, under a delegation of authority granted under Minn. Stat. § 216A.03, subd. 8 (a). Unless a party, a participant, or a Commissioner files an objection to this decision within ten days of receiving it, it will become the Order of the full Commission under Minn. Stat. § 216A.03, subd. 8 (b).

The Commission agrees with and adopts the recommendations of the Department of Commerce, which are attached and hereby incorporated into the Order.

BY ORDER OF THE COMMISSION



A handwritten signature in black ink, appearing to read "Will Seuffert".

Will Seuffert
Executive Secretary

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August 30, 2024

Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101-2147

RE: EERA Comments and Recommendations on the Scoping Process and Routing Alternatives
for the Dairyland Power Cooperative 161 kV Transmission Line Relocation Project
Docket No. ET3/TL-23-388

Dear Mr. Seuffert,

Attached are comments and recommendations of Department of Commerce, Energy Environmental Review and Analysis (EERA) staff in the following matter:

In the Matter of the Application of Dairyland Power Cooperative for a Route Permit
for the Wabasha Relocation 161 kV Transmission Line Project in Wabasha County.

The application was filed on March 27, 2024, by:

Sage Williams
Manager, Transmission Operations and Development
Dairyland Power Cooperative
3200 East Ave S, PO Box 817
La Crosse, WI 54602-0817

In accordance with the Commission's May 7, 2024, Order, EERA staff is providing the Commission with a scoping process summary for the Dairyland Power Cooperative Project including routing alternatives. EERA staff is available to answer any questions the Commission may have.

Sincerely,

A handwritten signature in blue ink that reads 'James E. Sullivan'.

James E. Sullivan
Environmental Review Manager
Energy Environmental Review and Analysis Unit
Minnesota Department of Commerce

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BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

ENERGY ENVIRONMENTAL REVIEW AND ANALYSIS COMMENTS AND RECOMMENDATIONS

DAIRYLAND POWER COOPERATIVE WABASHA 161 kV RELOCATION PROJECT DOCKET No. ET3/TL-23-388

Date: August 30, 2024

EERA Staff: Jim Sullivan | 651.539.1059 | jim.sullivan@state.mn.us

In the Matter of the Application of Dairyland Power Cooperative for a Route Permit for the Wabasha Relocation 161 kV Transmission Line Project in Wabasha County.

Issues Addressed: These comments and recommendations address the environmental assessment (EA) scoping process, the routing alternatives proposed during the scoping process, and those alternatives which Department of Commerce, Energy Environmental Review and Analysis staff (EERA) recommends for inclusion in the EA scope.

Documents Attached:

(1) Routing Alternatives Maps

Additional documents and information can be found on eDockets:

<https://www.edockets.state.mn.us/EFiling/search.jsp> (TL-23-388) and on the Department of Commerce's website: <https://eera.web.commerce.state.mn.us/web/project/15450>

This document can be made available in alternative formats (i.e., large print or audio) by calling 651-296-0391 (voice).

Introduction

On March 27, 2024, Dairyland Power Cooperative (applicant) filed a combined certificate of need and route permit application to the Minnesota Public Utilities Commission (Commission) to relocate approximately 13.3 miles of 161 kilovolt (kV) high voltage transmission line (HVTL) and construct a new substation in Wabasha County, Minnesota, herein referred to as the Wabasha Relocation Project, or the project.

On May 7, 2024, the Commission accepted the application as complete and requested that the Department of Commerce (Department) submit to the Commission, for review and input, the route

alternatives suggested during the environmental assessment (EA) scoping process.¹

The subsequent comments detail the scoping process and route alternatives proposed during scoping. Following the Commission's review of these alternatives, and based on any Commission input, the Department will finalize and issue the scoping decision for the EA.

Proposed Project

Dairyland Power Cooperative submitted a joint certificate of need and route permit application to the Commission to relocate approximately 13.3 miles of 161 kV transmission line and construct a new Kellogg substation.

