

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Application for a Route Permit for the Big Stone South to Alexandria
345 kV Transmission Project in West-Central Minnesota

MPUC Docket No. E017, ET10/TL-23-160

OAH Docket No. 22-2500-40506

**DIRECT TESTIMONY OF KEVIN SCHEIDECKER
ON BEHALF OF OTTER TAIL POWER COMPANY
and WESTERN MINNESOTA MUNICIPAL POWER AGENCY**

August 15, 2025

1 I. INTRODUCTION AND QUALIFICATIONS

2
3 Q. Please state your name, employer, and business address.

4 A. My name is Kevin Scheidecker. I am employed by Otter Tail Power Company
5 (Otter Tail). My business address is 215 South Cascade Street, Fergus Falls, MN
6 56537.

7
8 Q. What is your position with Otter Tail?

9 A. I am a Principal for Environmental Services.

10
11 Q. Briefly describe your educational and professional background.

12 A. I have a Bachelor of Science in Biological Sciences from North Dakota State
13 University. Early in my career, I worked for the U.S. Fish and Wildlife Service
14 (USFWS) as a biological technician, where I gained experience conducting
15 environmental surveys, coordinating environmental programs, and conducting
16 public outreach. After working for the USFWS, I was a technician and then a
17 manager for local soil and water conservation districts and also served as the basin
18 coordinator for the Red River Basin Commission. In addition to environmental
19 positions, I was a high school science teacher for several years and also worked
20 in the Otter Tail County, Minnesota Assessor's office, initially as an appraiser and
21 then ultimately as the County Assessor. Since joining Otter Tail, my work has
22 focused on overseeing and coordinating field survey efforts by environmental
23 consultants, engaging in agency consultation, and supporting the preparation of
24 permitting applications for infrastructure projects in multiple states. My statement
25 of qualifications is attached as Schedule A.

26
27 Q. Are you familiar with the Big Stone South to Alexandria 345 kilovolt (kV)
28 Transmission Line Project (BSSA Project)?

29 A. Yes, it is a transmission line project being developed by Otter Tail and Western
30 Minnesota Municipal Power Agency (Western Minnesota), through its agent
31 Missouri River Energy Services (MRES) (together, Applicants). The BSSA Project

1 extends from the existing Big Stone South Substation in Grant County, South
2 Dakota to the existing Alexandria Substation near Alexandria, Minnesota.

3
4 **Q. Is the majority of the BSSA Project located in Minnesota?**

5 A. Yes. The majority of the BSSA Project is located in Minnesota. Approximately 3.5
6 miles of the BSSA Project are located in South Dakota, with approximately 91 to
7 113 miles located in Minnesota.

8
9 **Q. Is the Minnesota portion of the BSSA Project (Project) the subject of the**
10 **Route Permit Application submitted by the Applicants?**

11 A. Yes.

12
13 **Q. What is your role with respect to the BSSA Project?**

14 A. I provide support to the BSSA Project for Otter Tail as a subject matter expert on
15 environmental related issues. My support consists of assisting with the drafting of
16 the Route Permit Application and subsequent activities such as information
17 requests and hearing testimony. I also assist with outreach and coordination with
18 federal and state agencies and Tribes.

19
20 **II. PURPOSE OF TESTIMONY**

21
22 **Q. What is the purpose of your Direct Testimony?**

23 A. The purpose of my testimony is to provide an overview of the environmental
24 analysis conducted by the Applicants when selecting a preferred route, including
25 agency and tribal consultation and a summary of studies/surveys that have been
26 or will be conducted. My testimony also describes the environmental analysis and
27 agency consultation that was conducted as part of the Applicants' alternatives
28 analysis.

29
30 **Q. What sections of the Application are you sponsoring?**

31 A. The sections of the Application I am sponsoring are provided below:

- Section 2.4: Other Permits/Approvals
- Section 4.5: Initial Tribal, Agency and Local Government Outreach
- Section 7.0: Environmental Analysis of Route
- Section 8.0: Agency, Tribal, Local Government, and Public Outreach
- Appendix F: Agency Correspondence
- Appendix J: Draft Vegetation Management Plan
- Appendix K: Draft Agricultural Impact Mitigation Plan
- Appendix L: Environmental Justice Maps
- Appendix M: Air Quality and GHG Emissions Calculations

Q. What schedules are attached to your Direct Testimony?

A. The following schedules are attached to my Direct Testimony:

- **Schedule A**: Statement of Qualifications
- **Schedule B**: Minnesota Department of Transportation (MnDOT) Comments
- **Schedule C**: Updated Agricultural Impact Mitigation Plan (AIMP)
- **Schedule D**: Minnesota Department of Agriculture (MDA) Response to Updated AIMP

III. ENVIRONMENTAL SURVEYS AND STUDIES

Q. What environmental analysis and/or studies have been conducted for the Project?

A. In order to assess the potential impacts to cultural and environmental resources related to the construction, operation, and maintenance of the Project along the route options proposed in the Application as well as the alternatives accepted for study in the Environmental Impact Statement (EIS) (each a Scoping Alternative), the Applicants developed a geographic information system (GIS) database of information gathered from publicly available data resources, in-field routing review efforts, and outreach efforts. Using the GIS database, the Applicants identified cultural and environmental resources that were considered as potential constraints when developing the Route Options proposed in the Application.

1 **Q. Is additional environmental study/survey work planned to be completed for**
2 **the Project?**

3 A. Yes. The Applicants have coordinated with state and federal resource agencies
4 regarding environmental study/survey work to be completed for the Project. If the
5 final route selected by the Minnesota Public Utilities Commission (Commission)
6 intersects USFWS managed/owned lands, the Project will need a Right-of-Way
7 Permit and/or a Special Use Permit from USFWS. To support this effort, the
8 Applicants are coordinating with USFWS, Tribes, and the Minnesota State Historic
9 Preservation Office (SHPO) to conduct field surveys in 2025 and potentially 2026
10 within the Project's proposed Route Width on USFWS managed/owned parcels.
11 These surveys include cultural resources surveys and threatened and endangered
12 species habitat surveys at multiple locations where the Project may intersect with
13 USFWS managed/owned lands. The habitat surveys would evaluate the presence
14 and quality of species-specific suitable habitat for the northern long eared bat
15 (*Myotis septentrionalis*), tricolored bat (*Perimyotis subflavus*), rufa red knot
16 (*Calidris canutus rufa*), Dakota skipper (*Hesperia dacotae*), monarch butterfly
17 (*Danaus Plexippus*), western regal fritillary (*Argynnis idalia occidentalis*), and the
18 suckley's cuckoo bumble bee (*Bombus suckleyi*). On July 9, 2025, the Applicants
19 received a signed Special Use Permit from USFWS authorizing the requested field
20 surveys to be conducted on USFWS managed/owned lands through October 31,
21 2026. Although the Project may cross wetlands on USFWS managed/owned
22 lands, USFWS has previously surveyed these areas and informed the Applicants
23 that they do not have to conduct wetland delineations.

24
25 The Applicants are also coordinating with the Minnesota Department of Natural
26 Resources (MDNR) to identify MDNR owned parcels that may be crossed by the
27 Project that would also benefit from surveys ahead of the selection of the final
28 route. On July 1, 2025, the MDNR stated that there are six Wildlife Management
29 Areas (WMAs) on or directly adjacent to the Scoping Alternatives, and all were
30 acquired with federal funding. On July 28, 2025, the MDNR recommended that
31 the Applicants conduct field surveys on these parcels. Although most of these

1 areas have already been surveyed in the past, the MDNR noted that new surveys
2 would offer a current assessment of resources using a consistent methodology
3 (e.g., cultural resources, threatened and endangered species habitat, and wetland
4 delineations). On July 29, 2025, MDNR granted permission for the Applicants to
5 conduct pedestrian field surveys in the WMAs within Stevens, Pope, and Douglas
6 counties.

7
8 Upon the Commission's selection of a final route, the Applicants anticipate
9 expanding the survey area for the threatened and endangered species habitat
10 surveys conducted on USFWS managed/owned lands and MDNR owned lands.
11 The Applicants also plan on conducting migratory bird nesting surveys and
12 eagle/raptor stick nest surveys. In addition, the Applicants will continue to
13 coordinate with the Minnesota SHPO to determine additional areas that would
14 need to be surveyed for cultural resources. The study area for these surveys would
15 include all land needed for construction, operation, and maintenance of the Project
16 including the right-of-way, access roads, and temporary construction workspaces
17 (e.g., laydown yards, pulling/tensioning sites), as applicable. The Applicants will
18 design and conduct surveys in coordination with the applicable resource agencies.

19 20 **IV. TRIBAL AND MINNESOTA SHPO COORDINATION**

21
22 **Q. Please describe the correspondence that the Applicants have had with**
23 **Tribes.**

24 **A.** The Applicants have corresponded with 26 Tribes including two outreach letters
25 and a phone call to every Tribe to support the development of the Application.
26 Four Tribes have expressed interest in the Project: Mille Lacs Band of Ojibwe,
27 Shakopee Mdewakanton Sioux Community, Sisseton Wahpeton Oyate, and Leech
28 Lake Band of Ojibwe. The Applicants have had additional correspondence with
29 each of these Tribes, including a meeting with the Sisseton Wahpeton Oyate Tribal
30 Historic Preservation Office (THPO) on June 27, 2023 to discuss the Project and
31 future Tribal involvement. The Applicants met with the Sisseton Wahpeton Oyate

1 THPO again on February 16, 2024, to discuss updates to the Project. Additional
2 Tribal correspondence is summarized in Section 8.1.3 of the Application.

3
4 The Applicants conducted similar outreach and coordination in support of its
5 application for the South Dakota portion of the BSSA Project. As a result of that
6 coordination, two Tribes participated in cultural resource surveys for the South
7 Dakota portion of the Project, including the Sisseton Wahpeton Oyate and
8 Flandreau Santee Sioux.

9
10 **Q. Have the Applicants continued to coordinate with Tribes on the development**
11 **of this Project since filing the Application?**

12 A. Yes. Between June 18 - 20, 2025, the Applicants notified Tribes of the planned
13 2025 field surveys on USFWS managed/owned parcels within the Route Width
14 and provided a copy of the draft cultural resources survey plan. The Applicants
15 invited the Tribes to provide comments on the draft cultural resources survey plan
16 and to participate in the 2025 field surveys for lands managed/owned by the
17 USFWS and for future survey efforts for the Project once a final route is selected
18 by the Commission. On June 19, 2025, the Shakopee Mdewakanton Sioux
19 Community responded with additional points of contact; on June 26, 2025, the
20 Sisseton Wahpeton Oyate Tribe informed the Applicants they will have Traditional
21 Cultural Specialists (TCS) available when the Project surveys start; and on July 2,
22 2025, the Upper Sioux Community expressed interest in participating in surveys
23 depending on timing. On July 23, 2025, the Applicants updated the Upper Sioux
24 Community and Sisseton Wahpeton Oyate Tribes on the anticipated cultural
25 resources survey schedule. In response, the Upper Sioux Community indicated
26 that they had TCS available during the anticipated survey period and requested a
27 meeting to discuss the survey logistics. On July 31, 2025, the Applicants met with
28 the Upper Sioux Community to discuss the survey logistics. The Applicants will
29 continue to coordinate with Tribes on future cultural resources surveys.

1 **Q. Have the Applicants coordinated with the Minnesota SHPO since the filing**
2 **of the Application?**

3 A. Yes. By letter dated March 19, 2025, the Commission authorized the Applicants
4 to initiate formal consultation with Minnesota SHPO. On March 31, 2025, the
5 Applicants contacted the Minnesota SHPO to request a meeting to discuss
6 updates to the Project, status of the EIS being prepared by Energy Infrastructure
7 Permitting (EIP) staff, and to discuss future planned cultural resources field
8 studies. On May 2, 2025, the Minnesota SHPO noted that a meeting was not
9 necessary but offered to provide comments on cultural resource survey plans that
10 the Applicants developed in coordination with USFWS for the proposed field
11 surveys on USFWS managed/owned parcels. The Applicants provided the draft
12 cultural resource survey plan to the Minnesota SHPO for comment on June 5,
13 2025. On June 10, 2025, the Minnesota SHPO responded that portions of the
14 Project may be subject to Minnesota SHPO review under Section 106 (S106) of
15 the National Historic Preservation Act. Specifically, the Minnesota SHPO stated
16 that they would be “consulting directly with the federal agency as part of any S106
17 review for the federal undertaking” and they would continue “consultation under
18 state statute for the state level review associated with the [Commission] permitting
19 process.”
20

21 **Q. What recommendations has Minnesota SHPO made?**

22 A. By letter dated December 28, 2023, the Minnesota SHPO recommended the
23 following:

- 24 • “a background literature review to identify currently inventoried
25 historic/architectural properties, including those currently designated in the
26 National or State Register of Historic Places and recorded archaeological sites
27 within the route corridor area.”
- 28 • “a Phase Ia archaeological assessment be completed. If as a result of this
29 assessment, a Phase I reconnaissance archaeological survey is
30 recommended, then this survey should be conducted. Any Phase I survey
31 must meet the requirements of the Secretary of the Interior's Standards for

1 Identification and Evaluation and should include an evaluation of National
2 Register eligibility for any properties that are identified.”
3

4 The Minnesota SHPO also recommended that the Project consider direct and
5 indirect impacts to designated historic properties and archaeological sites,
6 including visual, atmospheric, or audible elements that may have an effect on the
7 characteristics that qualify the property for listing.
8

9 The Minnesota SHPO provided recommendations for what to include in future
10 cultural resource reports such as detailed maps and a discussion on how the
11 Project would avoid impacting identified historic properties and archaeological
12 sites.
13

14 **Q. Do the Applicants plan to implement Minnesota SHPO’s recommendations?**

15 A. Yes. The Applicants conducted a background desktop literature review between
16 December 2023 and August 2024 using inventory files from the Minnesota SHPO
17 and Office of the State Archaeologist online portals. The review identified
18 previously recorded precontact archaeological sites, architecture/historical
19 properties, and unrecorded historic cemeteries along the Route Options, as
20 discussed in Section 7.5 of the Application.
21

22 Once a final route is selected, the Applicants will conduct cultural resource surveys
23 in accordance with the Minnesota SHPO’s recommendations. If as a result of
24 these initial assessments, additional surveys are recommended by Minnesota
25 SHPO, then the Applicants will conduct them.
26

27 No cultural resources reports have been prepared to date, but the Applicants will
28 follow the Minnesota SHPO’s recommendations when preparing such reports in
29 the future.
30

1 **V. OTHER AGENCY COORDINATION**

2

3 **Q. Please generally describe the Applicants' agency coordination efforts.**

4 A. The Applicants have coordinated with seven federal agencies regarding the
5 Project including the Federal Aviation Administration, Federal Highway
6 Administration, U.S. Army Corps of Engineers (USACE), U.S. Bureau of Indian
7 Affairs, U.S. Department of Agriculture – Farm Service Agency, USFWS, and U.S.
8 Environmental Protection Agency. Since filing the Application, the Applicants have
9 continued to coordinate with USFWS. The Applicants anticipate further
10 coordination with other federal resource agencies once a final route is selected by
11 the Commission.

