DEPARTMENT OF NATURAL RESOURCES

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

February 21, 2024

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

RE: In the Matter of the Route Permit Application for the Minnesota Energy Connection Project in Sherburne, Stearns, Kandiyohi, Wright, Meeker, Chippewa, Yellow Medicine, Renville, Redwood, and Lyon counties, PUC Docket Number: TL-22-132

Dear Mr. Levi,

The Minnesota Department of Natural Resources (DNR) has reviewed the route permit application for the Minnesota Energy Connection Project. Our agency offers the following comments regarding the potential environmental impacts that should be considered in the environmental impact statement (EIS).

DNR Proposed Route Alternatives

The DNR has developed alternative routes that avoid impacts to sensitive features and ecologically significant areas. Each of the alternatives deviates from the Purple Route and/or Blue Route options to avoid impacts to habitat, trout streams, public waters, floodplains, and wildlife, and then reconnect after the sensitive feature has been avoided. The DNR's proposed route alternatives are described in Attachment A: DNR Proposed Route Alternatives. Our agency recommends that these route alternatives be considered for inclusion and evaluation in the EIS.

Mississippi River Crossing

The DNR strongly prefers a route that uses existing crossings over the Mississippi River, especially within a Wild and Scenic River (WSR) district. Of the route options provided, the Purple Route in Wright County is the only route that uses an existing crossing. Our agency supports only the Purple Route crossing of the Mississippi River.

The proposed Blue Route would cross a large island and is at a section of the river where the river is more braided. Once the Blue Route crosses into Stearns County, it runs along the Mississippi River for

approximately 2,600 linear feet. This route could require heavy tree clearing along the river. If these trees are removed the riverbank could become unstable.

Our agency is disappointed that there was not greater coordination across other Xcel Energy transmission line projects that connect to the Sherco Solar Substation. If a new crossing within the WSR district is necessary, it should be combined with other crossings of the Mississippi River to lessen the impact to WSR district. These impacts include altering the viewshed of this natural area, removing trees that are important to bank and bluff stability, and fragmenting sites that are mapped as Minnesota Biological Survey (MBS) sites of biodiversity significance.

Designated Wild, Scenic, and Recreational Rivers

Minnesota's Wild and Scenic Rivers Act provides statutory protection for rivers and adjacent lands that possess outstanding scenic, recreational, natural, historical and scientific attributes. The following state-designated river segments are within the project area:

- Mississippi River: from St. Cloud to Anoka (as provided by MN Rules, part 6105.0800)
- North Fork - Crow River: in Meeker County (as provided by MN Rules 6105.1000)
- Minnesota River: from Lac Qui Parle dam to Franklin (as provided by MN Rules 6105.1200)

The EIS should discuss potential impacts to these protected rivers, which are also public waters, and how they will be avoided, minimized, or mitigated.

Other Public Waters

Public waters are designated as such to indicate which lakes, wetlands, and watercourses over which DNR Waters has regulatory jurisdiction. A license to cross public waters will be required in multiple locations. The EIS should discuss transmission tower placement in relation to river and stream banks and floodplains, setbacks from stream banks, and minimizing the number of crossings over the same public water. The Cottonwood River is crossed 5 times within 10 miles. The South Fork Crow River and Redwood River are crossed multiple times. The EIS should include a robust discussion of methods to avoid, minimize, or mitigate potential impacts to these public waters.

Calcareous Fen

The EIS should discuss the Gennessee 21 site, a calcareous fen that has been documented within five miles of the proposed project. To ensure that the Gennessee 21 fen is not impacted or altered, the applicant will need to obtain a no effect concurrence decision from the DNR prior to construction. To obtain a no effect concurrence decision, the applicant will need to demonstrate that any temporary or permanent disturbance from any project-related activities, including dewatering (amount, timing, and duration), are avoided. To make a determination regarding potential fen impacts, DNR staff will need a project plan describing construction, transport, infrastructure, or changes to hydrology or water quality. Refer to the Natural Heritage Review letter (Attachment B: Purple Route) for additional information about calcareous fens.

Wildlife Management Areas

Wildlife management areas (WMAs) are part of Minnesota's outdoor recreation system and are established to protect those lands and waters that have a high potential for wildlife production, public hunting, trapping, fishing, and other compatible recreational uses. They are the backbone to DNR's wildlife management efforts in Minnesota and are key to protecting wildlife habitat for future generations; providing opportunities for hunting, fishing and wildlife watching; and promoting wildlife-based tourism. For areas within the right-of-way and route width, potential recreational impacts and the state's ability to manage the land for its intended purpose should be addressed. The EIS should also include a discussion on avoidance measures. If avoidance is not possible, a robust discussion on impact minimization should be included. Concerns regarding specific WMAs:

Clifton/Rolling Hills WMA complex (Purple Route, directly east of Marshall): The transmission line is proposed along the west side of the WMA. Cattle grazing is used at this complex, and there are concerns that the potential impacts on cattle health/production from the transmission line may limit future management options.

Amiret WMA (Connector Line D): As proposed, the transmission line would follow the access trail, altering the experience of recreational users. The Heck Slough and surrounding grassland acts as an important gathering place for waterfowl and other birds in the area. Therefore, the potential for bird strikes and nesting avoidance are of particular concern at this site and should be fully assessed within the EIS. Cattle grazing is also currently used as a management tool at this WMA, so potential impacts from the project must also be considered for the continued feasibility of this tool at this site as well.