The project involves relocating approximately 10.4 miles of the existing Dairyland LQ34 161 kV transmission line near the town of Plainview, Minnesota. The project will start at Structure X-Q3-75, which will be removed and replaced with a new structure. The new 161 kV line will extend 13.3 miles northeast and east, ending at a new 161/69kV substation within a 10.8 acre site off County Road 84, southeast of Kellogg and west of the Mississippi River (Kellogg substation). The project route passes through Plainview, Highland, Watopa, and Greenfield Townships, concluding east of Kellogg in Wabasha County, Minnesota.

Project Purpose

In July 2022, the Midcontinent Independent System Operator (MISO) approved a long-range transmission plan that included a new Wilmarth-North Rochester-Tremval transmission line.² The new 345 kV line, referred to as the Mankato to Mississippi River 345 kV Transmission Project in Minnesota, will utilize the existing CAPX2020 system double circuit capability between North Rochester and Alma, Wisconsin.³ Xcel Energy, Dairyland, Rochester Public Utilities, and Southern Minnesota Municipal Power Agency have jointly filed a certificate of need and route permit applications for the Mankato to Mississippi River 345 kV Transmission Project.⁴

To accommodate the new second 345 kV circuit that is part of the Mankato to Mississippi River Transmission Project, the Dairyland 161 kV circuit must be relocated from the existing CapX2020 structures. This relocation is necessary to ensure continued power supply to the Wabaco Substation, which is crucial for maintaining reliability in the town of Plainview and surrounding areas. The new Kellogg Substation is required because the Mankato to Mississippi River 345 kV Transmission Project's circuit across the Mississippi River will eliminate Dairyland's existing LN340 69 kV transmission line Mississippi River crossing and connection into the Alma Substation in Wisconsin. The new Kellogg Substation will supply the LN340 69 kV transmission line. Finally, constructing a 161 kV transmission path between Wabaco and Alma will maintain existing transmission capacity and generation outlet provided by the transmission line.

¹ Commission Order Accepting Applications as Complete and Establishing Procedural Requirements, May 7, 2024 [eDocket [20245-206459-02](#)] (hereinafter Commission Completeness Order).

² See <https://www.misoenergy.org/planning/long-range-transmission-planning/>

³ Project details can be found at <https://mmrtproject.com/>

⁴ Commission Docket Nos. E002/CN-22-532 and TL-23-157

Regulatory Process and Procedures

The proposed project requires a route permit from the Commission.⁵ In its May 7, 2024, order, the Commission initially authorized joint hearings and combined environmental review for two approvals, a certificate of need and a route permit; however, the applicant subsequently requested to withdraw its certificate of need application.⁶ The Commission approved this request on June 25, 2024.⁷ Accordingly, EERA staff is preparing an environmental assessment (EA) that will inform Commission decisions on the applicant's route permit application. The first step in preparing the EA is scoping. The purpose of scoping is to provide citizens, local governments, tribal governments, and agencies an opportunity to focus the EA on those issues and alternatives that are relevant to the proposed project.⁸

Scoping Process Summary

Commission and EERA staff held two public information and EA scoping meetings. One meeting was in-person, and one meeting was virtual. The in-person meeting was held on June 12, 2024, at Saint Agnes Hall, Kellogg, Minnesota. The virtual meeting was held on June 11, 2024. No members of the public attended the virtual meeting. Approximately 25 members of the public attended the meeting in Kellogg, Minnesota.

Comments were received from three persons at these meetings, who expressed concern on a variety of potential impacts associated with the project, including impacts to land use and agricultural production, in particular, dairy farming, and potential impacts to human health.⁹

A 30-day comment period, which began on May 29, 2024, and closed on June 26, 2024, provided the public an opportunity to submit comments to EERA staff on potential impacts and mitigation measures for consideration during the EA scope development process. Comments were received from one state agency,¹⁰ one labor union,¹¹ the applicant,¹² and from 22 citizens.¹³ Several of these comments

⁵ See Minn. R. 7850.1300, Subp. 2.

⁶ June 5, 2024, Applicant correspondence requesting to withdraw the project Certificate of Need application. [eDocket [20246-207427-01](#)]

⁷ June 25, 2024, Commission Notice and Order Approving Petition to Withdraw Filing [eDocket [20246-207934-02](#)]

⁸ Minnesota Rules, part 7850.3700, subpart 2.

