FINDING OF NO SIGNIFICANT IMPACT

Nemadji Trail Energy Center Project
Douglas County, Wisconsin

RURAL UTILITIES SERVICE
U.S. Department of Agriculture

Dairyland Power Cooperative

Prepared by:
Engineering and Environmental Staff
Rural Utilities Service

May 2021

A. INTRODUCTION

Dairyland Power Cooperative (Dairyland) proposes to participate with South Shore Energy, LLC, a subsidiary of ALLETE, Inc. (together the "Owners"), an operating division of ALLETE Inc., in a one-on-one combined cycle natural gas turbine with an in-service date in 2025 (the Project). Dairyland intends to request financing assistance from the U.S. Department of Agriculture (USDA) Rural Utilities Service (RUS) for its share of the Project. The Secretary of Agriculture is authorized under the Rural Electrification Act of 1936, as amended to provide Federal loans for rural electrification and telecommunication development (7 U.S.C. 901 et seq.). Specifically, RUS is authorized to provide funding or loan guarantees for the construction of electric distribution and transmission, as well as generation facilities, to provide and to improve electric service in rural areas of the U.S.

Dairyland conducted resource planning activities culminating in a Sustainable Generation Plan. A key component of the plan is a share[1] of an efficient, state of the art, one-on-one combined cycle plant named the Nemadji Trail Energy Center (NTEC or Project). The NTEC facility is a cornerstone enabling Dairyland's Sustainable Generation Plan which is weighted with renewable sources. This Project will be designed to be flexible and capable of operating in peaking and intermediate load modes to fulfill energy and capacity requirements for Dairyland, alongside its renewable additions.

Dairyland participated in multiple renewable requests for proposals in conjunction with the National Renewable Cooperative Organization and conducted its own request for proposal in support of finding the best available dispatchable capacity and energy source to mesh with Dairyland's reliance on intermittent renewable projects. In addition, Dairyland along with the other potential NTEC participants conducted a siting and self-build technology assessment, which helped inform the best options for further consideration in the Dairyland plan.

During the planning process, Dairyland conducted presentations and discussions with its distribution cooperative managers, Dairyland Board Committees, and the Dairyland Board of Directors. In addition, Dairyland conducted a strategic planning process with its Board of Directors and Cooperative Managers culminating in the Dairyland Strategic Plan. A cornerstone of Dairyland's strategic plan is the Sustainable Generation Plan of which the Project is a significant part. Dairyland's Board, having evaluated the resource options available to Dairyland, authorized the pursuit of a share of the Project at its January 2016 board meeting.

RUS may consider approving this financing request. Prior to taking a federal action (e.g., providing financial assistance), RUS is required to complete an environmental effects analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 et seq.), the Council on Environmental Quality's regulations for implementing NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508), and Rural Development's (RD) NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970). Consistent with 7 CFR §1970.3(b)(iv)(C), Dairyland prepared environmental documentation that describes the Project in detail and discusses its anticipated environmental impacts. RUS

[1] Dairyland's share in the facility will ultimately be determined by the size of the turbine selected and the additional generation needs Dairyland identifies.

concurred with its scope and content. In accordance with 7 CFR § 1970.102(6), RUS adopted the report and issued it as the agency's Environmental Assessment (EA) for the proposed Project. RUS finds that the EA is consistent with federal regulations and meets the standards for an adequate EA. The EA is summarized herein but is also incorporated by reference. Dairyland published two notices, on October 30 and November 6, 2020, in a local newspaper, announcing the availability of the EA for a 30-day public review period, in accordance with 7 CFR §1970.102(6)(ii).

B. PROJECT DESCRIPTION

The Project includes a fired output, of approximately 625 megawatts, one-on-one combined cycle natural gas turbine electric generating unit consisting of one H-Class gas turbine generator, one heat recovery steam generator with duct firing, and one steam turbine generator. NTEC will burn natural gas with the capability to be retrofitted to use fuel oil as a backup fuel. NTEC will occupy approximately 12 acres and would be on the south side of 31st Avenue East, between Grand Avenue and Old 11 Road, near Superior, Wisconsin. The Project will use dry cooling by finned heat exchangers. The Project will include several miles of new 345-kilovolt (kV) transmission line to tap the existing Arrowhead to Stone Lake Transmission Line as well as a switching station located southeast of the potential plant sites.

C. PURPOSE AND NEED

Dairyland needs to secure capacity and energy resources that meet the system peak and demand for electricity for the years to come, also accounting for required system reserve margins in the Midcontinent Independent System Operator and covering Dairyland's forecasted losses to ensure reliability and resource adequacy during unforeseen events such as uncertainties in extreme weather and forced outages for generators. Dairyland needs to add new generating capacity to serve growing load within the service territories that the member cooperatives serve (including the newly acquired member cooperative load of approximately 175 megawatt, in Minnesota and Illinois, from Interstate Power and Light) and to replace generation that was recently retired. The addition of the NTEC will also enable Dairyland to facilitate the addition of new renewable electricity sources to the power portfolio by complementing their intermittent nature.

D. ALTERNATIVES EVALUATED

1. No Action Alternative

Under the No Action Alternative, construction and operation of the Project would not occur. The NTEC facility, transmission lines, and switching stations would not be constructed. The Project sites would remain as they are and the environmental consequences of the Project would not occur.

2. Action Alternatives

Construction of the NTEC Project requires identification, consideration, and evaluation of sites for location of the generation facilities, as well as alignments for development of the necessary linear electricity transmission facilities. While generation sites were well defined parcels of land,

transmission line macro-corridors were areas of land approximately 0.5-mile wide, considerably greater than the 130 feet of right-of-way (ROW) width actually required for the new 345-kV line. This difference in width was intended to provide flexibility for location of the actual transmission line following approval should unforeseen or previously unidentified obstacles be identified requiring minor deviations of the route. Location of the actual ROW, provided it remained within the macro-corridor approved, would be acceptable.

