

Appendix B- Scoping Decision



In the Matter of the Application of Great River Energy, Otter Tail Power Co., Western Minnesota Municipal Power Agency, Agralite Electric Coop., and the City of Benson for a Certificate of Need and Route Permit for the Appleton to Benson 115 Kilovolt Transmission Line Project

**ENVIRONMENTAL ASSESSMENT
SCOPING DECISION**

Docket Nos. CN-24-263 and TL-24-264

The above matter has come before the Commissioner of the Department of Commerce (Department) for a decision on the scope of the environmental assessment (EA) to be prepared for the proposed Appleton to Benson 115 kilovolt (kV) high voltage transmission line (HVTL) in Swift County, Minnesota.

Project Description

On December 27, 2024, Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative, and the city of Benson (Applicants), filed a joint certificate of need and route permit application for the Appleton to Benson 115 kilovolt (kV) transmission line project (project) with the Minnesota Public Utilities Commission (Commission).¹

The project consists of upgrading approximately 18.3 miles of existing 41.6 kV transmission line, rebuilding or reconductoring approximately one mile of an existing 115 kV transmission line, constructing approximately 8.0 miles of new 115 kV transmission line, and constructing an approximately 1.7-mile 115 kV transmission line from Great River Energy's existing AG-BK 115-kV line to the Benson Municipal Substation. Additionally, the project includes constructing a new Appleton Substation and either relocating or expanding the Moyer and Danvers Substations. Improvements will also be made at the Shible Lake and Benson Municipal Substations to accommodate the new 115 kV transmission line. The project is located in Swift County, Minnesota.

Project Purpose

The Applicants indicate that the proposed project is needed to meet electrical loads in the project area and to avoid potential low voltage issues resulting from the retirement of the 55 megawatt FibroMinn Energy Center near the city of Benson.

Regulatory Background

The project requires two approvals from the Commission – a certificate of need (CN) and a route permit. CN and route permit applications are subject to environmental review conducted by Department Energy Environmental Review and Analysis (EERA) staff on behalf of the Commission. EERA will prepare an environmental assessment (EA) that will inform the Commission's decision on the applicants' joint CN and route permit application. EA preparation begins with scoping, a process designed to afford citizens,

¹ Joint Permit Application for the Appleton to Benson 115 kV Transmission Line Project, Great River Energy, Otter Tail Power Company, Western Minnesota Municipal Power Agency, Agralite Electric Cooperative, and the city of Benson, December 27, 2024, eDockets Numbers [202412-213349-01 to 202412-213349-25](#).

local governments, tribal governments, and agencies the chance to focus the EA on impacts and mitigation measures related to the project.

Scoping Process

Scoping is the first step in the environmental review process. The scoping process has two primary purposes: (1) to gather public input as to the impacts and mitigation measures to study in the EA and (2) to focus the EA on those impacts and mitigation measures that will aid in the Commission's decision on the site permit application.

EERA staff uses the information gathered during scoping to inform the content of the EA. EERA staff gathered input on the scope of the EA through public meetings and an associated comment period. This scoping decision identifies the impacts and mitigation measures that will be analyzed in the EA.

Public Information and Scoping Meetings

Commission and EERA staff held three public information and EA scoping meetings. One of the meetings was virtual, and two meetings were held in person. The virtual meeting was held on March 13, 2025, and had no attendees. The in-person meetings were held in Appleton and Benson on March 12, 2025. The meeting in Appleton had eight attendees, and the meeting in Benson had seven attendees. No comments were received from persons at the in-person meetings.²

Written Public Comments

A comment period, which closed on March 28, 2025, provided the public an opportunity to submit comments to EERA staff on potential impacts and mitigation measures for analysis in the EA. Comments were received from two state agencies and one Tribal agency.³

The Minnesota Department of Natural Resources proposed special permit conditions and recommendations to ensure appropriate avoidance measures are in place to prevent impacts to state-listed species and their habitat, as well as an overview of permits that the Applicants will need to obtain. The Minnesota Department of Transportation (MnDOT) addressed potential issues and a need for consultation regarding pole placement along highway rights-of-way, as well as an overview of permit approvals that would likely be required from MnDOT.

The Minnesota Indian Affairs Council stated that the project is unlikely to impact known or suspected burial sites, and emphasized the need for an Inadvertent Discovery Plan.

None of the comments received proposed specific routing alternatives for consideration in the EA.

On April 8, 2025, the Applicant filed responses to public comments received during the scoping process.⁴ On April 15, 2025, EERA staff filed a scoping summary and recommendations regarding routing alternatives to study in the EA with the Commission.⁵ On April 29, 2025, the Commission agreed with and adopted the recommendations made by EERA.⁶

² Oral Public Meeting Comments Received on the Scope of the Environmental Assessment for the Appleton to Benson 115 kV Transmission Line Project, eDocket number [20254-217378-01](#).

³ Written Public Comments Received on the Scope of the Environmental Assessment, eDocket number [20254-217555-01](#).

⁴ Applicants' Response Comments on EA Scope, eDocket number [20254-217380-01](#).

⁵ EERA Scoping Summary and Recommendations, eDocket number [20254-217691-01](#).

⁶ Commission Order, eDockets number [20254-218257-01](#).

