

United States Department of Agriculture



Natural Resources Conservation Service
375 Jackson Street, Suite 600
St. Paul, MN 55101-1854

Phone: (651) 602-7900
FAX: (651) 602-7914

File Code: 190-15-13

August 4, 2008

IN REPLY REFER TO: Minnkota Power Cooperative's Proposed Bemidji to Grand Rapids 230kV
Transmission Line

Mark S. Plank, Director
Engineering and Environmental Staff
USDA, Rural Development, Utilities Programs
1400 Independence Ave, SW
Washington, DC 20250-0700

Dear Mr. Plank:

The United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), thanks you for the opportunity to review the Proposed Macrocorridor and Alternative Evaluation Study for the Bemidji-Grand Rapids 230 kV Line. However, we will need to wait until you have completed an EIS and selected an alternative before we comment on the project.

It will be our NRCS Agency's responsibility to respond to your draft and final project EIS per the Farmland Protection Policy Act (FPPA) with a completed form AD-1006 attached. This form with completion instructions can be found at: <http://www.nrcs.usda.gov/programs/fppa/>

The FPPA only applies to those areas that are permanently taken out of farmland production. If some of the area is known to be slated for permanent conversion from cropland to non-cropland, the FPPA would apply and an AD-1006 Form will need to be submitted separately for each of those areas. In order to run the assessment, we will need to have an exact site location of the proposed project (area identified on an aerial photograph) as well as parts I and III of the AD-1006 Form completed and forwarded on to the appropriate NRCS County Field Office in Minnesota. Since your proposed project indicates five different alternative corridors in parts of Aitken, Beltrami, Cass, Hubbard, and Itasca Counties, you will need to send the specific County project site information with the AD-1006 attached to the following District Conservationists within our Agency for that part of your project corridor which is selected in the final EIS as follows:

Scott D. Kittleson, DC
Aitkin County Field Office
130 Southgate Drive
Aitkin, MN 56431

Lawrence Voltz, DC
Beltrami County Field Office
3217 Bemidji Ave. N
Bemidji, MN 56601

Richard Schossow
Cass County Field Office
300 Minnesota Ave.
P.O. Box 3000
Walker, MN 56484

Russell D. Johnsrud, DC
Hubbard County Field Office
212 ½ West 2nd Street
Park Rapids, MN 56470

Michael Oja, DC
Itasca County Field Office
1889 Highway 2 East
Grand Rapids, MN 55744

If you have any questions, please feel free to call my at 651-602-7883, or email me at:
bill.lorenzen@mn.usda.gov

Sincerely,



WILLIAM E. LORENZEN
Environmental Review/Justice Coordinator

cc: Cindy Kuismi, Communications Specialist, Bemidji, MN

United States
Department
Of Agriculture

Forest
Service

Northern Research Station
1831 Highway 169 East
Grand Rapids, Minnesota 55744
(218) 326-7116 FAX (218) 326-7123
e-mail: bpalik@fs.fed.us

August 21, 2008

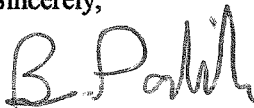
Ms. Suzanne Steinhauer
Project Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198

Re: Planned power line route through the Chippewa National Forest

Dear Ms. Steinhauer:

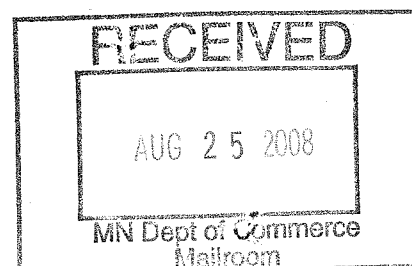
Below are my comments, submitted on behalf of the US Forest Service, Northern Research Station, regarding the proposed power line through the Chippewa National Forest. Specifically, we oppose the placement of the power line through the central corridor that traverses the Pike Bay Experimental Forest.

Sincerely,



Brian Palik, Team Leader
USDA Forest Service
Northern Research Station

c: Catherine Thompson



Potential Impacts of Proposed Utility Right-Of-Ways on the Pike Bay Experiment Forest

Prepared by Brian Palik for the Northern Research Station, US Forest Service (8-21-2008)

A special use permit is being considered for a power line right-of-way through the Pike Bay Experimental Forest on the Chippewa National Forest in northcentral Minnesota. This Experimental Forest is administered by the Northern Research Station out of Grand Rapids, MN.

The Pike Bay Experimental Forest is the site of long-term, active research on forest management. In addition to current research studies, the EF also offers the potential for greatly increased research at larger spatial scales, due to the largely intact, un-fragmented condition of the forest.

The proposed utility right-of-way has the potential to negatively impact current and future research activities on the EF.

The current proposal is to locate a new right-of-way through the EF adjacent to an existing gas pipe line right-of-way. The existing gas pipe line right-of-way is 75 feet wide and bi-sects the EF from east to west over a distance of approximately 2 miles.

The proposal is to locate an electric transmission line through the EF, adjacent to the existing gas pipeline. The right-of-way for this line would be 125 feet in width, on top of the existing 75 foot corridor through the EF.

The new right-of-way has the potential to negatively impact both on-going and future work on the EF, as well as its ecological value in the larger landscape. I summarize these potential impacts below within three categories: impacts to current research; impacts to future research opportunities; impacts to ecological value of the Experimental Forest.

1. Impacts to current research

The current gas pipeline right-of-way bi-sects an existing long-term study: **NC-1103-261: A test of methods for the establishment and control of aspen suckers with prescribed fire.** This study was established in June 1968, making it 40 years old presently. In 2005, we reestablished long-term plots on this study and have been actively making vegetation measurements in partnership with collaborators from the University of Northern British Columbia with the goal of examining mixed-species forest development after disturbance.

The existing gas pipeline right-of-way does not greatly detract from this study, in fact it may have existed prior to study establishment. The proposed new right-of-way could compromise this long-term study. The northern boundary of an existing treatment stand for the study lies 184 feet south of the southern edge of the existing right-of-way. The new power line right-of-way (at least 125 ft) would create significant edge effects adjacent to the southern study stand. These effects would consist of increased potential for blowdown of trees within the study plots, near the exposed edge of the right-of-way, as well as changes in sunlight and microclimate within the study plots, due to close proximity to the right-of-way edge.

The southern boundary of an existing treatment stand for the study lies 289 feet north of the northern edge of the existing right-of-way. A new right-of-way of at least 125 feet would again create significant edge effects in the study stand. As there is a seasonally flowing stream located between the existing right-of-way and our northern treatment stand, we suspect the new right of way would not be located to the north of the existing right-of-way.

2. Potential impacts on future research

While the above referenced study is the only active study that would be impacted directly by the proposed right-of-way, the potential exists for the right-of-way to limit the suitability of the Experimental

Forest for future research. The power-line corridor would encompass approximately 30 acres of the Experimental Forest. While this area is not excessive, it will never-the-less limit the usefulness of the Experimental Forest for future research, specifically research that requires larger landscapes of relatively unfragmented forest, such as work on animal movement and dispersal. The new corridor would essentially bisect the Experimental Forest into two management units. This is less of an issue currently, given the relatively narrow width of the existing gas pipeline right-of-way.

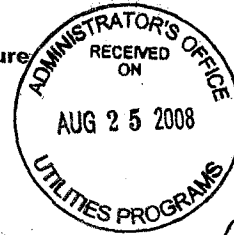
3. Deterioration of the ecological value of the Experimental Forest

The Pike Bay Experimental Forest is unique because of its research value, particularly research studies that span decades. However, it also has unique ecological value. It is generally less managed than the surrounding landscape and, as a consequence, supports older mature forest, which is an underrepresented habitat condition in northcentral Minnesota. It is also relatively unfragmented, at least by major road systems or non-forest land use. Routing of the proposed utility right-of-way through the Experimental Forest would detract from these unique ecological values. Moreover, conversion of 30 acres of mature hardwood forest to open brush or grass vegetation would likely represent a loss of atmospheric carbon storage on the National Forest.