Sites of Biodiversity Significance

The EIS should discuss sites of biodiversity significance and measures to avoid or minimize impacts to these ecologically significant resources. Refer to the Natural Heritage Review letters (Attachment B: Purple Route and Attachment C: Blue Route) for specific avoidance and minimization measures. No MBS sites of biodiversity significance were identified along the Green Segment.

Purple Route – The MBS has identified 1 site of high and 19 sites of moderate biodiversity significance in the vicinity of the proposed project.

Blue Route – The MBS has identified 8 sites of moderate biodiversity significance in the vicinity of the proposed project.

Native Plant Communities

The EIS should discuss the presence of Native Plant Communities and measures to avoid or minimize impacts to these ecologically significant resources. Refer to the Natural Heritage Review letters (Attachment B: Purple Route and Attachment C: Blue Route) for specific actions to minimize disturbance to native plant communities. No Native Plant Communities were identified along the Green Segment.

Purple Route - There are 25 MN DNR Native Plant Communities within 330 feet of the proposed project. Of these 1 is critically imperiled, 13 are imperiled, and 1 is vulnerable to extirpation in Minnesota.

Blue Route – There are 21 MN DNR Native Plant Communities within 330 feet of the proposed project. Of these 1 is critically imperiled, 17 are imperiled, and 3 are vulnerable to extirpation in Minnesota.

State-listed Species

The EIS should discuss state-listed species and measures to avoid them. Refer to the attached Natural Heritage Review letters (Attachments B: Purple Route and C: Blue Route) for further recommendations and requirements. No state-listed species were identified along the Green Segment.

Purple Route – Sullivant's milkweed and waterhyssop, both state-listed threatened plant species, and small white lady's slipper, a plant species of special concern, have been documented in the project vicinity. If avoidance is not feasible, a botanical survey will be needed.

Blue Route – Henslow's sparrows, a state-listed endangered bird species, have been documented in the vicinity of the proposed project.

Blue Route – Butternut, a state-listed endangered tree species, has been documented in the project vicinity. This species is very susceptible to a lethal fungal disease called butternut canker.

Blue Route – Prairie bush clover, a federally and state-listed threatened plant species, and small white lady's slipper, a plant species of special concern, have been documented in the project vicinity. If avoidance is not feasible, a botanical survey will be needed.

Purple and Blue Routes – Blanding's turtles, a state-listed threatened species, have been documented in the vicinity of the proposed project. See the attached Natural Heritage review letters (Attachments B: Purple Route and C: Blue Route) for required avoidance measures.

Purple and Blue Routes – Black sandshell, a state-listed mussel species of special concern, has been documented in the Mississippi River in the project vicinity. Creek heelsplitter, a state-listed mussel species of special concern, has been documented in the Clearwater River in the project vicinity. Mudpuppy, a state-listed salamander species of special concern, has been documented in the Minnesota River in the project vicinity. These species are vulnerable to deterioration in water quality, particularly increased siltation.

Facility Lighting

Section 2.6 of the permit application describes the associated facilities including a new 345 kV Voltage Support Substation, an Intermediate Substation, and a new Terminal Substation. It is reasonable to assume that these new substations, and associated control buildings, will require lighting. The EIS should discuss measures to mitigate lighting impacts associated with the substations and control buildings. Animals depend on the daily cycle of light and dark for behaviors such as hunting, migrating, sleeping, and protection from predators. In addition to the undesirable effects of upward facing lighting, the hue of lights can also affect wildlife. LED lighting has become increasingly popular due to its efficiency and long lifespan. However, these bright lights tend to emit blue light, which can be harmful to birds, insects, and fish. The

DNR recommends that any projects using LED luminaries follow the MnDOT Approved Products for luminaries, which limits the Uplight rating to 0. A nominal color temperature below 2700K is preferable for wildlife, and so we recommend choosing products that have the lowest number for backlight and glare.

Dust Control

The EIS should discuss measures to control fugitive dust. The permit application acknowledges the applicant may use construction-related practices to control fugitive dust such as application of water or other commercially available non-chloride dust control agents on unpaved areas subject to frequent vehicle traffic. Our agency advises that products containing calcium chloride or magnesium chloride are often used for dust control. Chloride products that are released into the environment do not break down, and instead accumulate to levels that are toxic to plants and wildlife. Hence, our agency recommends avoiding the use of dust control products containing chlorides.

Wildlife-Friendly Erosion Control

The EIS should discuss the use of 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 Minnesota Energy Connection Project. Our agency has a continued interest in working with the Commission and Department of Commerce – Energy Environmental Review and Analysis staff, along with the applicant, to ensure that potential environmental concerns are adequately addressed. 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

Attachments: A: DNR Proposed Route Alternatives
B: Purple Route - Natural Heritage Review Letter and Conservation Planning Report
C: Blue Route - Natural Heritage Review Letter and Conservation Planning Report

EC: Scott Ek, Minnesota Public Utilities Commission
Jacques Harvieux, Minnesota Public Utilities Commission
Matt Langan, Xcel Energy
Haley Byron, Minnesota Department of Natural Resources
Melissa Collins, Minnesota Department of Natural Resources