⁹ Oral Comments received at the June 12, 2024, Public EA Scoping Meeting [eDocket [20247-208284-02](#)]

¹⁰ Written comments on the EA from the Minnesota Department of Transportation (MNDOT) [eDocket [20246-207970-01](#)]

¹¹ Written Union Comments on the EA Scope from the International Union of Operating Engineers (IUOE) Local 49 and North Central States Regional Council of Carpenters (NCSRCC) [eDocket [20246-207972-01](#)] (Joint Letter).

¹² Applicants' Comments on the EA scope [eDocket [20246-207981-01](#)] and Reply Comments [eDocket [20247-208470-01](#)]

¹³ Comments on the EA from the Public included: Mr. Eric and Ms. Nicole Bartsch [eDockets [20247-208288-02](#) and [20247-208289-01](#)]; Mr. Jason Klassen [eDocket [20247-208291-01](#)]; Mr. Leo and Ms. Jane Kottschade [eDocket [20247-208292-01](#)]; Mr. Gary Lehnertz [eDocket [20247-208293-02](#)]; Mr. Bart McDonough [eDocket [20247-208306-01](#)]; Mr. Tom Miller [eDocket [20247-208307-01](#)]; Ms. Elizabeth and Mr. Ron Sanders [eDocket [20247-208308-02](#)]; Ms. Cindy Stamschror [eDocket [20247-208309-01](#)] and Mr. Jack Stamschror [eDocket [20247-208310-02](#)]; Mr. Darrin Young [eDocket [20247-208311-02](#)], Mr. Gary Young [eDocket [20247-208312-02](#)], Mr. Maurice Young [eDocket [20247-208314-01](#)] and, Ms. Rita Young [eDocket [20247-208313-01](#)]; Mr. Gene Zarling [eDocket [20247-208316-02](#)], Mr. James Zarling [eDocket [20247-208317-02](#)], Mr. Joseph Zarling [eDocket [20247-208318-01](#)], and, Mr. Kent Zarling [eDocket [20247-208319-01](#)]. A group comment was submitted in-person on

proposed specific route alternatives for consideration in the EA.

EERA Staff Analysis and Comments

When reviewing routing alternatives proposed during the scoping process, the Department is charged with including in the EA scope those alternatives which will “assist in the [Commission’s] decision on the [route] permit application.”¹⁴ EERA staff initially analyzes proposed routing alternatives using five criteria:

1. Was the alternative submitted in a timely manner, in essence, prior to the end of the public comment period for scoping?
2. Does the alternative contain an explanation of why the route should be included in the EA?¹⁵ EERA staff interprets this criterion to require that route alternatives, to be included in the scope of the EA, must mitigate a potential impact of the proposed project, and this mitigation must be, in general terms, explained by the proposer of the alternative.
3. Is the alternative outside of areas prohibited in Minnesota Rule 7850.4300 (e.g., state and national parks)?
4. Does the alternative meet the applicants’ stated need for the project?
5. Is the alternative feasible? Can the alternative be constructed and is it permissible by state and federal agencies with authority for construction or operation of the project?

After utilizing these criteria, EERA staff then analyzes the remaining alternatives to determine if including them in the EA would aid in the Commission’s decision on the route permit application. EERA staff compares each proposed alternative to other alternatives, if any, that could also avoid or mitigate the impact(s) described by the proposer. If the proposed alternative impacts relatively more human and environmental resources, it is likely that the proposed alternative would not aid in the Commission’s decision on the route permit application.

EERA staff applied the criteria listed above to analyze proposed routing alternatives suggested during the public scoping process. All proposed alternatives are indicated on the attached maps (see Attachment 1) and discussed here. During the public scoping process, 11 alternative route segments were identified for the project. To aid in the discussion of route alternatives, each route is identified by a letter, followed by a discussion of the route origin, the potential impacts mitigated by the route, and the EERA recommendation.

All the proposed route and alignment alternatives selected for further review in the EA were timely received, provided adequate explanation of the mitigated impact(s), are outside the areas prohibited in Minnesota Rule 7850.4300, meet the stated need for the Project, and are feasible. A map illustrating the route and alignment alternatives identified by the public is included in Attachment 1, Map 1.