United States Department of Agriculture
Rural Development

JUL 24 2008



*Address
up here +
no interest*

Ms. Ggiwegiizhigookway Martin
Tribal Historic Preservation Officer
Lac Vieux Desert Band of Lake Superior Chippewa Indians
P.O. Box 249
~~E23968 Pow Wow Trail Road~~ *E23857 Poplar Circle*
Watersmeet, Michigan 49969

RE: Proposed Bemidji to Grand Rapids 230 kV Transmission Line

Dear Ms. Martin:

The Rural Utilities Service (RUS), an Agency that delivers the United States Department of Agriculture (USDA), Rural Development Utilities Programs, intends to hold public scoping meetings and prepare an Environmental Impact Statement (EIS) in connection with possible impacts related to a proposed action by Minnkota Power Cooperative (Minnkota Power), Otter Tail Power Company, and Minnesota Power (collectively referred to as the Applicants). The Applicants propose to construct a 230 kV electric transmission line from Bemidji to Grand Rapids, Minnesota designed to correct a local load serving inadequacy for the Bemidji area and northern Red River Valley in West Central Minnesota. It is part of the CapX2020 long-range planning effort that identified a comprehensive framework for new transmission infrastructure that will be needed to maintain reliability of the transmission system throughout Minnesota and the surrounding region.

Minnkota Power is seeking RUS financing for its portion of the investment. Prior to making a financial decision about whether to loan funds, guarantee a loan, or award a grant, the RUS is required to conduct an environmental review under the National Environmental Policy Act (NEPA) in accordance with RUS regulations outlined in 7 CFR Part 1794. To minimize duplication of effort pursuant to 40 CFR 1506.2, Rural Development is conducting an environmental review for the proposed action jointly with the Minnesota Department of Commerce and the Office of Energy Security (OES). Rural Development and OES will jointly prepare an environmental review document in compliance with federal responsibilities under the NEPA and other federal statutes and regulations, and state responsibilities under the Minnesota Environmental Policy Act and the Minnesota Power Plant Siting Act. The U.S. Forest Service, U.S. Army Corps of Engineers, and the U.S. Bureau for Indian Affairs are participating as Cooperating Agencies. The Leech Lake Band of Ojibwe has been invited to participate as a Cooperating Agency.

In addition to its responsibility for NEPA, Rural Development is the lead federal agency for compliance with Section 106 of the National Historic Preservation Act and its implementing regulations, "Protection of Historic Properties" (36 CFR Part 800). In July 2007, on behalf of Rural Development, the U.S. Army Corps of Engineers initiated consultation under Section 106 with the State of Minnesota's Historic Preservation Office and twenty Indian tribes. The Leech

1400 Independence Ave. SW • Washington, DC 20250-0700
Web: <http://www.rurday.usda.gov>

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Lake Band of Ojibwe accepted the invitation and will be participating in consultation. Rural Development will coordinate compliance with Section 106 and its NEPA procedures in order to meet the purposes and requirements of both in a timely and efficient manner. Any individual or organization wishing to participate in Section 106 review as a consulting party must contact Barbara Britton, whose address is provided below, in writing.

Six public scoping meetings on the proposed action will be conducted. The purpose of the meetings is to provide information regarding the proposed action, answer questions, and accept comments regarding the potential environmental and cultural resource impacts that may result from construction and operation of the Project. Rural Development will use its NEPA procedures to satisfy its responsibilities for public involvement under Section 106.

The schedule for scoping meetings is provided below. Comments on the proposed action will be accepted until August 29, 2008.

Date	Time		Location
	Daytime	Evening	
Monday 8/11/08		Open House 5-6pm Scoping Meeting at 6 pm	Blackduck Senior Center 24 1st Street SE Blackduck, MN 56630
Tuesday 8/12/08		Open House 5-6pm Scoping Meeting at 6 pm	Cass Lake Palace Casino & Hotel 16599 69th Avenue NW Cass Lake, MN 56633
Wednesday 8/13/08		Open House 5-6pm Scoping Meeting at 6 pm	Deer River Morse Town Hall 32775 State Hwy 46 Deer River, MN 56636
Thursday 08/14/08	Open House 1-2pm Scoping Meeting at 2 pm	Open House 5-6pm Scoping Meeting at 6 pm	Bemidji Hampton Inn & Suites 1019 Paul Bunyan Drive South Bemidji, MN 56601
Friday 08/15/08	Open House 9-10am Scoping Meeting at 10 am		Walker Hiawatha Beach Resort 10904 Steamboat Loop NW Walker, MN 56484

Please find attached for your review an Alternatives Evaluation Study (AES) and Macro-Corridor Study (MCS) for the proposed Bemidji to Grand Rapids 230 kV transmission line. These documents were prepared to enhance public understanding and involvement in the environmental review process. Rural Development, OES, and the Cooperating Agencies, will determine the scope of the EIS using information from these reports, comments received during the public

scoping process, and other relevant information. Notices announcing the availability of the Draft and Final EIS will be published in the Federal Register and local newspapers. Questions and comments regarding this action should be directed to:

Barbara Britton
Environmental Protection Specialist
USDA Rural Development, Utilities Programs
1400 Independence Avenue, SW
Stop 1571
Washington DC 20250-1571
Fax: (202) 690-0649
Barbara.Britton@wdc.usda.gov

Suzanne Steinhauer
Project Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
Saint Paul, Minnesota 55101-2198
Fax: (651)-297-7891
suzanne.steinhauer@state.mn.us

Questions to the Applicants may be directed to Bob Lindholm, Routing Lead for the Bemidji-Grand Rapids 230 kV Line, telephone (888) 373-4113, or e-mail bemidjiinfo@capx2020.com.

Sincerely,



MARK S. PLANK
Director
Engineering and Environmental Staff
USDA, Rural Development, Utilities Programs

The Lac Vieux Desert Band of Lake Superior
Chippewa Indians have no interest in

Project #: _____

Enclosures (2)

_____ **giiwegiizhigookway Martin/THPO/NAGPRA**

cc: Deborah Pile, OES
Suzanne Steinhauer, OES
Robert Harper, U.S. Forest Service
Robert J. Whiting, U.S. Army Corp. of Engineers
Scott Doig, U.S. Bureau of Indian Affairs
Richard Robinson, Leech Lake Band of Ojibwe
Laurie Fairchild, U.S. Fish and Wildlife Service
John Graves, Minnkota Power Cooperative
Bob Lindholm, Minnesota Power

LAC VIEUX DESERT BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

Ketegitigaaning Ojibwe Nation Tribal Historic Preservation

P.O. Box 249, E23857 Poplar Circle Watersmeet, MI 49969

Phone: 906-358-0137 or 0138 Fax: 906-358-4850



August 11, 2008

To Whom It May Concern:

The Lac Vieux Desert Band Of Lake Superior Tribal Council has approved, with Tribal Council action on March 6, 2007, the attached fee scale for the payment of fees for professional services rendered by the Tribes Historic Preservation Office in accordance with memorandum issued July 6, 2001 and updated April 26, 2002 by the Advisory Council on Historic Preservation in regards to services solicited under the National Historic Preservation Act of 1966, as amended;

"When, during the identification phase of the Section 106 process, an agency or applicant seeks to identify historic properties that may be of significance to an Indian Tribe, it may ask for specific information and documentation regarding the location, nature, and condition of individual sites, or actually request that a survey be conducted by the Tribe. In doing so, the agency essentially asks the Tribe to fulfill the role of a consultant or contractor. In such cases, the Tribe would be justified in requiring payment for its services, just as any other contractor. The agency or applicant is free to refuse, but retains the obligation for obtaining the necessary information for the identification of historic properties, the evaluation of their National Register eligibility, and the assessment of effects on the historic properties."