12

13 The Applicants have coordinated with ten state agencies regarding the Project
14 including the Minnesota Association of Soil and Water Conservation Districts,
15 Minnesota Association of Watershed Districts, Minnesota Board of Water & Soil
16 Resources (BWSR), MDA, Minnesota Department of Health, MDNR, MnDOT,
17 Minnesota Indian Affairs Council, Minnesota Pollution Control Agency, and
18 Minnesota SHPO. Since filing the Application, the Applicants have continued to
19 coordinate with MDA, MDNR, MnDOT, and Minnesota SHPO. The Applicants
20 anticipate further coordination with other state resource agencies once a final route
21 is selected by the Commission.

22

23 The Applicants have also coordinated with the Upper Minnesota River Watershed
24 District regarding the Whetstone River Restoration Project, Tribes and local
25 government units. The Applicants' witness Mr. Joshua Humburg's Direct
26 Testimony further describes coordination with local government units since filing
27 of the Application. Agency coordination is further detailed in Section 8 of the
28 Application.

1 **Q. Please describe the Applicants' continued coordination with the USFWS on**
2 **the Project since filing the Application.**

3 A. The Applicants met with USFWS on December 17, 2024 and have had monthly
4 coordination meetings with USFWS starting on January 22, 2025 regarding
5 potential Project impacts on USFWS managed or owned lands, pending final route
6 selection by the Commission. On January 23, 2025, USFWS filed a letter with the
7 Commission proposing Scoping Alternatives that avoid or minimize impacts to
8 USFWS managed/owned lands. USFWS staff have reiterated these interests
9 during the monthly coordination meetings with the Applicants.

10
11 The USFWS requires that projects proposing to cross federal lands (fee title)
12 identify all potential alternatives and why those alternatives will not satisfy the
13 purpose and need of the project and, therefore, request the crossing of federal
14 lands. If the final route crosses USFWS fee title lands, a Right-Of-Way Permit will
15 be required. The Applicants have coordinated with USFWS on the Right-Of-Way
16 Permit process, in which the USFWS will evaluate the Project's compatibility with
17 the existing uses of the land. USFWS has indicated it would take approximately 2
18 to 3 years to issue a Right-Of-Way Permit. The Right-Of-Way Permit, if issued,
19 would be valid for a period of 50 years and would need to be re-evaluated and re-
20 issued for continued use of USFWS fee title land in the future.

21
22 If the Project were to cross a USFWS easement, the Applicants would need a
23 Special Use Permit. The USFWS has indicated that siting structures outside of
24 USFWS easements' protected features would negate the need for a Special Use
25 Permit. If a Special Use Permit is deemed necessary, the Applicants would apply
26 for a Special Use Permit and coordinate with the USFWS to avoid or minimize
27 Project impacts.

28
29 The Applicants have also coordinated with USFWS regarding environmental and
30 cultural survey efforts and associated Right-of-Way Permits and/or Special Use
31 Permits. As a direct result of the Applicants' coordination, USFWS participated in

1 the Commission's scoping process to provide comments on route options to be
2 evaluated in the EIS. The Applicants will continue to coordinate with USFWS.

3
4 **Q. Please describe the Applicants' continued coordination with the MDNR on**
5 **the Project since filing the Application.**

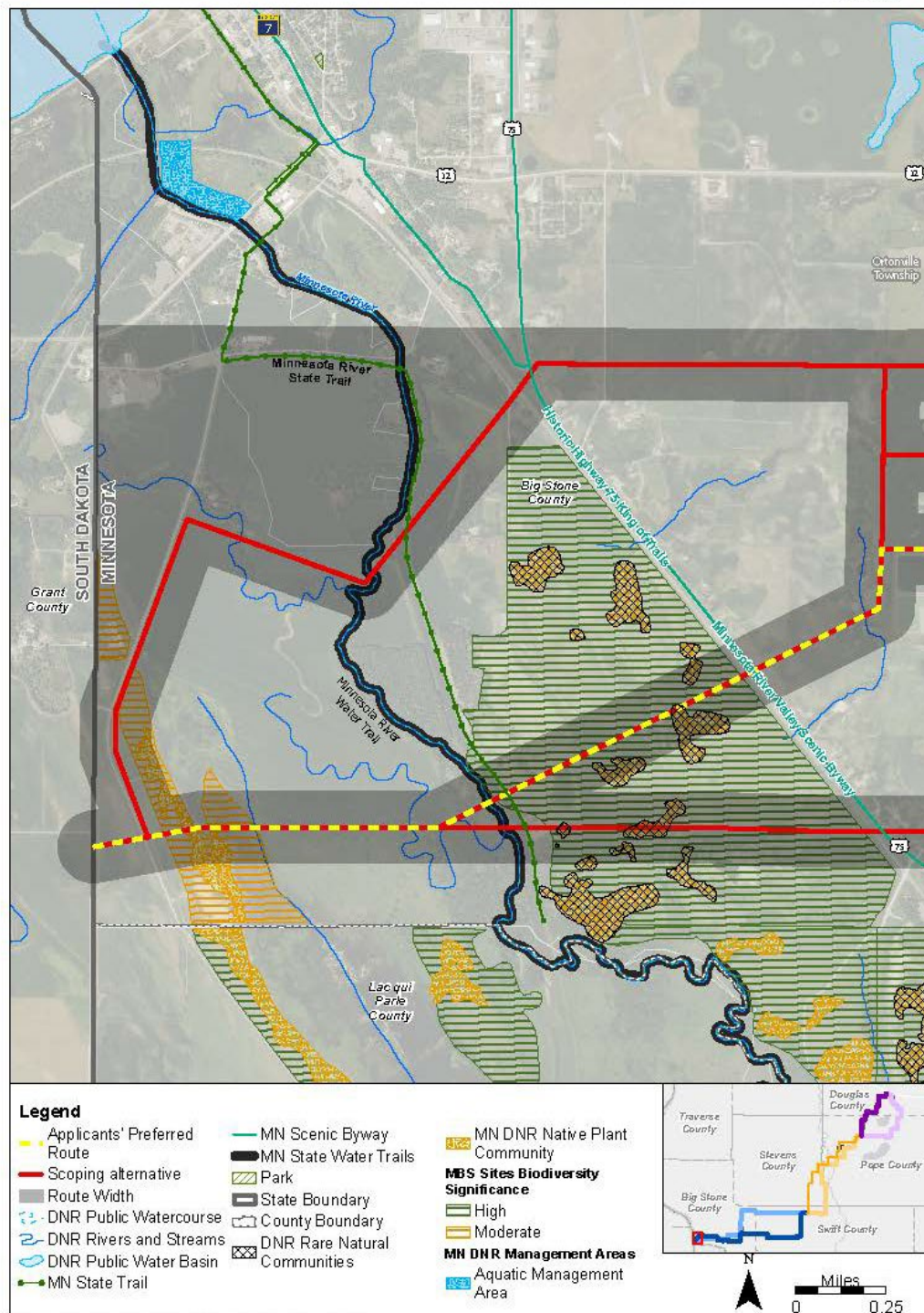
6 A. The Applicants received the results of the supplemental Natural Heritage Review
7 request from MDNR on December 6, 2024.¹ On March 21, 2025, the Applicants
8 met with regional environmental assessment ecologists from the MDNR to discuss
9 MDNR's preferences and recommendations for EIS scoping. On May 21, 2025,
10 the Applicants met with MDNR to provide an update on the Project and to discuss
11 the timing and methods of potential field surveys. On July 1, 2025, the MDNR
12 notified the Applicants that there are six WMAs on or directly adjacent to the
13 Scoping Alternatives, and all were acquired with federal funding. If the final route
14 crosses any of these parcels, the Applicants would be required to obtain a utility
15 crossing license which would require a more extensive federal aid review and
16 approval. On July 28, 2025, the MDNR recommended that the Applicants conduct
17 field surveys on these parcels to get a current assessment of the resources using
18 a consistent methodology. On July 29, 2025, MDNR granted permission for the
19 Applicants to conduct pedestrian field surveys in the WMAs within Stevens, Pope,
20 and Douglas counties. The Applicants continue to meet with MDNR every other
21 month to coordinate on the Project. The MDNR have submitted multiple letters
22 detailing their preferences and recommendations for the Project, as summarized
23 in Section 8.1.2.3 of the Application.

24
25 **Q. Are there any recommendations by MDNR that you would like to discuss?**

26 A. Yes. As discussed in Section 8.1.2.3 of the Application, on March 21 and July 12,
27 2024, MDNR formally submitted comments as part of early coordination for the

¹ Filed at request of EIP staff on December 20, 2024. See Applicants' Supplemental Filing (Dec. 20, 2024) (eDocket No. [202412-213272-01](#)).

1 Project. MDNR provided additional comments on the Applicants updated Route
2 Options on September 13, 2024. On January 31, 2025, the MDNR provided
3 comments to EERA during the scoping period. In their comments, MDNR
4 identified avoidance areas, public watercourses, calcareous fens, rare features,
5 state-listed threatened and endangered species, and Project recommendations.
6 The MDNR recommended that the Project avoid impacts to rock outcrop
7 communities, specifically the Ortonville 22 High Minnesota Biological Survey
8 (MBS) Biodiversity Significance Site in Big Stone County near the Minnesota River
9 (see figure below). MDNR recommends this area be avoided as these rock
10 outcrops provide habitat for state-protected plant species such as the ball cactus
11 (*Coryphantha vivipara*), larger water starwort (*Callitriche heterophylla*), and
12 waterhyssop (*Bacopa rotundifolia*). The Applicants considered MDNR's
13 recommendations in conjunction with the other criteria in Minn. Stat. § 216E.03,
14 subd. 6 and Minn. R. 7850.4100 in their alternatives analysis and the selection of
15 the Preferred Route.
16



The area near the Minnesota River crossing is the most heavily constrained area of the entire Project due to residences in proximity to each other, the Big Stone

1 National Wildlife Refuge, state-protected plant species, and a scenic highway.
2 There are 12 Scoping Alternatives proposed in this area; five that avoid the
3 Ortonville 22 High MBS Biodiversity Significance Site and seven that would span
4 the site, including the Applicant's Preferred Route. The Applicant's Preferred
5 Route avoids potential impacts with nearby airports and is supported by the
6 majority landowner as it minimizes impacts on agricultural operations.

7
8 To avoid the Ortonville 22 High MBS Biodiversity Significance Site, the Project
9 would need to be routed to the north along Big Stone County Road 15 and
10 colocated with the existing Great River Energy 115 kV HVTL. There are no
11 benefits to paralleling Big Stone County Road 15 because the road is planned to
12 be vacated as part of the proposed Whetstone River Restoration Project; plus
13 these alternatives would result in greater impacts to agricultural operations, be
14 closer to more residences and the City of Ortonville, and are in an area prone to
15 flooding and erosion, potentially causing accessibility issues. Therefore, the
16 Applicant's Preferred Route will need to span the Ortonville 22 High MBS
17 Biodiversity Significance Site.

18
19 The Applicants have developed the Project to avoid impacts to environmental
20 resources whenever possible. In some cases, impacts on environmental
21 resources may not be entirely avoided, but could be minimized by implementation
22 of mitigation measures. The Applicants have continued to coordinate with MDNR
23 on potential mitigation methods in this area including final structure placement to
24 avoid direct impacts to the Ortonville 22 High MBS Biodiversity Significance Site
25 by spanning the site. In order to avoid direct impacts, a qualified surveyor will
26 conduct an assessment to identify potential locations where state protected
27 species are known to occur near the Ortonville 22 High MBS Biodiversity
28 Significance Site. Additionally, the Applicants will use mitigation methods such as
29 seasonal restrictions, fencing of rare features, and vegetation restoration during
30 construction, as applicable. The Applicants will continue to coordinate with MDNR
31 to develop avoidance plans and species-specific mitigation measures.

1 **Q. Please describe the Applicants’ continued coordination with the MnDOT on**
2 **the Project since filing the Application.**

3 A. The Applicants met with MnDOT on May 14, 2025, to discuss the Early Notification
4 Memorandum addendum for the Scoping Alternatives accepted for study in the
5 EIS. Following the meeting, the Applicants provided MnDOT with detailed maps,
6 summary tables, and shapefiles of the Scoping Alternatives. On July 3, 2025,
7 MnDOT provided the Applicants with formal comments on the Scoping
8 Alternatives, which were largely consistent with their previous recommendations
9 that informed the Applicants’ route selection process presented in the Application.
10 MnDOT commented that alignments paralleling, within, or encroaching on trunk
11 highway ROW would need further review and noted trunk highway right-of way
12 (ROW) colocation impacts that would need to be analyzed. MnDOT highly
13 recommended “a generous route width in areas of anticipated trunk highway
14 colocation to allow for routing flexibility.” MnDOT also recommended that the
15 Applicants should remain aware of planning and funding changes to trunk highway
16 construction projects that may affect the Project and to continue coordination with
17 MnDOT staff. MnDOT’s response is included in **Schedule B**. On July 14, 2025,
18 MnDOT provided further clarification to the Applicants stating that they do not need
19 to submit a Constructability Report for MnDOT review/approval prior to the
20 Commission issuing a Route Permit. This correspondence is also included in
21 **Schedule B**. Additionally, since the state roadways in the Project vicinity are not
22 controlled access, and the extent of either transmission line crossings or
23 longitudinal colocation/ROW of lines is not excessive, it would not require analysis
24 via the Constructability Report process prior to a decision from the Commission.
25 However, if the Commission selects a final route that parallels/crosses state roads,
26 the Applicants will then need to complete additional analysis and a Constructability
27 Report, to the extent applicable, as part of specific MnDOT permitting of a final
28 route/design.

