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July 3, 2015

Ms. Sandra Paske
Secretary to the Commission
Public Service Commission of Wisconsin
610 North Whitney Way
PO Box 7854
Madison, WI 53707-7854

**RE: Update on Sensitive Habitat Areas
for the CapX2020 Hampton – Rochester – La Crosse 345 kV Transmission Project,
Docket 5-CE-136**

Ms. Paske:

On June 30, 2015, Commission staff directed the CapX2020 Project to stop construction activities on a three mile area north of the Briggs Road Substation and consult with the Wisconsin Department of Natural Resources (DNR) Bureau of Endangered Resources (BER) staff regarding potential effects to endangered or threatened bird species. The results of these consultations are to be shared with Commission staff and approved prior to resumption of construction activities in this area. Construction in other areas of the project is continuing.

Background

Prior to the start of construction, the Project's environmental team reviewed endangered species mapped data and met with DNR BER to determine potential effects on endangered or threatened species as required by item #8 of the Final Order. An area approximately 3 miles in length, from Highway 35 south to the new Briggs Road Substation, was identified as having the potential habitat for protected bird species. This area included the New Amsterdam Grasslands owned and managed by the Mississippi Valley Conservancy (MVC.) Protected birds had been known to be present on New Amsterdam Grassland in previous years, and based on review of aerial photography the potential of additional habitat south of the MVC parcel was identified. Based on this review, the project and BER determined that no construction activities would be permitted in this three mile area during nesting season, which is approximately mid-May to mid-August. There were also discussions regarding conducting additional field surveys and habitat review to reduce the area subject to this restriction. However, these surveys were not conducted.

The Project uses electronic maps on tablet computers (such as Apple iPads) to keep everyone informed of environmental and other construction constraints. The tablet maps include

information such as landowner access permissions, parcels with signed easements, environmentally sensitive areas, storm water controls and field notes. When the information regarding this three mile environmentally sensitive area was entered onto the tablet maps it was mistakenly identified as restricting only tree clearing activities.

Current Information

Per direction of Commission staff, the Project team has consulted with DNR BER staff to determine a plan to address resumption of construction activities while minimizing impacts to protected bird species. A review of potential habitat was conducted including dispatching a biologist to the New Amsterdam Grasslands to conduct call surveys to determine if protected birds were currently present.

Based on this review and surveys, the DNR has indicated that the area south of Old NA Road (poles 268 to the Briggs Road Substation) does not contain suitable habitat for the protected bird species and that construction activities can continue following PSC approval.

Poles 264, 265 and 266 are located in Wisconsin DOT road right of way but adjacent to MVC property. In this area, a bird call survey conducted on July 2 by a qualified biologist found the presence of protected bird species. Because protected birds are present the project team is currently collecting additional information regarding remaining construction activities remaining to be completed, equipment needed, locations of setup and other relevant information to provide BER staff with a better understanding of possible impacts.

Conclusion

Based on the DNR BER recommendation, the CapX2020 project team requests that the PSC authorize continuation of construction activities from pole 268 to the Briggs Road Substation. Additional consultations with DNR BER staff will determine when resumption of construction can be recommended from poles 261 to 268.

Feel free to contact me if you have any questions regarding this filing at 612-330-6073 or ellen.l.heine@xcelenergy.com.

Sincerely,



Ellen Heine
Xcel Energy
Sr. Land Agent

