

## **APPENDIX F – Agency Correspondence**

**Agency Correspondence Catalog - Letter Correspondence Provided as Attachment**

Date	Project ID	Deliverable Type	Communication Type	To	From	Description
<b>MNDNR</b>						
August 2017	Dodge Wind		Meeting	USACE - Meghan Brown, Steele Co LGU - Eric Gulbrandsen, Dodge Co LGU - Mark Gamm, Dodge Co LGU - Melissa DeVetter, Dodge Co LGU - Skip Langer, Olmsted Co MNDNR - Todd Piepho	NEER - Jennifer Field NEER - Jason Harris Atwell - Tara Corbett Atwell - Todd Udvig Atwell - Bobbi Westerby	Wetland and stream permitting discussion.
April 2020	Dodge Wind	NHIS Review Request	Email	MNDNR - Lisa Joyal	Atwell - Griffin Fraser	Updated NHIS review request for T-Line.
December 2020	Dodge Wind	Shapefiles	Email	MNDNR - Samantha Bump	Atwell - Griffin Fraser	Atwell provides updated T-Line spatial data to MNDNR
January 2021	Dodge Wind		Email	MNDNR - Samantha Bump	Atwell - Griffin Fraser	T-line NHIS review request follow-up.
February 2021	Dodge Wind		Meeting	MNDNR - Cynthia Warzecha MNDNR - Joanne Boettcher MNDNR - Lisa Joyal USFWS - Dawn Marsh	NextEra - Bridgette Valeron NextEra - Sean Fitzgerald Atwell - Tara Corbett Atwell - Maureen O'Shea-Stone Atwell - Griffin Fraser West - Jennifer Stucker WEST - Joyce Pickle	Project update and discussion of 2020 resource survey results
September 2021	Dodge Wind		Meeting	MNDNR - Cynthia Warzecha MNDNR - Joanne Boettcher USFWS - Dawn Marsh	NextEra - Bridgette Valeron NextEra - Mark Lennox NextEra - David Gil NextEra - Kimberly Wells Atwell - Tara Corbett Atwell - Maureen O'Shea Stone WEST - Joyce Pickle WEST - Alaini Cossette	General Project Update including project status and schedule, wind site wildlife studies update, and transmission line update.
<b>MnDOT</b>						
May 2018	Dodge Wind		Meeting	MnDOT	Dodge County Wind	MnDOT engineering staff provided general information related to the MnDOT Accommodation Policy, as well as information related to their ROW mapping feature and planned future projects in District 6.
May 2020	Dodge Wind	ROW Survey Permits	Internet Application	MnDOT	Dodge County Wind	Submission of ROW survey permits to MnDOT
February 2021	Dodge Wind	Project coordination materials		MnDOT	Dodge County Wind	DCW provided Project coordination materials to MnDOT
April 2021	Dodge Wind		Phone Call	MnDOT	Dodge County Wind	DCW discussed the crossing of Trunk Highway 30 and permitting timing with MnDOT.
November 2021	Dodge Wind	Maps	Email	MnDOT - Stacy Kotch Egstad	Dodge County Wind	MnDOT reviewed proposed crossings of Trunk Highways and agreed that the type of crossing is consistent with the Utility Accommodation in Highway ROW Policy.
<b>OSA</b>						
May 2021	Dodge Wind	MN Archaeological Survey License	Application	OSA	Dodge County Wind	DCW provided the OSA with an application for archaeological survey on public lands in MN.
<b>SHPO</b>						
April 2017	Dodge Wind		Letter	MnSHPO	Dodge County Wind	DCW sent an introductory letter to MnSHPO
May 2018	Dodge Wind	Phase I Cultural Resources Literature Review	Letter	MnSHPO - Sarah Beimers	Atwell - Jill Kotwasinski	Submission of T-Line literature review to MN SHPO.
August 2018	Dodge Wind	Phase I Archaeological Survey Report	Letter	MnSHPO - Sarah Beimers	Atwell - Jill Kotwasinski	Submission of WEC and T-Line Phase I Archeology report to MN SHPO.
September 2018	Dodge Wind		Letter	Atwell - Jill Kotwasinski	MnSHPO - Sarah Beimers	Concurrence with 8/8/2018 letter.
May 2019	Dodge Wind		Email	MnSHPO - Sarah Beimers	Atwell - Adam Leroy	T-Line survey methodology inquiry to SHPO.
June 2019	Dodge Wind		Email	Atwell - Adam Leroy	MnSHPO - Sarah Beimers	Response from SHPO indicating that it would be best to correspond with David Mather (SHPO National Register Archaeologist)
June 2019	Dodge Wind		Email	MnSHPO - David Mather	Atwell - Adam Leroy	T-Line survey methodology inquiry follow-up to SHPO.
February 2021	Dodge Wind		Phone Call	MnSHPO	Atwell - Ben Banks	T-Line survey methodology inquiry for areas in previously disturbed road ROW.