For the Project, two generation sites, Nemadji River and Hill Avenue, were identified, as were two macro-corridors (eastern and western) for transmission line development. Each site was combined with each macro-corridor as a unique Project alternative for comparison and evaluation. These alternatives were:

- Hill Avenue 1: Hill Avenue site (75 acres) combined with eastern macro-corridor (Segments A and E – 5.3 miles of 345-kV transmission line)
- Hill Avenue 2: Hill Avenue site (75 acres) combined with western macro-corridor (Segments A, B, C, and D – 7.1 miles of 345-kV transmission line)
- Nemadji River 1: Nemadji River site (26 acres) combined with eastern macro-corridor (Segments A and E – 3.7 miles of transmission line)
- Nemadji River 2: Nemadji River site (26 acres) combined with western macro-corridor (Segments A, B, C, and D – 5.5 miles of transmission line)

Figure 2-14 in the EA provides the locations of the Project components. The NTEC project originally selected wet cooling for the project using ground water as the water source because of its efficiency benefits, economic advantages, and low environmental impacts. Due to concerns expressed by the Wisconsin Department of Natural Resources (WDNR) associated with withdrawing the quantities of groundwater required, Dairyland evaluated other water supply options, including utilization of Municipal water, and furthered their earlier investigations of dry cooling. Dry cooling was selected as a result of these studies.

3. Alternatives Eliminated from Further Consideration

In addition to the No Action Alternative and Action Alternatives, Dairyland considered other locations for the Project in a siting study. **Section 2.1** of the EA provides more detailed description of the siting study conducted for the Project.

E. SUMMARY OF ENVIRONMENTAL EFFECTS

A summary of anticipated effects on the human environment is provided below.

Air Quality. The existing air quality in the Douglas County area is designated as attainment or unclassifiable in regard to the National Ambient Air Quality Standards for all criteria pollutants. Construction of the Project has the potential for short-term adverse effects on air quality in the immediate area around the site. Minor and temporary generation of criteria pollutants and greenhouse gases would occur during construction. Based on modeling of Project operation, it is anticipated that the Project would not affect the attainment status for Douglas County. The WDNR provided notification of the air permit approval on September 1, 2020. The Owners will

comply with the issued WDNR air permit that will include emission limitations, monitoring requirements, and other terms and conditions. Based on the analyses above, it is anticipated that the Project would not cause or contribute to significant adverse ambient air quality impacts. The Class II modeling also considered cumulative effects of other existing and proposed sources, indicating the Project would not cumulatively contribute to significant adverse air quality impacts.

Biological Resources. Temporary impacts on wildlife from the Project could occur as a result of the increased presence of human and vehicle disturbance during construction. Temporary displacement of individuals could occur due to increased human activity in the area, vehicle traffic, and material transfer. Impacts to wildlife as a result of vehicle collisions would also be an increased risk during construction and operation. The majority of species affected would be mobile and able to move away from any impacts, but less mobile species could be more vulnerable.

Construction and operation of the Project would result in the permanent loss of vegetation communities, wildlife habitat, and plant and animal populations within the construction footprint. Additionally, some of the wildlife communities that occur at and in the vicinity of the Project would be temporarily displaced to surrounding areas where habitat is available.

Construction of either the Superior Switching Station or the Parkland Switching Station would impact woody vegetation in forested lands and shrubland habitats. Initially, switching station impacts were estimated to be approximately 14 acres. However, as a result of ongoing coordination with the U.S. Army Corps of Engineers and WDNR for Project permitting, switching stations have been redesigned and permanent impacts reduced to approximately 4.12 acres. No grassland habitat is present within the footprint of either switching station site.

No bald or golden eagle nests were observed during field surveys that occurred within the Study Area.

A number of federally listed species were identified to potentially occur in Douglas County. However, only the northern long-eared bat was determined potentially affected by the project. Forested areas adjacent to the Project could provide potential habitat for the northern long-eared bat. Snags that include potential summer roost trees for the northern long-eared bat were observed during the site visit along Bear Creek, adjacent to the Study Area. No potential summer roost habitat was observed at either proposed facility site. No caves were identified within the Study Area. According to the U.S. Fish and Wildlife Service (USFWS), the Project is consistent with the activities analyzed in the USFWS's January 5, 2016, Programmatic Biological Opinion. The Project may affect the northern long-eared bat (*Myotis septentrionalis*); however, any take that may occur as a result of the Project is not prohibited under the Endangered Species Act of 1973 (ESA) Section 4(d) rule adopted for this species at 50 CFR §17.40(o). The September 2, 2020, letter from the USFWS verified that the Programmatic Biological Opinion satisfies and concludes the project proponent's responsibilities under Endangered Species Act Section 7(a)(2) with respect to the northern long-eared bat.

One invasive plant species, reed canary grass, was identified along all portions of the transmission line route and switching station site during the wetland delineation field. Three

other invasive plant species were more sparsely distributed and were not observed at each Project component.

Construction of the proposed project at the Nemadji River Site would permanently impact approximately 7.1 acres of forest (approximately 4.6 acres of the quaking aspen forest in the northeastern portion of the site and approximately 2.5 acres of the mixed quaking aspen and black willow forest in the southeastern portion of the site) as well as impact approximately 7.2 acres of the forage grassland and wetland meadow communities. The proposed project footprint at the Nemadji River Site avoids clearing trees and vegetation along the banks, immediately adjacent to the Nemadji River. A vegetation buffer with a minimum width of 100 feet would be maintained between the proposed project footprint and the Nemadji River. The loss of plant and animal habitat would occur adjacent to existing areas that have already been developed. The Nemadji River Site is adjacent to an existing tank farm and utility corridors. This area has experienced some level of habitat fragmentation associated with development in and around the City of Superior.