June 25, 2024, by the Mr. Maurice Young, Messrs. Kent, James, Joseph, and Gene Zarling, Ms. Jane and Mr. Leo Kottschade, and Mr. Eric Bartsch [eDocket [20247-208290-01](#)] herein referred to as “Community Comment.”

¹⁴ Minnesota Rule 7850.3700, Subpart 3, Item B.

¹⁵ Minnesota Rule 7850.3700, Subpart 7.

EERA staff recommends the routing alternatives shown in Table 1 for inclusion in the EA scope. EERA staff recommends that the routing alternatives in Table 2 not be included in the EA scope.

Table 1. Routing Alternatives Recommend for Inclusion in the Scope of the EA

Routing Alternatives	Source
Route A, including Alignment Alternatives 1 and 2	Public
Route B	Public
Route C	Applicant
Route D	Public
Route E, including Alignment Alternatives 1 and 2	Public
Route F	Public
Route G, including Alignment Alternatives 1 and 2	Public

Table 2. Routing Alternatives Not Recommended for Inclusion in the Scope of the EA

Routing Alternative	Source
Route H	Public

Alternatives Recommended for Inclusion in the Scope of the EA

Route Segment Alternative – A

Several community members provided Route Segment Alternative A (RSA – A) (Attachment 1, Map 2) (Community proposal).¹⁶ The proposed route segment shifts the initial departure of the Dairyland 161 kV line from its current position located at northwest quarter of Section 1, Plainview Township (Dairyland Structure No. 181), approximately one-mile further south, to a location in the southeast quarter of Section 2, Plainview Township.

From this departure point at the Dairyland Structure No. 181, the proposed route extends north, approximately three-quarters of a mile, where it crosses the existing CAPX2020 high voltage powerline (CAPX2020 Structure No. 171), along the northern edge of the northwest quarter of the northeast quarter, Section 2, Plainview Township. From the CAPX2020 line, the proposed route extends to the northwest approximately one-quarter mile, crossing the southwest quarter of the southeast quarter of Section 35, Highland Township, then north, following property lines through the center of Section 35 for

¹⁶ June 25, 2024, comment and proposed route alternative provided by Mr. Maurice Young, Messrs. Kent, James, Joseph, and Gene Zarling, Ms. Jane and Mr. Leo Kottschade, and Mr. Eric Bartsch [eDocket [20247-208290-01](#)] herein referred to as “Community Comment.” See also June 18, 2024, comment and route alternative proposal from Mr. Joseph Zarling [eDocket [20247-208318-01](#)].

approximately seven-eighths of a mile, until it meets and follows State Highway 42, where it connects with the applicant's proposed route in the southeast quarter of Section 26, Highland Township. A variation of this route was proposed by Joseph Zarling which departs from the CAPX2020 approximately 100 meters south of the Community proposal, then runs north to 560th Street, then follows the same path as the Community proposal.

The proposed RSA – A, could minimize impacts on agricultural production and property value, aesthetics, loss of old growth trees, reduce hazards to livestock, and avoids buildings and wells. The Zarling and Community proposals are combined into a single route alternative (RSA – A). EERA recommends that the Zarling proposal be analyzed as an alignment alternative (herein referred to as AAA-1), and the Community proposal be analyzed as a separate alignment alternative (herein referred to as AAA-2). The CAPX2020 Structure No. 171 crossing may present a potential reliability concern; however, engineering alternatives could be considered that may be useful to the Commission. EERA staff recommends that this route alternative be carried forward for further study in the EA.

Route Segment Alternative – B

Route Segment Alternative B (RSA – B), proposed by Gary Lenhertz and Cindy Stamschror, offer an alternative route segment that departs from Highway 42, for approximately two-thirds of a mile, crossing north on County Road 14 (Section 26, Highland Township), for approximately one-quarter mile, then turns east in Section 23, where it rejoins the Applicants' proposed route in the southwest quarter of Section 24, Highland Township (See Attachment 1, Map 3).¹⁷ Specific impacts mitigated by the proposed route alternative included concern for potential impacts to animal agriculture, human health, and elimination of stray voltage. In addition, there is a stated interest in structure placement on property boundaries or edge of fields instead of across the property. EERA staff recommends that this route alternative be carried forward for further study in the EA.