Date	Project ID	Deliverable Type	Communication Type	To	From	Description
<b>Tribal</b>						
May 2020	Dodge Wind		Letter	Fort Peck Assiniboine & Sioux Tribes Cheyenne and Arapaho Tribes Cheyenne River Sioux Tribe Flandreau Santee Sioux Tribe Fort Belknap Indian Community Ho-Chunk Nation Iowa Tribe of Kansas & Nebraska Lower Brule Sioux Tribe Lower Sioux Indian Community Menominee Indian Tribe Bois Forte Band of Chippewa Fond du Lac Band of Lake Superior Chippewa Grand Portage Band of Chippewa Leech Lake Band of Ojibwe Mille Lacs Band of Ojibwe White Earth Nation Northern Cheyenne Tribe Oglala Sioux Tribe Omaha Tribe of Nebraska Prairie Island Indian Community Red Lake Nation Rosebud Sioux Tribe Santee Sioux Nation Shakopee Mdewakanton Sioux Community Sisseton Wahpeton Oyate Spirit Lake Tribe Standing Rock Sioux Tribe Turtle Mountain Band of Chippewa Indians Upper Sioux Community Winnebago Tribe of Nebraska Yankton Sioux Tribe	NextEra - Ron Burris	NextEra provided project information to tribes and invitation to join micrositng efforts.
<b>USACE</b>						
August 2017	Dodge Wind		Meeting	USACE - Meghan Brown, Steele Co LGU - Eric Gulbransen, Dodge Co LGU - Mark Gamm, Dodge Co LGU - Melissa DeVetter, Dodge Co LGU - Skip Langer, Olmsted Co MNDNR - Todd Piepho	NEER - Jennifer Field NEER - Jason Harris Atwell - Tara Corbett Atwell - Todd Udvig Atwell - Bobbi Westerby	Wetland and stream permitting discussion.
September 2018	Dodge Wind		Conference Call	USACE - Meghan Brown LGU - Eric Gulbransen, Steele Co LGU - Mark Gamm, Dodge Co LGU - Skip Langer, Olmsted Co	NextEra - Jenny Field NextEra - Mike Weich NextEra - Kimberly Dickey Atwell - Tara Corbet Atwell - Todd Udvig	Wetland and waters permitting discussion.
<b>USFWS</b>						
February 2021	Dodge Wind		Meeting	USFWS - Dawn Marsh MNDNR - Cynthia Warzecha MNDNR - Joanne Boettcher MNDNR - Lisa Joyal	NextEra - Bridgette Valeron NextEra - Sean Fitzgerald Atwell - Tara Corbett Atwell - Maureen O'Shea-Stone Atwell - Griffin Fraser West - Jennifer Stucker WEST - Joyce Pickle	Project update and discussion of 2020 resource survey results
September 2021	Dodge Wind		Meeting	MNDNR - Cynthia Warzecha MNDNR - Joanne Boettcher USFWS - Dawn Marsh	NextEra - Bridgette Valeron NextEra - Mark Lennox NextEra - David Gil NextEra - Kimberly Wells Atwell - Tara Corbett Atwell - Maureen O'Shea Stone WEST - Joyce Pickle WEST - Alaini Cossette	General Project Update including project status and schedule, wind site wildlife studies update, and transmission line update.
<b>Dodge County</b>						
January 2020	Dodge Wind		Meeting	Dodge County Board	Dodge County Wind	DCW provided status update regarding state-regulated permitting process
January 2020	Dodge Wind		Meeting	Dodge County Board	Dodge County Wind	DCW provided status update
May 2020	Dodge Wind	ROW Micrositing Permits	Email	Dodge County Highway Department	Dodge County Wind	Submission of ROW micrositing permits to Dodge County Highway Department
May 2020	Dodge Wind		Meeting	Dodge County Board	Dodge County Wind	DCW provided Project status update
July 2020	Dodge Wind		Meeting	Dodge County Planning and Zoning	Dodge County Wind	Discussion regarding land use permitting
July 2020	Dodge Wind		Meeting	Dodge County Highway Department	Dodge County Wind	Discussion regarding Road Use/Development Agreement and permitting
July 2020	Dodge Wind		Meeting	Dodge County Environmental Services	Dodge County Wind	Discussion regarding floodplain, wetland, and shoreline permitting

