

WRITTEN COMMENTS RECEIVED FROM AGENCIES



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
SOUTH DAKOTA REGULATORY OFFICE
28563 POWERHOUSE ROAD, ROOM 118
PIERRE, SOUTH DAKOTA 57501-6174

August 7, 2008

South Dakota Regulatory Office
28563 Powerhouse Road, Room 118
Pierre, South Dakota 57501

RECEIVED

AUG 11 2008

HDR Engineering, Inc.

HDR Engineering, Inc.
Attn: Angela Piner
701 Xenia Avenue South
Minneapolis, Minnesota 55416-3636

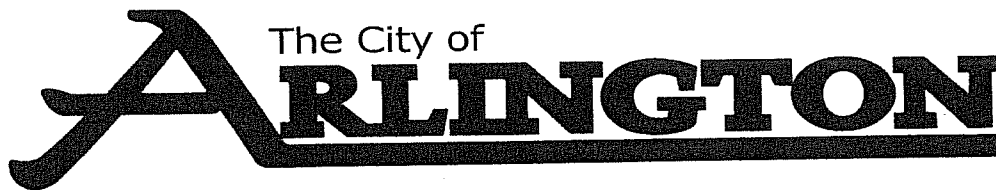
Dear Ms. Piner,

Reference is made to the preliminary information received August 7, 2008, concerning Department of the Army authorization requirements for the proposed CAPX 345kV Transmission Line Project in Brookings County, South Dakota.

The Corps' jurisdiction is derived from Section 404 calls for Federal regulation of the discharge of dredged or fill material into certain waterways, lakes and/or wetlands, (i.e. waters of the United States). If the proposed project involves either the discharge of dredged or fill material into waters subject to Federal regulation, it is requested that the project proponent submit an application for a Department of the Army permit.

Enclosed is the necessary application form (ENG Form 4345). When completing the application form, we would request from the applicant (a) a detailed description of the work activity [i.e., explain precisely what you are going to do and how you are going to accomplish it; include fill and/or excavation quantities and dimensions to be performed below the ordinary high water elevation (if in a lake, river or stream) or to be performed within the boundary of jurisdictional wetlands (if the project involves wetlands), along with the source/type of fill and the type of equipment to be used during construction]; (b) the purpose, need and/or benefits of the proposed project; and (c) any alternative project designs or locations considered.

Along with the completed application form, we would request from the applicant (1) detailed drawings (plan and cross-sectional views; the drawings should be submitted on 8-1/2x11 inch paper), (2) a location map showing the project site, (3) a delineation of affected wetlands if the project involves wetlands, (4) if available, colored pictures showing at least two views of the proposed project site and (5) any ecological or environmental information available that you feel may be pertinent to your project (i.e., area wildlife activity, area vegetation, area land use, quality of fishery, etc.).



RECEIVED
APR 16 2008
HDR Engineering, Inc.

April 10, 2008

Ms. Angela Piner
HDR Engineering, Inc.
701 Xenia Avenue South
Suite 600
Minneapolis MN 55416

**Office of
Planning & Zoning**

**Cynthia Smith-Strack
Planning & Zoning Official**

507-964-2378
888-763-4462

cstrack@
municipaldevelopmentgroup.com

RE: Routing Corridor – City of Arlington (Sibley County) MN

Dear Ms. Piner,

On behalf of the City of Arlington, Minnesota, thank you for inviting comment regarding the proposed CAPX2020 Utilities 'Brookings County to Southeast Twin Cities Project.'

The purpose of this letter is to inform you that as of this date the existing map of potential corridors impacts a portion of an orderly annexation agreement between the City of Arlington and Arlington Township. Although the Arlington corporate limits have been excluded from the potential corridor, areas guided toward future urban residential, commercial, and industrial uses remain within the potential corridor.

Attached to this letter please find a copy of the legal description of property included within the aforementioned orderly annexation agreement. Please note portions of Sections 3,4,5,8, and 17 of Arlington Township, Sibley County will be urban in nature in the future. Your attention to this matter is kindly requested.

In addition, please note the City and other regional entities are pursuing implementation of strategies designed to improve water quality within High Island Creek watershed. Policies include retaining an intact shoreline as the eastern section is characterized by steep ravines, natural stream cover, forested areas, and a narrow floodplain.

If you require additional information please do not hesitate to contact me at your convenience at 888-763-4462 or email cstrack@municipaldevelopmentgroup.com.

Best regards,



Cynthia Smith-Strack
Consulting Planner
City of Arlington

EXHIBIT 1

Orderly Annexation Area 1 Description:

Parcels in Sections 9 and 10, Township 113 North, Range 27 West, Sibley County, Minnesota:

Beginning at the southeast corner of the SW 1/4 of Section 10, Township 113 North, Range 27 West, thence North along the centerline of said Section 10 to the northeast corner of the NW 1/4 of said Section 10 thence West along the north line of said Section 10 to the northwest corner of said Section 10, thence continuing West along the north line of Section 9 1317.15 feet to a point on the existing city boundary, thence South and East along the existing city boundary to the south line of said Section 10, thence East to the point of beginning.

That part of Section 9, Township 113, Range 27, Sibley County, Minnesota described as follows: Beginning at point 722.54 feet South of the northwest corner of said Section 9, thence East along a line parallel to the north line of said Section 9 a distance of 1647.52 feet, more or less, to the northwest corner of the existing property of St. Mary's Catholic Church of Arlington, thence continuing East parallel to the north line of said Section 9 a distance of 400 feet along the north line of said church property, thence South 1054 feet, thence West 400 feet, thence North 250 feet more or less to a point on the northeast corner of the existing Good Samaritan Society, Inc. property, thence West along the existing city boundary line to the west line of said Section 9, thence North along the west line of said Section 9 to the point of beginning.

Total area: 244.49 acres

EXHIBIT 2

Orderly Annexation Area 2 Description:

All that part of the SE 1/4 of Section 4, Township 113 North, Range 27 West identified as the Highland View Addition and the Highland View Second Addition.

Total area: 17.89 acres

EXHIBIT 3

Orderly Annexation Area 3 Description:

All of the area not previously described in Exhibits 1 or 2; and that area not already in the City of Arlington; described as follows:

Beginning at the southeast corner of the NE 1/4 of the NW 1/4 of Section 15; thence North along the half section line of Sections 15, 10 and 3 to the northeast corner of the SE 1/4 of the SW 1/4 of Section 3; thence West along said quarter section line of Sections 3, 4 and 5 to the northwest corner of the SE 1/4 of the SE 1/4 of Section 5; thence South along the easterly quarter section line of Sections 5, 8 and 17 to the southwest corner of the NE 1/4 of the NE 1/4 of Section 17; thence East on the north quarter section line to the point of beginning.

Total area: 662.11 acres



Minnesota Department of Transportation

Office of Technical Support
Utility Permits and Agreements Unit
Mailstop 678
395 John Ireland Blvd
St. Paul, MN 55155

Telephone: 651-366-4635
Fax: 651-366-4667

January 14, 2008

This letter is intended to provide guidelines for transmission line routing on or near Minnesota trunk highways. Please consider these factors when reviewing and planning new lines.

Clearance for existing structures

For all appurtenances within the right of way such as light standards, type-A traffic signs, Road Weather Information Systems (RWIS) stations, etc., Mn/DOT will require a minimum vertical access zone of 10 feet plus an OSHA safety zone of 25 feet to allow for overhead maintenance of these structures. This 35 foot minimum vertical clearance is needed to accommodate boomed equipment.

Clear zone Requirements

Clear zone requirements must be met for any structure on Mn/DOT right of way.