HAVING REVIEWED THE MATTER, consulted with EERA staff, and in accordance with Minnesota Rule 7850.3700, I hereby make the following scoping decision:

MATTERS TO BE ADDRESSED

The EA will describe the project and the human and environmental resources of the project area. It will provide information on the potential impacts of the project as they relate to the topics outlined in this scoping decision and possible mitigation measures. It will identify impacts that cannot be avoided and irretrievable commitments of resources, as well as permits from other government entities that may be required for the project. The EA will discuss the relative merits of routing alternatives with respect to the routing factors in Minnesota Rule 7850.4100.

The issues outlined below will be analyzed in the EA for the project. This outline is not intended to serve as a table of contents for the document itself.

I. GENERAL DESCRIPTION OF THE PROJECT

- A. Project Description
- B. Project Purpose
- C. Route Description
- D. Project Costs

II. REGULATORY FRAMEWORK

- A. Certificate of Need
- B. High Voltage Transmission Line Route Permit
- C. Environmental Review Process
- D. Other Permits and Approvals

III. ENGINEERING, DESIGN, AND CONSTRUCTION

- A. Transmission Line Structures
- B. Transmission Line Conductors
- C. Associated Facilities
- D. Construction
 - 1. Right-of-Way Acquisition
 - 2. Construction
 - 3. Restoration
 - 4. Damage Compensation
 - 5. Operation and Maintenance

IV. AFFECTED ENVIRONMENT, POTENTIAL IMPACTS AND MITIGATIVE MEASURES

The EA will include a discussion of the human and environmental resources potentially impacted by the project. Potential impacts of the project will be described and characterized. Based on the impacts identified, the EA will describe mitigation measures that could reasonably be implemented to reduce or eliminate the identified impacts. The EA will describe any unavoidable impacts resulting from implementation of the project.

Data and analyses will be commensurate with the level of impact for a given resource and the relevance of the information to consider mitigation measures. EERA staff will consider the relationship between the cost of data and analyses and the relevance and importance of the information in determining the level of detail of information to be prepared for the EA. Less important material may be summarized, consolidated, or simply referenced.

If relevant information cannot be obtained within timelines prescribed by statute and rule, the costs of obtaining such information is excessive, or the means to obtain it is unknown, EERA staff will include in the EA a statement that such information is incomplete or unavailable and the relevance of the information in evaluating potential impacts or alternatives.

- A. Environmental Setting
- B. Human Settlements
 - 1. Noise
 - 2. Aesthetics
 - 3. Displacement
 - 4. Property Values
 - 5. Zoning and Land Use Compatibility
 - 6. Cultural Values
 - 7. Transportation and Public Services
- C. Socioeconomics
 - 1. Environmental Justice
 - 2. Local Economies
- D. Public Health and Safety
 - 1. Electric and Magnetic Fields
 - 2. Emergency Services
- E. Land Based Economies
 - 1. Agriculture
 - 2. Forestry
 - 3. Mining
 - 4. Recreation and Tourism
- F. Archaeological and Historic Resources
- G. Natural Environment
 - 1. Water Resources
 - 2. Soils
 - 3. Geology
 - 4. Flora
 - 5. Fauna
 - 6. Air Quality
 - 7. Climate Change / Climate Resiliency
- H. Threatened / Endangered / Rare and Unique Natural Resources
- I. Electric System Reliability
- J. Adverse Impacts that Cannot be Avoided
- K. Irreversible and Irretrievable Commitments of Resources

V. ROUTES AND ALIGNMENTS TO BE EVALUATED IN THE ENVIRONMENTAL ASSESSMENT

The EA will evaluate the route and route alternatives proposed by the Applicants in their joint CN and route permit application.

VI. ALTERNATIVES TO THE PROPOSED TRANSMISSION LINE PROJECT

The EA, in accordance with Minnesota Rule 7849.1500, will describe and analyze the feasibility of the following system alternatives, and the human and environmental impacts and potential mitigation measures associated with each:

- A. No-build Alternative
- B. Demand Side Management
- C. Purchased Power
- D. Transmission Line of a Different Size
- E. Upgrading of Existing Facilities
- F. Generation Rather Than Transmission
- G. Use of Renewable Energy Sources

ISSUES OUTSIDE THE SCOPE OF THE EA

The EA will not address following topics:

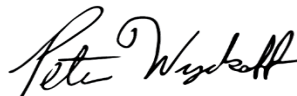
- Any route, route segment, or alignment alternative not specifically identified for study in this scoping decision.
- Any system alternative (an alternative to the proposed transmission line project) not specifically identified for study in this scoping decision.
- Policy issues concerning whether utilities or local governments should be liable for the cost to relocate utility poles when roadways are widened.
- The manner in which landowners are paid for transmission line right-of-way easements.

SCHEDULE

The EA is anticipated to be completed and available in August 2025. Public hearings will be held in the project area after issuance of the EA. Comments on the EA may be submitted into the hearing record.

Signed this 9th day of May, 2025

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE



Pete Wyckoff, Deputy Commissioner

Environmental Assessment Scoping Decision
 Appleton to Benson 115 kV Transmission Line Project
 Docket Nos. CN-24-263 and TL-24-264

Appleton to Benson 115 kV Transmission Line Project – Proposed Route