Date	Project ID	Deliverable Type	Communication Type	To	From	Description
July 2020	Dodge Wind		Meeting	Dodge County Soil and Water Conservation District	Dodge County Wind	Discussion regarding floodplain, wetland, and shoreline permitting
July 2020	Dodge Wind		Meeting	Dodge County Highway Department Steele County Highway Department	Dodge County Wind	Discussion regarding Wind Road Use/Development Agreement
July 2020	Dodge Wind		Meeting	Dodge County Zoning Department	Dodge County Wind	Discussion regarding Dodge County Wind Energy Conversion Systems ordinance
August 2020	Dodge Wind		Meeting	Dodge County Environmental Services Dodge County Planning and Zoning	Dodge County Wind	Project status update and request for a zoning letter
August 2020	Dodge Wind		Phone Call	Dodge County Environmental Services	Dodge County Wind	DCW confirmed receipt of the County zoning letter and scheduled the next agency coordination meeting
August 2020	Dodge Wind		Meeting	Dodge County Environmental Services	Dodge County Wind	Discussion regarding detailed site and route plan review
September 2020	Dodge Wind		Meeting	Dodge County Environmental Services	Dodge County Wind	Discussion regarding local floodplain regulations
September 2020	Dodge Wind		Meeting	Dodge County GIS	Dodge County Wind	Discussion regarding GIS data layers for project planning and development
October 2020	Dodge Wind		Meeting	Dodge County Highway Department	Dodge County Wind	Discussion regarding use of county road ROW for the proposed transmission line route
November 2020	Dodge Wind		Meeting	Dodge County Commissioner - Rhonda Toquam	Dodge County Wind	Discussion regarding use Hayfield Township road ROW for the proposed transmission line route
December 2020	Dodge Wind		Meeting	Dodge County Board of Commissioners	Dodge County Wind	Project status update, including timeline, changes to wind farm design, and point of interconnection
May 2021	Dodge Wind		Meeting	Dodge County Board of Commissioners	Dodge County Wind	Update to County Board. Discussed new project size and boundary, permitting timeline, road use agreement expectations, and decommissioning plan. Requested an image of a typical t-line pole.
May 2021	Dodge Wind		Meeting	Dodge County Highway Department - Guy Kolnhofer	Dodge County Wind	Reviewed intersection approach options, status of LO outreach, expected outcomes for pole positioning.
September 2021	Dodge Wind		Meeting	Dodge County Board of Commissioners	Dodge County Wind	Project update focusing on permitting timeline and expected direct economic benefits. Board asked questions concerning the t-line route and use of private easements along new ROW. Responded that new routing methodology maximized the use of existing ROW in public roads. Provided supplemental information on the proposed route as well as typical pole types.
November 2021	Dodge Wind		Email	Dodge County Highway Department - Guy Kolnhofer	Dodge County Wind	Discussed clear zone calculation methodology. Confirmed the use and applicability of MN Admin Rule 8820.9920

Mower County						
May 2020	Dodge Wind		Phone Call	Mower County Highway Department	Dodge County Wind	Discussion regarding micrositings and surveying
July 2020	Dodge Wind		Phone Call	Mower County Public Works and Zoning	Dodge County Wind - Tom Von Bische	Early stage phone conversations. Mower County confirmed use of public road ROW is allowed with a MPUC permit.
August 2020 through September 2020	Dodge Wind		Email	Mower County Public Works	Dodge County Wind	Correspondence on routing methodology and current routes under consideration
November 2020	Dodge Wind		Phone Call	Mower County Public Works and Zoning	Dodge County Wind	Discussion regarding use of existing ROW, possible expansion in County Road, and areas with existing distribution.
April 2021	Dodge Wind		Email	Mower County Admin - Angie Lipelt Mower County Highway Department - Mike Hanson	Dodge County Wind	Email to summarize roads being considered for proposed route.
May 2021	Dodge Wind		Meeting	Mower County Admin - Angie Lipelt Mower County Highway Department - Mike Hanson	Dodge County Wind	Mower County officials confirmed that the use of 660th Ave is acceptable for the DCW t-line.