Interchanges and separated grade crossings

Interchange areas are particularly important to keep clear of utilities due to bridge maintenance and construction requirements, increased presence of highway facilities, and traffic considerations. At ramped interchanges lateral crossings will be allowed at a minimum distance of 50 feet outside the interchange ramps. At interchanges with bridges over the highway, a safe distance for possible reconstruction or maintenance would need to be determined on a bridge by bridge basis. When bridges run parallel with the road, a minimum distance of 50 feet from the structures is required.

Conductor Movement Envelope a.k.a. "blow out" zone or area of influence

(The area that is affected by the sway of the line under wind and heat conditions)

Mn/DOT would prefer to keep all lines far enough from the right of way that this has no influence on the highway.

Crossings

As a general rule crossings are allowed. Mn/DOT prefers that they are perpendicular to the roadway.

Vegetation

Anywhere inside the right of way, whether vegetation exists or not, as a minimum requirement, vegetation must be allowed to attain a minimum height of 35 feet. A vegetation management plan must be worked out with each District.

Safety rest areas

Mn/DOT will not permit the physical location of utility lines or structures to encroach. The vegetation requirements remain in force at rest areas and may be of a more strict nature for aesthetic reasons.

Additional Factors

A Utility Permit from Mn/DOT is required for any line that would affect Mn/DOT right of way.

General placement for aerial lines is within the outer 5 feet of trunk highway right of way.

By Policy any utility placed within Mn/DOT trunk highway right of way by permit would be required to relocate at the owner's expense if future highway construction necessitated.

The entire Mn/DOT Utility Accommodation Policy is available at www.dot.state.mn.us/utility/files/pdf/appendix-b.pdf and needs to be adhered too.

For lines around rest areas contact the Safety Rest Area Program Manager at 651-366-4702.

For issues involving airports and their height clearances and restrictions contact Rick Braunig at 651-234-7230 or email at rick.braunig@dot.state.mn.us.

Mn/DOT's main contact for Transmission Line Route Coordination is Stacy Kotch. I can be reached at 651-366-4635 or by email at Stacy.Kotch@dot.state.mn.us.

Mn/DOT District contacts are:

District 1

REX BORDSON (218) 725-2779

District 2A

STEPHEN FRISCO (218) 755-6553

District 2B

EARL HILL (218) 277-7964

District 3

STEVE VOSS (218) 828- 5779

MARY SAFGREN (218) 828-5780

District 4

STEVE MAACK (218) 846-7949

JODY MARTINSON (218) 846-7964

District 6

CHRIS MOATES (507) 286-7594

PETER WASKIW (507) 286-7680

District 7

JIM FOX (507) 831-8012

RICHARD "KENT" PURRIER (507) 304-6151

District 8

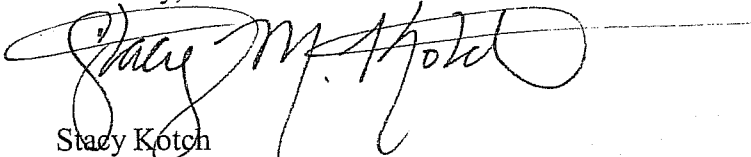
GERI VICK (320) 214-6364

JARRETT HUBBARD (320) 214-6362

METRO

CURT FAKLER (651) 234-7361

Sincerely,

A handwritten signature in black ink, appearing to read "Stacy M. Kotch". The signature is written in a cursive style and is positioned above a horizontal line that extends to the right.

Stacy Kotch
Utility Transmission Line Coordinator

BUFFALO CREEK WATERSHED DISTRICT

P.O. Box 55
Glencoe, Minnesota 55336

May 27, 2008

Angela Pines
Environmental Scientist
HDR Engineering, Inc.
701 Xenia Avenue South
Suite 600
Minneapolis, MN 55416

SUBJECT: Buffalo Creek Watershed District
Cap X2020 345kV Transmission Line

Dear Angela:

Once you have selected a route for your transmission line, and if it goes through Buffalo Creek Watershed District, a permit from the watershed district will be required.

The watershed district will then review the routing and permit application all at one time. You can find a permit application on the BCWD web site (www.bcwatershed.org).

Since the transmission line will be all overhead, the watershed does not see any problems at the present time.

Sincerely,



Charles Eberhard
Staff Engineer
BCWD

Cc Board of Managers, BCWD


Adherence to the above information requests will speed up the application evaluation and permit processing time. The requested information is used to help the Corps determine the type of permit to process if a permit is required and is used in the public review.

Regarding your request for comment relative to environmental impacts, this office assesses project impacts, including environmental impacts, after receipt of the detailed, site specific information required via our permit application process.

You can obtain additional information about the Regulatory Program and download forms from our website: <https://www.nwo.usace.army.mil/html/od-rsd/frame.html>.

If you have any questions or need any assistance, please feel free to contact this office at the above Regulatory Office address or telephone Carolyn Kutz at (605) 224-8531.

Sincerely,

A handwritten signature in black ink that reads "Steven E. Naylor". The signature is written in a cursive style with a large initial 'S'.

Steven E. Naylor
Regulatory Program Manager,
South Dakota

Enclosures

The public reporting burden for this collection of information is estimated to average 10 hours per response, although the majority of applications should require 5 hours or less. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Uses: This information may be shared with the Department of Justice and other federal, state, and local government agencies. Submission of requested information is voluntary, however, if information is not provided, the permit application cannot be processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME	8. AUTHORIZED AGENT'S NAME AND TITLE <i>(an agent is not required)</i>
6. APPLICANT'S ADDRESS	9. AGENT'S ADDRESS
7. APPLICANT'S PHONE NUMBERS WITH AREA CODE a. Residence b. Business	10. AGENT'S PHONE NUMBERS WITH AREA CODE a. Residence b. Business

11. STATEMENT OF AUTHORIZATION

I hereby authorize _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE	DATE
-----------------------	------

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE <i>(see instructions)</i>	
13. NAME OF WATERBODY, IF KNOWN <i>(if applicable)</i>	14. PROJECT STREET ADDRESS <i>(if applicable)</i>
15. LOCATION OF PROJECT _____ COUNTY _____ STATE	

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) **LEGAL DESCRIPTION - SECTION, TOWNSHIP, RANGE**

17. DIRECTIONS TO THE SITE

18. Nature of Activity (Description of project, include all features)

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

23. Is Any Portion of the Work Already Complete? Yes _____ No _____ IF YES, DESCRIBE THE COMPLETED WORK

24. Addresses of Adjoining Property Owners, Lessees, etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

25. List of Other Certifications or Approvals/Denials Received from other Federal, State, or Local Agencies for Work Described in This Application

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED

*Would include but is not restricted to zoning, building and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up any trick scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

Instructions for Preparing a
Department of the Army Permit Application

Blocks 1 through 4. To be completed by Corps of Engineers.

Block 5. Applicant's Name. Enter the name of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the responsible officer and title. If more than one party is associated with the application, please attach a sheet with the necessary information marked Block 5.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the application. If more space is needed, attach an extra sheet of paper marked Block 6.

Block 7. Applicant Telephone Number(s). Please provide the number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed, if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, or any other person or organization. Note: An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by applicant, if an agent is to be employed.

Block 12. Proposed Project Name or Title. Please provide name identifying the proposed project, *e.g.*, Landmark Plaza, Burned Hills Subdivision, or Edsall Commercial Center.

Block 13. Name of Waterbody. Please provide the name of any stream, lake, marsh, or other waterway to be directly impacted by the activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Project Street Address. If the proposed project is located at a site having a street address (not a box number), please enter it here.