No forest or grassland communities occur at the Hill Avenue Site. The Hill Avenue Site Route would require clearing in forested areas for new ROW and along the existing shared utility corridors. Woody vegetation clearing would occur along approximately 14.3 acres of the Hill Avenue Site Route in forested lands and shrubland habitats.

The Eastern Transmission Route would require approximately 23.1 acres of woody vegetation to be cleared from forested lands and shrubland habitats to widen the corridor and accommodate the additional line. Woody vegetation would be removed where additional, new ROW is needed and along the edges of the existing utility corridor.

The Western Transmission Route would require more clearing in forested areas for new ROW in addition to minor impacts to forested land along the existing shared utility corridors. Woody vegetation clearing would occur along approximately 79.1 acres of the Western Transmission Route in forested lands and shrubland habitats. Woody vegetation would be removed where additional, new ROW is needed and along the edges of the existing utility corridor.

Cultural Resources. A review of existing recorded cultural resources in the area, ground survey of the project alternatives, and sites provided by the Fond du Lac Band were used to consider project impacts on cultural resources. Based on the distance from National Register of Historic Places properties and the concurrence from the State Historic Preservation Office that no historic properties will be affected, it is anticipated that the Project would not have any adverse impacts on cultural resources. RUS provided its finding and SHPO concurrence of no affects to the Tribes for a 30-day review in March of 2020, and provided an additional 15-day review in April of 2021. No comments have been received from the Tribes in response to the RUS findings report and Wisconsin Historical Society concurrence.

Geology and Soils. Both sites would be graded and grading design would change the topography to facilitate storm water drainage patterns. Storm water runoff on the Nemadji River Site would be collected and directed to an onsite storm water detention pond. Storm water runoff on the Hill Avenue Site would be collected and routed to a new storm water detention pond.

Both sites require excavation for underground utilities and deep structures such as pump pits. For the transmission line, foundation construction would occur after vegetation clearing is complete and begins with drilling for structure foundations. Excavated soils would be used for foundation backfill if appropriate. Surplus soils would be spread within the right of way, in upland areas, and stabilized. After all line construction is complete, the ROW would be restored.

Construction and operation of the Project is not expected to affect geological formations. Soils at the Project site would be converted to plant site development with much of the area occupied by the facilities and covered by concrete and gravel areas. The transmission line corridor would be cleared but only soil areas at the structure locations would be disturbed and permanently converted. Other areas of hydric and statewide important soils would remain largely unaffected by construction and following any necessary stabilization would be available for agriculture and other activities.

Infrastructure, Transportation, Public Health and Safety, and Waste Management.
Utilities: Outages would be required on the Line No. 160 transmission line and the Line No. 761 transmission line to construct the new double circuit 345-kV. The Project would require an outage to connect to the Arrowhead to Stone Lake 345 kV transmission line. The Project would require minor construction of water pipelines to connect with the municipal system. The planned municipal water supply service would support sanitary needs and fire water back-up as well as support service water needs (housekeeping, seal cooling, etc.), to supply the water treatment system as needed to accommodate cycle make-up needs (make up for steam losses and heat recovery steam generator blowdown), and potentially as a NO_x diluent in the gas turbine if fuel oil provisions are retrofitted in the future. Superior Water, Light and Power has indicated sufficient capacity is available to meet all these water needs. There would be no adverse impact to the municipal water system or change in capacity requirements needed to the system related to the Project because the existing municipal sewer and water systems have sufficient capacity to accommodate the Project needs.

Transportation: The daily automobile traffic to the site would increase from approximately 25 to 50 vehicles per day in the initial stages of construction to approximately 200 to 260 vehicles per day during peak months (April through December 2023). The traffic would begin to decrease until it reaches approximately 25 vehicles per day near construction completion. Material and equipment deliveries are anticipated to average between 15 and 25 trucks per day. Bulk deliveries for materials such as crushed stone, hot asphalt paving, and redi-mix concrete may occasionally exceed 25 vehicles on a given day.

No permanent changes to existing roads are anticipated as part of this Project. No permanent damage to roads is anticipated with the implementation of mitigation measures. There is currently no connection or proposed connection to rail lines related to the Project. Rail lines would be spanned by the Project transmission lines. The Federal Aviation Administration issued Determination of No Hazard/Does Not Exceed letters for the stacks at the Project sites. The Federal Aviation Administration issued a Determination of No Hazard/Does Not Exceed letter for all the transmission line structures that were studied on October 2, 2018. The Project would require off-ROW access roads. Temporary off-ROW access roads would be restored to pre-existing conditions, subject to the request of the landowner.

Public health and safety: The Project would minimize potential human health and safety impacts through restricting site access during construction and operation of the Project. Access roads would be blocked from public access. Existing healthcare facilities are anticipated to be sufficient for the Project during construction and operation, and no necessary improvements are anticipated. The Project would have fire suppression measures of its own, as well as facilities for the storage of hazardous materials. No improvements are anticipated to be required due to the Project related to the City of Superior Fire Department. Police protection would be provided by the City of Superior and the Wisconsin State Patrol during both construction and operations, and no necessary improvements are anticipated related to police patrols.

Waste management: Local waste disposal and sanitation facilities are not anticipated to be adversely affected by the additional waste streams generated during construction and operation of the Project. No additional solid wastes would be generated by the Project as byproducts from the production of electricity during project operation.