Date	Project ID	Deliverable Type	Communication Type	To	From	Description
October 2021	Dodge Wind		Meeting	Mower County Board of Commissioners	Dodge County Wind - Tom Von Bische	Project update to County Board. Included mentions of Timberwolf Solar and Timberwolf Wind. County Board asked for more information regarding impact of solar panels on environmental safety.
November 2021	Dodge Wind		Meeting	Mower County Public Works	Dodge County Wind	Discussed clear zone calculation methodology. Confirmed the use and applicability of MN Admin Rule 8820.9920

Townships and Cities						
November 2016	Dodge Wind		Meeting	City of Dodge Center Municipal Airport Board	Dodge County Wind	Project overview, status update, and explanation of the state regulated permitting and application process for construction of the Project and its estimated timeline.
June 2017	Dodge Wind		Meeting	Ashland Township Board	Dodge County Wind	Project overview, status update, and explanation of the state regulated permitting and application process for construction of the Project and its estimated timeline.
June 2017	Dodge Wind		Meeting	Dodge Center City Council	Dodge County Wind	Project presentation and discussion of the state regulated permitting and application process for construction of the Project and its estimated timeline.
July 2017	Dodge Wind		Meeting	Ripley Township Board	Dodge County Wind	Project overview, status update, and explanation of the state regulated permitting and application process for construction of the Project and its estimated timeline. The use and maintenance of township roads was also discussed
October 2017	Dodge Wind		Meeting	Ashland Township Board	Dodge County Wind	Discussion of segments of the Proposed Route within Ashland Township's jurisdictional road authority, including discussion of road ROW use, the timeline associated with developing a road use agreement, and Project Permitting. The use and maintenance of township roads was also discussed
February 2018	Dodge Wind		Meeting	Hayfield Township Board	Dodge County Wind	Project overview, status update, and explanation of the state regulated permitting and application process for construction of the Project and its estimated timeline. The use and maintenance of township roads was also discussed
May 2020	Dodge Wind		Phone Call	Ashland Township Board	Dodge County Wind	Discussion regarding micrositng and surveying
May 2020	Dodge Wind		Phone Call	Pleasant Valley Township Board	Dodge County Wind	Discussion regarding micrositng and surveying
May 2020	Dodge Wind		Phone Call	Ripley Township Board	Dodge County Wind	Discussion regarding micrositng and surveying
May 2020	Dodge Wind		Phone Call	Sargeant Township Board	Dodge County Wind	Discussion regarding micrositng and surveying
May 2020	Dodge Wind		Phone Call	Vernon Township Board	Dodge County Wind	Discussion regarding micrositng and surveying
November 2020	Dodge Wind		Meeting	Dodge Center City Administrator - Joshua Tetlaf	Dodge County Wind	Discussion regarding updates to the proposed transmission line and point of interconnection
December 2020	Dodge Wind		Meeting	Ripley Township Board	Dodge County Wind	Discussion regarding updates to the proposed transmission line and point of interconnection
December 2020	Dodge Wind		Meeting	Hayfield Township Board	Dodge County Wind	Discussion regarding updates to the proposed transmission line and point of interconnection
December 2020	Dodge Wind		Meeting	Ashland Township Board	Dodge County Wind	Discussion regarding updates to the proposed transmission line and point of interconnection
December 2020	Dodge Wind		Meeting	City of Dodge Center Municipal Airport Board	Dodge County Wind	Discussion regarding updates to the proposed transmission line and point of interconnection in relation to airport proximity

Date	Project ID	Deliverable Type	Communication Type	To	From	Description
May 2021	Dodge Wind		Meeting	Sargeant Township	Dodge County Wind	Update to Township Board. Discussed t-line route, routing methodology, landowner interactions, and placement in the ROW.
May 2021	Dodge Wind		Meeting	Ashland Township	Dodge County Wind	Update to Township Board. Discussed new project size, new project boundary, and permitting timeline.
May 2021	Dodge Wind		Meeting	Dodge Center City Administrator	Dodge County Wind	Reviewed current project boundary and gen-tie route. Discussed DNH filing process and timing. DCW requested to be on the agenda at the next scheduled Airport Advisory Board meeting
May 2021	Dodge Wind		Meeting	Hayfield Township	Dodge County Wind	Update to Township Board on t-line. Discussed t-line structure type, position in ROW, and outreach to LOs. Reviewed Board's questions on stray voltage and blowout.
July 2021	Dodge Wind		Meeting	Vernon Township	Dodge County Wind	Discussed the transmission line, following the State siting guidelines and discussed any questions the township had. They had questions regarding existing utilities, maintenance, and road use / repair during construction. The team provided answers that were well received and no further questions were required.
Oct-21	Dodge Wind		Meeting	Dodge County Association of Townships	Dodge County Wind	Project update regarding wind farm and permit status. Q&A discussion focused on t-line route with a focus on routing methodology, safety considerations, and landowner outreach.
Nov-21	Dodge Wind		Meeting	Hayfield Township	Dodge County Wind	Project update. Q&A regarding t-line design and safety considerations, property values, drain tile impacts, and crop dusting activities.
Nov-21	Dodge Wind		Meeting	Vernon Township	Dodge County Wind	Transmission line project update. Discussion regarding routing criteria and potential impacts to aviation considerations including aerial spraying and medevac operations