Route Segment Alternative – C

The applicant provided Route Segment Alternative C (RSA – C) in their June 26, 2024, comment letter (Attachment 1, Map 4).¹⁸ The proposed route alternative is approximately 1.67 miles in length, departing from the proposed route near State Highway 42, at the northwest quarter of the southeast quarter of Section 26, Highland Township, where it follows County Road 14 north for approximately 1-mile, then turns east at the northwest quarter of the southeast quarter of Section 23 for approximately 0.64 miles, then rejoining the proposed route along State Highway 42 in the northwest quarter of the southwest quarter of Section 24, Highland Township. The applicant indicates that it is proposing this route alternative in response to landowner concerns regarding potential route impacts on "several area dairy farms located along State Highway 42."¹⁹ EERA staff recommends that this route alternative be carried forward for further study in the EA.

¹⁷ June 24, 2024, comment and proposed route alternative provided by Mr. Gry Lehnertz [eDocket [20247-208293-02](#)] and the June 25, 2024, comment and proposed route alternative provided by Ms. Cindy Stamschror [eDocket [20247-208309-01](#)].

¹⁸ June 26, 2024, comment and proposed route alternative provided by Christina Brusven, Esq., on behalf of the Applicant [eDocket [20246-207981-01](#)].

¹⁹ Ibid, p. 1.

Route Segment Alternative – D

Jack and Cindy Stamschror, offered Route Segment Alternative D (RSA – D), which departs from State Highway 42 for approximately two-thirds of a mile (Section 26, Highland Township), then crossing north on County Road 14 into Section 23, Highland Township, for approximately two-thirds of a mile, then east, rejoining the Applicants' proposed route in the southwest quarter of Section 24, Highland Township, along State Highway 42 (See Attachment 1, Map 5).²⁰ Specific impacts identified included concern for potential impacts to animal agriculture, human health, and elimination of stray voltage. In addition, there is a stated interest for structure placement on property boundaries instead of across the property. EERA staff recommends that this route alternative be carried forward for further study in the EA.

Route Segment Alternative – E

Route Segment Alternative E (RSA – E) is a combination of two route alternatives offered by Jason Klassen and Cindy Stamschror.²¹ The route alternative begins from the applicant's proposed route, at the northwest quarter of the southeast quarter of Section 26, Highland Township along State Highway 42, then north for approximately two-thirds of a mile, crossing County Highway 14, where it turns to the northeast, from the center of Section 23, Highland Township, extending to the southern edge of the southwest quarter of Section 13, Highland Township, until it rejoins the applicant's proposed route at State Highway 42 (Attachment 1, Map 6). The Stamschror alignment alternative is designated as EAA-1, while the Klassen alignment alternative is designated as EAA-2. EERA staff recommends that this route alternative be carried forward for further study in the EA.

Route Segment Alternative – F

A route alternative was provided by Jason Klassen on June 15, 2024, that would avoid residences and agricultural operations.²² The proposed Route Segment Alternative F (RSA – F), begins at the northwest quarter of the southeast quarter of Section 26, Highland Township, extending north on County Highway 14 for approximately one and two third miles (Attachment 1, Map 7).²³ It then extends due east for approximately three quarters of a mile along the northern Section boundary of the northeast quarter of Section 23, to the southwest quarter of Section 13, then extending to the northeast for approximately two thirds of a mile until it rejoins the applicant's proposed route at State Highway 42. The proposed RSA – F follows public rights of way and property boundaries. EERA staff recommends that this route alternative be carried forward for further study in the EA.

Route Segment Alternative – G

Two proposed route alternatives in Section 8, Watopa Township, were provided by Tom Miller; these alternatives are discussed here as a single route alternative (Route Segment Alternative G (RSA – G))

²⁰ June 25, 2024, comments and route proposal alternative provided by Ms. Cindy Stamschror [eDocket [20247-208309-01](#)] and Mr. Jack Stamschror [eDocket [20247-208310-02](#)].

²¹ June 26, 2024, comment and proposed route alternative from Mr. Jason Klassen [eDocket [20247-208291-01](#)] and a June 25, 2024, comment and proposed route alternative from Ms. Cindy Stamschror [eDocket [20247-208309-01](#)] are combined to create this alternative route segment.