Relocations Specific to Project Alternatives:
The existing electric transmission lines that traverse the Nemadji River Site would need to be relocated to facilitate construction of the generation plant. The fiberoptic cable between the Nemadji River Site and the Hill Avenue Site would need to be relocated if the Nemadji River Site is constructed. An existing 10-inch natural gas line would need to be relocated at the Nemadji River Site. Additionally, a Great River Energy 69-kV line and a Superior Water, Light & Power 13.8-kV distribution line would also be relocated.

At the north end of the Eastern Transmission Route, an existing 115-kV line would be replaced with a double circuit 345/161-kV line, and the 115-kV line would be shifted onto the existing 161-kV structures.

The Western Transmission Route extends southeast from the Nemadji River Site to the existing Line No. 160. The Western Transmission Route would be built double circuit with the 161kV Line 160 for a couple spans before extending southwest as a single-circuit transmission line.

Land Use, Recreation, Farmland, and Coastal Facilities.
Land use: Construction of the proposed project at the Nemadji River Site would permanently convert approximately 7.1 acres of forest and approximately 7.2 acres of the forage grassland and wetland meadow communities to power generation use. This use is compatible with adjacent land uses, which include an oil tank farm and an oil refinery. The Hill Avenue Site consists entirely of lowland scrub/shrub wetland community. No forest or grassland community occurs at the Hill Avenue Site.

The Hill Avenue Site Route would require clearing in forested areas for new ROW and along the existing shared utility corridors. Woody vegetation clearing would occur along approximately 14.3 acres of the Hill Avenue Site Route in forested lands and shrubland habitats.

It is anticipated that most of the impacts to grasslands along the transmission route would only be temporary construction impacts to existing grassland habitat along existing utility corridors. Some permanent impacts to grassland habitats would occur where transmission line poles and

foundations would be set. No grassland habitat is present within the footprint of either switching station site.

The Eastern Transmission Route for the transmission line would likely be constructed within an existing utility corridor that contains a natural gas pipeline and overhead electrical transmission lines; however, approximately 23.1 acres of woody vegetation would be cleared from forested lands and shrubland habitats to widen the corridor and accommodate the additional line. Woody vegetation would be removed where additional, new ROW is needed and along the edges of the existing utility corridor. The Western Transmission Route would require more clearing in forested areas for new ROW in addition to minor impacts to forested land along the existing shared utility corridors. Woody vegetation clearing would occur along approximately 79.1 acres of the Western Transmission Route in forested lands and shrubland habitats. Woody vegetation would be removed where additional, new ROW is needed and along the edges of the existing utility corridor.

Construction of the either the Superior Switching Station or the Parkland Switching Station would convert up to approximately 14 acres of woody vegetation in forested lands and shrubland habitats to a switching station with electric transmission infrastructure, depending on final design and permitting requirements.

Recreation: No parks are located within 0.5 mile of the Nemadji River Site, Hill Avenue Site, or within the macro-corridors; therefore, impacts to parks are not expected. While the Sites may be visible from parks, and Site noise such as from steam blows may be heard offsite, several streets with homes, combined with nearby commercial and industrial areas provide visual and sound buffers between the Sites and the existing parks. The transmission line routes primarily extend through undeveloped wooded areas. The switching station sites are also mostly surrounded by woodland, which helps provide visual buffers.

The fishing access at 18th Street and Nemadji canoe launch are accessed from roads also used to access the Nemadji River Site and are near the transmission routes south of the Nemadji River Site. Though not directly crossed, the access may be impacted during construction of facilities through temporary road closures and temporary increased noise associated with construction. If the Nemadji River Site is constructed, there would be increased traffic and operation noise near the fishing access at 18th Street during operation. Traffic during operation would primarily include employees entering or exiting the plant facility, as well as occasional maintenance vehicles. Traffic during operation of the Project would increase vehicles on nearby roads but is not anticipated to significantly increase traffic or reduce access to these facilities due to the approximately 25 employees anticipated for Project operation.

The Project may impact visitors to the Orange Trail, a snowmobile and ATV trail that generally extends along 31st Avenue East and Grand Avenue southwest of the site. Impacts would include increased traffic crossing the trail or temporary closures during Project construction, as well as slightly increased traffic crossing the trail during Project operation. Notices of closure would be posted prior to any construction activity to provide adequate notice to trail users. Construction traffic and any road closures would be temporary in nature and cease after construction is complete.

The Nemadji River Site is not located within a hunting area. The transmission line route south of the Nemadji River Site would require clearing woodland in a portion of the Allouez Area Parcel 1 hunting area, the Itasca Area hunting area, and the Annex hunting area. The route generally follows existing transmission line and natural gas line through these parcels, however. Clearing would remove woodland habitat and result in a minor change to the habitat mix on these areas. Access to all or portions of these areas may also be controlled during construction. Once completed, access to these areas would be restored. The Hill Avenue Site would reduce the size of the Murphy Oil – 5 hunting area by approximately 72 acres. This would reduce the amount of area available for hunting in the northern portion of the hunting area. The transmission line route from the Hill Avenue Site south to the Nemadji River would also remove a portion of the Murphy Oil – 5 hunting area from hunting activities. The Eastern and Western Transmission Routes would both cross the Allouez Area Parcel 1 hunting area. The Eastern Transmission Route would also cross the Itasca Area hunting area as well as the Annex hunting area. The Western Transmission Route would cross a small portion of the Allouez Area Parcel 2 hunting area. The connecting facilities extending from the Hill Avenue Site to the southeast would cross undeveloped area and would introduce a new utility corridor through the hunting area.