## Minnesota State Attorney General Opinion



# STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

SUITE 1800  
445 MINNESOTA STREET  
ST. PAUL, MN 55101-2134  
TELEPHONE: (651) 297-2040

July 25, 2018

Mr. Paul Kiltinen  
Dodge County Attorney  
Dodge County Courthouse  
22 6<sup>th</sup> Street East, Department 91  
Mantorville, MN 55955

Re: Request for Legal Opinion

Dear Mr. Kiltinen:

I thank you for your e-mail correspondence dated July 5, 2018, requesting a legal opinion on behalf of Dodge County.

## Background

You state that private developers of solar projects and large wind energy conversion systems (LWECS or wind projects) have proposed to use county highway rights-of-way in Dodge County to locate transmission lines carrying energy from their projects to a local substation. You believe that a "public utility," as defined by Minn. Stat. § 216B.02 subds. 4 and 6, has a right to use county highway rights-of-way but you question whether that right is available to companies that do not provide retail services. You indicate that this issue has arisen in connection with a pending project in Dodge County.<sup>1</sup>

## Discussion

Minn. Stat. § 222.37 (2017) allows "any water power, telegraph, telephone, pneumatic tube, pipeline, community antenna television, cable communications or electric light, heat, power

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<sup>1</sup> I understand that the Minnesota Public Utilities Commission (MPUC) has requested comments on completeness of an application filed on June 29, 2018 for a 23-mile long 345 kilovolt transmission line that a private developer intends to use, to connect a proposed LWECS to a substation in Olmsted County by means of single-circuit monopole structures in a 150-foot right-of-way. *In re Application of Dodge County Wind, LLC for a Route Permit for the 345 kV High-Voltage Transmission Line Associated with the Dodge County Wind Project in Dodge and Olmsted Counties, Minnesota*, MPUC Docket No. IP-6981/TL-17-308.



Mr. Paul Kiltinen  
Dodge County Attorney  
July 25, 2018  
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company, or fire department" to "use public roads for the purpose of constructing, using, operating, and maintaining lines, subways, canals, conduits, hydrants, or dry hydrants, for their business." The lines or other facilities cannot interfere with the safety and convenience of ordinary travel, and the use of the public right-of-way is subject to reasonable regulations imposed by the governing body of the county in which the public road is located. Utilities can ordinarily be constructed within a public road. *In re Application for A Route Permit for the Hiawatha transmission Line Project*, OAH Docket 15-2500-20599-2 (2010). WL 4004474, at \*73 and fn. 450 (Oct. 8, 2010).

Minn. Stat. § 222.37 (2017) includes any company that provides power as an entity with access to the public right of way, and does not limit such access to regulated public utilities as defined in Minn. Stat. § 216.02. In *Kuehn v. Village of Mahtomedi*, 207 Minn. 518, 522-23, 292 N.W. 187, 189-90 (1940), the court recognized that the plain language section 222.37, as then written, identified specific entities, and those terms should be given their plain reading. The court also observed that facilities used for "power purposes" are facilities "usually furnished by private capital for pecuniary gain". *Id.* Accordingly, that case supports reading the language of section 222.37 to permit any company that provides power, access to right-of-way whether or not it is a regulated public utility as defined in section 222.37.

I thank you again for your correspondence.

