

IV. Citizens Advisory Task Force

The Commission has the authority to appoint a citizen advisory task force to, among other possible duties, identify additional routes or impacts to be evaluated in the environmental impact statement.⁶ The Commission must decide as early as possible in the permitting process whether to appoint a task force.⁷ When appointing a task force, the Commission gives it a written charge.⁸

The Commission finds that the proposed transmission line warrants the use of an advisory task force. Further, due to the size and complexity of the project, crossing an international boundary,⁹ as well as its proximity to areas of sensitive physical resources, and the potential for controversy in the permitting process, the Department recommended the appointment of three advisory task forces – one to be located in each of the west, central, and east thirds of the project area. Having reviewed the Department’s comments, the Commission agrees that the size and complexity of this project justify the appointment of three advisory task forces.

In addition, the Department recommended a proposed structure and charge for the advisory task forces to use. The Commission has considered the Department’s filing, and incorporates many of the Department’s recommendations in adopting the following structure and charge for the Department to use in connection with the advisory task forces in this proceeding:

- A. The Department has proposed the composition of each of the three ATFs. Once the Department has finalized the names and affiliations of each ATF’s members, it should submit the lists to the Commission. The Commission delegates the authority to approve task force membership, or changes to that membership, to the Executive Secretary.
- B. When submitting the list of members of the ATFs, the Department should document that it contacted all local and tribal governments along the proposed route, provide the names of other agencies and organizations that it contacted in developing its list of ATF members, and identify the interests that are represented by the proposed membership.
- C. The Department should prepare a schedule that includes the number and approximate dates of the ATF meetings, and file it with the Commission. The Department should assure that discussion of mitigation is incorporated into the ATF meeting schedule.

⁶ Minn. R. 7850.2400, subps, 1, 3.

⁷ *Id.*, subp. 1.

⁸ *Id.*, subp. 3.

⁹ Minnesota Power is required to obtain a Presidential Permit for a Border Crossing from the United States Department of Energy (DOE). Minnesota Power filed an application for a Presidential Permit on April 15, 2014. DOE is required to consider the environmental effects of the project, and reasonable alternatives to the project, pursuant to the National Environmental Policy Act and DOE’s implementing regulations.

- D. The Department should file with the Commission its plan to assure that appropriate state agencies are invited to participate in ATF meetings; that the public has the opportunity to submit information to the ATF; that the minutes and reports of all ATF meetings are available for review prior to the next meeting; that at the initial ATF meetings there is a discussion of the relationship between the state and federal environmental impact statements, that ATF members receive written information that clearly identifies the applicable criteria for selecting alternatives to be included in the project scoping; that ATF members understand the role of the ATF and their role as ATF members; and the projected date for the completion of the advisory task force reports, including additional routes and impacts, which must be prior to the Department EERA filing its recommendation on scoping with the Commission.
- E. The final ATF reports should include all routes brought forward by ATF members and reasons for their selection or rejection; the preference, if any, of individual members on specific routes or impacts; and proposed mitigation related to the route alternatives.

In addition, the Commission encourages the Department to:

- Ask ATF members to regularly communicate with their constituencies and seek their input and feedback; and
- Conduct public information meetings in each of the three ATF areas following the release of the final ATF report to accept comment and answer questions.

Finally, as referenced in these guidelines, the Commission delegates authority to the Executive Secretary to approve advisory task force membership.

V. Preparation of Draft Route Alternatives

Under the full permitting process, the Department must prepare for the Commission's consideration an environmental impact statement studying the impacts of both Minnesota Power's proposed route and alternative routes.¹⁰ Before preparing this document, the Department will conduct a scoping process to determine the routes and impacts to be addressed.¹¹

The Commission requests that the Department promptly begin the environmental review process and route selection process, including identifying alternative sites or routes. The Commission also asks that the Department conduct public scoping meetings, issue notices required in that process, and perform related administrative tasks, including coordinating the three advisory task forces.

Finally, the Commission requests that, before issuing its scoping decision under Minn. R. 7850.2500, the Department present draft route alternatives to the Commission to facilitate its input on the scope of the environmental impact statement.

¹⁰ Minn. Stat. § 216E.03, subd. 5.

¹¹ Minn. R. 7850.2500, subp. 2,4.