Farmland: No farming activities currently occur at either Site. No farming has occurred in the recent past. The Western Transmission Route and Hill Avenue Site Route do not cross farmland. No known agricultural buildings and animal dairy confinement operations are located near the Project. In addition, the Project's electrical clearances and ROW width are designed to limit neutral-to-earth and induced voltages that can create concern with livestock operations.

The Eastern Transmission Route extends along the edge of a row crop field north of its intersection with County Road Z for approximately 930 feet. The row crop field crossed by the Eastern Transmission Route would be impacted during construction of the Project. This section of route is within existing ROW, however, which helps restrict impacts to already impacted areas. Soil along this portion of the route would likely be disturbed during transmission line construction and temporary access. If planted, crops in the ROW could be damaged during construction. After construction is complete in the area, farming activities can resume.

Coastal: No coastal facilities are located within the Project Study Area or macro-corridors. The nearest CBRS area is located approximately 30 miles northeast of the Project area along the Lake Superior shoreline in Bayfield County. No impacts to coastal facilities are anticipated due to the Project.

Noise. Project construction would result in temporary and minor noise impacts in the surrounding area. Construction-related sounds would vary in intensity and duration depending on specific stages and activities of construction but would not be permanent. Nearby residences may temporarily experience increased noise during construction. Minor temporary disturbances to wildlife could occur.

Steam blows have the potential to significantly increase sound levels near the Project during their temporary and infrequent occurrence. Following the initial steam blow for commercial operation, subsequent steam blows would be rare occurrences, anticipated once every 10 to 15 years as part

of major system maintenance. Because these are rare and not long-term sources of noise, their impact is expected to be minimal.

A preliminary noise study was conducted. Modeled results for the Nemadji River Site show a maximum total A-weighted sound level emitted from the Project that would be in excess of the U.S. Environmental Protection Agency (EPA) guideline noise levels at the nearest residential properties. The Nemadji River Site can meet the EPA guidelines with mitigation, such as sound walls or dampening materials, lower noise equipment (if available), silencers, or other design and material options to reduce or screen noise from nearby residential areas, which Owners have committed to do.

Modeled results for the Hill Avenue Site show a maximum predicted A-weighted sound level emitted from the Project that would be in excess of the EPA guideline noise levels at the nearest residential property. The Hill Avenue Site would need further mitigation to reduce sound level to below the EPA guidelines, similar to the NTEC Site.

Socioeconomics and Environmental Justice. During construction, the Project would create up to 260 jobs during peak activity. The number of workers onsite would begin at nominal levels at the beginning of construction and steadily increase over time, declining as major construction activities are completed. Local businesses near the Facility, such as gas stations, convenience stores, and restaurants, may experience increases in business during construction due to construction workers onsite. Local materials such as concrete, lumber, and general hardware may be purchased from local businesses. This increased demand would cease after construction is complete and would not add considerably to the demand on existing business, services, or community facilities.

The Project would create up to 25 full-time permanent jobs. These new permanent employees may be from the local workforce or may relocate to the area for the position. Considering the population of the City of Superior and Douglas County, the addition of 25 jobs is not anticipated to considerably increase demand for housing, schools, or other local services.

The City of Superior and Douglas County would receive payments in lieu of taxes of around one million dollars annually (two-thirds to the city; one-third to the county) from the State of Wisconsin for hosting a generation facility. The City of Superior would also receive considerable fees from the facility for use of the City's wastewater treatment system. County sales tax revenues are likely to increase over time, especially during the intense construction phase. There could be a negative local budget impact due to the increased use of 31st Avenue East, which is currently a short-paved road with an extended gravel portion that would need to be paved and maintained over time. Regional economic benefits are estimated at around one billion dollars over 20 years.

Census Tract 210 is considered to be in an environmental justice low-income area. Census Tract 210 within the Study Area contains 52 residences. The nearest residence is located approximately 230 feet west of the Eastern Transmission Route on 42nd Avenue East. This portion of transmission line is within an existing transmission line corridor. The ROW is surrounded by trees in this area, which provide a partial visual buffer. The minimal impacts

within Census Tract 210 do not constitute disproportionately high and adverse impacts to this environmental justice area.

The Project would not directly impact any residences, public facilities, farming structures, cemeteries, religious facilities, or other structures. Temporary disruptions to normal traffic may occur during construction as equipment and employees commute to and from the Project. The frequency of the daily workforce automobile traffic would follow the Project workforce numbers onsite at a given time. The daily automobile traffic to the site would increase from approximately 25 to 50 vehicles in the initial stages of construction to approximately 200 to 260 vehicles for peak months (April through December 2023). The traffic would begin to decrease until it reaches approximately 25 vehicles near construction completion and during operation.

Visual Resources. The aesthetics of the surrounding area would be altered by the Project. Vegetation would need to be cleared permanently for the Project Site, transmission line ROW, and switching station site. The Project site would require lighting for safety and security. Light emissions at the Project Site would increase compared to current levels of light emissions as a result of facility lighting. The dominant visual features of the Project would be a stack and a finned heat exchanger, and other facility equipment at the Project Site.

The transmission line routes parallel existing linear infrastructure for the majority of the length. The switching station sites are surrounded by undeveloped forested and shrubland habitats. None of the Project facilities are out of character with features already present across the visual landscape and the Project does not generally introduce new visual elements into the viewshed, keeping new facilities in proximity to already developed locations. Due to these factors and the distance from these scenic byways, it is anticipated that the Project would not significantly impact visual resources in the area.

Water Resources.
Surface Water: Considering the distance of the Project from Outstanding or Exceptional Resource Waters; trout streams; and wild and scenic rivers, and with the implementation of mitigation measures described in Section 3.10.3 of the EA, it is anticipated that construction and operation of the Project would not result in impacts to these features.