Very truly yours,



CHRISTIE B. ELLER  
Deputy Attorney General

(651) 757-1440 (Voice)  
(651) 297-1235 (Fax)

Enclosure: Op. Att'y Gen. 629a (May 9, 1975)

Tribal

May 1<sup>st</sup>, 2020

Mr. Leonard Wabasha  
THPO  
Shakopee Mdewakanton Sioux Community  
2330 Sioux Trail NW  
Prior Lake, MN 55372

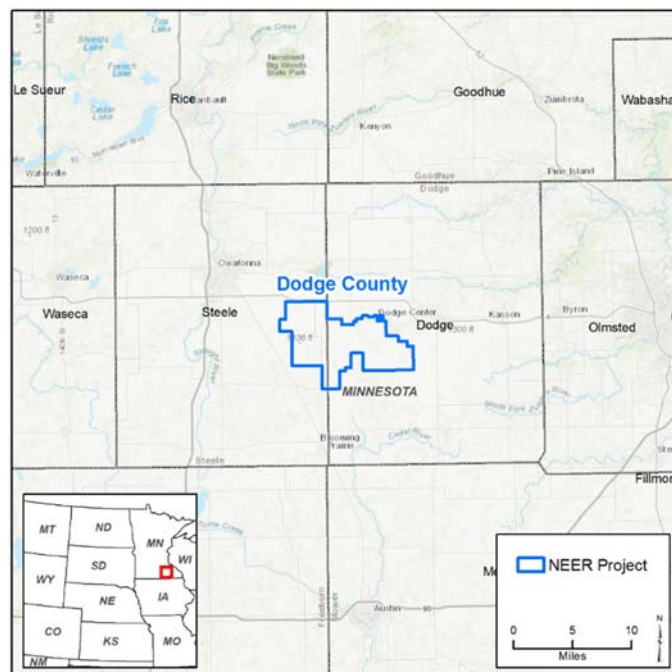
**Subject: Development of Dodge County Wind Project in Dodge, Steele, Olmstead, and Mower Counties, Minnesota**

Dear Leonard,

Dodge County Wind, LLC, an indirect, wholly-owned subsidiary of NextEra Energy Resources, LLC, (NextEra) is developing the Dodge County Wind Project in Dodge, Steele, Olmstead, and Mower Counties, MN. Dodge County will be located on private land approximately 25 miles west of the city of Rochester, MN. (Figure 1).

Dodge County will be comprised of approximately 58 wind turbine generators with a total nameplate capacity of approximately 170 megawatts (MW). Additional facilities proposed to be reconstructed include access roads, electrical collection systems and cabling, meteorological (MET) towers, an operations and maintenance facility, substation, a temporary concrete batch plant and temporary construction and materials storage facilities. The project will also construct an approximately 30-mile-long generation-tie (gen-tie) transmission line to interconnect with the grid at the Pleasant Valley Substation in Mower County, MN.

**Figure 1**



NextEra Energy Resources, LLC

700 Universe Boulevard, Juno Beach, FL 33408

Dodge County was originally proposed for completion as a 2019 Commercial Operation Date (COD) project with archaeological survey work performed in 2017-2018. The project is now planned for a 2022 COD. With the additional time and changes to the project, NextEra is now able to collaborate with Tribes on its typical cultural resource identification and avoidance efforts.

Dodge County plans to complete initial wind turbine micro-siting in May 2020. We can offer two “slots” for THPOs or highly experienced TCSs to join the micro-siting effort. Pedestrian survey work will commence concurrently with the micro-siting effort with up to five (5) slots for TCS.

Dodge County anticipates filing all required permit applications with the Minnesota Public Utilities Commission (MPUC) by fall 2020, with final permits issued and construction scheduled to begin by spring 2022. Full commercial operation is expected by late-fall 2022. **At this time, no federal action or permits are anticipated; therefore, formal Section 106 consultation by a federal agency is not required.**

Should an action requiring review under Section 106 of the National Historic Preservation Act (NHPA) develop, any discussions between Dodge County/NextEra Energy Resources do not take the place of official Section 106 consultation with applicable federal agencies.

Consistent with NextEra's policy to reach out to Tribes in the area of its projects, I wanted to provide you with information about the project and ask whether you have an interest in receiving further information and collaboration opportunities.

