DEPARTMENT OF NATURAL RESOURCES

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

November 25, 2024

Scott Ek
Minnesota Public Utilities Commission
121 Seventh Place East, Suite 350
St. Paul, MN 55101

**RE: In the Matter of the Certificate of Need and Route Permit Applications for the Minnesota Energy Connection 345 kV Transmission Line Project**
**PUC Docket Numbers:** CN-22-131 and TL-22-132

Dear Scott Ek,

The Minnesota Department of Natural Resources (DNR) has reviewed the draft environmental impact statement (EIS) for the Minnesota Energy Connection 345 kV Transmission Line Project (Project), proposed by Xcel Energy. Our agency offers the following comments:

## Preferred Routes and Recommendations on Routes

### Region A

The DNR prefers Route Option B (Blue Route) with Route Segment 202 to reduce impacts to the Cottonwood River and rare resources.

### Region B

The DNR prefers Route Option B (Blue Route) with Route Segments 211 and 214 to reduce impacts to the Cottonwood River, Wabasha Creek, conservation land, and rare resources.

### Region C

The DNR prefers Route Option B (Blue Route) with Route Segment 223 following an existing line and potentially minimizing impacts to rare resources. It is also preferred to follow Route Options C/D to

Route Option A (Purple Route) in Section 15, Township 120, Range 32 in Meeker County. This would reduce impacts to conservation land and Horseshoe Lake, potentially reducing bird impacts.

**Region D**

The DNR prefers Route Option A (Purple Route)

**Region E**

The DNR prefers Route Option A (Purple Route) to avoid Clear Lake potentially reducing bird impacts.

*Alice Hamm WMA*

The DNR requests that alignment adjustments be made to avoid right-of-way (ROW) vegetation removal within the Alice Hamm WMA.

**Region F**

The DNR prefers Route Connectors 109 or 110 to avoid crossing public waters and potentially reducing bird impacts

**Region G**

The DNR prefers Route Option B (Blue Route) and Route Segments 237, 238, 240, 249, or 250 in combination with Route Connector 114 that rejoins the Purple Route at County State-Aid Highway (CSAH) 45. This avoids rare resources and a designated trout stream. The DNR prefers the use of Route Segments 247 or 248 to avoid new ROW over the Clearwater River.

As an alternative, the DNR supports the Purple Route east of School Section Lake only in combination with Route Segment 241. This would avoid impact to Fairhaven Creek, a designated trout stream.

The DNR does not support Route Connector 111 which would include vegetation clearing of Fairhaven Creek and its headwaters.

*Mississippi River Crossing*

The DNR strongly prefers a route that utilizes existing crossings over the Mississippi River, especially within a wild and scenic river (WSR) district. Of the route options proposed this includes the Purple Option in Wright County and Route Segment 246 along the Blue Route. We support these alternatives for the crossing of the Mississippi River to reduce the impact to the WSR district. Throughout these segments, impact to viewshed of this natural area, vegetation removal, and impacts to Minnesota Biological Survey (MBS) Sites of Biodiversity Significance are minimized. DNR generally prefers utilizing pole structures for the Mississippi River crossing that place transmission lines side by side rather than stacked because it creates fewer vertical planes for bird impacts.

## Impact Mitigation and Permit Conditions

### Vegetation Removal

*Floodplain*

Vegetation clearing within a floodplain, especially tree removal, can greatly destabilize the area and make it more prone to ongoing erosion and sediment issues, and can also destabilize the riverbank further contributing to water quality issues. Once the soil within a floodplain and along the riverbank is destabilized, it can lead to pole stability issues and create long-term maintenance challenges.

*Winter Tree Clearing*

The DNR supports winter tree clearing for the project. Winter tree clearing ensures that nesting birds and roosting bats are not directly impacted by construction. Our agency recommends that the final EIS include a commitment from Xcel for winter tree clearing. Additionally, the route permit should require this best management practice.

*Designated Trout Streams*

Trout streams are ecologically sensitive to any change in temperature or water quality. It is important to keep surface water cool by maintaining sufficient shade and tree canopy. We do not support creating new ROW and clearing vegetation over designated trout streams or their headwaters.

### Water Appropriation

A DNR Water Appropriation Permit is required for dewatering activities during construction if the water pumped exceeds 10,000 gallons in a day, and/or one million gallons in one year. The DNR General Permit for Temporary Appropriation, with its lower permit application fee and reduced time for review, may be used for the dewatering if the dewatering volume is less than 50 million gallons and the time of the appropriation is less than one year. MPARS can be used to apply for a DNR Water Appropriation Permit.

### Rare Resources: Natural Heritage Review

The Natural Heritage (NH) Review letters are based on the applicant's proposed routes and are valid for one year. Please keep in mind that the final route may need to be re-evaluated and any route changes would require an updated NH Review via Minnesota Conservation Explorer (MCE) to ensure rare resources are identified and any potential impacts are mitigated. The applicant should also submit plans for temporary access roads and staging areas.

Ongoing coordination regarding MCE 2023-00889 needs to be completed and addressed in the EIS if the Blue Route is chosen.

*Calcareous Fen*

As stated in the Natural Heritage Purple Route Letter (MCE 2023-00890), a calcareous fen has been documented in the vicinity of the project. The fen needs to be addressed consistently throughout the EIS. The DNR requests a special permit condition, similar to TL-23-159, that Xcel must work with DNR to determine if any impacts will occur during any phase of the Project. If the Project is anticipated to impact any calcareous fens, Xcel must develop a Calcareous Fen Management Plan in coordination with the DNR, as specified in Minn. Stat. § 103G.223.

*Blanding's Turtle*

As stated in the Natural Heritage Purple Route and Blue Route Letters (MCE 2023-00890 and MCE 2023-00889, respectively), Blanding's Turtles have been documented in the vicinity of the project and avoidance measures are required. The EIS must address all of the avoidance measures required in the letters.

**Coordination with the USFWS**

We recommend that coordination with USFWS regarding avoidance and permitting of federally protected species on the selected route be included as a permit condition.

**Facility Lighting**

The DNR recommends including a special permit condition, similar to TL-23-159, to utilize downlit and shielded lighting and minimize blue hue to reduce harm to birds, insects, and other animals. Potential project impacts related to illuminated facilities can be avoided or minimized by using shielded and downward facing lighting and lighting that minimizes blue hue.

**Dust Control**

The DNR recommends including a special permit condition, similar to TL-23-159, to avoid products containing calcium chloride or magnesium chloride, which 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.

**Wildlife-Friendly Erosion Control**

Due to entanglement issues with small animals, the DNR recommends including a special permit condition, similar to TL-23-159, 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.

**Avian Flight Diverters**

Our agency commits to work with Xcel to determine appropriate locations for avian flight diverters after the route is determined. Generally, the avian flight diverters will be needed at river crossings, fragmented forested patches, and near lakes and wetlands. The use of avian flight diverters will minimize the number of bird collisions with the transmission lines.

The DNR appreciates the opportunity to comment on the construction and operation of the proposed Minnesota Energy Connection 345 kV Transmission Line Project. Please contact me if you have questions about our agency's comments.

Sincerely,

Samantha Bump

Digitally signed by Samantha Bump
Date: 2024.11.25 16:29:02 -06'00'

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Attachments: Natural Heritage Letters (MCE 2023-00890 and MCE 2023-00889)

CC: Melissa Collins, DNR
Haley Byron, DNR

*Equal Opportunity Employer*