



MINNESOTA DEPARTMENT OF NATURAL RESOURCES
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08/07/2015

Bill Storm, Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101

RE: DNR Comments to the Draft Environmental Impact Statement (DEIS) for the Great Northern Transmission Line. DOE/EIS-0499, E015/TL-14-21

Dear Mr. Storm:

The Minnesota Department of Natural Resources (DNR) has reviewed the Draft Environmental Impact Statement (DEIS) for the Great Northern Transmission Line. The DEIS describes the potential for environmental effects in an objective manner for activities associated with the transmission line thus should provide an example of future energy review in Minnesota. The DNR appreciates the early coordination opportunities that were provided to assist in development of the proposed project. In the early coordination phase, including our most recent August 15, 2014 Scoping/Route Permit comments, we provided information to assist in the adequacy of addressing natural resource impacts. From our review, we believe there remain areas where additional or more representative information would assist in development of the final document. We offer the following suggestions for inclusion in the Final EIS. Future comments to the Office of Administrative Hearings will focus on suggested routing and permit conditions.

Mining and Mineral Resources

Mining and mineral resource topics are found in the Summary section, in most of the Chapters, and in some of the Appendices of the Draft Environmental Impact Statement (DEIS) for the Great Northern High Voltage Transmission Line. The DEIS provides some discussion of mining and mineral resources for route alternatives and variations, and includes a requested comparative analysis for an area in northwest Koochiching County – the North Black River Variation Area.

Overall, simplifying assumptions made in Chapter 5 carry over into the comparative analyses in Chapter 6, into the Route Analysis Data Tables in Appendix E, and into the Summary. The general impression is that the simplifying assumptions made in Chapter 5 over-state risk of mineral resource/transmission line

co-location in areas having little certainty of mineral occurrence and under-state risk of mineral resource/transmission line colocation in areas containing known mineral occurrence. The comments below tie to specific sections of Chapters 4 and 5 of the DEIS where possible, but carry through to derived analyses and statements in Chapter 6, in Appendix E, and the Summary.

Section 4.3.2.4:

The primary mineral issues identified by commenters in this variation area were, a) potential for electromagnetic fields associated with Blue Route alignment to mask or otherwise prevent geophysical detection of mineral resources in an area already known to contain mineral occurrence; and b) elevated risk of mineral resource/transmission line co-location should mineral-occurrence advance to mineral-development.

The DEIS text misclassifies the level of metallic mineral occurrence in this variation area as “reserves”. Text here would be clearer and more accurate if the phrase “...avoidance of non-ferrous mineral reserves...” were replaced with a phrase like “...avoidance of the non-ferrous mineral area...” Application of the term “reserves” at other locations in the DEIS should likewise be revised where appropriate.

Sections 5.3.2, 5.4.2 and 5.5.2

The last sentence in the first paragraph of 5.3.2 might benefit by being identical to similar sentences in 5.4.2 and 5.5.2. As stated in 5.3.2, 5.4.2 and 5.5.2, transmission line structures could affect access to mineral resources. These sections of text should also note that, in addition to the physical structures, electromagnetic fields associated with transmission line operations may mask or prevent geophysical detection of mineral resources.

The simplifying assumption that the “MnDNR Division of Lands and Minerals, All State Mineral Leases mapping” represents mining and mineral resources results in over-statement of mineral resource/transmission line co-location risk in areas having little certainty of mineral occurrence, and results in under-statement of mineral resource/transmission line co-location risk in areas containing known mineral occurrence. State metallic mineral leases are not mineral resources (for instance as stated in Table 6-69 and similar tables “Land-Based Economy Resources”). Terminated state metallic mineral leases are not “inactive” leases (as described in section 6.2.1.2 and similar sections and in the mapping legends). Terminated leases are not “held” by companies (as described in section 6.2.3.2 and similar sections), and the footprint of historical terminated state metallic mineral leases is not “State Mining Land” as described in Figure 6-26 and similar figures. These miscorrelations carry through to affect the characterization of mineral importance in Chapter 6, in Appendix E, in the Summary, and in the red-yellow-green summary tables within the Relative Merits section (for instance section 6.4.6).