1 **Q. Please describe the Applicants' continued coordination with the MDA on the**
2 **Project since filing the Application.**

3 A. Prior to filing the Application, the Applicants provided two drafts of the AIMP to the
4 MDA for comment (Appendix K to the Application). On May 9, 2025, the Applicants
5 met with MDA to discuss revisions to the AIMP to reflect additional measures
6 intended to minimize impacts to irrigators. Subsequently, on July 7, 2025, the
7 Applicants provided a revised draft AIMP for MDA review to address electrical
8 induction and grounding relative to irrigation systems. MDA responded stating
9 they had reviewed and believed it captured the intent of the Commission's permit
10 condition. MDA also noted an appreciation for the clarity and uniformity of the
11 revised AIMP. The updated AIMP is included as **Schedule C**. MDA's response is
12 included as **Schedule D**. Mr. Humburg's Direct Testimony further describes these
13 changes and related measures the Applicants will take to educate landowners with
14 irrigators on safety measures related to operating irrigators near the Project.

15
16 **Q. Have the Applicants coordinated with other agencies since the filing of the**
17 **Application?**

18 A. Yes. The Applicants have continued to coordinate with the Minnesota BWSR and
19 the Upper Minnesota River Watershed District. On November 19, 2024, the
20 Applicants discussed the Reinvest in Minnesota (RIM)/Conservation Reserve
21 Enhancement Program (CREP) easement alternation process if the final route
22 were to intersect one of those easements with Minnesota BWSR. The Applicants
23 will continue coordination with Minnesota BWSR once a final route is selected by
24 the Commission.

25
26 On November 27, 2024, the Applicants met with the Upper Minnesota River
27 Watershed District regarding the Project's potential impacts to the planned
28 Whetstone River Restoration Project. Following the meeting, the Applicants
29 provided the Upper Minnesota River Watershed District with Project shapefiles and
30 requested additional details about the planned Whetstone River Restoration
31 Project which were subsequently provided by the Upper Minnesota River

1 Watershed District. On May 21, 2025, the Upper Minnesota River Watershed
2 District informed the Applicants that they anticipate substantial project completion
3 of the Whetstone River Restoration by 2028. The Upper Minnesota River
4 Watershed District was expected to submit the final permit application to USACE
5 in June 2025 and start construction in 2026, pending permit approvals. The Upper
6 Minnesota River Watershed District does not anticipate any conflicts between the
7 Whetstone River Restoration Project and the Project, but that Applicants were told
8 that Big Stone County Road 15 will be decommissioned as part of the Whetstone
9 River Restoration Project. The Applicants will continue to coordinate with the
10 Upper Minnesota River Watershed District once a final route is selected by the
11 Commission.

12 13 VI. ALTERNATIVES ANALYSIS

14
15 **Q. In the Applicants' witness Mr. Jason Weiers' Direct Testimony, he describes**
16 **the Alternatives Analysis conducted for the Project and the Applicants'**
17 **Preferred Route. Are you aware of this testimony?**

18 A. Yes.

19
20 **Q. Please generally describe the environmental analysis performed for the**
21 **Scoping Alternatives and the conclusions reached by the Applicants.**

22 A. As described in the Application, the Applicants developed and maintained a GIS
23 database of information gathered from publicly available data resources, in-field
24 routing review efforts, and outreach efforts. For the Alternatives Analysis, the
25 Applicants continued to use this data to compare the merits of the various Scoping
26 Alternatives with a goal of developing a Preferred Route that minimizes impacts to
27 the extent practicable.

28
29 This was an iterative process that required the Applicants to consider various
30 factors, such as: (1) proximity to residences; (2) minimizing impacts to landowners
31 and existing land uses by paralleling existing linear features (such as roads,

1 railroads and transmission line rights-of-way, field edges, and property lines); (3)
2 avoiding or minimizing impacts to resources located on federal and state
3 managed/owned lands; and (4) avoiding or minimizing impacts to environmental
4 resources (e.g., sensitive habitats, wetlands/waterbodies, cultural resources).
5

6 **Q. Did the Applicants consider information gathered during its agency and**
7 **tribal coordination?**

8 A. Yes. The Applicants considered comments and preferences provided by agencies
9 and Tribes. To the extent practicable, the Applicants' Preferred Route minimizes
10 impacts to federal and state managed/owned land and environmental and cultural
11 resources while considering the other required criteria. Agencies have informed
12 the Applicants of specific resources near the Scoping Alternatives that they have
13 a strong preference to avoid. For example, there is a known calcareous fen in the
14 South Region that MDNR strongly prefers the Applicants avoid. While many
15 Scoping Alternatives are in close proximity, the Applicants Preferred Route avoids
16 this location to minimize impacts on this protected area. Additionally, the
17 Applicants have coordinated with USFWS to minimize impacts on USFWS lands
18 to the extent practicable. For example, the USFWS identified the Hillman
19 Waterfowl Production Area (WPA) and the Artichoke Lake area as high importance
20 during initial Project coordination and preferred the Project to be routed farther
21 south to avoid them. The Applicants' Preferred Route is routed to the south of US
22 Highway 12 to avoid impacts to this WPA and the Artichoke Lake area.
23

24 **Q. Does the Applicants' Preferred Route minimize potential human and**
25 **environmental impacts?**

26 A. Yes. The Preferred Route minimizes impacts to residences to the extent
27 practicable. The Preferred Route is largely consistent with public comments, has
28 fewer impacts on environmental and cultural resources, and avoids, or has the
29 potential to avoid sensitive environmental and cultural resources. More
30 information on how the Applicants minimized potential impacts during the selection
31 of the Preferred Route is in Mr. Weiers' Direct Testimony.

VII. CONCLUSION

1

2

3 **Q. Does this conclude your Direct Testimony?**

4 **A. Yes.**

DIRECT TESTIMONY OF KEVIN SCHEIDECKER

SCHEDULE A: STATEMENT OF QUALIFICATIONS

Kevin Scheidecker

Principal, Environmental Services
Otter Tail Power Company
215 South Cascade Street
Fergus Falls, MN 56537
218-739-8773
kscheidecker@otpc.com

Education

North Dakota State University, Fargo, ND 58105
Biological Sciences, Bachelor of Science
Dean's List

Professional Experience

Otter Tail Power Company, Fergus Falls, MN

Principal, Environmental Services 2025 - Present

- Lead acquisition and drafting of environmental information for permit applications to various agencies and local governmental units.
- Attend and present information at public meetings and open houses.
- Provide testimony before state regulatory commissions and/or governing bodies in support of acquiring permits.
- Oversee acquisition of environmental permits, approvals, and licenses.
- Ensure compliance with applicable regulations and permit requirements throughout development, construction, and operations.
- Assist facilities and oversee consultants in the completion of required environmental studies testing, recordkeeping, and reporting requirements.
- Supervise team members, including an environmental specialist and environmental consultants.

Otter Tail Power Company, Fergus Falls, MN

Senior Environmental Specialist, Environmental Services Dept. 2023 - 2025

- Finalized and executed environmental field survey plans needed to support applications to the SD and MN Public Utilities Commissions and ND Public Service Commission.
- Supported drafting of permit applications to various agencies, LGU's and stakeholders and subsequent activities including information requests and providing hearing testimony.
- Coordinated work with environmental consultants to ensure goals and scope of work are met.

Otter Tail County, Fergus Falls, MN

County Assessor, Assessor's Department 2022 - 2023

- Directed the analysis, listing, valuing, and classifying of all real and personal property in the County by monitoring assessment levels and uniformity. Defended property assessments during the Local Board of Appeals and County Board of Appeals.
- Supervised, planned, and coordinated the assessment staff activities to ensure work was being performed.
- Appraised complex commercial, industrial, and income producing properties by completing physical inspections of new, existing, and remodeled property and structures.
- Compiled and analyzed market data to allow reliable estimates of value by interviewing the buyers and sellers of each sale to produce an accurate sales study.

Chief Deputy Assessor, Assessor's Department

2018 - 2022

- Performed complete physical inspections of new, existing and remodeled property and structures. Collected information on condition, quality, age and size in order to determine market value and classification of property or structure being considered.
- Assisted County Assessor in supervising, planning and coordinating assessment staff. Assisted in planning duties to delegate to appraisers in areas of assessment, application and strategy of current law. Implemented changes in scheduling, field work, developed reference manual and policies, organization skills, problem solving, recommended and set up staff meetings.
- Assisted County Assessor with interviewing candidates, analyzing results from interviews, organization and discussion with County Assessor on choosing candidate.

Appraiser, Assessor's Department

2011 - 2018

- Performed physical field inspections and measurements of non-income producing and non-commercial properties and buildings according to Otter Tail County Assessor Quintile Review Policy.
- Valued, classified, monitored, and maintained assessments of parcels while maintaining records.
- Inspected and updated records on valuations in CAMA System.
- Reviewed and responded to complaints related to assessments and classification.

Perham School District, Perham, MN

Science Teacher, Perham High School

2005 - 2010

- Taught high school chemistry, physics, physical science and environmental studies while following MN teaching standards.
- Developed comprehensive curriculum with cohort of science teachers in the high school.
- Performed other extra-curricular duties as assigned such as advising and coaching.

Red River Basin Commission, Moorhead, MN

Basin Coordinator

2003 - 2005

- Managed a coalition of local, state, provincial, federal and private stakeholders with a goal to develop a long-term, basin-wide plan that lays out priorities for all stakeholders in the Red River Basin.
- Served as the principle contact to government agencies and other private organizations, for the development of a Conservation Reserve Enhancement Program application to be approved by the State of MN and submitted to USDA for approval.
- Built and maintained productive relationships and open communication with Congressional delegation and staff, and key federal, state and local public officials.

Fillmore Soil and Water Conservation District, Preston, MN

District Manager

1997 - 2003

- Managed and coordinated daily SWCD activities to implement annual and long-range plans, staffing needs and budgets for the SWCD.
- Supervised and directed SWCD personnel, scheduled weekly staff meetings, annual performance reviews, and updated personnel policies.
- Assured that a monthly written financial report was prepared for the Supervisors review and approval and monitored the financial position of the district throughout the year.
- Identified sources and recommended actions to the Board to secure operating funds for the SWCD.

Goodhue Soil and Water Conservation District, Goodhue, MN

District Technician

1993 - 1997

- Coordinated, processed, and promoted CREP and RIM programs.
- Conducted spot checks and status reviews as required.
- Created and maintained an inventory of current, future and potential Agriculture Best Management Practices.
- Served as SWCD representative for Wetland Conservation Act Technical Evaluation Panel.
- Coordinated the District Tree Program.

U.S. Fish and Wildlife Service, Jamestown, ND

Biological Technician

1991 - 1993

- Collected samples and data from field sites including migratory bird nesting data, game bird species data and invertebrate data.
- Worked with private landowners using private lands programs such as wetland restorations, grazing plans and native grass restorations to create new habitat and improve existing habitat.
- Conducted public outreach for private lands programs.

DIRECT TESTIMONY OF KEVIN SCHEIDECKER

SCHEDULE B: MINNESOTA DEPARTMENT OF TRANSPORTATION COMMENTS

Office of Land Management

395 John Ireland Blvd MS 678

St. Paul, MN 55155

July 3, 2025

Jenna Ness

Environmental Review Manager

Minnesota Department of Commerce

85 7th Place East, Suite 280

St. Paul, MN 55101

Re: In the Matter of the Application of Otter Tail Power Company and Western Minnesota Municipal Power Agency, through its agent, Missouri River Energy Services for a Route Permit for a High Voltage Transmission Line for the Big Stone South to Alexandria 345 kV Transmission Project in West-Central Minnesota
PUC Docket Number: E017, ET10/TL-23-160

Ms. Ness,

On May 6th, 2025, the Minnesota Department of Commerce (DOC) issued its Environmental Impact Statement (EIS) Scoping Decision on Otter Tail Power Company and Western Minnesota Municipal Power Agency, through its agent, Missouri River Energy Services (Applicants) route permit application (RPA) for the Big Stone South to Alexandria 345kV Transmission Line Project (Project). The EIS scoping decision included several route alternative modifications that intersect with the state trunk highway system and were not previously included in the RPA. The Minnesota Department of Transportation (MnDOT) has reviewed the information available on the additional routes alternatives and submits the following comments for Draft EIS consideration.

Following the announcement of the official scoping decision, the Applicants participated in MnDOT's Utility Early Notification Memo (ENM) process for review of all proposed route alternative modifications that affect MnDOT interests and right-of-way (ROW). *Attachments 1 and 2* detail MnDOT's current understanding of possible impacts, suggested mitigative measures, potential permit limitations/requirements, and other relevant information regarding the reviewed routes. Some specifics, such as mile points denoting exact areas where MnDOT's Office of Environmental Stewardship may have impacts, have been redacted.

MnDOT highly recommends a generous route width in areas of anticipated trunk highway (TH) colocation to allow for routing flexibility. There are routing considerations that may be overlooked during early planning stages of any potential colocation project. A flexible route width may not only be desired, but necessary to avoid formal late-stage route change requests to the Minnesota Public Utilities Commission (Commission). Current route flexibility considerations may include:

- planned TH improvements awaiting funding
- pending study completions
- TH turn backs
- existing or planned TH drainage infrastructure
- existing public and MnDOT utility conflicts
- specific areas of safety concern as determined by MnDOT Operations, Traffic, and Maintenance staff

Office of Land Management

395 John Ireland Blvd MS 678

St. Paul, MN 55155

General MnDOT Permitting Comments

Alignments paralleling within or otherwise encroaching on trunk highway ROW will need further review as utility permit approvals cannot be assured without certain specifics not yet provided. Alignments crossing trunk highways should be perpendicular with poles located outside MnDOT ROW to the maximum extent practical and feasible. Exceptions to these crossing preferences will need to be coordinated prior to MnDOT utility permit application submittals. Additional considerations when analyzing TH ROW colocation impacts include:

- The structure offset (in feet) from edge or centerline of road ROW will be critical for whether any given pole location is permissible – i.e., colocation details: pole inside TH ROW vs davit arm aerial encroachment of TH ROW
- Pole placement inside TH ROW is dependent on how much ROW exists to safely allow pole placement while avoiding TH clearzone
- MnDOT permits are also required for aerial encroachment (both physical and max CME or “blowout”)
- Transmission line easements will not apply within any MnDOT TH ROW
- Minimum of 34-foot height line clearances on ALL THs for a 345kV
- Avoidance of:
 - Through ramped interchanges
 - Culverts (span poles accordingly)
 - Pole placement encroaching on sight corners of at-grade intersections
 - Certain proximity to MnDOT-owner infrastructure/systems such as lighting, signals, signs, and anything requiring specific offsets for safe maintenance
 - Bridges (minimum 50-foot setback)
- Environmental, blowing snow control and other resource groups requirements as detailed in *Attachment 1*.