### **Proposed Project**

As described above, the proposed project would consist of the construction of an array of wind turbines, each with an associated transformer. Proposed project facilities would include the following components:

- Up to 58 wind turbines;
- All-weather access roads to each turbine site;
- Underground electrical collection lines and fiber optic cables from each turbine to the collection substation;
- A temporary laydown yard (up to 15 acres);
- A batch plant location (up to additional 5 acres);
- Up to 2 temporary and 2 permanent SCADA MET towers;
- Up to 2 permanent aircraft detection lighting system radar installations;
- An O&M yard (approximately 10 acres);
- A collection substation (approximately 5 acres); and
- A gen-tie transmission line (approximately 30 miles)

Although the Project layout is still preliminary, based on similar projects in the region, we anticipate that no more than five percent (5%) of the proposed project area would be temporarily disturbed during construction of the project. Our typical operational facilities generally have no more than two percent (2%) of the project area permanently impacted by infrastructure. Construction activities may temporarily disturb soils and vegetation to an extent that would require some regrading, compaction mitigation, and reseeding following completion of operations. Additionally, the areas temporarily affected could be restored to crop production or grassland, depending on landowner preferences. Access roads, O&M building, substation, and temporary construction/laydown areas would be installed as necessary to fully accommodate all aspects of Project construction, operation, and maintenance.

### **Project Area**

The proposed project is located within a rural area and is situated near the small cities of Dodge Center and Owatonna. Small farmsteads are scattered throughout the project area and public roads are generally situated in a grid-like arrangement. The project area is dominated by agricultural cropland and an extensive network of

agricultural ditches with perennial, intermittent and ephemeral streams. The area is generally flat to gently rolling hills with elevations ranging from 1,280 to 1,410 feet (330 - 430 meters). Land cover within the project area is largely row crops including corn and soybeans with a small amount of oats. Some small areas of grassland/herbaceous land cover is present and includes planted native grassland (e.g., big bluestem, [*Andropogon gerardii*] and Indian grass, [*Sorghastrum nutans*]). Woodland areas are sparse and restricted to creeks and streams occurring within the project area. There are no natural lakes in the region however, three major river systems extend westward from the Mississippi into the region's interior: the Little Cedar, the Zumbro, and the Root.

### Cultural Resources Studies

Dodge County Wind contracted with Atwell, LLC (Atwell) to conduct a Phase Ia Cultural Resources Literature Review (Phase Ia) for the project area. The initial literature review was completed in May 2017 for the wind resource area and was updated in May 2018 to include the area traversed by the transmission line route considered at that time. The Phase Ia reviews included a one-mile buffer around the wind resource area and transmission line study areas. Searches of the National Register of Historic Places (NRHP), Minnesota State Historic Preservation Office (SHPO), and Minnesota Office of State Archaeologist (OSA) records were conducted. County and township histories, historic maps including Bureau of Land Management (BLM), General Land Office (GLO) plat maps, county atlas, the Andreas Atlas, county soil surveys, and current and historic aerial photographs were also examined.

Results of the literature review of the project area indicated that no previous cultural resources investigations had been completed within the project area, but that eight previous cultural resources investigations had been completed within the one-mile buffer. Accordingly, no previously inventoried archaeological sites were identified within the project area, but 18 archaeological sites have been located within the one-mile buffer area.

Archaeological pedestrian surveys for the wind resource area and transmission line study area were conducted May 7 through June 1, 2018. These surveys included the following infrastructure under consideration at the time: 75 turbine sites, 22 miles of access roads, 8 miles of crane paths, 52 miles of collection line, and 26 miles of transmission line totaling approximately 1,465 acres. All the land surveyed was in agricultural fields, except for a few small areas of fallow fields, woodlots and public right-of-way. Survey limits for the Project features, i.e. the Assessment Area for the archeological survey, were as follows:

- Access roads – survey corridors were 200 feet (61 meters) wide
- Underground electric – survey corridors were 50 feet (15 meters) wide
- Crane paths – survey areas were 50 feet (15 meters) wide
- Turbine tower pads – survey areas were 600 feet diameter (183 meter) diameter
- Transmission Line Corridor width – survey corridors were 50 feet (15 meters) wide
- Project collector substation and operations and maintenance parcel – 10 acres
- Laydown yard area – 15 acres

The 2018 pedestrian surveys did not identify any pre-historic archaeological sites within the project area.

**Dodge County commits to working with all interested Tribes who respond to this outreach effort to avoid any newly documented Tribal resources within the project area, to the extent feasible.** Tribal resources, if identified, would be fenced if they are adjacent to construction areas to reduce the potential that they would be inadvertently disturbed during construction.