Presence of transmission lines proximal to mineral resources can be beneficial so long as they do not interfere with mineral operations. Along most of the route alternatives and variations, the location of undiscovered mineral resources in the landscape is so speculative that selection of one route, variation, or alignment over another does not result in meaningful reduction of co-location risk, or improvement of proximity benefit. At the following three locations, mineral resource information may be important.

1.) The North Black River Variation Area comparative analysis was requested for mineral occurrence reasons, as a location where meaningful reduction of geophysical mineral resource detection risk might be achieved by co-locating the route with existing transmission line(s).

2.) In the south half of the Effie Variation Area, the Orange Route and the East Bear Lake Variation intersect active state metallic mineral leases and intersect additional state lands being considered for a fall, 2015 state metallic mineral lease sale. The Blue Route does not presently intersect active state metallic mineral leases or upcoming lease offerings. Where active state metallic mineral leases are present, conditions of the lease carry a requirement for coordination and consultation with lessees and an “undue interference” determination by DNR. The Blue Route is not subject to these requirements since no active state metallic mineral leases are present. The Blue Route does not intersect parcels being considered for metallic mineral lease sale in fall of 2015. The level of resource certainty in the south half of the Effie Area variation is insufficient to favor one route over another from a minerals perspective.

Collection of baseline geophysical data prior to construction and operation of the transmission line may provide a means to partly mitigate risk of transmission line interference with geophysical mineral exploration techniques, particularly where new line segments are not co-located with existing utilities (typically a helicopter-borne geophysical survey). Collection of baseline geophysical data could partly mitigate the State mineral risk imposed by applicant’s preferential routing onto state-owned lands.

3.) Impacts of the proposed Balsam Variation on iron resources in iron-bearing basins and stockpiles needs to be described in the DEIS for the portion of the Balsam Variation located south of the Minnesota Power 28 Line, or roughly the last 4.5 miles of the variation. In this area the DEIS should describe and compare potential for impact on iron resources and access to iron resources.

The Blue/Orange route alternatives merge to cross the Mesabi Iron Range as a single route, at a location where state-owned surface and mineral interests are not known to be present. Privately owned surface and mineral interests in the Mesabi Iron Range crossing area may be impacted by transmission line alignment.

In areas of known mineral resources such as the Mesabi Iron Range, a 200 foot Region of Influence (ROI) (as described in section 5.3.2.3 and similar sections) may not be sufficient for impact analysis. When considering the Mesabi Iron Range crossing, an ROI of 1,000’ or more on either side of the alignment may be more appropriate for impact analysis, since equipment and infrastructure presence can impact mining development planning and operations at distances of a quarter mile or more. Section 6.4.3 may also benefit from this comment.

Public Waters, Fish and Wildlife and Forestry, General

The document appears to lack additional information for minimizing or mitigating environmental impacts for public waters, fish and wildlife and forestry impacts. The DNR requested this analysis in Scoping/Route Permit comments in our August 15, 2014 letter.

Wetlands, General

Construction activities, including the establishment and use of temporary access roads, staging, and stringing areas, may require access across wetlands and other water resources to facilitate construction of parts of the proposed project that are not easily accessible by public roadways. Preparing the site and installing structures may have short-term impacts on 0.92 acres per structure (200 feet by 200 feet) by soil compaction associated with concentrating surface disturbance and equipment use (Minnesota Power 2014, reference (123)). Impacts in stringing and staging areas will be determined once the final route has been selected by the MN PUC.

The DEIS does not address access across wetlands using matting and equipment that is not low ground pressure in non-frozen conditions. It also does not address what the maximum depth of wetland rutting would be using matting in non-frozen conditions. Impacts to water resources could be minimized or mitigated through use of construction matting to traverse wetlands, limiting crossing of watercourses and using the shortest practical route, timing construction in these areas to take place during frozen conditions, and use of low ground pressure equipment to the extent practical. Construction access through wetlands could also be minimized through the use of helicopters to assist with construction activities, as appropriate. This will help to protect the sites for soil damage, but would also aid in site access. Much of the route crosses classified wetlands, so access during the warm months would be difficult at best for many locations.