Further, and as a point of clarification from a previous meeting with the Applicants, if the Commission selects colocation alternatives, such as those affecting US 12 and US 59, recent changes to Minnesota law require the Applicant submit a Constructability Report to MnDOT. Beyond being a legal requirement, the report is essential for MnDOT to assess and mitigate potential impacts on public safety that any colocation route may have during construction and after construction. See Minn. Stat. [§ 161.45.6](#).

Aside from recent legislative changes allowing certain high-voltage transmission lines permitted via Minn. Stat. [§ 216I](#) to longitudinally occupy portions of TH ROW not previously allowed by Policy, there are several standing Policies, Manuals and other MnDOT documentation that offer guidance and limitations to such placements based on safety and the proper function of the highway. Please see [Policy and Guidance - Utility Agreements & Permits - MnDOT](#).

Should certain route alternatives continue to move forward for Commission consideration, ongoing coordination with MnDOT staff is necessary. The Applicants should remain aware of planning and funding changes to TH construction projects that may affect the timing and construction of this Project. Any MnDOT permits required as a part of this Project can be coordinated at an earlier time but may not be issued until the Commission has approved all necessary permits for this project. All applicable [permitting](#), [traffic control](#) and construction coordination efforts should be made through the appropriate MnDOT [district staff](#).

Thank you for the opportunity to provide these comments.

Sincerely,

Office of Land Management

395 John Ireland Blvd MS 678

St. Paul, MN 55155

/s/ *Stacy Kotch Egstad*

Utility Routing and Siting Coordinator

Minnesota Department of Transportation

Office of Land Management

stacy.kotch@state.mn.us

Attachments:

Attachment 1_MnDOT Summary of OES and FG Comments and Recommendations_BSSA_7-3-25

Attachment 2_ AIRPORT INFLUENCE AND BRIDGE LOCATION SAMPLE MAPS_BSSA_7-3-25

ec: MnDOT Utility ENM Review Staff

Equal Opportunity Employer



ATTACHMENT 1

BIG STONE SOUTH – ALEXANDRIA TRANSMISSION PROJECT (BSSA) TL-23-160

ALTERNATE ROUTES REVIEW

MNDOT OES & FUNCTIONAL GROUP COMMENTS

Resource	Comments
Federal and State-listed Protected Species	The Applicant should consult with the U.S. Fish and Wildlife Service (USFWS) with respect to listed species which may occur within the project area, and limit ground disturbances to the extent practical in areas of semi-natural or natural vegetation. State-listed threatened and endangered species may be located along portions of the route along MnDOT right-of-way (ROW). We recommend the Applicant consult with the Minnesota Department of Natural Resources (MDNR) to identify recorded locations and conduct species-specific surveys prior to construction to confirm locations prior to identifying pole placement and temporary workspaces. MnDOT requests copies of all biological field survey data/reports within its ROW be submitted to MnDOT.
Federal and State-listed Protected Species	Herbicide use must be minimized during construction and future maintenance occurring on MnDOT ROW. If used, herbicide must be applied via hand-held spot treatments applied to individual plants. Avoid broadcast applications of herbicides without further consultation to MnDOT Office of Environmental Stewardship. Restrict all activities to avoid the application of insecticides and fungicides on MnDOT ROW.
Federal and State-listed Protected Species	The Applicant must establish native vegetation in areas that are not proposed to be mowed more than once per year and must include mowing and spot treatment control to establish seeded vegetation, as shown in the MnDOT Seeding Manual (see http://www.dot.state.mn.us/environment/erosion/vegetation.html).
Avian Protection	The Applicant should minimize tree clearing/trimming within MnDOT ROW to extent possible. Tree clearing may be restricted to winter months (November 1 - April 14). On MnDOT ROW, additional tree clearing restrictions will typically be included in MnDOT's utility permit. If construction activities occur within the nesting season for migratory birds, conduct pre-construction nest surveys. If active nests are discovered, implement a Migratory Bird Plan to avoid and minimize impacts.
Contaminated Materials Management	It is the responsibility of the Applicant to identify the potential to encounter contaminated materials (soil/groundwater/vapor) on or within 500-feet of MnDOT ROW. The Applicant should provide to MnDOT all environmental due diligence documents (e.g., desktop review, Phase I Environmental Site Assessments, Phase II), as applicable/available. If access or sampling is proposed in MnDOT’s ROW, a permit will be required (see https://www.dot.state.mn.us/utility/forms.html). Contaminated sites were identified within approximately 500 feet of proposed sites that may require additional review by Applicant: ENM-2, ENM-3, ENM-10, ENM-16, ENM-22, and ENM-23. Contaminated materials encountered during any work within MnDOT ROW is required to be managed in accordance with applicable federal/state and location regulations and/or guidance documents.
Regulated Waste and Storage Tanks	It is the responsibility of the Applicant to report the presence of aboveground storage tanks (ASTs) within project limits. If ASTs are identified, contact Regulated Materials Staff. Asbestos, solid waste, regulated and/or hazardous waste encountered during construction activities are required to be managed in accordance with applicable federal/state and local regulations and/or guidance documents.

Roadside Vegetation Management	1. Applicant to develop a Vegetation Management/Pesticide/Revegetation Plan and submit for MnDOT review/approval. Any proposed pesticides and application rates should be submitted to MnDOT for approval (NOTE: Use of herbicides or similar chemistries may be limited to spot treatments via hand tools only [i.e., no equipment mounted broadcast applications]). a. Herbicide used on MnDOT ROW must be labeled for use on rights-of-way. b. Pesticide applicators must be state- certified in Categories A and J (see: https://www.mda.state.mn.us/pesticide-fertilizer/pesticide-applicator-license-types) c. Herbicide records for work on MnDOT’s ROW must be provided to the local MnDOT District Offices 2. Prior to construction, the Applicant should conduct a field survey for noxious weeds in all project workspaces within MnDOT ROW. If any state prohibited or county designated noxious weeds (https://www.mda.state.mn.us/plants-insects/minnesota-noxious-weed-list) are identified within construction workspaces on MnDOT’s ROW, the contractor must clean equipment before leaving and/or entering MnDOT ROW to prevent the spread of listed weeds. All efforts must be made to prevent transportation of propagative parts to new areas. Movement of propagative parts of these plants is prohibited by Minnesota Statutes, Section 18.82. 3. If transportation of soil or plant parts from the site is necessary, a transportation permit will be required. Questions regarding noxious weed law or noxious weed transportation permits can be directed to the Minnesota Department of Agriculture at emilie.justen@state.mn.us. 4. If ground disturbance occurs on MnDOT’s ROW, the area must be restored to a similar vegetation cover, except when that vegetation will endanger safe operation or maintenance of the utility/facility. Seeding should match existing surrounding vegetation, and native seed must have a yellow tag through the Source Identified Native Seed Program. Any seed that is to be planted on MnDOT’s ROW must be a mix approved in MnDOT’s seeding manual: https://www.dot.state.mn.us/environment/erosion/pdf/seedingmanual.pdf. 5. MnDOT reserves the right to conduct its own post-construction inspection on MnDOT ROW to verify restoration status prior to the permittee filing their Notification of Restoration Completion with the Commission. 6. If trees need to be removed, prior to any work being completed under this permit, a MnDOT Roadside Vegetation Management Unit person should conduct a valuation of the potential impacted vegetation, and the permit requestor will be required to pay MnDOT for the value of any lost resources due to their work.
Wetlands Coordination	Any ground disturbance (e.g., fill, excavation, direct or indirect drainage) of regulated aquatic resources must comply with all applicable federal Clean Water Act Section 404, Minnesota Wetland Conservation Act (WCA), and MNDNR Public Waters Work requirements. If ground-disturbing activities are proposed within MnDOT ROW, MnDOT may require an aquatic resource delineation to be performed throughout the areas of proposed disturbance. The delineation would require approval by MnDOT OES, as the Local Government Unit (LGU) responsible for administering the WCA within state TH ROW. The project must restore any temporary impacts and avoid, minimize, and mitigate any permanent impacts to delineated aquatic resources to the extent required by state and federal law. This includes implementing Best Management Practices (BMPs) during construction to minimize aquatic resource disturbance, including compaction, erosion, and sedimentation. MnDOT reserves the right to conduct field inspections within its ROW.
Water Permits - Federal Agencies, Floodplains	*If floodplains are crossed by the project: The Applicant should make efforts to avoid placement of structures or fill in floodplain areas in order to minimize adverse impacts and increased risk of flooding. The Applicant should engage with local floodplain permitting authorities to determine permitting and other requirements. The project may also involve work affecting waters of the US in which case a Section 404 authorization from the U.S. Army Corps of Engineers would be needed.
Cultural Resources	The Applicant should provide summary of cultural field surveys and coordination with SHPO and other agencies and parties, as applicable, to date when submitting permit requests. If surveys have not been completed, provide an anticipated schedule for completion. If the Applicant is aware of or becomes aware of significant cultural resources findings in or adjacent to MnDOT R/W, please contact our office at CulturalResources.dot@state.mn.us. In addition, the Applicant shall prepare a Post Review Discovery Plan (PRDP1) and submit to MnDOT for review; contact information for CRU staff must be included in the PRDP. This plan should outline the steps to be followed in the event of an unanticipated discovery of archaeological materials, human remains, or burials, and include language specific to the coordination with MnDOT when a discovery is on MnDOT ROW. MnDOT Cultural Resources Unit (CRU) staff should be notified (CulturalResources.dot@state.mn.us) within 24 hours in the event of an unanticipated find on or adjacent to MnDOT property during construction. Additional archaeological investigations (e.g., literature reviews, reconnaissance surveys [if warranted]) may be required where ground disturbing activities and/or temporary easements may be located within MnDOT ROW. Investigations should include in-field inspections to document areas of soil disturbance and to identify potentially unknown archaeological sites within areas of moderate to high archaeological potential. A PRDP should be developed for the project in advance of construction and be provided to MnDOT CRU.

FHWA National Scenic Byway Program	Under Title 23, USC, Section 162, National Scenic Byways Program; Scenic byways are designated as State, National or All-American because they possess one or more of six intrinsic qualities: scenic, cultural, recreational, natural, historic and archaeological qualities. An analysis of the physical and visual impact on each of these six intrinsic qualities should be conducted at each proposed crossing locations and/or collocated segments and where the proposed utility is within 7 miles of a byway to determine the route with the least adverse impact on the byway routes and corridors. At a minimum, this analysis should include: • Streetview Imagery or on-the-ground photographs • Photo / Visual Simulations (existing conditions and post-construction). During early planning phases of project, this may consist of typical drawings/photos of similar projects that have already been constructed. Later in Project design, this should include site-specific assessments depicting photo and visual simulations for users of the byway. Each scenic byway has a leaders' group and/or stakeholder group; these groups should be contacted as part of the environmental review process. Scenic easements and areas should be investigated to identify any prohibitions or limitations that apply to land uses in the vicinity of the scenic byway. Relevant state and federal regulations governing scenic byways can be found in the MnDOT Utility Accommodation on Highway Right of Way Policy and Coordination Manual (both of which can be accessed here: https://www.dot.state.mn.us/policy/operations/oe002.html), 23 U.S.C. s. 162, and 23 CFR s. 645.209 (h). Glacial Ridge Scenic Byway: Please contact and inform the Glacial Ridge Scenic Byway Group of this project, (320) 235-3552, info@willmarlakesarea.com. Review the corridor management plan located at this link: https://www.dot.state.mn.us/scenicbyways/pdf/corridor-mgmt-plans/glacial-ridge-cmp.pdf. King of Trails Scenic Byway: Please contact and inform the King of Trails Byway Group of this project, (507) 825-3316, pipecham@pestoneminnnesota.com. Review the corridor management plan located at this link: https://www.dot.state.mn.us/scenicbyways/pdf/corridor-mgmt-plans/king-of-trails-cmp.pdf. Minnesota River Valley Scenic Byway: Please contact and inform the Minnesota River Valley Scenic Byway of this project, Kristi Fernholz, kristi.fernholz@umvrdc.org, 320-289-1981 x 106. Review the Corridor Management Plan (CMP) located at this link: https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=38790680. Mitigation measures should be recommended for unavoidable impacts on intrinsic qualities within the scenic byway corridors.
Environmental Assessment Unit / Environmental Review	If the Project will involve any construction activities within MnDOT ROW, the Applicant (and/or their Contractor) must comply with the following, relating to the conduct of work on the Project or to individuals engaged in work for the Project or employed on the Project: (1) All applicable State and Federal laws and regulations (2) Orders and decrees of bodies and tribunals with lawful jurisdiction over the work (3) Such local ordinances as are applicable to the work MnDOT's Environmental Assessment Unit reserves the right to request copies of the Applicant's environmental permits for work within its ROW as well as any inspection reports completed by the Applicant and/or its contractor.