The attached fee scale will be implemented on September 1, 2008. Thank you for your patience while we make this transition. We hope that with these changes, we will be able to better serve you.

Sincerely,

/s/

giiwegiizhigookway Martin
Ketegitigaaning Ojibwe Nation THPO

LAC VIEUX DESERT BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

Ketegitigaaning Ojibwe Nation Tribal Historic Preservation

P.O. Box 249, E23857 Poplar Circle Watersmeet, MI 49969

Phone: 906-358-0137 or 0138 Fax: 906-358-4850



SCHEDULE OF SERVICE FEES

Initial review fee (per property section).....	\$25.00/hour
Historical/Cultural Records Research.....	\$25.00/hour
Archaeological Records Review.....	\$25.00/section of land
Elders Consultation/Oral Interviews.....	\$25.00/hour + 50.00 Elder honorarium
Site Visit.....	\$100.00 per day + mileage, per Diem, and lodging if necessary
Report Preparation.....	\$50.00/hour
Review of Planning Documents.....	\$25.00 per hour
Construction Site Monitoring.....	\$100.00 + appropriate mileage, per Diem and lodging
TCP Surveying.....	\$100.00/day + appropriate mileage, per diem, and lodging

Fees for Tribal Historic Preservation Office Permits

(Within the LVD Reservation)

Tribal Member Fee.....	\$10.00
Tribal Department.....	\$20.00
Outside Contractors and Utilities.....	\$40.00
All Other Agencies.....	\$50.00

Minnesota Department of Natural Resources

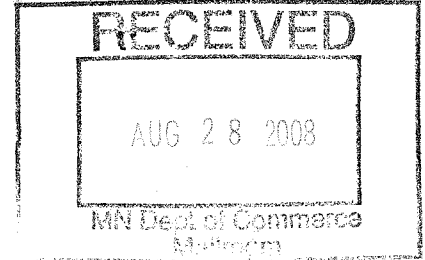
500 Lafayette Road • St. Paul, MN • 55155-4037



August 27, 2008

Barbara Britton
USDA, Rural Development, Utilities Programs
1400 Independence Avenue SW
Stop 1571
Washington DC 20250-1571

Suzanne Steinhauer
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198



RE: Comments to Bemidji to Grand Rapids 230 Kv Transmission Line

Mrs. Britton and Mrs. Steinhauer:

The Minnesota Department of Natural Resources (MDNR) would like to work with the Power Companies on citing specific locations on the final selected corridor. This is especially important at stream and wetland locations and areas of higher concentrations of waterfowl and other birds.

The Central Corridor is already very industrial; with various corridors, roads and industrial fields. The central corridor is preferred, however, some alternatives to reduce impact may be preferred in some areas such as burying the line if feasible or reducing the height. There are large patches of woodland nearby that still hold interior forest bird species and provide habitat to species that need large forest tracts. Some of these patches are over 1 square mile with only narrow trails or roads. The transmission line corridor should not increase the fragmentation level of woodlots. Other thoughts would be to reduce fragmentation by skirting all woodlots > 40 acres and be confined to existing corridors or open areas especially if these are industrial fields and avoiding patches of intact habitat (wetlands, shrublands) and use areas already opened/cleared along the route. Mitigation measures to reduce bird strikes will also need to be further discussed. Locations where such a mitigation measure can be undertaken could be provided once a corridor is determined.

The transmission line corridor should be confined largely to those existing corridors that are as close to US 2 as possible. There are corridors both on the north and south sides of US 2 that range from 70 ft- over 120 feet in width. Should there be a need to widen these corridors, the loss of habitat should be incurred from the side closest to the highway rather than incurring the loss by pushing into less industrialized areas.



The issue of forest fragmentation, habitat fragmentation would be higher for the north and south corridors. The northern corridor would be going through some major forested areas

The MDNR recommends following the existing alignment as much as possible with the goal of reducing the width of the ROW. Where streams are crossed the poles should be out of the floodplain as much as possible and adequately protected should the channel change location.

The preferred route within the central corridor appears to be just north of the Hole-In-The-Bog Scientific and Natural Area (SNA). This peatland is the state's best example of a basin-filled raised bog that is characterized by single well-defined crested raised bog and a peatland lake. Any proposed corridor must avoid this area. Any indirect effects to the SNA (such as changes to surface or shallow groundwater hydrology) must also be avoided.

Maintenance of the power lines, poles and right of way will also need to be addressed as these activities can have an affect on wildlife, water quality and other resources. How will the corridor be maintained – Herbicides – Mechanical - etc- What types of herbicides would be used if any? Herbicides have been shown to affect some animal species (especially amphibians).

Wildlife

Concerns of this project are for bird strikes and electrocution of large birds (especially raptors such as eagles, peregrine falcons, great gray owls, and northern goshawks). These concerns hold for all three alternatives of the proposed transmission line corridor. What measures are being taken to prevent electrocution and lessen bird strikes?

Each corridor crosses important waterfowl flyways. The north corridor crosses the Bowstring and Popple rivers at the outlets of Rice and Natures Lakes. Bird strikes, particularly waterfowl will have to be addressed there. The central corridor crosses the Mississippi and has the potential, depending on specific location, to negatively affect White Oak lake. The south corridor will cross the Mississippi river and an overland flyway between the Boswell settling ponds and White Oak Lake. Waterfowl use the Boswell ponds as a refuge with peak numbers in the fall of 3-5,000 Canada Geese and up to 2,000 mallards. Many of these birds fly to the west toward the White oak lakes and Mississippi river each day to feed. Of all the corridors, the central is likely to be the easiest to work with in micro placement of the line in waterfowl avoidance.

Southern corridor (along HW 200); this corridor is close to areas where yellow rail, sharp-tailed sparrow, Wilson's phalarope and red-shouldered hawk are known to occur. These species are all listed as threatened or species of concern in MN.

Lake Winnibigosh is a staging area for hundreds of loons before fall migration in late October. Transmission line crosses wetlands – Herons, terns, bittern, trumpeter swan therefore would also be prone to hit powerlines.

Ospreys often nest on transmission line towers- what is the policy with nest removal; would the power company build and put up nesting platforms? MDNR should be contacted whenever an osprey nest is removed.

The MDNR requests that the right -of -way be open to surveys in the case local research is conducted on the effects of transmission lines.

Thank you for the opportunity to comment, If you have any specific questions please contact me at (651) 259-5156.

Sincerely,

A handwritten signature in black ink, appearing to read "Randall Doneen", followed by a horizontal line extending to the right.

Randall Doneen,
Environmental Review Planning Director



MILLE LACS BAND OF OJIBWE
Executive Branch of Tribal Government

September 26, 2008

Barbara Britton, Environmental Protection Specialist
USDA, Rural Development, Utilities Programs
1400 Independence Avenue, SW, Mail Stop 1571
Washington DC 20250-1571

Re: Section 106 Consultation and Tribal Review NHPA: USDA, Rural Development,
Utilities Programs/ Minnekota Power Cooperative's Proposed Bemidji to Grand
Rapids 230kV Transmission Line, MN

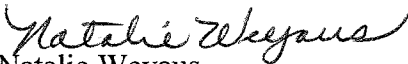
Dear Ms Britton,

Thank you for the opportunity to review and comment on the above project. It has been reviewed pursuant to the responsibilities given the Tribal Historic Preservation Office by the National Historic Preservation Act of 1966 and the Procedures of the Advisory Council of Historic Preservation (36CFR800).