Block 15. Location of Proposed Project. Enter the county and state where the proposed project is located. If more space is required, please attach a sheet with the necessary information marked Block 15.

Block 16. Other Location Descriptions. If available, provide the Section, Township, and Range of the site and / or the latitude and longitude. You may also provide description of the proposed project location, such as lot numbers, tract numbers, or you may choose to locate the proposed project site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed project site if known.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site.

Block 18. Nature of Activity. Describe the overall activity or project. Give appropriate dimensions of structures such as wingwalls, dikes (identify the materials to be used in construction, as well as the methods by which the work is to be done), or excavations (length, width, and height). Indicate whether discharge of dredged or fill material is involved. Also, identify any structure to be constructed on a fill, piles, or float-supported platforms.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 18.

Block 19. Proposed Project Purpose. Describe the purpose and need for the proposed project. What will it be used for and why? Also include a brief description of any related activities to be developed as the result of the proposed project. Give the approximate dates you plan to both begin and complete all work.

Block 20. Reasons for Discharge. If the activity involves the discharge of dredged and/or fill material into a wetland or other waterbody, including the temporary placement of material, explain the specific purpose of the placement of the material (such as erosion control).

Block 21. Types of Material Being Discharged and the Amount of Each Type in Cubic Yards. Describe the material to be discharged and amount of each material to be discharged within Corps jurisdiction. Please be sure this description will agree with your illustrations. Discharge material includes: rock, sand, clay, concrete, etc.

Block 22. Surface Areas of Wetlands or Other Waters Filled. Describe the area to be filled at each location. Specifically identify the surface areas, or part thereof, to be filled. Also include the means by which the discharge is to be done (backhoe, dragline, etc.). If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into a waterbody. If more space is needed, attach an extra sheet of paper marked Block 22.

Block 23. Is Any Portion of the Work Already Complete? Provide any background on any part of the proposed project already completed. Describe the area already developed, structures completed, any dredged or fill material already discharged, the type of material, volume in cubic yards, acres filled, if a wetland or other waterbody (in acres or square feet). If the work was done under an existing Corps permit, identify the authorization, if possible.

Block 24. Names and Addresses of Adjoining Property Owners, Lessees, etc., Whose Property Adjoins the Project Site. List complete names and full mailing addresses of the adjacent property owners (public and private) lessees, etc., whose property adjoins the waterbody or aquatic site where the work is being proposed so that they may be notified of the proposed activity (usually by public notice). If more space is needed, attach an extra sheet of paper marked Block 24.

Information regarding adjacent landowners is usually available through the office of the tax assessor in the county or counties where the project is to be developed.

Block 25. Information about Approvals or Denials by Other Agencies. You may need the approval of other federal, state, or local agencies for your project. Identify any applications you have submitted and the status, if any (approved or denied) of each application. You need not have obtained all other permits before applying for a Corps permit.

Block 26. Signature of Applicant or Agent. The application must be signed by the owner or other authorized party (agent). This signature shall be an affirmation that the party applying for the permit possesses the requisite property rights to undertake the activity applied for (including compliance with special conditions, mitigation, etc.).

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross-Section Map. Identify each illustration with a figure or attachment number.

Please submit one original, or good quality copy, of all drawings on 8½ x11 inch plain white paper (tracing paper or film may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations.

Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross-section). **While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.**

APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT
(33 CFR 325)

OMB APPROVAL NO. 0710-003
Expires October 1996

Public reporting burden for this collection of information is estimated to average 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Service, Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Project (0710-0003), Washington, DC 20503. Please DO NOT RETURN your form to either of those addresses. Information provided on this form will be used in evaluating the application submitted to the District Engineer having jurisdiction over the location of the proposed activity.

SAMPLE

Authority: 33 USC 401, Section 10; 1413, Section 101. These laws require permits authorizing activities in, or affecting, navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material across international boundaries. Information provided on this form will be used in evaluating the application for a permit. Disclosure: Disclosure of requested information does not constitute a finding, and information processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO. assigned by Corps	2. FIELD OFFICE CODE assigned by Corps	3. DATE RECEIVED assigned by Corps	4. DATE APPLICATION COMPLETED assigned by Corps
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME Fred R. Harris	8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required) None
6. APPLICANT'S ADDRESS 852 West Branch Road Elm Junction, SD 57900	9. AGENT'S ADDRESS
7. APPLICANT'S PHONE NOS. W/AREA CODE a. Residence 605-777-3000 b. Business	10. AGENT'S PHONE NOS. W/AREA CODE a. Residence b. Business

11. STATEMENT OF AUTHORIZATION

I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE

DATE

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions) Harris Bank Stabilization	
13. NAME OF WATERBODY, IF KNOWN (if applicable) Blue Lake	14. PROJECT STREET ADDRESS (if applicable) 852 West Branch Road
15. LOCATION OF PROJECT Washabaugh COUNTY SD STATE	
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN, (see instructions) LEGAL DESCRIPTION Southeast Quarter, Section 12, Township 42 North, Range 37 West	
17. DIRECTIONS TO THE SITE 5 miles west and 2 miles south of Elm Junction, SD	

Grade/shape existing eroded bank to a 2:1 slope and place rock riprap. The upper bank will be excavated and the material will be placed along the lower bank to form the slope. A toe trench will be excavated at the bottom of the slope followed by placement of filter fabric and riprap protection.

19. Project Purpose (Describe the reason or purpose of the project, see instructions)

To prevent erosion of the shoreline at my place of residence.

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE PLACED

20. Reason(s) for Discharge

Earth fill - To provide a firm graded slope upon which to place the riprap. Rock - Same as Block #19 above.

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards

175 cubic yards of earth fill material and 80 cubic yards of rock (field stone). will be placed below the ordinary high water mark.

22. Surface Area in Acres of Wetlands or Other Waters Filled (see instructions)

Appx. 1000 sq.ft. of existing water surface area will be filled by the bank grading. The work will be accomplished with the use of a backhoe and front end loader.

23. Is Any Portion of the Work Already Complete? Yes No IF YES, DESCRIBE THE COMPLETED WORK

24. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (if more than can be entered here, please attach a supplemental list).

Mary L. Clark
850 West Branch Road
Elm Junction, SD 57900
Harry N. Hampton
854 West Branch Road
Elm Junction, SD 57900

25. List of Other Certifications or Approvals/Denials Received from other Federal, State or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
Washabugh Co.	zoning	BH25172	6/20/95	6/30/95	
SHPO	cultural records	CR258	6/11/95	8/12/95	

*Would include but is not restricted to zoning, building and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.
Please sign
Please date