Soil Erosion and Sediment Control / Stormwater	Given the size of the Project, we assume the Applicant will be required to obtain coverage under the Minnesota Pollution Control Agency's (MPCA) Construction Stormwater General Permit (MNR100001). If a portion of the final alignment is located within MnDOT ROW, we request that the Applicant submit a copy of its Construction Stormwater Pollution Prevention Plan (SWPPP)/erosion and sediment control details to MnDOT OES for review prior to filing its Notice of Intent for coverage under MPCA's MNR100001. In addition, MnDOT reserves the right to conduct inspections of the project for portions that are within MnDOT ROW during and/or after construction. The Applicant (and/or its contractor) will be the Owner on this permit for any work on MnDOT ROW - MnDOT will not be a co-Applicant. Soil compaction caused by equipment traffic and haul roads on MnDOT ROW must be mitigated using techniques described in the MnDOT Facility Design Guide Chapter 13 (Facility Design Guide - MnDOT). Temporary and permanent erosion and sediment control measures on MnDOT ROW must follow standards in the MnDOT Facility Design Guide Chapter 13 (Facility Design Guide - MnDOT). Seeding on MnDOT ROW must follow standards in MnDOT Seeding Manual (https://www.dot.state.mn.us/environment/erosion/vegetation.html). Any erosion control blanket must be free of plastic netting and on the MnDOT Approved Products List for Rolled Erosion Prevention products. In addition, any hydraulic mulch used up-slope of Public Waters must be free of plastic fiber additives.
Env Modelling and Testing (Noise)	The Applicant needs to take all precautions to avoid impacts to existing noise mitigation devices (e.g., noise walls) and/or applications within MnDOT's ROW. If the Project has the potential to impact noise mitigation infrastructure, please notify MnDOT's Environmental Modelling and Testing Unit group for further guidance.
District Permitting Staff	Direct coordination with applicable District Permitting Staff will be required for all downstream MnDOT utility permits. MnDOT permitting policies and information can be found at: http://www.dot.state.mn.us/utility/index. The utility owner will be required to apply for a utility accommodation on trunk highway right of way (form 2525) https://olpa.dot.state.mn.us/OLPA/. No work can be performed on the highway right of way without an issued permit from the District 4 permits office. •US 75 Control Section (CS) 0607 Mile point (MP) [REDACTED] crossing area – Cultural Resources and Bat area impacts. Another high voltage line crosses US 75 nearby. Tree impacts. *State Project (SP) 0609-34 2031. •US 75 CS 0607 MP [REDACTED] crossing area – Vegetation concern, Protective Wildlife area, and Bat area impacts. Railroad adjacent to TH (pole placement). *SP 0609-34 2031. •US 12 CS 0603 MP [REDACTED] crosses US 12, parallels north side US 12, then crosses to south side US 12 MP [REDACTED], then going east on south side US 12 and crosses US 59 CS 7609 at MP [REDACTED], then crosses US 12 MP [REDACTED] – Vegetation concerns US 12 at MP [REDACTED] and MP [REDACTED], Protective Wildlife areas US 12 MP [REDACTED], Cultural Resources area US 12 MP [REDACTED]. Poles on the north side of US 12 potential issues for blowing snow (see previous SP to address blowing snow in this area). Agrellite Electric Coop parallels south side US 12. Tree impacts. *SP 7609-11 2033. •US 59 CS 7609 MP [REDACTED] going north on the east side paralleling US 59 to MP [REDACTED] - Vegetation concerns at MP [REDACTED], very little tree impacts. *SP 7609-11 2033. *Possible future MnDOT State Transportation Improvement Program (STIP) construction project.
District Planning Staff	<u>State Highway current construction projects:</u> Please note that MnDOT projects on state highways may affect travel routes to the project site, and/or may alter access points. To learn which projects might be in the area please review the current MnDOT construction projects website at https://www.dot.state.mn.us/d4/. <u>State Highway planned and future projects:</u> MnDOT plans projects along state highways up to 10 years in advance. Please check with District 4's projected ten-year state project list at https://www.dot.state.mn.us/d4/ to see which projects might coincide with your project. Note that project timing can change, particularly for projects that are identified as being planned for 5 to 10 years in the future. You may also reach out to the District Planning contact or District Project Manager for more information. <u>Access:</u> Because there is a direct connection between crash rates and access density on state trunk highways, project proposers should plan to utilize access points on local roads whenever possible. Access from MnDOT right-of-way whether at an existing driveway or new driveway is not guaranteed, and new highway access permits will be required in either case. Please contact District Permitting staff for more information about permit applications, processes, and requirements.

Design Support / Safety and Operations Management	<u>Powerlines</u>: Lateral placement of utility poles or non-crashworthy must be placed outside the roadway's clear zone and should avoid the need for traffic barrier shielding. Any side slope grading within the roadway clear zone must not result in a hazardous geometry for run-off vehicles. Place poles as far out of the clear zone as possible. Additional distance from the roadway is encouraged, for roadway and driver safety. Added poles must not be placed closer to the trunk highway than existing poles. Utility poles/devices must not obstruct intersection sight lines. Appurtenances protruding more than four inches above the ground line shall be located outside the clear zone and as close to the edge of the ROW as practical and must not obstruct intersection sight lines. Appurtenances within the roadway clear zone must be crashworthy. See MnDOT's Facility Design Guide - Chapter 10 (https://roaddesign.dot.state.mn.us/facilitydesign.aspx) for a definition of "crashworthy" and other pertinent information. <u>Route Selection</u>: Note that locating non-crashworthy items along a roadway does not guarantee that they won't be struck by errant vehicles. The clear zone distances are targeted towards allowing approximately 80 to 85 percent of all run-off-the-road vehicles to recover or come to a safe stop. If the routes being considered are otherwise equal, it would be preferable to select the route that places the fewest utility poles within MnDOT right of way. <u>Pipelines</u>: Lateral placement of non-crashworthy appurtenances must be placed outside the roadway's clear zone and should avoid the need for traffic barrier shielding. Any side slope grading within the roadway's clear zone must not result in a hazardous geometry for run-off vehicles. Appurtenances protruding more than four inches above the ground line shall be located outside the clear zone and as close to the edge of the ROW as practical and must not obstruct intersection sight lines. Appurtenances within the roadway clear zone must be crashworthy. See MnDOT's Facility Design Guide - Chapter 10 (https://roaddesign.dot.state.mn.us/facilitydesign.aspx) for a definition of "crashworthy" and other pertinent information. <u>Access Roads</u>: Additional access points off the trunk highway are discouraged and should be avoided. For proposed access roads, the transverse slope design for permanent access roads connected to the trunk highway must be 1V:6H or flatter on the roadside and 1V:10 or flatter if in the median. See Transverse Slopes in the MnDOT's Facility Design Guide - Chapter 10. For other technical components and requirements for utility owners regarding the location, design, and methods for installing, adjusting, accommodating, and maintaining utility facilities on such rights of way, please refer to MnDOT Utility Accommodation and Coordination Manual, found here: https://www.dot.state.mn.us/utility/projectdelivery.html. To understand why these rules and comments exist, intersection related, and roadway departure crashes are two of the leading types of fatal and serious injury crashes on Minnesota Roadways. These comments reflect measures needed to continue to prevent these types of crashes. To find out more about Minnesota safety efforts, please see our Strategic Highway Safety Plan. https://www.dot.state.mn.us/trafficeng/safety/shsp/
Blowing Snow Control / Snow Fences	Based on our review, we have identified living and/or structural snow fences in the vicinity of your project. Snow fences have been established in a collaborative effort with landowners to trap snow from blowing across and accumulating on state highways. If the utility project adversely impacts a snow fence causing the loss of blowing snow control functionality, the utility will must work with MnDOT to find a blowing snow control solution. Please refer to http://www.dot.state.mn.us/environment/livingsnowfence/ and Chapter 15D - Design for Blowing Snow Control found in MnDOT Facility Design Guide - MnDOT for more information.
Railroad	Railroads are private entities that conduct their own permitting process for utility impacts. MnDOT does not have jurisdiction in these areas. It is recommended that project coordination occurs directly with the affected railroad. https://www.arcgis.com/apps/webappviewer/index.html?id=5640f575a86148039704660c29126f24&extent=-11690507.5359%2C5234420.4958%2C-9081864.6346%2C6507555.6389%2C102100
Airport Influence Area	See <i>Attachment 2</i> for a comparison map of influence areas on ENM #22, 23 and 24.

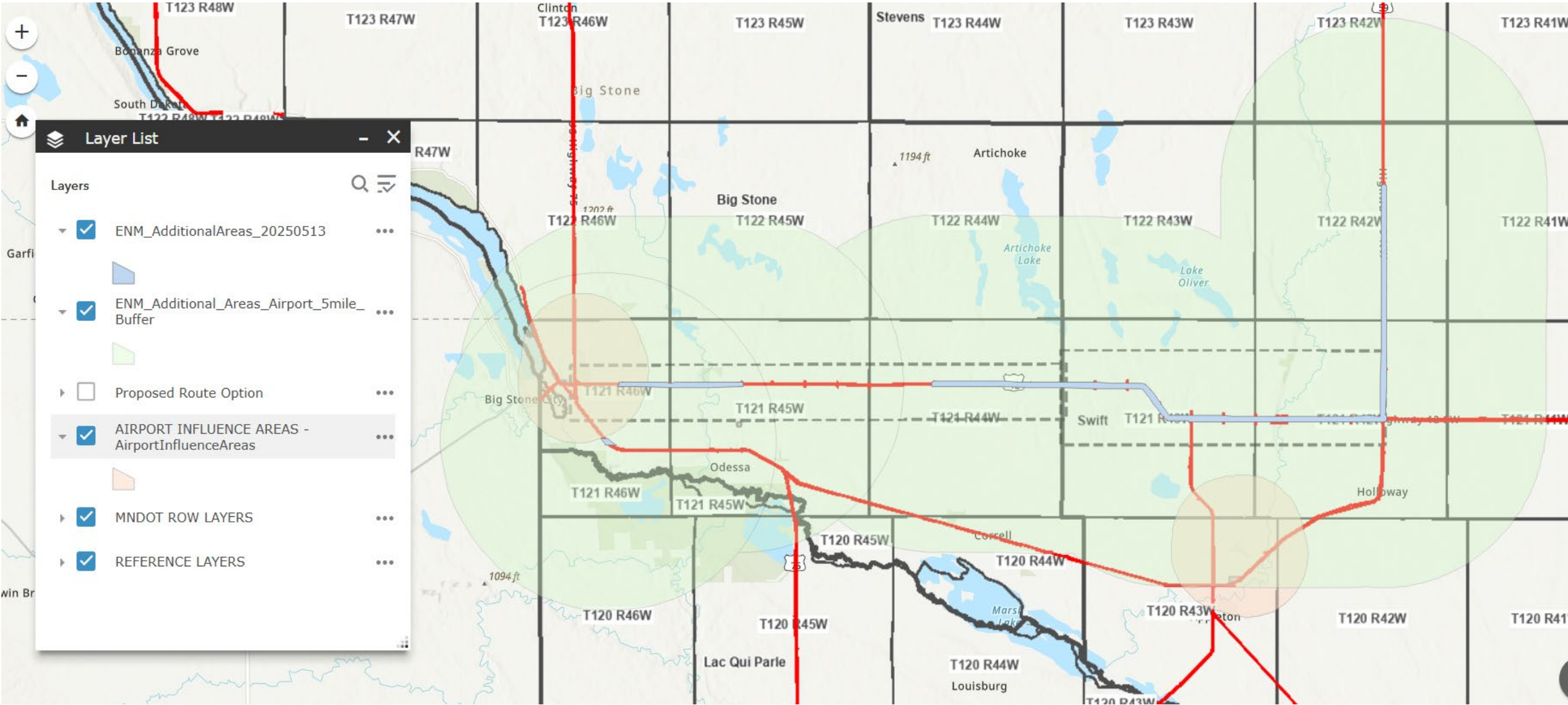
ATTACHMENT 2

BIG STONE SOUTH – ALEXANDRIA TRANSMISSION PROJECT (BSSA) TL-23-160

ALTERNATE ROUTES REVIEW

AIRPORT INFLUENCE AND BRIDGE LOCATION SAMPLE MAPS

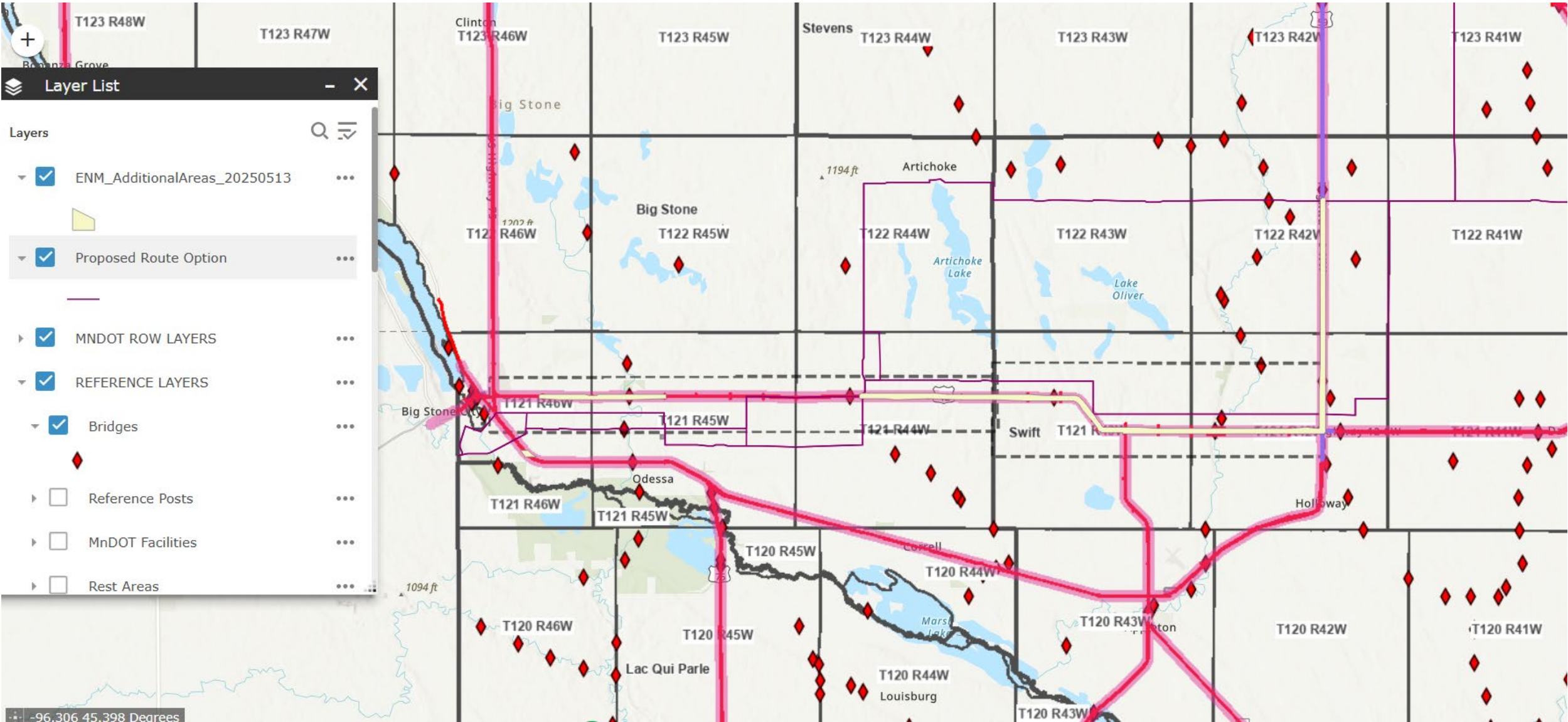
Airport Influence* Areas (MnDOT Aeronautics), Scheidecker Direct - Schedule B



BSSA ENM AREAS 22, 23, and 24

*These 2016 files employ a 10,000 ft buffer off the runway

Bridge Locations



APP Exhibit _____, Scheidecker Direct - Schedule B

From: [Sedarski, Joe](#)
To: [Scheidecker, Kevin J.](#); [Kotch Egstad, Stacy \(DOT\)](#)
Cc: [Hanley, Jennifer](#); [Raine, Katie](#); [Brian Zavesky](#); [Brusven, Christina](#); [Humburg, Joshua](#); [Weiers, Jason](#); [Griffin, Stephanie](#)
Subject: RE: BSSA MNDOT ENM for Scoping Route Alternatives
Date: Wednesday, July 16, 2025 1:08:00 PM
Attachments: [image001.png](#)
[image002.png](#)

CAUTION: EXTERNAL E-MAIL

Good afternoon Kevin, Stacy and all – this is a follow up email to the discussion I had with Stacy yesterday concerning response to earlier BSSA team questions and Kevin’s email below.