Based on available information, you may proceed with construction, but if there are any burial sites or other cultural properties discovered in the areas described, please notify our office immediately.

Please contact Natalie Weyaus at 320-532-4181 extension 7450 if you have any questions regarding our review of this project.

Respectfully,


Natalie Weyaus
Tribal Historic Preservation Officer

Cc: Dennis Gimmestad, MN SHPO Review and Compliance Officer

DISTRICT I

43408 Oodena Drive • Onamia, MN 56359
(320) 532-4181 • Fax (320) 532-4209

DISTRICT II

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DISTRICT IIA

2605 Chiminising Drive • Isle, MN 56342
(320) 676-1102 • Fax (320) 676-3432

DISTRICT III

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(320) 384-6240 • Fax (320) 384-6190

URBAN OFFICE

1433 E. Franklin Avenue, Ste. 7c • Minneapolis, MN 55404
(612) 872-1424 • Fax (612) 872-1257



Leech Lake Band Of Ojibwe

Arthur "Archie" La Rose, Jr., Chairman

Michael Bongo, Secretary/Treasurer

District I Representative

Robbie M. Howe

District II Representative

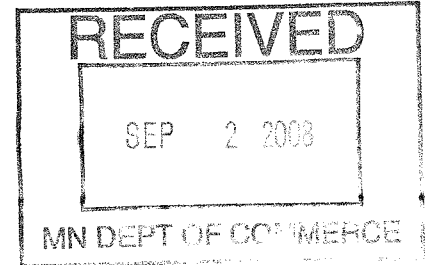
Lyman L. Losh

District III Representative

Eugene Whitebird

August 28, 2008

Suzanne Steinhauer, Project Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198



Dear Ms. Steinhauer,

On behalf of the Leech Lake Band of Ojibwe Division of Resource Management (LLDRM), I have outlined below some issues and concerns that we have with the proposed Bemidji to Grand Rapids 230kV Transmission Line Project (Project). As you are aware from previous meetings and correspondences, the Leech Lake Band has serious concerns with another utility line crossing the Leech Lake Reservation (LLR). To some degree our concerns stem from a long-standing practice of many utility companies trying to establish their corridors across public lands, reservations, or lands where underprivileged populations live. Historically, it has been less difficult and less expensive to cross Indian lands because easements across reservations were often negotiated by the US Bureau of Indian Affairs (BIA) at well below current and future values. However, under self-governance tribes are now establishing more rigorous terms and conditions for utility easements. These often include much higher fees for crossing reservations with greater emphasis on issues of natural and cultural resources. It is readily apparent to us, in reviewing the Route Permit Application for the proposed Project, that concerns of the USFS Chippewa National Forest (CNF) were incorporated into the proposal while concerns of the Leech Lake Band were not. This is a clear example of how utility consortiums are continuing to attempt to force their projects onto lands inhabited by minority populations.

As the environmental review for this project goes forward, our position remains solid; it is imperative that alternative routes which avoid the Leech Lake Reservation must be evaluated. Although we have been hearing arguments for nearly two years in support of the US Highway 2 central corridor, we have yet to be convinced that this is the best option. When the fees and costs (both economic and electric) are considered **in conjunction with** the impacts on the natural and cultural resources and people of the Leech Lake Band of Ojibwe --- now and into the future --- the actual costs of the central corridor clearly warrant thorough evaluations of non-LLR routes.

In particular, we strongly oppose the proposed route within the central corridor that runs south of Pike Bay, through the Ten Section Area. This route runs directly through high conservation value forests (HCVFs) in the Guthrie Till Plain (Figure 1). Within the central corridor, the LLDRM will only consider a route that follows US Highway 2, adjacent to existing routes of other utilities.

The Ten Section Area was originally set aside under the federal Morris Act (1902) to specifically protect old-growth red and white pine (*Pinus resinosa* and *P. strobus*, respectively) from logging and illegal timber theft that was prevalent at the time. The Ten Section Area has long been managed by the CNF; and the focus of its management continues to be the retention of old-growth forest characteristics and natural processes. Management directions for the Ten Section Area, as specified in the current CNF Forest Plan, include:

D-UB-1:

“Management emphasis is on conserving or enhancing areas of unique biological, aquatic, geological, and historical interest while developing and interpreting these areas for public education. Management practices that would alter important values associated with the UB management areas are not appropriate unless necessary for public health and safety.”

D-UB-2:

“Native plant communities are maintained, restored, or enhanced.”

D-UB-9:

“The Ten Section UB management area is managed to maintain, restore, or enhance old-growth forest characteristics as were generally present when the area was reserved from sale or settlement in 1903.”

“Development of new facilities is designed to cause as little effect as possible to the old-growth, old forest characteristics for which the area was designated.”

The Leech Lake Reservation was formally established in 1855 as a homeland for the Leech Lake Band of Ojibwe. The Ten Section Area was established within the LLR in the early 1900s to protect the few remaining old growth red and white pines. This reserve is perhaps even more important to the Leech Lake people today than when it was first established because of ever-increasing pressure on limited natural resources. This area represents about 0.8 % of the area covered by the Reservation. The USFS Chippewa National Forest shares with all federal agencies a trust responsibility, as established under federal treaty, to uphold the hunting, fishing, and gathering rights of Leech Lake Band members. These rights were never relinquished. The old-growth forests of the Ten Section Area and the nearby northern hardwood forests of the Guthrie Till Plain/ Cuba Hill Area include some of the most culturally important areas on the LLR for tribal members to practice their traditional activities. Our position is that the CNF and other federal agencies will be negligent in their trust responsibilities to the Leech Lake Band if they allow a new utility line to fragment and further disturb the Ten Section Area and Guthrie Till Plain Forests.

A significant portion of the Guthrie Till Plain supports northern hardwood forests. For

this type of forest to function naturally, large unfragmented blocks of mature-old forest with diverse composition and structure are required. Northern hardwood forests can provide habitat for numerous species of traditionally used plants and wildlife as well as rare species. This forest type supports some of the highest nesting densities of forest birds, many species of which are undergoing substantial declines in their numbers. Many of these bird species require unfragmented, old, diverse forests for successful reproduction. Further fragmenting of the Guthrie Till Plain area by a new utility route will greatly diminish its value for these species.

According to management directions D-UB-1, D-UB-2, and D-UB-9 of the current CNF Forest Plan, a new utility line directly through the Ten Section Area is not permitted. The LLBO Tribal Council and LLDRM are willing to consider a US Highway 2 alternative route within the central corridor. The proposed route would cross through part of the Ten Section Area as well, but this portion of the Ten Section reserve is already highly disturbed. Adding the proposed 230 kV line to an existing utility route along US Highway 2 would produce significantly fewer effects on tribal resources and rare species than expanding disturbances elsewhere in the Ten Section Area.

Although a Great Lakes Natural Gas Pipeline is located within this area, its effects are lessened because its right-of-way does not have to be cleared and maintained to the level required for a powerline or oil pipeline, such as the existing Enbridge line along the US Highway 2 corridor. While it was likely inappropriate for the USFS to allow a natural gas pipeline across the Ten Section Area, this line has reduced impact. It is relatively narrow, and the vegetation develops between maintenance activities to form a "soft edge". The proposed 230 kV powerline will require greater clearing and more maintenance of vegetation. Thus, if added to the existing natural gas corridor, it would create hard-edged fragmentation that would negatively impact the rare plants and animals documented for this area.