The Nemadji Site has four waterways within 0.5 mile of its boundary, including one on the actual Project site that would be unaffected by the Project. Nine waterways (totaling 1,686 centerline linear feet) were delineated within the Eastern Transmission Route Wetland Survey Area. Hill Avenue Site has three waterways within 0.5 mile of its boundary. Seven waterways (totaling 1,883 centerline linear feet) were delineated within the Western Transmission Route Wetland Survey Area. Two waterways (totaling 407 centerline linear feet) were delineated within the Hill Avenue Site Route Wetland Survey Area.

Four waterways would need to be crossed by the Eastern Transmission Route during construction. These waterway crossings would be temporary in nature and utilize prefabricated span bridges placed above the ordinary high water mark. Six waterways would need to be crossed by the Western Transmission Route during construction. A temporary span bridge would be needed at one waterway crossing to allow for construction access within the Western

Transmission Line ROW. All other waterway crossings would be temporary in nature and utilize prefabricated span bridges placed above the ordinary high-water mark.

Groundwater: No groundwater would be used for the Project. There would be no impacts to groundwater.

Floodplain: The Nemadji River Site is located adjacent to the Nemadji River floodplain and a small portion of the property boundary extends into the 100-year and 500-year floodplain. All equipment for the facility is located outside the 100-year and 500-year floodplain. The Hill Avenue Site is not within 100-year floodplain. The Eastern and Western Transmission Routes would require crossing floodplain associated with the Nemadji River, Bear Creek, and Bluff Creek by the transmission line. The macro-corridors contain both 100-year and 500-year floodplain.

The Superior Switching Station, Parkland Switching Station, and all laydown yards are not within 100-year floodplain. All rivers would be spanned by the transmission line. Two transmission line structures would need to be placed within the Nemadji River floodplain due to the floodplain width.

Wetlands/Riparian: A total of six wetlands (7.4 acres) were delineated within the Nemadji River Site. One wetland (totaling 75.6 acres) was delineated within the Hill Avenue Site. The wetlands at the Sites have low-to-medium functional values.

A total of 30 wetlands (49.5 acres) were delineated within the Eastern Transmission Line Wetland Survey Area. A total of 42 wetlands (totaling 86.4 acres) were delineated within the Western Transmission Route Wetland Survey Area. A total of 16 wetlands (totaling 18.7 acres) were delineated within the Hill Avenue Site Route Wetland Survey Area. The wetlands in the Wetland Survey Area have low-to-medium functional values. A total of 13 transmission poles would likely be placed in wetlands within the Eastern Transmission Route Wetland Survey Area. A total of 40 transmission poles would be permanently placed in wetlands within the Western Transmission Route Wetland Survey Area. A total of 10 transmission poles would be permanently placed in wetlands within the Hill Avenue Site Route Wetland Survey Area.

Although both selected switching station sites are entirely within wetland areas, these sites would minimize the potential wetland impacts associated with the switching stations. Wetlands are prevalent in this area and could not be avoided. Locating the switching stations adjacent to the transmission line corridors minimizes additional wetland impacts that could have occurred in association with additional transmission line construction, construction access and road/driveway construction. Forested and shrub/scrub wetland areas would be cleared of vegetation at the switching station sites.

Minimization efforts will be utilized to the extent practical where wetland impacts are unavoidable. Construction activities will be prioritized during winter months to take advantage of ground freeze and use of ice roads to limit ground disturbance. Outside of winter months, matting will be used in wetland areas to spread out heavy vehicle loads and minimize soil disturbance. Additionally, tracked vehicles will be used to the extent practical to further spread out vehicle loads throughout wetland areas with matting.

Existing site entrances will be used to the extent practical to reduce the number of new roadside and wetland crossings required for construction vehicles to access the site. Best management practices outlined in the Storm Water Pollution Prevention Plan will be used to avoid and minimize stormwater sedimentation and disturbance within wetland areas.

The Owners are seeking wetland permits from the U.S. Army Corps of Engineers and the WDNR. The Owners will comply with permit requirements for wetlands and waterways.

Wastewater: The Project would be responsible for installation of the sewer extension and tie-in to connect to the City of Superior's wastewater system. It is expected that the plant would be connected as an industrial customer, would utilize existing piping to the extent practical, and any new piping would be high-density polyethylene and would be routed in existing ROW to the extent practical. The City of Superior would require the Owners to take ownership of the sewer line extension and lift station because they would be constructed to service a single, privately held facility.

Metal concentrations in wastewaters would be below Federal, State, and City of Superior pretreatment limits. The wastewater temperature would range from 40 °F in the cold winter ambient scenarios to about 150 °F in the maximum summer ambient scenario. The City of Superior requires discharges to its sewer system to have a daily maximum temperature of no more than 150 °F.

At maximum summer municipal water consumption is estimated to be 1.5 million gallons per day (MGD) with the maximum annual average consumption being around 0.3 MGD. On average, approximately 50 percent of the water utilized for the Project, would be lost through evaporation. The remainder would be discharged to the City of Superior sewer system. Delivery meters would be used to collect wastewater volume readings and would be owned by the Project. The maximum (summer) wastewater discharge is estimated to be around 0.6 MGD (0.93 cubic feet per second) with the maximum annual average discharge being around 0.15 MGD (0.23 cubic feet per second). Delivery meters would also be owned by the Project, and the monthly flow rate reading would be communicated to the City of Superior for processing as a wastewater bill.