Stacy and I discussed, and Stacy confirmed that the BSSA Project does not need to prepare and submit a Constructability Report for MnDOT review and approval/action prior to the Minnesota Public Utility Commission (PUC) issuing a Route Permit for this Project, indicated in item 1 below. Stacy noted that the statute does not state a timeline or deadline for completing a Constructability Report and getting that through MnDOT for approval.

For this Project, Stacy also commented that since the applicable state road(s) in this Project are not “controlled access” and the extent of either transmission line crossings or longitudinal colocation/ROW of lines is not excessive (v. other projects), it would not require analysis via the Constructability Report process prior to a PUC decision. However, if the PUC selects a route for BSSA that parallels/crosses state roads, we would then need to complete additional analysis and a Constructability Report, to the extent applicable, as part of specific MnDOT permitting of a final route/design.

Thank you for your time yesterday to discuss this with me Stacy and please correct any misstatements in the above text.

Best Regards,

Joe

Joe Sedarski, PE

Sr. Environmental PM / Sr. Technical Advisor

HDR

1601 Utica Avenue South, Suite 600

St. Louis Park, MN 55416-3400

D 763.591.6684 **M** 612.214.6658

Joe.Sedarski@hdrinc.com

hdrinc.com/follow-us

From: Scheidecker, Kevin J. <kscheidecker@otpc.com>

Sent: Tuesday, July 15, 2025 2:35 PM

To: Kotch Egstad, Stacy (DOT) <stacy.kotch@state.mn.us>

Cc: Hanley, Jennifer <jennifer.hanley@hdrinc.com>; Sedarski, Joe <joe.sedarski@hdrinc.com>; Raine, Katie <katie.raine@hdrinc.com>; Brian Zavesky <brian.zavesky@mrenergy.com>; Brusven,

APP Exhibit ____, Scheidecker Direct - Schedule B

Christina <cbrusven@fredlaw.com>; Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Griffin, Stephanie <stephanie.griffin@hdrinc.com>

Subject: Re: BSSA MNDOT ENM for Scoping Route Alternatives

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Stacy,

Thanks so much for your prompt response to our questions. We will review your email and let you know if we have any additional questions. We look forward to continued coordination.



Kevin Scheidecker
Senior Environmental Specialist
Environmental Services
Direct: 218-739-8773
kscheidecker@otpc.com

From: Kotch Egstad, Stacy (DOT) <stacy.kotch@state.mn.us>

Sent: Monday, July 14, 2025 2:21 PM

To: Scheidecker, Kevin J. <kscheidecker@otpc.com>

Cc: Hanley, Jennifer <jennifer.hanley@hdrinc.com>; Sedarski, Joe <joe.sedarski@hdrinc.com>; Raine, Katie <katie.raine@hdrinc.com>; Brian Zavesky <brian.zavesky@mrenergy.com>; Brusven, Christina <cbrusven@fredlaw.com>; Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Griffin, Stephanie <stephanie.griffin@hdrinc.com>

Subject: RE: BSSA MNDOT ENM for Scoping Route Alternatives

This is an **EXTERNAL** email. DO NOT open attachments or click links in suspicious email.

Good afternoon, Kevin,

Apologies by my essential retraction of the applicability of a Constructability Report (Report) for portions of the BSSA project affecting TH ROW (we are new to this too).

1. We have had extensive internal dialogue regarding the interpretation of the relevant statute. Initially, some thought the use of the Report may only apply to interstate or other access control areas. Our Director of Land Management interprets the statute literally and believes it's meant to apply to all EIP HVTL longitudinal colocation projects on all trunk highways. That said, I am awaiting a final determination/interpretation from our Office of Chief Counsel. If determined applicable, an approved Report would not be required until planning for your

downstream MnDOT permit applications. While a specific timeline for the Report is not stated in the statute, and because these late-stage alternate routes cannot be planned for, the entire process does seem backwards. Without an approved Report in hand, the Commission could issue you a RP for portions of BSSA to collocate within TH ROW lacking certainty that MnDOT *can* permit an entire route/segment within TH ROW (per Tuma's specific request in this case). The routing of many miles of HVTL solely *within* TH ROW is typically something that cannot be guaranteed by MnDOT without the relevant details such a Report or other, extensive early coordination is meant to provide. For these reasons, workable route widths are clearly imperative to all parties here.

[MN Statute 161.45 Subd 6](#)

Subd. 6. High voltage transmission; constructability report; advance notice.

- a. *If the commissioner and a utility or transmission line developer identify a permittable route along a trunk highway corridor for possible collocation of transmission lines, a constructability report must be prepared by the utility or transmission line developer in consultation with the commissioner. A constructability report developed under this subdivision must be used by both parties to plan and approve collocation projects.*
2. The utility accommodation permit application and process is the same whether crossing or paralleling. From a MnDOT permit application perspective, the same information is required (route alignment, pole locations, utility locates [if poles are in TH ROW], clearances met, clearzones avoided, etc.). My intention was to communicate the fact that in all cases of occupation, a permit is required, even aerial encroachment from arms, CME, or crossings (with or without poles in TH ROW). As to be expected, the impacts incurred by longitudinal installations are greater and would require more coordination prior to you applying for MnDOT permits.

Hope I've answered the questions to your satisfaction. I'm happy to jump on a call if you'd like to discuss further or need clarification.

Stacy Kotch Egstad

Utility Routing & Siting Coordinator | Office of Land Management

Minnesota Department of Transportation

395 John Ireland Blvd Mailstop 678

St. Paul, MN. 55155

651-358-0786



From: Scheidecker, Kevin J. <kscheidecker@otpc.com>

Sent: Friday, July 11, 2025 2:13 PM

To: Kotch Egstad, Stacy (DOT) <stacy.kotch@state.mn.us>

Cc: Hanley, Jennifer <jennifer.hanley@hdrinc.com>; Sedarski, Joe <joe.sedarski@hdrinc.com>;

Raine, Katie <katie.raine@hdrinc.com>; Brian Zavesky <brian.zavesky@mrenergy.com>; Brusven, Christina <cbrusven@fredlaw.com>; Humburg, Joshua <jhumburg@otpc.com>; Weiers, Jason <jweiers@otpc.com>; Griffin, Stephanie <stephanie.griffin@hdrinc.com>

Subject: BSSA MNDOT ENM for Scoping Route Alternatives

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Good afternoon Stacy,

Thanks very much for sending us the MnDOT response letter concerning this project (dated July 3, 2025). We have a couple of follow up questions (see below) and would be happy to meet to further discuss if that assists MnDOT. Our questions are:

1. On the 2nd page, in the paragraph below the bullet points, MnDOT provided clarification of colocation alternatives (e.g., those affecting US 12 and US 59) relative to recent changes in Minnesota law requiring submission of a Constructability Report, and how that is essential for MnDOT to assess and mitigate potential impacts any colocation route may have during and after construction. We would like to clarify the timing of preparing and submitting a Constructability Report, if it is needed. In our earlier meeting with you on May 14, 2025, and MnDOT's earlier response to our ENM requests, MnDOT indicated that a Constructability Report would not be required for applicable colocation routes being considered for the Project prior to a PUC decision on the route since none of the colocation routes are "controlled access" designated state roads. We wanted to confirm that a Constructability Report for colocation route alternatives under consideration for the Project is not required at this time and before a PUC decision on the final route. We understand that one may be required (depending on the route ultimately selected by the PUC) and wanted to also confirm that, in that case, the Constructability Report could be developed and acted on by MnDOT after the PUC issues a route for the Project.
2. We would also like to better understand how MnDOT treats transmission line routes crossing of MnDOT ROW v. transmission line routes paralleling MnDOT ROW. On the top of the 2nd page of the MnDOT letter (first paragraph), MnDOT indicates that "Alignments paralleling within or otherwise encroaching on trunk highway ROW will need further review as utility permit approvals cannot be assured without certain specifics not yet provided. Alignments crossing trunk highways should be perpendicular with poles located outside MnDOT ROW to the maximum extent practical and feasible. Exceptions to these crossing preferences will need to be coordinated prior to MnDOT utility permit application submittals. Additional considerations when analyzing TH ROW colocation impacts include: ...". Are there different

APP Exhibit _____, Scheidecker Direct - Schedule B

processes or information required by MnDOT to be completed for crossings v. paralleling, and if so, what are those?

Once again, we appreciate MnDOT's engagement on this Project and information to assist the Project team in working through the PUC permit process.

Please let us know if we should meet to further discuss and we will set up a meeting for such soon.



Kevin Scheidecker
Senior Environmental Specialist
Environmental Services
Direct: 218-739-8773
kscheidecker@otpc.com

DIRECT TESTIMONY OF KEVIN SCHEIDECKER

SCHEDULE D: UPDATED AGRICULTURAL IMPACT MITIGATION PLAN

DRAFT – AGRICULTURAL IMPACT MITIGATION PLAN
Big Stone South to Alexandria 345 kV Transmission Line
Project

MPUC DOCKET NO. E017, ET10/TL-23-160

July 2025

This Page Intentionally Blank

Table of Contents

1.0	Introduction.....	1
2.0	Purpose 1	
3.0	General Provisions	2
4.0	Working with Landowners.....	3
4.1	Advance Notice of Access to Private Property	3
5.0	Environmental/Agricultural Monitor	3
5.1	Qualifications and Selection of the Environmental/Agricultural Monitor	3
5.2	Roles and Responsibilities of the Environmental/Agricultural Monitor	4
6.0	Impact and Mitigation Practices	5
6.1	Structure Placement.....	6
6.2	Structure Removal	6
6.3	Agricultural Tile.....	6
6.3.1	Damaged and Adversely Affected Tile.....	6
6.3.2	Installation of Additional Tiles.....	7
6.4	Excavation/Grading	8
6.5	Soil Compaction, Rutting, Fertilization, Liming, and Soil Restoration	8
6.6	Excess Soil and Rocks	8
6.7	Construction Debris	8
6.8	Procedures for Determining Construction-Related Damages and Providing Compensation	8
6.9	Damaged Soil Conservation Practices.....	9
6.10	Irrigation Systems	9
6.11	Access Routes/Temporary Roads.....	10
6.12	Construction in Wet Conditions.....	10
7.0	Mitigation Practices for Organic Agricultural Farms	10
7.1	Organic System Plan	11
7.2	Prohibited Substances.....	11
7.3	Temporary Road Impacts	11
7.4	Erosion Control	11
7.5	Weed Control	12
7.6	Monitoring	12
7.7	Compensation for Construction-Related Damages	12
7.8	Compensation for Damages Due to Decertification.....	13

Definitions

Capitalized terms used in this Agricultural Impact Mitigation Plan shall have the meanings provided below. The definitions provided for the defined words used herein shall apply to all forms of the words.

Agricultural Land	Land that is actively managed for cropland, hay land, or pasture, and land in government set-aside programs.
Applicants	Otter Tail Power Company (OTP) and Western Minnesota Municipal Power Agency (Western Minnesota), through its agent, Missouri River Energy Services (MRES).
Apply	To intentionally or inadvertently spread or distribute any substance onto the exposed surface of the soil.
Environmental/ Agricultural Monitor	Monitor retained by the Applicants responsible for overall project compliance with permit conditions and commitments made in this document. The Environmental/Agricultural Monitor, or Monitor, shall also report directly to the Minnesota Department of Agriculture and will be responsible for auditing the Applicants' compliance with provisions of this AIMP. The Monitor will have demonstrated experience with electric transmission line construction on Agricultural Land.
Certifying Agent	As defined by the National Organic Program Standards, Federal Regulations 7 CFR Part 205.2.
Cropland	Land actively managed for growing row crops, small grains, or hay.
Decertified or Decertification	Loss of Organic Certification.
Easement	The agreement(s) and/or interest in privately owned Agricultural Land held by the Applicants by virtue of which it has the right to construct, operate, and maintain the transmission line together with such other rights and obligations as may be set forth in such agreement.
Final Clean-up	Transmission line activity that occurs after the power line has been constructed. Final Clean-up activities may include: removal of construction debris, de-compaction of soil as required, removal of temporary erosion control structures, final grading, and restoration of fences and required reseeding. Once Final Clean-up is finished, Landowner will be contacted to settle all damage issues and will be provided a form to sign acknowledging final construction settlement.