In the Route Permit Application for the Bemidji to Grand Rapids 230kV Transmission Line Project, several reasons are given as to why the Great Lakes route is preferred over the US Highway 2 route. The first is that the Great Lakes route has a less negative effect on areas of High Scenic Integrity. This apparently is a concern of the CNF. The LLBO recognizes, rather, that the visual integrity of the US Highway 2 corridor has long been compromised by an existing busy highway, railroad, and pipelines. Adding a transmission line to this corridor would have far less visual impact than further fragmenting the area by expanding the Great Lakes corridor, in particular to the many tribal members who heavily use this area for traditional activities. While we understand the desire of the USFS to give highway travelers the impression that public forestlands are relatively intact, in fact, the CNF is one of the most commercialized forests in the US. Rather than attempting to hide their largely ecologically unsound forestry practices, perhaps the CNF should honor and uphold their trust responsibilities to the Leech Lake Band. When the tradeoff is between a forested highway edge --- a facade --- and irreversible losses of traditional gathering opportunities and habitat for rare species, federal trust responsibilities should lie with tribal interests.

The second reason given for preferring the Great Lakes route to the US Highway 2 route was the congestion of other utilities and land uses between Cass Lake and Pike Bay. We

recognize that this is already a highly disturbed area, which is the reason we would prefer to locate additional utilities along these existing routes if they must cross the LLR. If the applicants cannot engineer a means of getting a transmission line through this area, then perhaps they should reconsider the feasibility of their project.

The applicants' report also notes that the Great Lakes route would affect fewer commercial and industrial operations. Because it is these businesses who are the greatest users of electrical power in the area, we would recommend that they carry the comparably greater burden for its availability. We cannot support a proposal whose major effects are borne by a minority group. The Great Lakes alternative route includes provisions to avoid the USFS Experimental Forest. Yet the more ecologically and traditionally important Ten Section Area is not adequately addressed, despite repeated expressions of concern from LLDRM staff and tribal members.

The Route Permit Application also indicates that there will be greater negative effects on wetlands, especially forested wetlands, along the Great Lakes route when compared to the US Highway 2 route. Forested wetlands provide habitat for culturally and traditionally-used products important to Ojibwe people. They are also more ecologically fragile than grassy sedge wetlands, which occur along Highway 2. Thus we recommend limiting disturbances to forested wetlands whenever possible.

Another concern that was not addressed in the Route Permit Application involved a proposal to build the 230 kV powerline just south of the existing Enbridge pipeline, along US Highway 2. We were told that this route would preclude future expansions of the Enbridge line. Enbridge, to date, has not indicated that they have plans for future expansion. Alternative energy sources will likely become available; and declining demands for fossil fuels may occur. We suggest that if Enbridge does need increased capacity, the smaller (and very old) existing lines could be removed and replaced with larger diameter pipes. Furthermore, the currently proposed expansion of Enbridge lines, if approved, will result in installations of two new lines along the southern edge of their existing corridor. As part of this expansion, temporary work space will be cleared of vegetation. We suggest that this space be considered for the 230 kV powerline. This would reduce the amount of forestlands cleared and the costs associated with doing so.

Six utilities routes or travel corridors are already established adjacent to Highway 2. These include: the Burlington Northern Santa Fe Railroad, US Highway 2, Enbridge (oil pipeline), the Forest Service Migizi Bike Trail (east of Cass Lake), existing power lines (mostly to the east of Bena), and the Great Lakes Gas pipeline (which enters the Hwy 2 corridor west of Nushka Lake). Damage to native plant and animal communities from these disturbances is already done. Utility development not only negatively impacts native plant and animal populations but results in an explosion of invasive non-native plant species which are expensive and difficult to manage. Further disturbance to natural resources should be concentrated in this area in an effort to protect undisturbed and sensitive resources, as well as facilitating the management of invasive plant species.

As articulated above, the LLBO and LLDRM have significant concerns about the Bemidji to Grand Rapids 230kV Transmission Line Project as proposed. Because the Leech Lake Reservation Tribal Council is one of the signatories who will ultimately decide whether this project is approved, we strongly suggest that alternative routes and corridors be thoroughly studied. Moreover, we recommend that the Great Lakes route be dropped because of its irreversible impacts on tribal members and the sensitive natural resources in the Ten Section Area and Guthrie Till Plain Forests.

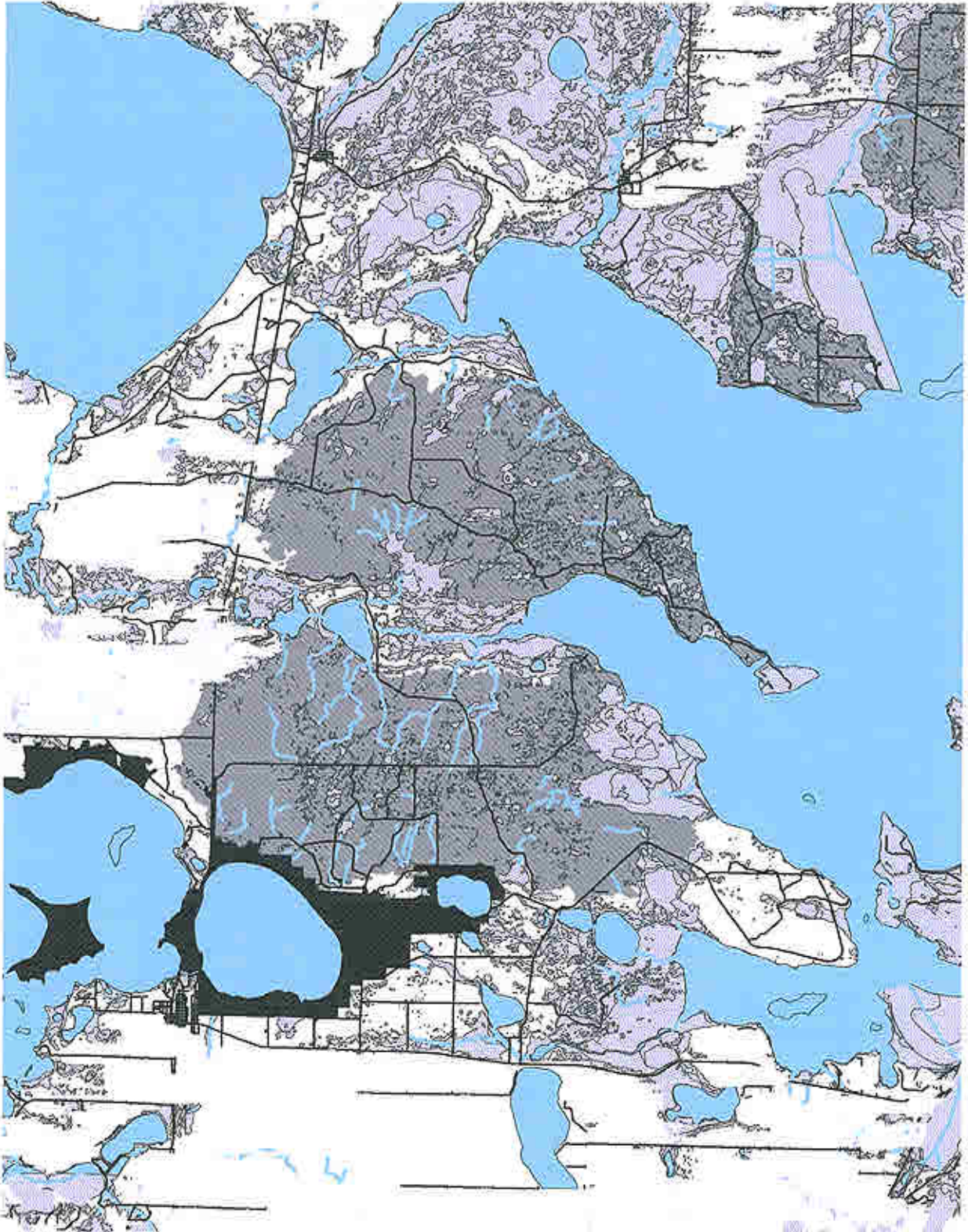
Sincerely,



Bruce Johnson, Director
Division of Resource Management
Leech Lake Band of Ojibwe

cc:

LLBO RTC
LLBO Legal
LLBO LICs
USDA RUS,
Deborah Pile
USFS CNF
USFWS
US BIA
MNDNR
US Army Corps of Engineers
US EPA



From: [Laurie Swanson](#)
To: Suzanne.Steinhauer@state.mn.us;
Subject: transmission line
Date: Monday, September 29, 2008 3:22:38 PM

I am e-mailing you about the new transmission line that would possibly go through Hiram Township. The Hiram Township Board is against the transmission line coming through Hiram Township at this time. The board got this letter last week and they do not have enough time to have a meeting before the comment date. This notice was too short. This could also affect the tourism and resorts in the area. The board will meet on the second Tuesday of October and discuss this issue. If you have any questions, please call. Please e-mail me that you have received this message.