The document should include a vegetation plan especially in terms of how damage to peatland vegetation will affect hydrology and peatland quality and mitigation for those effects.

State Approvals, Rare Natural Communities

As stated in the document any native plant community having a conservation status rank of S1, S2, or S3 or any native plant community within a MBS Site of Outstanding or High Biodiversity Significance may qualify as a rare natural community under the Wetland Conservation Act (WCA, see attached). In addition, even though they have not yet been delineated, any native plant community within a preliminary MBS Site of Outstanding or High Biodiversity Significance may also qualify as a rare native plant community under WCA. Because this is a provision of the WCA, it generally applies to wetland native plant communities or other communities affected by activities authorized under or required by a WCA replacement plan. The proposed route will impact Minnesota Biological Survey (MBS) Sites (and Preliminary) of Biodiversity Significance and Old Growth forest. Additional field work will be needed in order to determine potential impacts to native plant communities and to ensure compliance with the Wetland Conservation Act

State-listed species

Please continue to coordinate with Lisa Joyal, Endangered Species Review Coordinator, regarding the proposed surveys for state-listed species.

Forestry

Section 5.3.2.2. Forestry, General Impacts, page 169-170

In this section, the draft EIS states that, “Impacts to timber harvesting operations could be mitigated by prudent routing (i.e., by selecting routes that avoid forest lands by following existing infrastructure ROWs, access road ROWs, and property lines). ROW maintenance could be managed to reduce impacts on forestry resources. ... In addition, increasing the time between line maintenance in forested areas could result in harvestable products.” Also, the project’s Right-of-Way fact sheet states that, “trees and shrubs with the potential to exceed 15 feet in height are generally not permitted within the ROW.” The draft EIS should not give the impression that right-of-way maintenance may be timed to allow tree species to potentially grow to merchantable size for typical uses in the paper and wood industry. If other harvestable products are possible they should be mentioned and explained. The DNR would also expect compensation or repair to our Forest Road System due to the use of the roads during the construction phase.

Other General Comments

Section S.9.2. Route Specific Impacts to Central Section, page S21.

The area around Larson and Bass Lakes appear to be within 1500 feet of the anticipated alignment. This was not mentioned as part of this section. It would be helpful to add a view-shed for anticipated view impacts Larson (31-0317) and Bass Lakes (31-0316) as well as state and county campground locations.

Section 2.1, Proposed Project, page 15 and Map 2-01.

The DEIS identifies a compensation station that will be located in Roseau County We are unable to determine if this is being proposed to be located on or adjacent to state land. According to the DEIS, the series compensation station will permanently impact approximately 60 acres.

Chapter 5

Chapter 5 discusses the introduction or spread of invasive species and the potential impacts it may have on existing landscapes and new corridors. The DEIS does not address how the project will mitigate the spread of invasive species/noxious weeds especially in peatland watershed protection areas. An Appendix with a Noxious Weed and Invasive Species Control Plan should be part of the Final EIS.

Chapter 6

In viewing the ownership tables and associated figures in Chapter 6, it would be easy to mistakenly conclude that no private lands are intersected by the route alternatives or variations.

In the document, tabular distinction between School Trust land acres, Tax Forfeit land acres, and County Fee land acres would be helpful. “State Forest” is a management category, not an ownership category.


The document should include a robust wildfire response plan, both during construction and in the future. Minimum Impact Suppression Tactics (MIST) is suggested when fighting fires on peatland SNAs. It would be good for the applicant to reference MIST. The DNR can assist in providing this information.

Please include a definition of *Residence*, whether it refers to full time or seasonal occupancy, or both and whether that distinction affects the outcome of the analysis.

If interphase spacers are used for this project, the document should describe the timing, where and how they will be installed.

The DNR also plans to comment during the next phase of the routing record. We intend to provide more information regarding the routing decision and/or preference as well as routing conditions such as plans needed for permit conditions or other remarks to assure we have provided a complete project review. Thank you for the opportunity to comment on the DEIS for the Great Northern Transmission Line Project and let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Lori Dowling-Hanson".

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Enclosures: 2

C: Julie Smith, US Department of Energy
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