APP Exhibit _____, Scheidecker Direct - Schedule C

Inspector	The individual or contractor identified by the Applicants to provide inspection services related to construction of the Project.
Landowner	Person(s), or their representatives, holding legal title to Agricultural Land on the transmission line route from whom the Applicants are seeking, or has obtained, a temporary or permanent Easement.
Non-Agricultural Land	Any land that is not “Agricultural Land” as defined above.
Organic Agricultural Land	Farms or portions thereof described in 7 CFR Parts 205.100, 205.101, and 205.202.
Organic Buffer Zone	As defined by the National Organic Program Standards, Federal Regulations 7 CFR Part 205.2.
Organic Certification or Organic Certified	As defined by the National Organic Program Standards, Federal Regulations 7 CFR Part 205.100 and 7 CFR Part 205.101.
Organic System Plan	As defined by the National Organic Program Standards, Federal Regulations 7 CFR Part 205.2.
Prohibited Substance	As defined by the National Organic Program Standards, Federal Regulations 7 CFR Part 205.600 through 7 CFR 205.605 using the criteria provided in 7 USC 6517 and 7 USC 6518.
Right-of-Way	The Land included in permanent and temporary Easements which the Applicants acquire for the purpose of constructing, operating and maintaining the transmission line.
Subsoil	Soil that is not Topsoil and located immediately below Topsoil.
Tenant	Any Person(s) lawfully renting or sharing land for agricultural production which makes up the “Right-of-Way” as defined in this AIMP.
Tile	Artificial subsurface drainage system.
Topsoil	The uppermost horizon (layer) of the soil, typically with the darkest color and highest content of organic matter.

1.0 Introduction

This Agricultural Impact Mitigation Plan (AIMP) was developed by Otter Tail Power Company (OTP) and Western Minnesota Municipal Power Agency (Western Minnesota), through its agent, Missouri River Energy Services (MRES) (together, referred to as the Applicants), with the Minnesota Department of Agriculture (MDA) in compliance with Minnesota Statutes 216E.10, subdivision 3(b). The Big Stone South to Alexandria Transmission Project (Project) is a 345 kilovolt (kV) transmission line from the existing Big Stone South Substation located west of Big Stone City, South Dakota, east and north to the existing Alexandria Substation near the City of Alexandria, Minnesota. The Project will be jointly owned by OTP and Western Minnesota. The Project is needed to provide additional transmission capacity, to mitigate current capacity issues, and to improve electric system reliability throughout the region as more renewable energy resources are added to the electric system in and around the region.

2.0 Purpose

The overall objective of this AIMP is to identify measures the Applicants will take to avoid, mitigate, minimize, repair, and/or provide compensation for impacts on Agricultural Land. The AIMP and its provisions will be implemented during construction and restoration activities that the Applicants undertake for the Project prior to filing notice of completion of construction with the Minnesota Public Utilities Commission (Commission).

Capitalized words and other defined terms have the meanings given to them in this AIMP.

This AIMP and its construction standards and policies apply only to construction and restoration activities occurring partially or wholly on privately owned Agricultural Land. The measures do not apply to construction or restoration activities occurring entirely on public rights-of-way, railroad rights-of-way, publicly owned land, or private land that is not Agricultural Land. The Applicants will, however, adhere to the same construction and restoration standards relating to the repair of agricultural tile when tiles are encountered, whether on Non-Agricultural Land or Agricultural Land, on public highway rights-of-way, railroad rights-of-way, or publicly or privately owned land.

This AIMP also applies to Organic Agricultural Land as described in the National Organic Program Rules, 7 CFR Parts 205.100, 205.101, and 205.202 (Section 7 of this AIMP). Portions of this AIMP that identify standards and policies as they apply to Organic Agricultural Land apply only to the types of lands defined in the National Organic Program Rules. Further, construction and restoration standards and policies identified in this AIMP can be modified through Easement or other agreement between the Applicants

and the Landowner of Agricultural Land, as appropriate. In such case, the Easement or other agreement will control.

Unless the Easement or other agreement, regardless of nature, between the Applicants and the Landowner or Tenant specifically provides to the contrary, the mitigative actions specified in the construction and restoration standards and policies set forth in this AIMP will be implemented in accordance with the General Provisions in Section 3.0 below.

3.0 General Provisions

The mitigative actions are subject to change by Landowners or Tenants, provided such changes are negotiated with and acceptable to the Applicants.

Certain provisions of this AIMP require the Applicants to consult with the Landowner and Tenant, if known, of a property. The Applicants will engage in a good faith effort to secure the agreement of both Landowner and Tenant in such cases.

Unless otherwise specified, the Applicants will retain qualified contractors to execute mitigative actions. However, the Applicants may negotiate with Landowners or Tenants to carry out the mitigative actions that Landowners or Tenants wish to perform themselves.

Mitigative actions employed by the Applicants pursuant to this AIMP, unless otherwise specified in this AIMP or in an Easement or other agreement negotiated with an individual Landowner or Tenant, will be implemented within 90 days following completion of Final Clean-up on an affected property, weather permitting, or unless otherwise delayed by mutual agreement between Landowner or Tenant and Applicant. Temporary repairs will be made by the Applicants during construction as needed to minimize the risk of additional property damage or interference with the Landowner's or Tenant's access to or use of the property that may result from an extended time period to implement permanent mitigative actions.

The Applicants will implement the mitigative actions contained in this AIMP to the extent that they do not conflict with the requirements of any applicable federal and/or state rules and regulations and other permits and approvals that are obtained by the Applicants for the Project. To the extent a mitigative action required by this agreement is determined to be unenforceable in the future due to requirements of other federal or state permits issued for the Project, the Applicants will so inform the Landowner or Tenant and will work with them to develop a reasonable alternative mitigative action.

Prior to the construction of the transmission line, the Applicants will provide each Landowner and known Tenant with a telephone number and address which can be used

to contact the Applicants, both during and following the completion of construction, regarding the agricultural impact mitigation work which will be performed on their property or other construction-related matters. If the contact information changes at any time before completion of Final Clean-up and/or after the completion of construction, the Applicants will provide the Landowner and Tenant with updated contact information. The Applicants will respond to Landowner and Tenant telephone calls and correspondence within a reasonable time.

The Applicants will use good faith efforts to obtain a written acknowledgement of completion from each Landowner and known Tenant upon the completion of Final Clean-up on their respective property.

If any provision of this AIMP is determined to be unenforceable, no other provision will be affected by that determination, and the remainder of the AIMP will be interpreted as if it did not contain the unenforceable provision.

4.0 Working with Landowners

4.1 Advance Notice of Access to Private Property

The Applicants will endeavor to provide the Landowner and/or known Tenant advanced notice before beginning construction on the property. Prior notice will consist of a personal contact, email, letter or a telephone contact, whereby the Landowner and the Tenant are informed of the Applicants' intent to access the land.

5.0 Environmental/Agricultural Monitor

5.1 Qualifications and Selection of the Environmental/Agricultural Monitor

The Applicants will hire an Environmental/Agricultural Monitor (Monitor) to act as an independent third party to monitor compliance with this AIMP and other permit conditions/regulatory requirements¹. The Applicants will coordinate with the MDA in identifying potential contractors to conduct environmental and agricultural monitoring and to select the Monitor. The Applicants will direct the selected contractor to communicate independently with the MDA and set up a reporting relationship as the MDA instructs.

The selected Monitor will:

1. Have a bachelor's degree in agronomy, soil science or equivalent work experience.
1. Have demonstrated practical experience with electric transmission line

¹ For example, if a Monitor is required to implement other permit requirements (such as a Vegetation Management Plan) the Applicants will hire a Monitor that is qualified to conduct compliance monitoring for all such environmental permits, upon review and approval of applicable permitting authorities.

- construction, restoration, and compliance monitoring on Agricultural Land.
2. Have demonstrated practical experience with soils and hydrology in agricultural settings.
 3. If work is being performed on Organic Agricultural Land, the Monitor will be trained, in organic inspection, by the Independent Organic Inspectors Association, unless the Monitor received such training during the previous three years.

Final selection of the Monitor will be a joint decision between the MDA and the Applicants.

5.2 Roles and Responsibilities of the Environmental/Agricultural Monitor

The Monitor will be retained and funded by the Applicants but will report directly to the MDA. The primary function of the Monitor will be to audit the Applicants' compliance with this AIMP. While the Monitor will not have the authority to direct construction activities and will not have authority to stop construction, the Monitor will be required to immediately report compliance issues and observation of a significant non-compliant activity to the Applicants' Inspector. The MDA may also instruct the Monitor to report non-compliant activities to the MDA. If after reviewing the non-compliant activity, and if judgment is made that continuing the activity will cause damage to the environment or Agricultural Land, the Applicants would issue a stop work order.

The Monitor will have full access to Agricultural Land crossed by the Project and will have the option of attending meetings where construction on Agricultural Land is discussed. Specific duties of the Monitor will include, but are not limited to the following:

1. Participate in preconstruction training activities sponsored by the Applicants and provide construction personnel with training on provisions of this AIMP before construction begins.
2. Monitor construction and restoration activities on Agricultural Land for compliance with provisions of this AIMP. The Monitor will be allowed full access to the Agricultural Land where construction occurs.
3. Work with construction crews to ensure all practices are in compliance with the provisions of this AIMP.
4. Document instances of noncompliance and work with construction personnel to identify and implement appropriate corrective actions as needed.

5. Report instances of noncompliance with the AIMP to the MDA, Applicants, and Applicants' Inspector.
6. Coordinate with the MDA to develop a reporting structure and report directly to the MDA on events or schedule as agreed upon with the MDA.
7. Prepare regular compliance reports and submit to MDA, as requested by the MDA.
8. Act as liaison between Landowners and Tenants and MDA, if necessary, and coordinate communication of Landowner/Tenant concerns to the MDA, if necessary.
9. Maintain a written log of communications from Landowners and/or Tenants regarding compliance with this AIMP. Report Landowner complaints to the Applicants' Inspector and/or Right-of-Way representative. The written log will record whether the Monitor reported each logged concern to the MDA.
10. Be responsible for determining whether weather conditions have caused the soil to become so wet that mitigation measures designed to alleviate soil compaction would be ineffective and would actually reduce the future production capacity of the land. The Monitor would advise the Applicants of these conditions. The Applicants will be solely responsible in making the decision on whether it will proceed with construction under these conditions. Compensation by Landowner, as appropriate, will be determined as described in the "Procedures for Determination of Damages and Compensation" Section 6.8 of this AIMP.
11. In disputes between Applicants and a Landowner and/or Tenant over restoration, advise the MDA on whether the agricultural restoration is reasonably adequate in consultation with the Applicants.

6.0 Impact and Mitigation Practices

The Applicants will make good faith efforts to provide notice to the Landowner and known Tenants in advance of the commencement of initial construction activities on Agricultural Land. Notice may include personal contact, email, letter, or telephone contact. The Applicants will reasonably restore or compensate Landowners and/or Tenants, as appropriate, for damages caused by the Applicants as a result of transmission line or related facility construction, and as outlined in this AIMP. The decision to restore land or compensate Landowners will be made by the Applicants after discussion with the Landowner or Tenant.

Any buildings/structures in or near the transmission ROW will be evaluated on a case by case basis to ensure compliance with IEEE and NESC codes in regards to safe operation of equipment in proximity of the transmission line due to potential inductance. The Applicants

will conduct yearly inspections of the transmission lines and will inspect any associated grounding that may be installed on these structures. The Applicants will coordinate with irrigators within and near the ROW to provide information on safe operation of equipment in proximity to the transmission line.

6.1 Structure Placement

During the design of the Project, the Applicants' engineering, real estate, and permitting staff will seek input from Landowners, as practicable, to address structure placement issues. Prior to construction, the Applicants' agents will review the planned structure locations with the Landowner when requested to do so by the Landowner.

6.2 Structure Removal

If the Project is constructed along existing transmission and distribution lines, and the Applicants determine the existing facilities can be reasonably co-located, the Applicants may remove existing transmission and distribution line structures. For transmission and distribution line structures that do not have a footing, the Applicants will extract the pole from the ground if possible. In the event a pole cannot be extracted by pulling, the Applicants will excavate an area and an attempt will be made to extricate an excavated pole entirely. If an excavated pole cannot be removed in its entirety, the pole will either be cut off at the excavated depth (in the range of approximately five feet) or pushed over if the pole cannot be cut. To the extent that a transmission or distribution structure with a concrete footing needs to be removed, the Applicants will work with the Landowner to determine at what depth the footing must be removed so farming operations can continue on the property. If the Applicants remove an existing pole, all support anchors for the structure will be removed. In these instances, the Applicants will work with the Landowner to identify any tile lines located near the structure prior to removal. Additionally, if any damage to tile occurs as a result of a structure removal, the Applicants will adhere to the Agricultural Tile Section 6.3 of this AIMP.

6.3 Agricultural Tile

6.3.1 Damaged and Adversely Affected Tile

The Applicants will contact affected Landowners or known Tenants for their knowledge of Tile locations prior to the transmission line's installation. Applicants will make every attempt to probe for Tile if the Landowner does not know if Tile is located in the proposed structure location. Tile that is damaged, cut, or removed as a result of this probe will be immediately repaired. The repair will be reported to the Inspector.

If Tile is damaged by the transmission line installation, the Tile will be repaired in a manner that restores the Tile's operating condition at the point of repair. If Tiles on or

adjacent to the transmission line's construction area are adversely affected by the construction of the transmission line, the Applicants will take such actions as are necessary to restore the functioning of the Tile, including the relocation, reconfiguration, and replacement of the existing Tile. The affected Landowner or Tenant may elect to negotiate a fair settlement with the Applicants for the Landowner or Tenant to undertake the responsibility for repair, relocation, reconfiguration, or replacement of the damaged Tile. In the event the Landowner or Tenant chooses to undertake the responsibility for repair, relocation, reconfiguration, or replacement of the damaged Tile, the Applicants will not be responsible for correcting Tile repairs after completion of the transmission line (the Applicants are responsible for correcting Tile repairs after completing construction of the transmission line, provided the repairs were made by the Applicants or their agents or designees).