Laurie Swanson, Clerk
Hiram Township
3276 52nd Ave. NW
Hackensack, MN 56452
(218)675-5414
lswanson@tds.com

From: [Laurie Swanson](#)
To: Suzanne.Steinhauer@state.mn.us;
Subject: Bemidji - Grand Rapids transmission line
Date: Monday, October 20, 2008 1:40:06 PM

To: Suzanne Steinhauser,

The Hiram Township Board had a meeting on Tuesday, October 14, 2008 and they discussed the transmission line. The Hiram Township Board voted unanimously to oppose the use of the Non-CNF Macrocorridor for the transmission line. The board would prefer the use of the Central Macrocorridor and more specifically use existing utility corridor in the Central Macrocorridor.

If you have any questions please call or e-mail. Please let me know that you have received this e-mail.

Thank you,

Laurie Swanson, Clerk
Hiram Township
3276 52nd Ave. NW
Hackensack, MN 56452
(218)675-5414
lswanson@tds.net



United States
Department of
Agriculture

Forest
Service

Chippewa National Forest
Supervisor's Office

200 Ash Avenue NW
Cass Lake, MN 56633-8929
Phone: 218-335-8600
Fax: 218-335-8637
TTY: 218-335-8632

File Code: 1950/2720-1

Date: September 30, 2008

Suzanne Steinhauer
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198

Dear Ms. Steinhauer:

RE: Proposed Bemidji-Grand Rapids 230 kV Transmission Line

Thank you for the opportunity to comment on the Proposed Bemidji-Grand Rapids 230 kV Transmission Line. This letter identifies the comments from the Chippewa National Forest (CNF) regarding impacts on National Forest System lands.

Ottertail Power, Minnesota Power and Minnkota Power (Applicants) are seeking a Special Use permit for a transmission line right-of-way on National Forest System lands. A part of the application process is to ensure the project complies with the established goals, objectives, standards and guidelines for management of the land where the activity will take place. This information is in the 2004 Chippewa National Forest Land and Resource Management Plan (Forest Plan). Management direction is also found in laws, regulations, the Forest Service Handbook, Forest Service Manual or other policies and applicable laws.

Cumulative effects need to address activities in the Cuba Hill, Lydick, Lower East Winnie, Portage Lake and the Enbridge Energy pipeline projects. These projects have harvesting, burning and road decommissions. Coordinate with the CNF for a detailed listing.

Following are the comments:

1. Transmission line construction and future maintenance activities involving widening of the ROW could affect the scenic quality and landscape character observed from roads and adjacent trails. The impacts to scenic quality will need to be thoroughly evaluated in relation to the Scenic Integrity Objectives, standards and Guidelines in the Forest Plan. The proposed project will need to be consistent with Scenic Integrity requirements in the Forest Plan.
2. Clearing of trees may convert forested areas to open areas which may alter forest community types. Change may result in the timber suitable acres due to corridor development. Examples of uncommon and rare features include the Ten Section Area and an administrative study on Goblin Fern. Clearing of trees can allow introduction of undesirable vegetation.



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3. The transmission line construction and maintenance activity may restrict recreational use, and the widening of permanent ROW clearing could affect the recreational experience of the Mi-Ge-Zi Bike Trail and the Soo Line Trail.
4. Widening of the right-of-way (ROW) and removing vegetation may cause an increase of unauthorized off-road vehicle use, in turn causing detrimental impacts to the area. Arsonists, fire control and unauthorized garbage dumping are examples of increased hazards with expanded access along roads.
5. Construction and maintenance of the transmission line may cross the Leech Lake Reservation and areas of high interest. A government to government relationship is especially important in areas of treaty interest, rights, traditional and cultural resources and ecosystem integrity. An environmental document will need to address tribal rights with respect to cultural resources, traditional use areas and areas of special interest that include tribal cultural values, properties, and uses and species of special concern.
6. Location and construction of the transmission line may impact or compromise research conducted on the Pike Bay Experimental Forest (EF) administered by the Northern Research Station out of Grand Rapids, MN. The EF is the site of long-term, active research on forest management. In addition to current research studies, the EF also offers the potential for greatly increased research at larger spatial scales, due to the largely intact, un-fragmented condition of the forest.
7. Unauthorized vehicles and construction vehicles may be vectors for the spread or introduction of noxious weeds. The seed and mulch mix must be native species and weed free. The CNF has concerns about repeated disturbance with access and future maintenance.
8. The CNF is concerned about a possible broken line or failure and how this will jeopardize public safety.
9. Construction near the St. Regis Paper Company Superfund Site may result in surface water (Pike Bay) contamination.
10. During transmission line construction and maintenance local access, route, and traffic flow may be affected. Traffic would likely be diverted during construction. Homes and critical areas would need access. The CNF is concerned about safety issues related to access within the City of Cass Lake, surrounding communities and in residential areas. Additionally there is concern about effects during peak recreational and hunting periods.
11. Transmission line construction may result in socioeconomic impacts on the communities surrounding the projects. There could be cumulative effects with the proposed construction of a pipeline.
12. Transmission line construction activities may cause impacts to archaeological sites and Native American properties.

13. Construction and maintenance of the transmission line may cross the Leech Lake Reservation and areas of high interest for hunting, gathering or cultural practices.
14. Increasing the width of the cleared ROW could reduce security cover, thereby impeding movement of wide-ranging wildlife. The CNF is concerned about changes to the vegetation structure of the land.
15. Construction and maintenance with ground disturbing activities may affect special status species (TES, MIS and RFSS).
16. The CNF is concerned with effects of alterations to the land topography and how this may affect groundwater, surface water and wetlands hydrology adjacent to the transmission line.
17. The CNF is concerned about the impacts to soils during transmission line construction. Also, transmission line construction in forested areas may affect soils that are wind or water erodible, compaction prone, or droughty.
18. Transmission line construction and maintenance activities may cause adverse effects on water bodies, streams (example, the Mississippi River) and wetlands.
19. The CNF is concerned that approval of a new transmission right-of-way makes it more likely that an expansion of that right-of-way may be needed in the future, with associated cumulative effects of an ever-widening corridor.

We look forward to assisting in the development of these issues and subsequent alternative analysis. If you have questions, please contact Cathy Thompson at (218) 335-8655 or cjthompson@fs.fed.us.