Stormwater: The Project Erosion Control Plan and Storm Water Management Plan was formatted and designed to meet or exceed compliance with the erosion control and storm water management technical standards and the construction and post-construction performance standards identified in the Wisconsin Administrative Code-Department of Natural Resources 151 and 216 as well as the City of Superior's Site Erosion Control Ordinance and Long-Term Stormwater Management Ordinance. Drains for areas around equipment that could be contaminated with oil would be gravity drained and directed through an oil/water separator prior to discharge to the municipal sewer system. At either Site, the wet detention pond would be used as a sediment basin during Project construction to remove sediment loads from storm water runoff in accordance with Wisconsin Administrative Code-Department of Natural Resources 151.11(6m)(b)2. Following site stabilization, the sediment basin would be cleaned out and converted to a wet detention basin. The detention basin is designed to reduce the total suspended solids load by at least 80 percent, based on an average annual rainfall.

Non-contaminated storm water runoff on the Nemadji River Site would be collected and directed to an onsite storm water detention pond located near the southwestern boundary of the site. The existing pond discharges via underground pipe to the Nemadji River and would be expanded to attenuate the increase in runoff volume from Project construction. Storm water runoff on the Hill Avenue Site would be collected and routed to a new storm water detention pond located in the northeast corner of the site. The new pond would be pumped, and storm water would be discharged at existing surface grade to the east/northeast to a stream that discharges to Superior Bay.

F. PUBLIC AND AGENCY INVOLVEMENT

Local newspaper notices announcing the availability of the EA were published on October 30 and November 6, 2020, in the Superior Telegram. A copy of the EA was available for public review at the following libraries:

- Superior Public Library, 1530 Tower Avenue, Superior, WI 54880
- Jim Dan Hill Library University of Wisconsin – Superior, 907 N. 19th Street, Superior, WI 54880
- La Crosse Public Library, 800 Main Street, La Crosse, WI 54601
- Murphy Library Resource Center University of Wisconsin – La Crosse, 1631 Pine Street, La Crosse, WI 54601

The 30-day comment period ended on November 30, 2020. RUS received one comment letter from the EPA on the EA. A copy of EPA's comments and RUS responses are attached.

G. FINDING OF NO SIGNIFICANT IMPACT

Based on its EA, RUS has concluded that the proposed Project would have no significant effects to air quality; biological resources; cultural resources; geology and soils; infrastructure, transportation, public safety, and waste management; land use, recreation, farmland, and coastal facilities; noise; socioeconomics and environmental justice; visual resources; or water resources. The proposed Project would not result in any exceedances of the National Ambient Air Quality

Standards and has received an Air Permit from the WDNR with limitations to prevent the Project from causing or contributing to significant adverse ambient air quality impacts. The proposed Project makes effective use of existing infrastructure including existing transmission line corridors, would be located in a generally industrial area, with the NTEC site already containing infrastructure development (transmission lines, gas pipelines, and water retention), and limits disturbance to natural resource areas, both on the Project site and for new infrastructure corridors. The proposed Project will have no effects to historic properties listed or eligible for listing on the National Register of Historic Places. RUS also has determined that the proposed Project would have no adverse effects to federally listed threatened and endangered species, candidate species, or federally designated critical habitat based on consultation and the conclusion of the U.S. Fish & Wildlife Service and the implementation of the Section 4(d) rule for the northern long-eared bat. The proposed Project would not disproportionately affect minority or low-income populations.

In accordance with NEPA, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR 1500–1508), and RD's Environmental Policies and Procedures (7 CFR Part 1970), RUS has determined that the environmental effects of the proposed Project have been adequately addressed and that no significant impacts to the quality of the human environment would result from construction and operation of the proposed Project. Any final action by RUS related to the proposed Project will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations, including compliance with permits related to the Project. Because RUS' action will not result in significant impacts to the quality of the human environment, an Environmental Impact Statement will not be prepared for the proposed Project.

H. IDENTIFICATION OF PREFERRED ALTERNATIVE

RUS considered four action alternatives in the EA for this Project. None of these alternatives were found to result in significant impacts to the quality of the environment. RUS determined that use of the Nemadji River 1 Alternative, consisting of the Nemadji River plant site and the eastern transmission line macro-corridor, would best minimize the overall impacts of the Project. Environmental impacts would be kept to a minimum under this alternative due to the smaller (25 acres compared to 76 acres for the Hill Avenue site) and already somewhat developed (already contains a transmission line, natural gas pipeline, and stormwater retention basin in an industrial area) site. The Nemadji River 1 alternative would require only 3.7 miles of new transmission line, compared with 5.3, 5.7, or 7.1 miles for the other alternatives, minimizing Project impacts associated with the construction of additional transmission facilities. RUS also recognized the Public Service Commission of Wisconsin previously approved this alternative, confirming the site could be permitted and would minimize environmental impacts through Project design and mitigation measures imposed as part of permit conditions. RUS therefore identifies the Nemadji River 1 alternative as the Preferred Alternative for this Project.

I. RUS LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW

This Finding of No Significant Impact (FONSI) is not a decision on a loan application, and therefore, not an approval of the expenditure of federal funds. Issuance of the FONSI and its

notices concludes RUS' environmental review process in accordance with NEPA and RD's Environmental Policies and Procedures (7 CFR Part 1970). The ultimate decision as to loan approval depends upon conclusion of this environmental review process in addition to financial and engineering reviews. Issuance of the FONSI and publication of notices will allow for these reviews to proceed. The decision to provide financial assistance is also subject to the availability of loan funds for the designated purpose in RUS' budget. There are no provisions to appeal this decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in federal district court under the Administrative Procedures Act.

J. APPROVAL

This FONSI is effective on signature.