Where the damaged Tile is repaired by the Applicants, the following standards and policies will apply to the Tile repair:

1. Tiles will be repaired with materials of the same or better quality as that which was damaged. If water is flowing through a damaged Tile, temporary repairs will be promptly installed and maintained until such time that permanent repairs can be made.
2. Before completing permanent Tile repairs, Tiles will be examined within the work area to check for Tile that might have been damaged by construction equipment. If Tiles are found to be damaged, they will be repaired so they operate as well after construction as before construction began.
3. The Applicants will make efforts to complete permanent Tile repairs within a reasonable timeframe after Final Clean-up, taking into account weather and soil conditions.
4. Following completion of the Final Clean-up and damage settlement, the Applicants will be responsible for correcting and repairing Tile breaks, or other damages to Tile systems that are discovered on the Right-of-Way to the extent that such breaks are reasonable found to be the result of transmission line construction. These damages are usually discovered after the first significant rain event. The Applicants will not be responsible for Tile repairs the Applicants have paid the Landowner or Tenant to perform.

6.3.2 Installation of Additional Tiles

The Applicants will be responsible for installing such additional Tile and other drainage measures as are necessary to properly drain wet areas on the Right-of-Way caused by the construction of the transmission line.

6.4 Excavation/Grading

Topsoil and Subsoil layers that are removed during construction for facility structures, structure placement, or temporary road impacts will be stored separately and replaced in the proper sequence after the transmission line is installed. Unless otherwise specified in an Easement or other agreement negotiated between the Applicants and Landowner, the Applicants will not use this soil for other purposes, including creating access ramps at road crossings. No Topsoil or Subsoil (other than incidental amounts) may be removed from Agricultural Land without permission of the Landowner.

6.5 Soil Compaction, Rutting, Fertilization, Liming, and Soil Restoration

Compaction will be alleviated as needed on Cropland traversed by construction equipment. Cropland that has been compacted will be plowed using appropriate deep-tillage and draft equipment. Alleviation of compaction of the topsoil will be performed during suitable weather conditions and must not be performed when weather conditions have caused the soil to become so wet that activity to alleviate compaction would damage the future production capacity of the land as determined by the Agricultural Monitor.

The Applicants will restore rutted land to as near as practical to its pre-construction condition.

If there is a dispute between the Landowner or Tenant and the Applicants as to what areas need to be ripped or chiseled, the depth at which compacted areas should be ripped or chiseled, or the necessity or rates of lime, fertilizer, and organic material application, the Agricultural Monitor's opinion will be considered by the Applicants.

6.6 Excess Soil and Rocks

Excess soil and rock will be removed from the site unless otherwise requested by the Landowner. After Final Clean-up and restoration of Agricultural Lands, Applicants will make good faith efforts to obtain written acknowledgement of completion of such activities from the Landowner.

6.7 Construction Debris

Construction-related debris and material which are not an integral part of the transmission line, and which have been placed there by the Applicants, will be removed from the Landowner's property at the Applicants' cost. Such material to be removed would include excess construction materials or litter generated by the construction crews.

6.8 Procedures for Determining Construction-Related Damages and Providing Compensation

The Applicants will develop and put into place a procedure for the processing of anticipated Landowners' or Tenants' claims for construction-related damages. The procedure will be intended to standardize and minimize Landowner and Tenant concerns in the recovery of damages, to provide a degree of certainty and predictability for Landowners, Tenants and the Applicants, and to foster good relationships among the Applicants, Landowners and their Tenants over the long term.

Negotiations between the Applicants and any affected Landowner or Tenant will be voluntary in nature and no party is obligated to follow any particular method for computing the amount of loss for which compensation is sought or paid. The compensation offered is only an offer to settle, and the offer shall not be introduced in any proceeding brought by the Landowner or Tenant to establish the amount of damages the Applicants must pay. In the event the Applicants and a Landowner or Tenant are unable to reach an agreement on the amount of damages, the Landowner or Tenant may seek recourse through mediation.

6.9 Damaged Soil Conservation Practices

Soil conservation practices such as terraces and grassed waterways which are damaged by the transmission line's construction, will be restored to their pre-construction condition.

6.10 Irrigation Systems

If the transmission line and/or temporary work areas intersect an operational (or soon to be operational) spray irrigation system, the Applicants will establish with the Landowner or Tenant, an acceptable amount of time the irrigation system may be out of service.

If, as a result of the transmission line construction activities, an irrigation system interruption results in crop damages, either on the Right-of-Way or off the Right-of-Way, compensation of Landowners and/or Tenants, as appropriate, will be determined as described in Sections 6.8 and 7.7 of this AIMP.

If it is feasible and mutually acceptable to the Applicants and the Landowner or Tenant, temporary measures will be implemented to allow an irrigation system to continue to operate across land on which the transmission line is also being constructed. Applicants will work with the Landowner or Tenant to identify a preferable construction time.

To the extent practicable, the Applicants will work with the Landowner or Tenant to place transmission structures in locations close to existing Rights-of-Way in an attempt to minimize impacts to existing irrigation systems.

If impacts to an irrigation system cannot be avoided, the Applicants will work with the Landowner to maintain operation of the irrigation system across land on which the

transmission line crosses to the extent practical.

6.11 Access Routes/Temporary Roads

The location of temporary roads to be used for construction purposes will be discussed with the Landowner or Tenant.

1. The temporary roads will be designed so as to not impede proper drainage and will be built to mitigate soil erosion on or near the temporary roads.
2. If grading is required to create a temporary road, temporary roads may be left intact through mutual agreement of the Landowner or Tenant and the Applicants unless otherwise restricted by federal, state or local regulations.
3. If a temporary road is to be removed, the Agricultural Land upon which the temporary road is constructed will be returned to its previous use and restored to an equivalent condition that existed prior to their construction.

6.12 Construction in Wet Conditions

If it is necessary to construct the transmission line during wet conditions, and if the Agricultural Monitor believes conditions are too wet for continued construction, damages which may result from such construction will be paid for by the Applicants and/or appropriate restoration will be conducted. Compensation for Landowners and/or Tenants, as appropriate, will be determined as described in Sections 6.8 and 7.7 of this AIMP.

7.0 Mitigation Practices for Organic Agricultural Farms

The Applicants recognize that Organic Agricultural Land is a unique feature of the landscape and will treat this land with the same level of care as other sensitive environmental features. This AIMP identifies mitigation measures that apply specifically to farms that are Organic Certified or farms that are in active transition to become Organic Certified and is intended to address the unique management and certification requirements of these operations. All protections provided in the Agricultural Impact Mitigation Plan will also be provided to Organic Agricultural Land in addition to the provisions of this Section.

The provisions of this Section will apply to Organic Agricultural Land for which the Landowner or Tenant has provided to the Applicants a true, correct and current version of the Organic System Plan within 60 days after the signing of the Easement for such land or 60 days after the issuance of a Route Permit to the Applicants by the PUC, whichever is sooner. In the event the Easement is signed later than 60 days after the issuance of the Route Permit, the provisions of this Section are applicable when the Organic System Plan is provided to the Applicants at the time of the signing of the Easement.

7.1 Organic System Plan

The Applicants recognize the importance of the individualized Organic System Plan to the Organic Certification process. The Applicants will work with the Landowner or Tenant, the Landowner's or Tenant's Certifying Agent, and/or a mutually acceptable third-party Organic consultant to identify site-specific construction practices that will minimize the potential for Decertification as a result of construction activities. Possible practices may include, but are not limited to: equipment cleaning, planting a deep-rooted cover crop in lieu of mechanical decompaction, applications of composted manure or rock phosphate, preventing the introduction of disease vectors from tobacco use, restoration and replacement of beneficial bird and insect habitat, maintenance of organic buffer zones, use of organic seeds for any cover crop, or similar measures. The Applicants recognize that Organic System Plans are proprietary in nature and will respect the need for confidentiality.

7.2 Prohibited Substances

The Applicants will avoid the application of Prohibited Substances onto Organic Agricultural Land. No pesticides, fertilizers or seed will be applied unless requested and approved by the Landowner. Likewise, no refueling, fuel or lubricant storage or routine equipment maintenance will be allowed on Organic Agricultural Land. Equipment will be checked prior to entry to make sure that fuel, hydraulic and lubrication systems are in good working order before working on Organic Agricultural Land. If Prohibited Substances are used on land adjacent to Organic Agricultural Land, these substances will be used in such a way as to prevent them from entering Organic Agricultural Land.

7.3 Temporary Road Impacts

Topsoil and subsoil layers that are removed during construction on Organic Agricultural Land for temporary road impacts will be stored separately and replaced in the proper sequence after the transmission line is installed. Unless otherwise specified in the site-specific plan described above, the Applicants will not use this soil for other purposes, including creating access ramps at road crossings.

No topsoil or subsoil (other than incidental amounts) may be removed from Organic Agricultural Land. Likewise, Organic Agricultural Land will not be used for storage of soil from non-Organic Agricultural Land.

7.4 Erosion Control

On Organic Agricultural Land, the Applicants will, to the extent feasible, implement erosion control methods consistent with the Landowner's or Tenant's Organic System

Plan. On land adjacent to Organic Agricultural Land, the Applicants' erosion control procedures will be designed so that sediment from adjacent non-Organic Agricultural Land will not flow along the Right-of-Way and be deposited on Organic Agricultural Land. Treated lumber, non-organic hay bales, non- approved metal fence posts, etc. will not be used in erosion control on Organic Agricultural Land.

7.5 Weed Control

On Organic Agricultural Land, the Applicants will, to the extent feasible, implement weed control methods consistent with the Landowner's or Tenant's Organic System Plan. Prohibited Substances will not be used in weed control on Organic Agricultural Land. In addition, the Applicants will not use Prohibited Substances in weed control on land adjacent to Organic Agricultural Land in such a way as to allow these materials to drift onto Organic Agricultural Land.

7.6 Monitoring

In addition to the responsibilities of the Agricultural Monitor described in the AIMP, the following will apply:

1. The Agricultural Monitor will monitor weather conditions as well as construction and restoration activities on Organic Agricultural Land for compliance with the provisions of this AIMP and will document any activities that may result in Decertification of Organic Agricultural Land.
2. Instances of non-compliance will be documented according to Independent Organic Inspectors Association protocol consistent with the Landowner's Organic System Plan, and will be made available to the MDA, the Landowner, the Tenant, the Landowner's or Tenant's Certifying Agent, the Inspector and to the Applicants.

If the Agricultural Monitor is responsible for monitoring activities on Organic Agricultural Land, he/she will be trained, at the Applicants' expense, in organic inspection, by the Independent Organic Inspectors Association, unless the Agricultural Monitor received such training during the previous three years.

7.7 Compensation for Construction-Related Damages

The settlement of damages will be based on crop yield and/or crop quality determination and the need for additional restoration measures. Unless the Landowner or Tenant of Organic Agricultural Land and Company agree otherwise, at the Applicants' expense, a mutually agreed upon professional agronomist will make crop yield determinations, and the Minnesota Department of Agriculture Fruit and Vegetable Inspection Unit will make

crop quality determinations. If the crop yield and/or crop quality determinations indicate the need for soil testing, the testing will be conducted by a commercial laboratory that is properly certified to conduct the necessary tests and is mutually agreeable to the Applicants and the Landowner or Tenant. Field work for soil testing will be conducted by a Professional Soil Scientist or Professional Engineer licensed by the State of Minnesota. The Applicants will be responsible for the cost of sampling, testing and additional restoration activities, if needed. Landowners or Tenants may elect to settle damages with the Applicants in advance of construction on a mutually acceptable basis or to settle after construction based on a mutually agreeable determination of actual damages.

7.8 Compensation for Damages Due to Decertification

Should any portion of Organic Agricultural Land be Decertified as a result of construction activities, the Applicants will pay damages for crops and/or livestock within the area impacted by the lost Certification equal to the full difference between the market value of conventional crops and/or livestock and the market value of the organic crops and/or livestock lost for three years or the period of time necessary for the Landowner or Tenant to regain Certification, whichever comes first. The market value of the crop will be determined as set forth in the damage claim policy. At the request of the Applicants, the Landowner shall provide verification of its loss of Organic Certification through the accredited certifying agent prior to any compensation for organic crop loss being paid.

DIRECT TESTIMONY OF KEVIN SCHEIDECKER

SCHEDULE D: MINNESOTA DEPARTMENT OF AGRICULTURE RESPONSE TO

UPDATED AIMP

APP Exhibit _____, Scheidecker Direct - Schedule D

From: [Roos, Stephan \(MDA\)](#)
To: [Scheidecker, Kevin J.](#)
Cc: [Hanley, Jennifer](#); [Humburg, Joshua](#); [Brusven, Christina](#)
Subject: RE: Updated AIMP for BSSA Project
Date: Monday, July 7, 2025 4:12:21 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

CAUTION: EXTERNAL E-MAIL

Hi Kevin,

I took a look at your addition (Section 6) and it seems to be fine, although, I'm not by any means a qualified electrician or electrical engineer. I think that you've captured the intent of the PUC's permit condition.

I looked through the whole document and noticed that it's been slightly restructured for clarity and uniformity, which was needed over the original you submitted with the route permit application. It all looks good to me.

Thanks for reaching out to me to check it over.

Steve

Steve Roos

Environmental Planner

Agricultural Marketing and Development Division

625 Robert Street North

Saint Paul, MN 55155-2538

O: 651-201-6631

C: 612-968-7208



From: Scheidecker, Kevin J. <kscheidecker@otpc.com>

Sent: Monday, July 7, 2025 10:26 AM

To: Roos, Stephan (MDA) <stephan.roos@state.mn.us>

Cc: Hanley, Jennifer <jennifer.hanley@hdrinc.com>; Humburg, Joshua <jhumburg@otpc.com>;
Brusven, Christina <cbrusven@fredlaw.com>

Subject: Updated AIMP for BSSA Project

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Steve,

I've attached an updated version of the AIMP for our BSSA Transmission Project. Please take a look at additional language added as a second paragraph to section 6.0 on electrical induction and grounding. Once we have finalized the document, we will submit as part of my written testimony to the PUC docket in mid-August.

Let me know if you have any questions or changes you'd like to make. We appreciate your review.



Kevin Scheidecker
Senior Environmental Specialist
Environmental Services
Direct: 218-739-8773
kscheidecker@otpc.com