Sincerely,

/s/ Robert M. Harper
ROBERT M. HARPER
Forest Supervisor

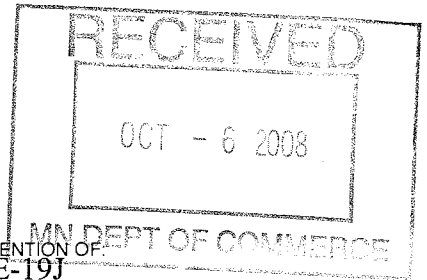
cc: Barbara - Britton
Sharon Klinkhammer
Dennis L Parker
Catherine J Thompson
Carolyn Williams
Jim A McDonald



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 30 2008



REPLY TO THE ATTENTION OF
E-19J

Barbara Britton, Environmental Protection Specialist
USDA-Rural Development Utilities Program
1400 Independence Avenue, SW
Stop 1571
Washington, DC 20250-1571

Re: Scoping Comments for Minnkota Power Cooperative's Proposed Bemidji-Grand Rapids
230-kV Transmission Line, Itasca, Cass, Hubbard and Beltrami Counties, Minnesota.

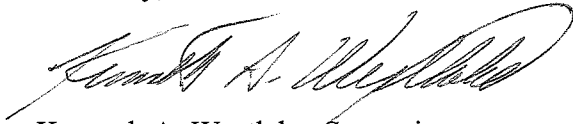
Dear Ms. Britton:

The United States Environmental Protection Agency, Region 5 reviewed the U.S. Department of Agriculture - Rural Utilities Service (USDA-RUS) Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS), dated July 18, 2008, and revised September 11, 2008. We also received copies of the Alternative Evaluation Study (AES) and Macro-Corridor Study (MCS) (dated June 2008), prepared by the project proponents' consultants. In accordance with our responsibility and authority under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, EPA will review and comment on the USDA-RUS Draft EIS (DEIS). This letter and enclosure provides EPA scoping comments for your consideration in preparing the DEIS.

The NOI, AES and MCS identify a proposal by Minnkota Power Cooperative, Otter Tail Power Company, and Minnesota Power (project proponents) to construct a 230-kV electric transmission line from Bemidji to Grand Rapids, Minnesota. The NOI identifies the purpose of the proposal is to correct a local load serving inadequacy for the Bemidji area and the northern Red River Valley in West Central Minnesota. The scoping documentation to date identifies four corridor route alternatives for the proposed line. The study area includes a variety of important resources (e.g., Mississippi River headwaters, Chippewa National Forest (CNF), Leech Lake Indian Reservation (LLR), wetlands and forests) that could be adversely impacted by one or more of the action alternatives. Careful consideration of each alternative's impacts to the various resources is needed and trade-offs will need to be made in choosing the no-action or a preferred alternative. We recommend the DEIS document this process well. Please find our detailed DEIS scoping comments in the enclosure to this letter.

We request you keep us apprised of any future interagency meetings/conference calls. If possible, we would appreciate a 30-day advance notice of all meetings/calls. Please send us three hard copies and four CDs of the DEIS when available for our review and comment. If you would like to discuss the content of this letter and enclosure in more detail, please contact Virginia Laszewski of my staff at 312/886-7501 or at laszewski.virginia@epa.gov.

Sincerely,



Kenneth A. Westlake, Supervisor
NEPA Implementation
Office of Enforcement and Compliance Assurance

Enclosure: 1

cc: ✓ Suzanne Steinhauer, Project Manager, Minnesota Department of Commerce, Office of Energy Security, 85 Seventh Place, Suite 500, Saint Paul, Minnesota 55010

EPA Scoping Comments to USDA-Rural Utilities Service (RUS) Concerning the Minnkota, Bemidji to Grand Rapids 230-kV Line

Based on the information in the U.S. Department of Agriculture – Rural Utilities Service (RUS) Notices of Intent (NOI), Alternative Evaluation Study (AES), and Macro-Corridor Study (MCS), we offer the following comments for consideration as RUS prepares the National Environmental Policy Act (NEPA) Draft Environmental Impact Statement (DEIS) for the above referenced Project.

Proposal/Purpose and Need/Alternatives – According to the NOI, project proponents propose to construct a 230-kV transmission line and upgrade two substations between Bemidji and Grand Rapids, Minnesota in order to correct a local load serving inadequacy for the Bemidji area and the northern Red River Valley in West Central Minnesota. Given the current energy situation, we recommend the DEIS identify and discuss whether the projected energy demand identified during the CapX 2020 planning effort has changed.

We recommend the DEIS clearly and concisely identify and substantiate the purpose and need for the proposal. We recommend that measurable objectives based on a substantiated purpose and need be identified. Alternatives that meet the objectives should be identified and analyzed in the DEIS. If an alternative is dismissed early in the NEPA process, the DEIS should provide the reason for its early dismissal. For example, we recommend the DEIS provide more detailed information regarding the conservation measures alternative. Terms that are unfamiliar to the general public, such as “ring bus section,” and “half bay,” should be explained in the document.

Wetlands, Streams, Rivers and Lakes – Under Section 404 of the Clean Water Act (CWA), a permit is required from the U.S. Army Corps of Engineers (Corps) for the discharge of dredge or fill material into waters of the U.S. Identification and assessment of the various alternatives’ direct, indirect and cumulative impacts to waters of the U.S. (i.e., wetlands, streams, rivers, and lakes) should be included in the NEPA documents. The proponents should avoid, then minimize impacts to these resources. Remaining impacts will need to be mitigated. The identification of appropriate compensation mitigation sites should take place in consultation with the federal and state resource agencies. We recommend the DEIS include a draft compensation mitigation plan.

Surface and Ground Water Quality - The DEIS should clearly describe water bodies and ground water resources within the analysis area that may be impacted by the alternatives. Special attention should be given to work that would occur in an identified wellhead (drinking water) protection zone, or upstream of a drinking water intake. Events such as construction vehicular spills of hazardous or toxic materials could result in substantial adverse impacts to habitat and water quality. The NEPA documents should discuss the frequency or likelihood of such events, and describe spill and release response capabilities. Appropriate state-identified Best Management Practices (BMPs) to reduce potential non-point sources of pollution from project proposed activities should be designed into the project. We recommend that the DEIS

included a draft Erosion Control Plan and draft Stormwater Pollution Prevention Plan (SWPPP).

EPA, Region 5 Contacts for Clean Water Act (CWA) Permits/Certifications – Tribes

The following permits from EPA, Region 5 may be needed for any portion of the proposal and connected actions that would occur within the exterior boundaries of the Leech Lake Indian Reservation:

- CWA Section 401 water quality certification for any Corps CWA Section 404 permits or discharge into waters of the U.S. For Section 401 certification information contact Janice Cheng at 312/353-6424 or cheng.janice@epa.gov.
- CWA Section 402 construction general permit for discharge of stormwater from construction sites that disturb 1 acre or more of land, and from smaller sites that are part of a larger, common plan of development. The permit requires operators of such construction sites to implement stormwater controls and develop stormwater pollution prevention plans (SWPPPs) to prevent sediment and other pollutants associated with construction sites from being discharged in stormwater runoff. For Section 402 construction general permit information contact Brian Bell at 312/886-0981 or brianc.bell@epa.gov.

We recommend the EPA Section 401 certification and Section 402 permit contact information be included in the DEIS. Please note that EPA Section 401 water quality certification and Section 402 construction general permits only cover the area within the exterior boundaries of the Leech Lake Reservation. For those areas not within the exterior boundaries of the Reservation, the state of Minnesota administers these programs.

St. Regis Company Superfund Site - The St. Regis Company Superfund Site is located near one of the proposed transmission line corridor route alternatives near U.S. Highway 2 and the City of Cass Lake, Minnesota. We recommend the DEIS identify any potential impacts and the precautions that proponents would take prior to and during transmission line construction near this site. For information regarding this CERCLA site please contact Timothy Drexler, EPA Remedial Project Manager at 312/353-4367 or drexler.timothy@epa.gov.