²² June 25, 2024, comments and proposed route alternative provided by Mr. Jason Klassen [eDocket [20247-208291-01](#)].

²³ Ibid.

with two alignment alternatives (Attachment 1, Map 8).²⁴ The proposed RSA – G departs and rejoins the applicant’s proposed route at common points along the southern side of Highway 42, (Section 8, Watopa Township) distinguished by the position that each of the proposed alignment alternatives turns north and rejoins the applicant’s proposed route. Mr. Miller proposed these alternatives to minimize any potential electromagnetic impacts on their new automated dairy facility that includes robotic systems.

The applicant has indicated that it does not support the use of this route alternative as it “would result in significantly greater tree clearing, construction through an area with steep slopes and difficult access, and require crossing state forest land managed by the Minnesota Department of Natural Resources, the Snake Creek Bluffs South Site of Biodiversity Significance (ranked Moderate) and Southern Dry-Mesic Oak Forest Native Plant Community.”²⁵ Given the concern for locating the proposed project near an operating dairy, versus potential ecological impacts of crossing forested land, EERA staff recommends that this route alternative be carried forward for further evaluation to better characterize potential impacts. Additionally, EERA recommends that this route alternative be evaluated as a single route with two alignment alternatives: alignment alternative G-1 (GAA-1) and alignment alternative G-2 (GAA-2).

Alternatives That Are Not Recommended for Inclusion in the Scope of the EA

Route Segment Alternative – H

A request was made by Bart McDonough to shift the proposed route to the south of his property line.²⁶ The proposed route shift is designated as Route Segment Alternative H (RSA – H) and follows the approximately one-half mile east-west orientation of the applicant’s proposed route in Section 27, Greenfield Township (Attachment 1, Map 9). The proposed alternative route segment is a minimal shift of this portion of the applicant’s proposed route to the south, following Mr. McDonough’s property boundary, rather than crossing in his field.

Mr. McDonough did not identify a specific impact that could be reduced or eliminated by shifting the proposed route to his suggested alternative location. The applicant maintains that this route segment alternative “places the proposed right of way on the southern edge, abutting the property line. While it may be possible to move the proposed alignment about five feet further to the south, nearer to the property line, moving the alignment such that the centerline would be on or directly adjacent to the property line would impact three additional landowners and result in additional clearing.”²⁷

Given the relatively small adjustment to the applicant’s proposed alignment, the lack of an alleged impact that could be mitigated through the route alternative, and the applicant’s concerns, EERA staff

²⁴ June 12, 2024, comment and proposed route alternative provided by Mr. Tom Miller [eDocket [20247-208307-01](#)].

²⁵ July 10, 2024, Dairyland Power Cooperative reply to comments on potential route segment alternatives considered for evaluation in the Wabasha Relocation Project Environmental Assessment (p. 2). [eDocket [20247-208470-01](#)].

²⁶ June 12, 2024, comment and proposed route alternative provided by Mr. Bart McDonough [eDocket [20247-208306-01](#)].

²⁷ July 10, 2024, Dairyland Power Cooperative reply to comments on potential route segment alternatives considered for evaluation in the Wabasha Relocation Project Environmental Assessment (p. 2). [eDocket [20247-208470-01](#)].

recommends that this proposed route alternative not be carried forward for further study in the EA. EERA maintains that RSA – H could be achieved through conversations between the landowner and the applicant regarding alignment and structure placement, if the final route decision affects the landowner’s property at this location.

EERA Staff Recommendations

EERA staff recommends that the applicant’s proposed route,²⁸ and the routing alternatives noted in Table 1 (above) be included in the EA scoping decision. EERA staff recommends that RSA - H not be included in the EA scoping decision.

To EERA staff’s understanding, if the Commission concurs or takes no action, the Department will proceed to finalize and issue an EA scoping decision as described herein. If the Commission takes an action other than concurring and modifies the Department’s recommendations, the Department will incorporate the Commission’s input and will finalize and issue an EA scoping decision that reflects this input.

Attachment 1. Scoping Alternatives Maps

²⁸ As proposed in the Applicant’s route permit application and modified by the Applicant’s Comments.