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

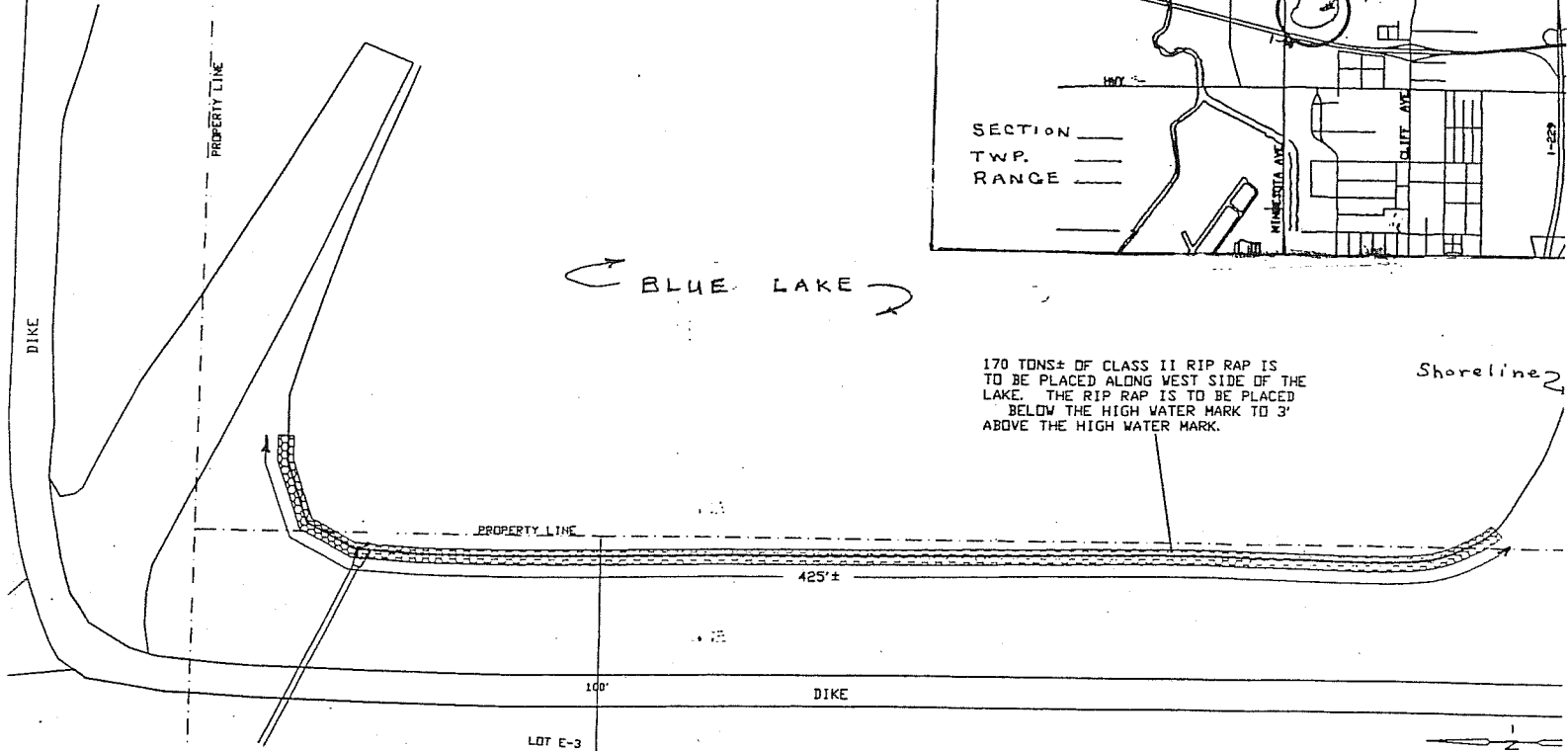
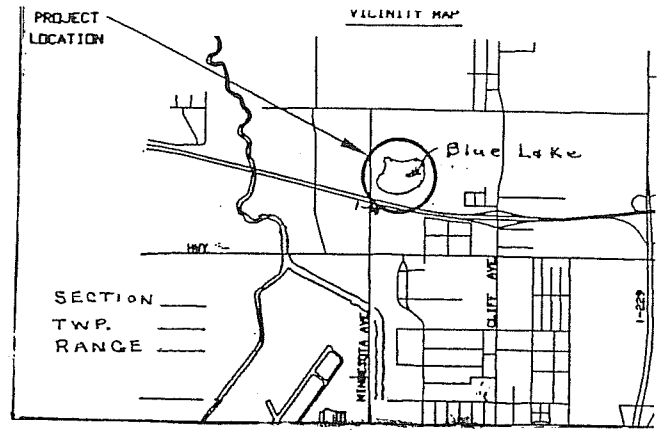
DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

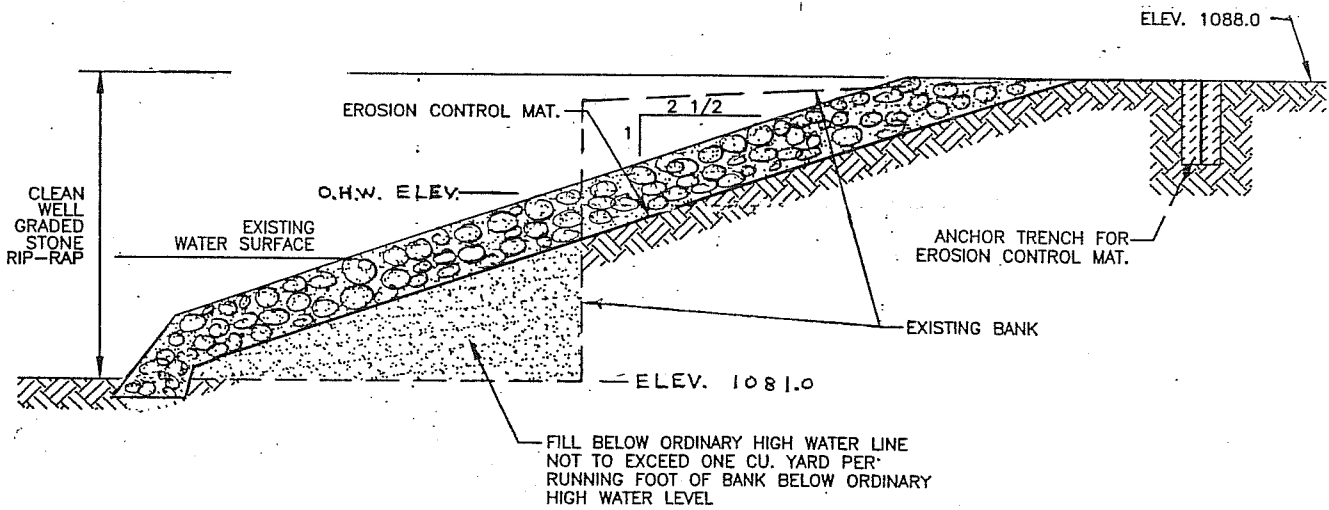
SAMPLE

SAMPLE DRAWING BANK STABILIZATION



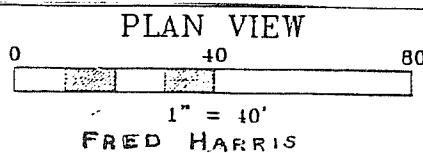
170 TONS± OF CLASS II RIP RAP IS TO BE PLACED ALONG WEST SIDE OF THE LAKE. THE RIP RAP IS TO BE PLACED BELOW THE HIGH WATER MARK TO 3' ABOVE THE HIGH WATER MARK.