Vegetation and Wildlife – The effects of project activities on area ecology, including vegetation, wildlife and their habitats, as well as tribal hunting and gathering, and general public recreational hunting and fishing activities, should be disclosed and evaluated in the NEPA documents. We recommend that the DEIS identify and discuss the important functions that upland forest play in protecting water quality in the immediate watershed, providing wildlife habitat and their role in carbon sequestration and global warming. We recommend a proposed mitigation plan with detailed mitigation steps that will be taken to minimize or eliminate adverse impacts should be presented. Part of this plan might include, but is not limited to, assisting local, county or state agencies with any on-going or planned forest reclamation projects in the watershed and/or planting native tree saplings in the upland buffers at the project's wetland compensation mitigation sites. We recommend close and early coordination with the U.S. Fish and Wildlife Service (USFWS), Chippewa National Forest (CNF), Leech

Lake Band (LLB), and State agencies on these and other vegetation and wildlife-related issues.

Air Quality, Greenhouse Gases and Climate Change – The protection of air quality should be addressed in the NEPA documents. The types of fuels to be used during construction activities, increased traffic during operations, and related VOC and NOx emissions, should be disclosed and the relative effects on air quality and human health evaluated. This analysis should also address and disclose the project's potential affect on: all criteria pollutants under the National Ambient Air Quality Standards (NAAQS), including ozone; any significant concentrations of hazardous air pollutants; and protection of public health. We recommend the project proponents pursue opportunities to use clean diesel equipment, vehicles and fuels in construction of the project, and that RUS identify and disclose any opportunities to utilize these measures in the NEPA document.

Trees that are burned or decompose release carbon dioxide, a greenhouse gas. Trees that are cut can no longer remove carbon dioxide from the atmosphere. The EIS should identify and discuss the consequences and the differences in the amounts of greenhouse gas emissions that would be generated from cutting or topping of trees for the project and in relation to cumulative impacts.

We also recommend the NEPA document identify and discuss the extent to which there may be an increase in the production of electricity at various facilities, such as coal-fired power plants, within the life span of the 230-kV line and any potential air quality and/or climate change impacts this may have.

Environmental Justice (EJ) - Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," signed in 1994, applies to federal agencies that conduct activities that substantially affect human health or the environment. In accordance with this order, the NEPA document should disclose and evaluate any environmental justice aspects associated with impacts on rural low-income communities by either the proposed project, or the potential build-out for reasonably foreseeable development analysis. If there are no applicable environmental justice considerations, then that should be disclosed. EPA recommends close coordination with potentially impacted Native American tribes.

Health Concerns – We recognize that the public may have health concerns regarding electromagnetic fields created by a high-voltage transmission line. We recommend the DEIS analyze and discuss potential health and environmental effects associated with electromagnetic fields induced by one or more transmission lines. Identify the standards and biologically based recommendations. Any disproportionate impacts to environmental justice communities should be identified in the DEIS.

Noise - Construction of the transmission line and operational activities associated with substations may cause an increase in local noise levels. The NEPA documentation should identify and discuss the sources of noise pollution. The document should identify and provide

details of the mitigation measures that will be implemented. Mitigation measures may include, but are not limited to, restricting construction to daylight hours, the use of noise barriers, placement of trees and shrubs, sound-proofing structures, and the use of transformers that emit the lowest levels of noise practicable. The DEIS should analyze and disclose any inadvertent noise impacts to environmental justice communities.

Impacts to Local Communities - The NEPA documents should identify and address the social and economic impacts this project may have on the different communities. This would include, but is not limited to, identifying the number of outside workers that would be brought into the communities to construct the project and the duration of proposed construction activities through the various communities. The NEPA documents should also consider environmental-related socio-economic impacts to the local communities, such as housing for project workers, schools, burdening existing solid waste and wastewater handling facilities, increased road traffic with associated dust and hazardous materials spill potential, and easier human access to wildlife habitat (with associated increased disturbances). If applicable, methods to avoid or minimize such impacts should be discussed.

National Historic Preservation Act, Section 106 - Future NEPA documents should confirm that appropriate National Historic Preservation Act (NHPA) Section 106 consultation with the Minnesota State Historic Preservation Office (SHPO) has taken place, as well as with all applicable tribes and Tribal Historic Preservation Offices (THPOs). This consultation might be documented by including copies of letters to and from the SHPO, tribes and/or THPOs and, if applicable, signed Memoranda of Agreement.

Executive Order 13175 Section 2 describes fundamental principles of inherent sovereign powers of tribes over their territory and the principle of government-to-government relationships with the United States Government where tribal resources and rights are affected. These principles have been the cornerstones of the United States Government's Indian Policy since the Nixon Administration and have been re-affirmed by the current Administration in a memorandum from President Bush on September 23, 2004. We recommend that documentation of RUS's direct government-to-government consultation with the tribes and the results of that consultation are included in the NEPA documents for this proposal.

Cumulative Impacts Analyses - In addition to the evaluation and discussion of direct and indirect impacts, the DEIS should provide cumulative impacts analyses for each resource of concern that will be impacted by the proposal. At this time, we recommend that a cumulative impacts analysis should be undertaken for each of the following resources: surface waters (quality, quantity and aquatic habitat), wetlands, vegetation/forests, air quality and climate.

The purpose of a cumulative impacts analysis is to assess the incremental impacts on each resource of concern due to connected and unconnected actions that take place in a geographic area over time (i.e., past, present and future) no matter which entity (public or private) undertakes the actions. A cumulative impacts analysis aids in identifying the level of significance of those impacts on a particular resource and the appropriate type and level of

mitigation required to offset the current proposal's contribution to these impacts.

The appropriate area of consideration and the time frame to use when assessing cumulative impacts will vary for each resource under consideration. For example, forested wetland loss is probably best considered in the context of historical forested wetland losses in a particular watershed. Incremental forested wetland losses due to past, present, and future actions when viewed in a cumulative context may result in a significant impact due to the time it takes to replicate a forested wetland. Consequently, impacts to a forested wetland resource, no matter how small for a particular proposal, may be significant. This would dictate that all efforts be made to avoid and minimize impacts to forested wetlands, and require adequate mitigation for any unavoidable loss.

County Administrator

Our mission is to deliver quality public services to the citizens in an effective, professional and efficient manner.

PO Box 3000, 303 Minnesota Avenue, Walker, MN 56484-3000

Phone: 218-547-7419 Facsimile: 218-547-7455 TDD: 218-547-1424

E-Mail: robert.yochum@co.cass.mn.us Web site: www.co.cass.mn.us



To: MN Department of Commerce, Office of Energy Security
MN Public Utilities Commission
USDA Rural Utility Services
Bemidji-Grand Rapids Transmission Project
Leech Lake Band of Ojibwe

From: Robert H. Yochum
Cass County Administrator

Date: October 17, 2008

During the Cass County Board of Commissioners Meeting on Tuesday, October 7, 2008, the Cass County Board Commissioners took the following action:

Ken Kostial, summarized the Child, Girl and Woman Lake Property Owners Association concerns regarding the proposed Bemidji to Grand Rapids 230 Kilovolt Electric Transmission Line. The project is considering four routes: North Macrocorridor, Central Macrocorridor, South Macrocorridor and Non-Chippewa National Forest Macrocorridor. The CGWLPOA Board of Directors recently voted unanimously to oppose the use of the Non-Chippewa National Forest Macrocorridor for the transmission line routing. The County Board discussed the County Comprehensive Plan preference for the use of existing utility corridors (i.e. County road right-of-way) and what appears to be the most cost effective route.

M/S/P Peterson, Kangas – To recommend to the appropriate agencies that the Central Macrocorridor should be the only route considered for the proposed Bemidji to Grand Rapids 230 Kilovolt Electric Transmission Line project. Unanimous.