**General Project Timing**

<b>Project Micrositing</b>	Spring 2020
<b>Archaeological Field Work/Pedestrian Surveys (as required)</b>	Late-Spring 2020
<b>Prepare &amp; Complete Cultural Resource Report</b>	Summer 2020
<b>Finalize Site Layout/Design</b>	Summer 2020
<b>File Minnesota PUC Applications</b>	Fall 2020
<b>Final Permits Issued</b>	Winter 2021-2022
<b>Construction Mobilization</b>	Spring 2022
<b>Commercial Operation Date</b>	Late-Fall 2022

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I hope this information has been helpful to you. Again, as it is NextEra's policy to reach out to Tribes in the vicinity of its projects, I wanted to provide you this information about the project. Please let me know if you have an interest in the project area and would like to be involved in further discussions so that we can answer any questions, provide you additional information, discuss any concerns you may have about the project, and plan any requested tribal participation accordingly. I can be reached at (561) 304-5168 or via email at [Ronald.Burris@NextEraEnergy.com](mailto:Ronald.Burris@NextEraEnergy.com).

Regards,



Ronald F. Burris II  
Sr Project Manager, Tribal Relations

Cc: Mark Lennox, NextEra  
Celestine Wood, NextEra  
Rich Estabrook, NextEra

Minnesota Department of Transportation (MnDOT)

**From:** [Kotch Egstad, Stacy \(DOT\)](#)  
**To:** [Lennox, Mark](#)  
**Subject:** RE: Dodge County Wind HVTL Route  
**Date:** Monday, November 22, 2021 5:13:59 PM  
**Attachments:** [image001.png](#)

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Caution - External Email ([stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us))

Report this Email

Quick response

Emergency response

Tips

Mark,

Thank you very much for the email and updated overview/mapbook. I will route the maps to Ann and District staff to review for any initial feedback. Should there be anything of note, I will be sure to inform you of such and/or request a meeting to discuss.

I will most certainly file a letter in the docket representing MnDOT's updated view on DCW's amended application when the time comes.

The type of crossings you mention do seem consistent with our Utility Accommodation Policy and indeed should be applied for separately by affected highway.

Even though MnDOT does not issue utility permits until after the PUC issues their permits, MnDOT permits can be applied for, written and held in a timeline that is consistent with the expectation that no more route changes will come from the PUC permitting process. I am available to talk you through that process/timeline at a later date to ensure any permits DCW submits have everything needed on our end prior to submission.

Happy Thanksgiving to you and yours,

***Stacy Kotch Egstad***

Utility Routing and Siting Coordinator  
Minnesota Department of Transportation  
Office of Land Management  
[stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)

MnDOT



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**From:** Lennox, Mark <[Mark.Lennox@nexteraenergy.com](mailto:Mark.Lennox@nexteraenergy.com)>  
**Sent:** Monday, November 22, 2021 1:58 PM  
**To:** Kotch Egstad, Stacy (DOT) <[stacy.kotch@state.mn.us](mailto:stacy.kotch@state.mn.us)>  
**Subject:** Dodge County Wind HVTL Route



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Stacy,

I wanted to inform you that we plan on amending our Route Permit application for the Dodge County Wind transmission line with a new route that only crosses MnDOT roads rather than traverses MnDOT road ROW longitudinally. I've attached a new overview map as well as a more detailed mapbook showing the new route we plan on filing. We will likely file amended Route Permit application and maps in early December. It is our hope at that time you could file a letter in the docket indicating that MnDOT, based on the review of the amended Route Permit application, no longer seeks a consented case.

A few weeks ago, you and I discussed the idea of DCW filing a primary route that only crosses these two trunk highways, but also alternative route options with longitudinal use of the trunk highway rights-of-way. As the maps show, we decided not to include the use of MnDOT trunk highways as alternative route options in order to simplify what is being considered in the DCW application and to not address the longitudinal use issue through the context of this specific project.

In this new route, we propose to span-cross MnDOT ROW strictly overhead. We can keep all of our on-the-ground infrastructure outside of trunk highway ROW and to have only the transmission line conductor cross the roads. It is our understanding that this type of crossing is consistent with the Utility Accommodation in Highway ROW Policy per your description. I also understand that we must apply for permits for each of these crossings per the policy, which will include ensuring that these crossings are designed to the standards in the MnDOT Utilities Accommodation and Coordination Manual, and that permits will only be issued after the Public Utilities Commission has issued a verbal decision regarding the Route Permit Application.

As always, I'd be happy to set up a meeting to discuss this new route or talk about any questions or concerns you might have.

Hope you have a very happy Thanksgiving!

**Mark Lennox**

Project Director

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