PLAN
NO SCALE

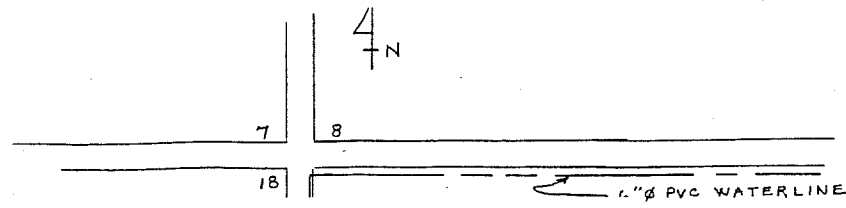


SECTION A-A TYPICAL
NOT TO SCALE

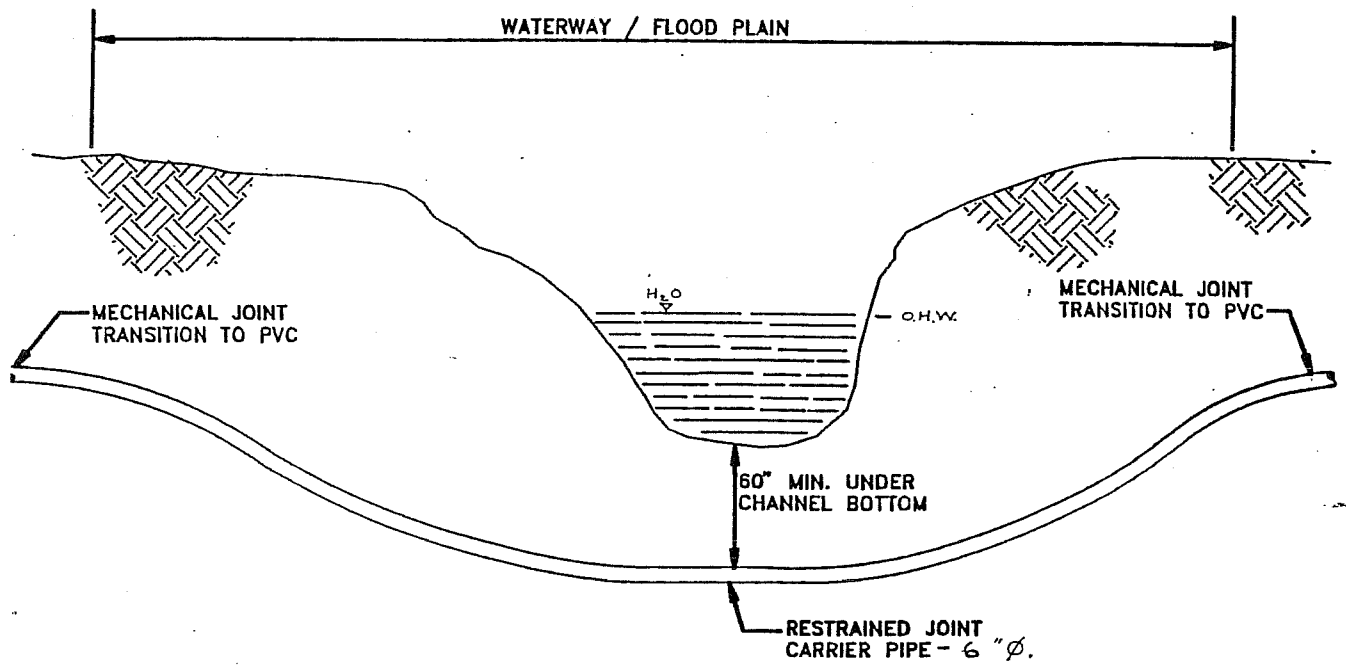
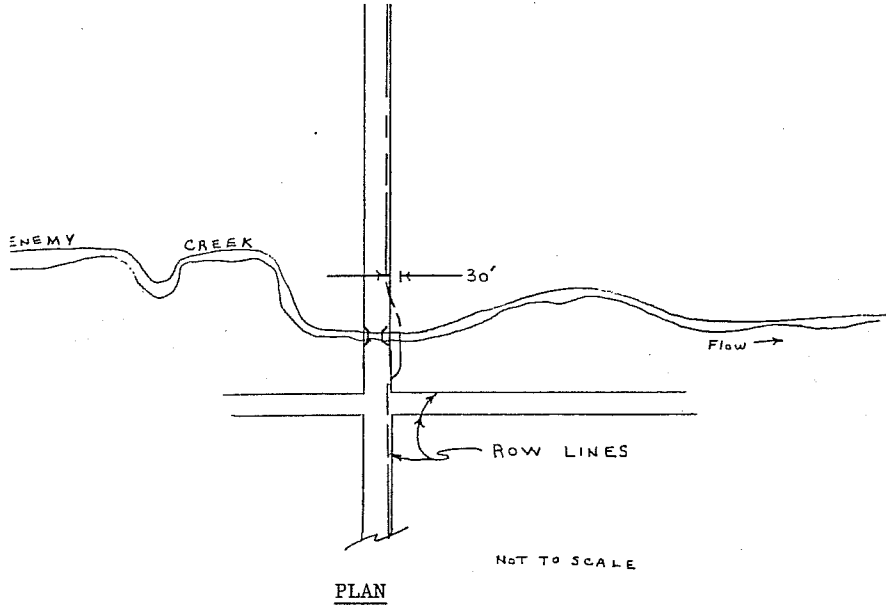
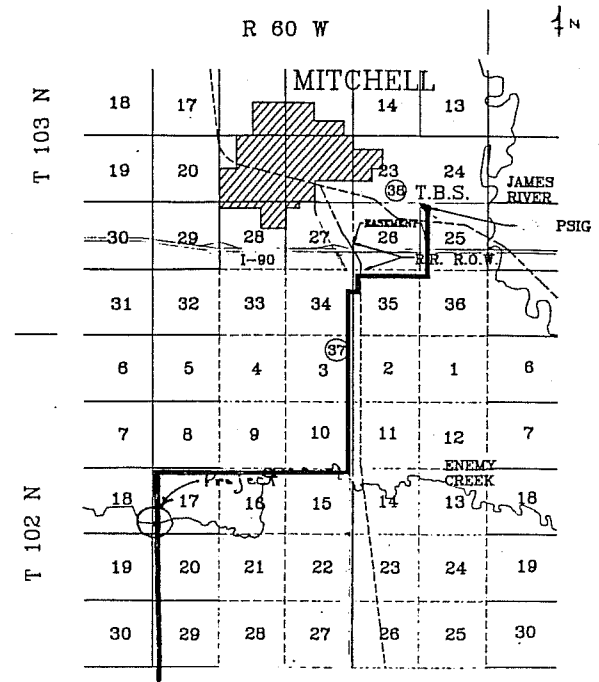
PURPOSE: SHORELINE STABILIZATION
 DATUM: NGVD 1929
 ADJACENT PROPERTY OWNERS:
 1.
 2.
 3.



PROPOSED SHORELINE STABILIZATION
 IN: Blue Lake
 AT: Elm Junction
 COUNTY OF: GRANT STATE: SD
 APPLICATION BY:
 FRED HARRIS



SAMPLE DRAWING UTILITY CROSSING



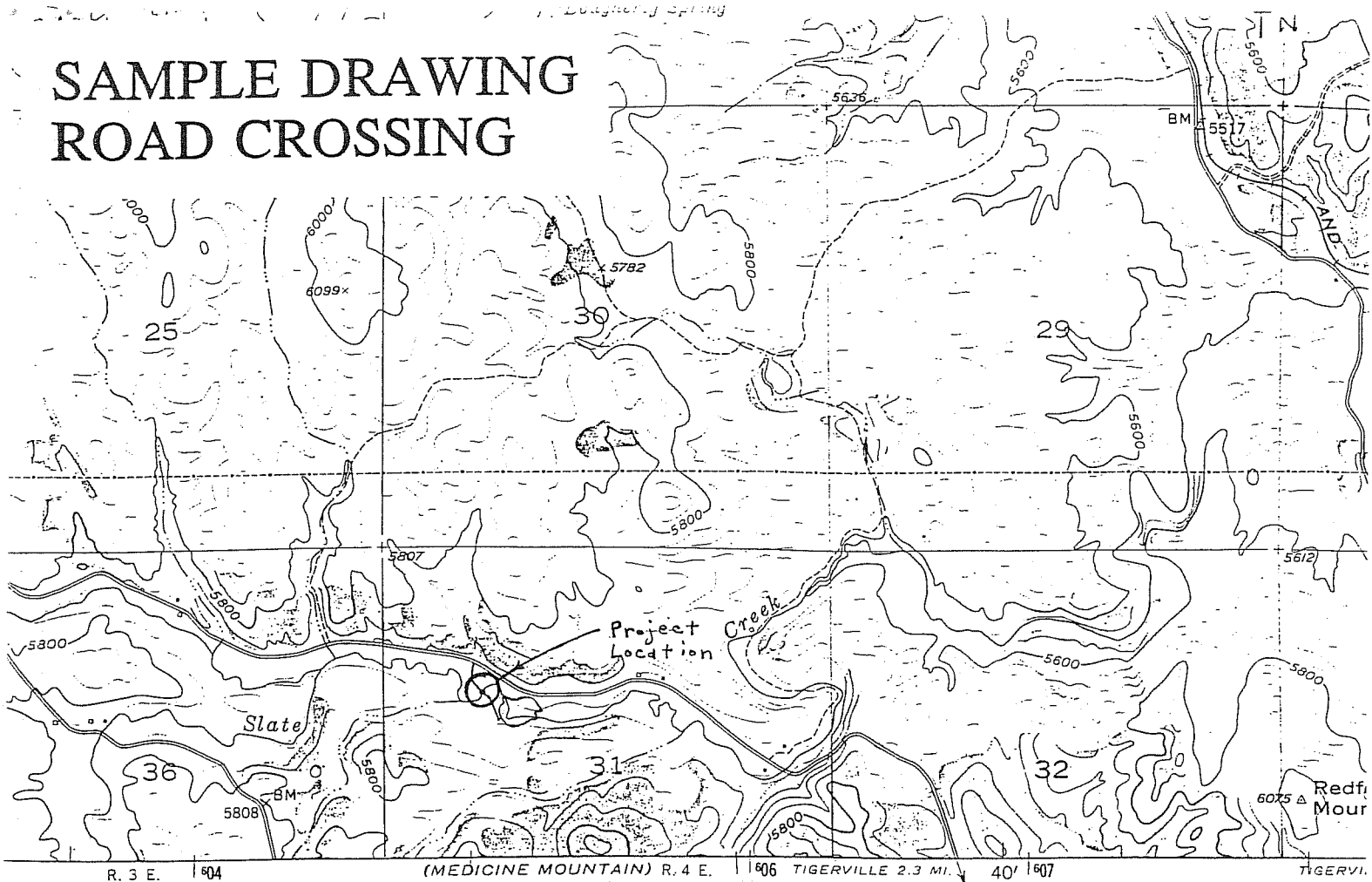
TYPICAL STREAM CROSSING NOT TO SCALE

Disturbed channel to be restored to original conditions.

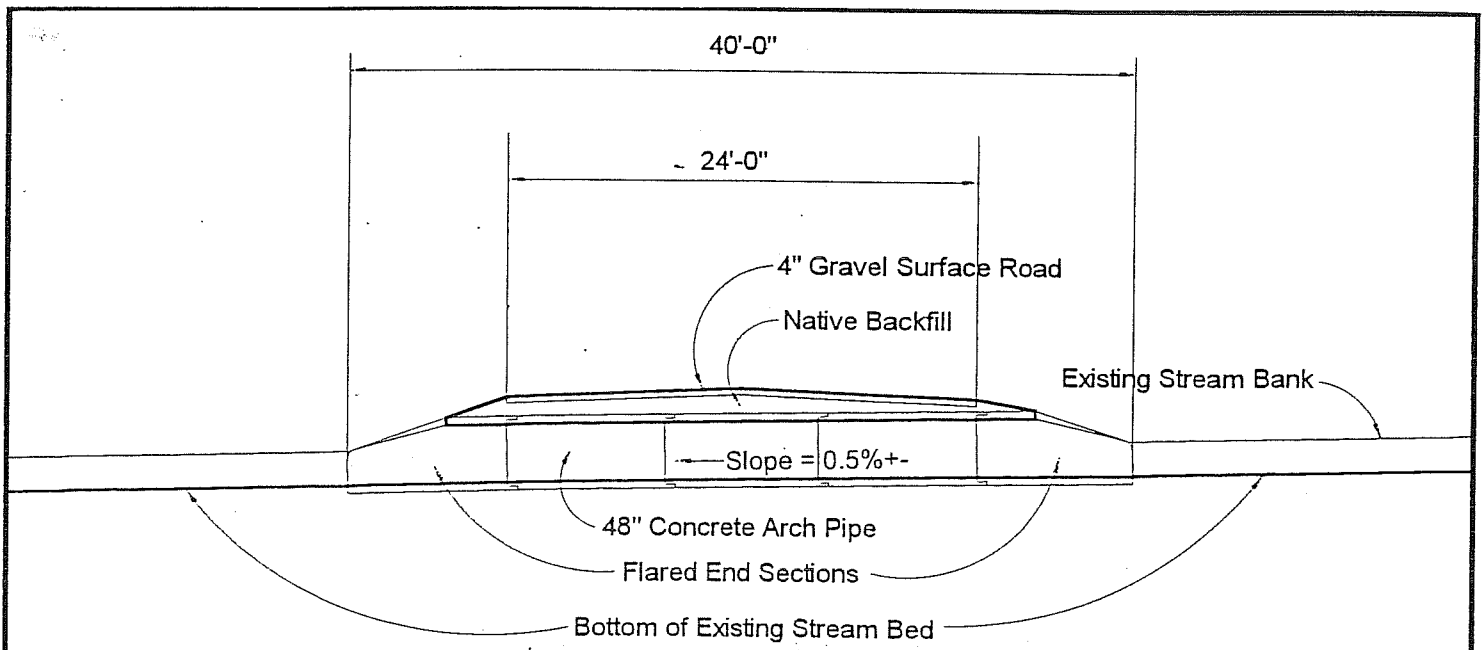
PURPOSE: WATER LINE CROSSING

IN Enemy Creek
AT Mitchell
COUNTY OF Davison STATE S.D.
APPLICATION BY JONES
SHEET 1 OF 1 DATE Nov. 10, 1995

SAMPLE DRAWING ROAD CROSSING



LOCATION MAP

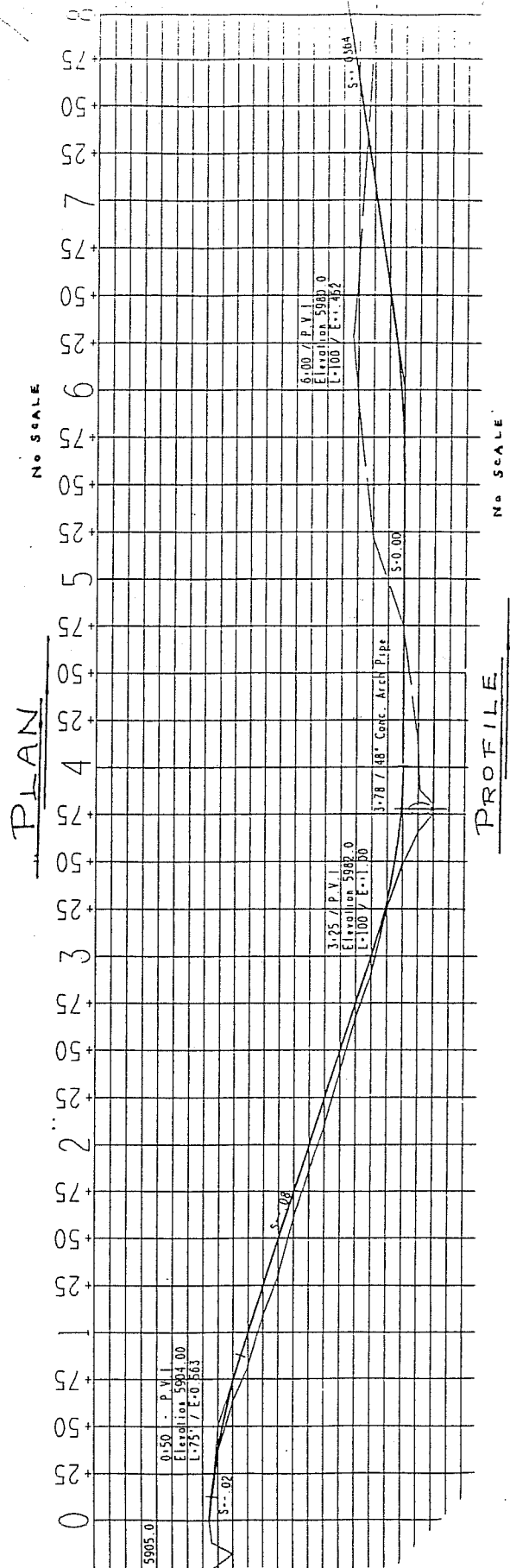
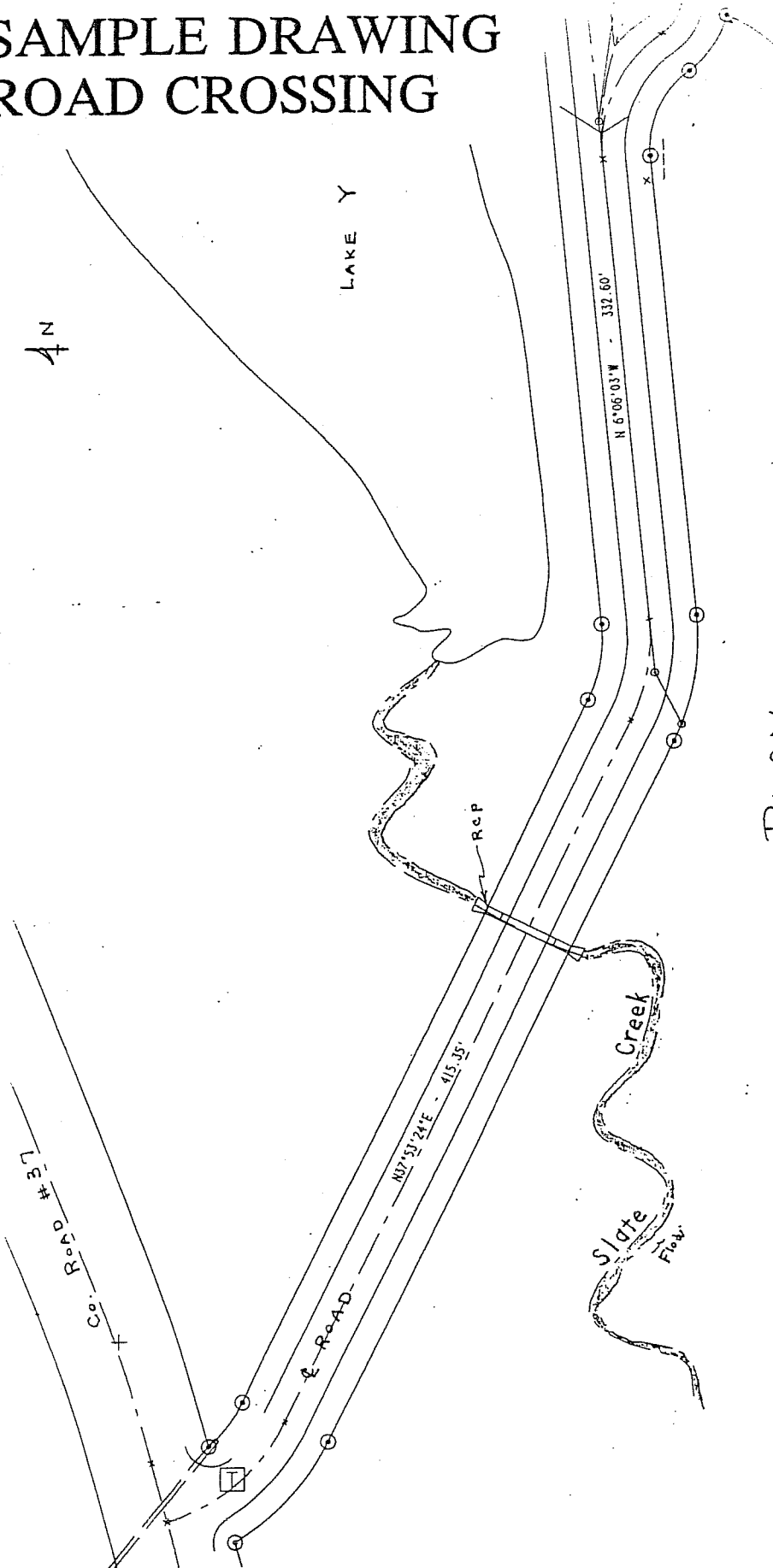


Road Section at Slate Creek Crossing

PURPOSE:
ROAD CROSSING

IN Slate Creek
AT Silver City
COUNTY OF Pennington STATE South Dak.
APPLICATION BY Smith
SHEET 1 OF 2 DATE APRIL, '94

SAMPLE DRAWING ROAD CROSSING



PURPOSE:
ROAD CROSSING

IN Slate Creek
AT Silver City
COUNTY OF Pennington STATE South Dakota
APPLICATION BY Smith
SHEET 2 OF 2 DATE APRIL, 1995

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
Eighth Coast Guard District

1222 Spruce Street
St. Louis, MO 63103-2832
Staff Symbol: dwb
Phone: (314) 269-2380
Fax: (314) 269-2737
Email: peter.j.sambor@uscg.mil

RECEIVED
APR 21 2008
HDR Engineering, Inc.

16591.1
April 11, 2008

Ms. Angela Piner
HDR Engineering, Inc.
701 Xenia Avenue South, Suite 600
Minneapolis, MN 55416

Subj: TWIN CITIES TRANSMISSION LINE PROJECT, BROOKINGS COUNTY

Dear Ms. Piner:

We have reviewed the information provided in your letter of March 25, 2008, and determined that this project is not a project over which the Coast Guard exercises jurisdiction for bridge administration purposes. A Coast Guard permit is not required.

If there are any questions, please contact Mr. Peter Sambor at the above listed number. We appreciate the opportunity to comment on the project.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Wiebusch".

ROGER K. WIEBUSCH

Bridge Administrator

By direction of the District Commander



Cap X # 64620

5.0 - Project Data + Reference

Title - Rm Reserve Rule + Policy

RECEIVED
NOV 1 2008
HDR Engineering, Inc

November 12, 2008

Angela Piner
Environmental Scientist
HDR Engineering, Inc.
701 Xenia Ave. So., Suite 600
Minneapolis, MN 55416

RE: Cap X 2020 345 kV Transmission Line

Dear Angela,

Thank you for sending me the proposed route alternatives being considered for this new electric transmission line from Brookings to the Twin Cities. Obviously it would be great if you could avoid all of our RIM and CREP easements with the new line, but I know that is not too likely! In any case at one of our earlier meetings I provided you with a copy of our policy regarding release of our easements. Once we know exactly where construction will be and we have actual construction plans approved, then we can work to release and amend any easements that will be impacted by the project.

Attached is a copy of the appropriate RIM Reserve Rule and Policy which has been adopted by the BWSR. As long as the utility pays for the acres released from the easement, along with the \$500 fee, I do not anticipate any problems.

If you have any further questions please feel free to contact me.

Sincerely,

Tim Fredbo
Easement Specialist

Enclosure: Easement Alteration Policy

cc: Kevin Lines, Easement Section Mgr.

- Bemidji**
701 Minnesota Avenue
Suite 234
Bemidji, MN 56601
phone (218) 755-4235
fax (218) 755-4201
- Brainerd**
1601 Minnesota Drive
Brainerd, MN 56401
phone (218) 828-2383
fax (218) 828-6036
- Duluth**
394 S. Lake Avenue
Room 403
Duluth, MN 55802
phone (218) 723-4752
fax (218) 723-4794
- Fergus Falls**
1004 Frontier Trail
Fergus Falls, MN 56537
phone (218) 736-5445
fax (218) 736-7215
- Marshall**
1400 E. Lyon Street
Box 267
Marshall, MN 56258
phone (507) 537-6060
fax (507) 537-6368
- New Ulm**
261 Highway 15 S.
New Ulm, MN 56073
phone (507) 359-6074
fax (507) 359-6018
- Rochester**
2300 Silver Creek
Road N.E.
Rochester, MN 55906
phone (507) 281-7797
fax (507) 285-7144
- Saint Paul**
520 Lafayette Road N.
Saint Paul, MN 55155
phone (651) 296-3767
fax (651) 297-5615

Conservation Easement Alteration Requests and Board Policy

RIM Reserve Rule Affecting Alteration Requests

8400.3610 Alteration, Release or Termination of Conservation Easements

The state board may alter, release, or terminate a conservation easement after consultation with the commissioners of agriculture and natural resources. The board may alter, release, or terminate an easement only if the state board determines that the public interests and general welfare are better served by the alteration, release, or termination.

The state board must be provided the following information at least 30 days prior to a state board meeting, before the state board will consider a request to alter, release, or terminate a conservation easement:

- A. a copy of the letter from the landowner to the district board justifying the change and identifying how the public interest and general welfare will be better served;
- B. a letter from the district board recommending either approval or disapproval of the proposed change;
- C. a letter from the Department of Natural Resources area wildlife manager recommending either approval or disapproval of the proposed change; and
- D. other supporting documents, including:
 - 1) an aerial photo identifying the requested change;
 - 2) a soil survey map of the area;
 - 3) cropping history information; and
 - 4) other pertinent documentation that will support the request.

The state board reserves the right to require special provisions to ensure at least equal resource value as a condition of approving the request. The state board must be compensated by the landowner for all damages and loss of benefits to the conservation easement and the state board may also require reimbursement for administrative expenses and costs incurred in the alteration, release, or termination of a conservation easement.

Policy Developed by Easement Alteration Subcommittee and adopted by the BWSR on 5-24-06

This policy applies to all state RIM, PWP and CREP easements currently in place and all future state conservation easement acquisitions.

All easement alteration requests that come to BWSR will be accompanied by a \$500 processing fee. Checks should be made payable to the BWSR. For alterations where actual costs to amend the easement exceed \$500 the state reserves the right to charge the applicant the actual cost.

Public initiated projects (public road and utility projects, etc.)

Easement staff has the authority to tentatively approve of releases for public infrastructure projects. However, releases are not considered final until after the release request is presented to and approved by the Board and all fees have been paid.

In addition to the fee as outlined above, public entities must pay:

- 1) Two times the current average township assessed market value (ATAMV) for acres released, and
- 2) An amount equal to all state funds dispersed as reimbursement for costs incurred to establish cover on the land being released.

Private landowner requests

All alteration requests that come to the BWSR must contain all the information items requested in Section 8400.3610 of RIM Reserve Rule (items A – D as listed above), plus the \$500 processing fee in the form of a check made payable to the BWSR.

All requests must also meet the following conditions for BWSR approval:

- 1) Replacement acres will increase by a minimum factor of 2:1 (replacement acres to released acres). Replacement acres proposed on easements must meet crop history requirements, cropped 2 of last 5 years, if land proposed for release was cropland at the time the easement was granted.
- 2) The resource protection and habitat benefits of the original easement will remain the same or be enhanced by the proposed alteration. For example;
 - restored wetland acres will not be drained or filled by the proposal
 - riparian buffers will be preserved or enhanced
 - easement configuration will preserve or enhance wildlife benefits (larger blocks of habitat, not fractured puzzle-like boundaries).
- 3) The SWCD Board and/or the DNR Area Wildlife Manager approve of the proposed alteration.
- 4) Landowners will be required to pay all costs associated with establishment of conservation cover practices on replacement acres according to an approved conservation plan.
- 5) Any alteration proposed would not allow or enable any land development projects to occur on lands currently under easement. Land development projects include, but are not limited to, such things as new homes, cabins, storage buildings, livestock facilities, cell phone towers, wind generators, sewage treatment systems, private roads and drives, and mining operations.

Meeting the criteria outlined above for private requests does not guarantee that the Board will approve of the request for release and alteration of a conservation easement.



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

NOV 17 2008

HDR Engineering, Inc.

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

File Code: 190-15-13

November 14, 2008

RE: CapX 2020 345 kV Transmission Line, Brookings County to Southeast Twin Cities Project
Lincoln, Lyon, Redwood, Yellow Medicine, Renville, Brown, Chippewa, Sibley, Le Sueur,
Rice, Scott, and Dakota Counties, Minnesota

Angela Piner
Environmental Scientist
HDR Engineering
701 Xenia Avenue South
Minneapolis, MN 55416

Dear Ms. Piner:

The United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), thanks you for the opportunity to review the subject project.

Since your project may affect prime agricultural land in a multi-county area, with either route, the NRCS, as required by the federal Farmland Policy Protection Act (FPPA), will review both selected routes. Since your project covers counties located in 4 of our NRCS Area Offices, you will have to send more detailed maps to each of our Area Resource Soil Specialists in our Area Offices here in Minnesota per the Counties administered to as follows:

For Scott and Dakota Counties

Peter Weike
Area Resource Soil Scientist
USDA NRCS
Rm 650, Earle Brown Center
6120 Earle Brown Drive
Brooklyn Center, MN 55430-2195

For Rice County:

Peter Hartman
Area Resource Soil Scientist
USDA NRCS
Valhalla Center
330 Elton Hills Drive NW
Rochester, MN 55901

For LeSueur, Sibley, Brown, and Renville Counties

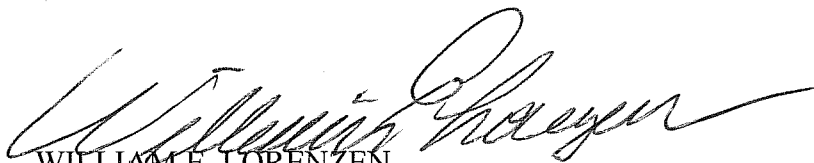
Doug Miller
Area Resource Soil Scientist
USDA NRCS
209 Wet Mulberry St.
St. Peter, MN 56082

For Chippewa, Yellow Medicine, Lincoln, Lyon, Redwood Counties:

Joseph Kristoff
Area Soil Specialist
USDA NRCS
800 East Main St., Ste. 400
Marshall, MN 56258

For each County Packet, you will also have to fill out the Form AD 1006, Farmland Conversion Impact Rating Completion with Instructions found at www.nrcs.usda.gov/programs/fppa/

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



WILLIAM E. LORENZEN
Environmental Review/Justice Coordinator