Dated:

CHRISTOPHER MCLEAN Digitally signed by CHRISTOPHER MCLEAN
Date: 2021.06.02 13:48:55 -04'00'

_____

CHRISTOPHER A. McLEAN
Assistant Administrator
Electric Programs
Rural Utilities Service

Contact Person
For additional information on this FONSI and EA, please contact Mr. Peter Steinour, Environmental Protection Specialist at USDA, Rural Utilities Service, Engineering and Environmental Staff, 1400 Independence Avenue, SW, Washington DC 20250, e-mail: peter.steinour@usda.gov.

Environmental Assessment for the Nemadji Trail Energy Center Project
Rural Utilities Service
Response to Comments on the Environmental Assessment

The following report presents the comments the Rural Utilities Service, RUS, has received on the Environmental Assessment for the Nemadji Trail Energy Center (NTEC) Project. The comment received and the RUS response are provided. All comments received on the EA were provided by the Environmental Protection Agency (EPA).

General

EPA Comment: The EA (page 6-8, e-p224 and 225) states: *"On January 31, 2020, the Public Service Commission of Wisconsin (PSCW) issued its final decision on the generation facility (Docket Number 9698-CE-100). The Certificate of Public Convenience and Necessity (CPCN) application was approved and the PSCW authorized the Nemadji River Site as the location for NTEC. On January 30, 2020, the PSCW issued its final decision on the electric transmission line for the Project (Docket Number 9698-CE-101). The transmission line CPCN was approved and the PSCW authorized the eastern route."* RUS should explain in its NEPA decision document for this project how its decision was affected by the prior siting approval by PSCW.

RUS Response: RUS conducted an independent environmental assessment of the Proposed Project. While RUS was aware the PSCW was conducting its own review and approval of the Project, RUS did not participate in the PSCW review or approval process. RUS will issue a decision on the Project based on its own independent evaluation.

EPA Comment: In addition, the EA (pages 6-8 and 6-9, e-pages 224 and 225) discloses the NTEC project proponents submitted a Clean Water Act (CWA) Section 404 permit application to the US Army Corps of Engineers (USACE) for the NTEC facility at the Nemadji River Site, the switching station at the Parkland site and the eastern route alternative for the transmission line and natural gas pipeline. The EA states: *"The USACE published these applications for 30-day public review and comment on September 14, 2020 (Appendix G). The Owners will comply with permit application requirements for wetlands and waterways."*

EPA Wetlands Section reviewed and commented on the USACE Public Notice and application, and is currently reviewing additional project information provided by the Project Proponent. At this time, EPA has not received an adequate compensation mitigation proposal for the Project's water resource impacts as required by the Section 404(b)(1) guidelines[1] (the Guidelines). EPA has requested USACE, Wisconsin Department of Natural Resources (WDNR), and the Project Proponents include EPA in all discussions and reviews of the proposed project's mitigation under Section 404 to ensure compliance with the Guidelines.

RUS Response: RUS is aware of ongoing discussions on the Section 404 permitting. RUS will advise the Project Proponents of EPA's interest in participating in the additional discussions

and reviews related to the Section 404 permit.

EPA Comment: When available, please email Ms. Laszewski the USDA-RUS NEPA determination.

RUS Response: RUS will include Ms. Laszewski on the distribution of NEPA-related Project information.

Tribal Cultural Resources

EPA comment: The EA identifies that the Tribal Historic Preservation Officer (THPO) for the Fond du Lac Band of Lake Superior Chippewa, sent the Project Proponents an image of approximate locations of some cultural sites from their cultural database. Three of the locations fall within the Project Study Area and two are adjacent to the Area of Potential Effect.

EPA Recommendation: EPA recommends the NEPA documentation for this Project include all correspondence and documentation pertaining to compliance with Section 106 of the National Historic Preservation Act, including concurrence from the Fond du Lac Band of Lake Superior Chippewa THPO that the tribe has received documentation to show the Project will not have an adverse impact on the cultural sites the THPO identified.

RUS Response: All tribal correspondence and documentation pertaining to Section 106 was included in the EA, Appendix C – Historic Resources. As the EA is a public document, the subject map of cultural resources was not included to protect the location and identity of the sites. RUS has a copy of the map and can make it available as appropriate.

Public Outreach on Mitigation

EPA Comment: Throughout construction and operation, keeping the community informed of required mitigation measures and providing a venue for resident complaints may help to ensure mitigation measures are followed.

EPA Recommendations:

Commit to promote public awareness of mitigation measures throughout project construction and project operation. For example, commit to list all applicable measures (such as time restrictions for construction vehicle idling, among others) on a bulletin, and post the bulletin at easily visible locations within and adjacent to the project area and abutting neighborhoods. Include a contact name and phone number for people to call if they have questions or observe protective measures not being followed. We also recommend prominently posting such information online.

RUS Response: Dairyland Power Cooperative (Dairyland) has a community outreach staff that is actively engaged in ongoing Project communications with the local community. A Project website is available and updated regularly with Project news and information. These efforts are anticipated to continue throughout the approval and construction of the Project.

Noise Mitigation

EPA comment: The EA identifies that within twelve months of the date when the project is

fully operational, and within two weeks of the anniversary date of the pre-construction ambient noise measurements, sound level measurements will be repeated both with and without the Project in operation to verify noise levels do not exceed contractually guaranteed levels, as well as EPA guideline levels.

EPA Recommendations:
Identify noise reduction mitigation measures Project Proponents will take if noise levels are found to exceed contractually guaranteed levels, as well as EPA guideline levels. For example, machinery replacement and/or soundproofing and/or sound-dampening systems can serve to mitigate noise at the source. Low cost measures might include, but are not limited to, strategically planting shrubs and trees, installing manufactured barriers and/or earthworks.

RUS response: RUS evaluation of potential noise impacts for the EA determined the potential for noise exceedance of EPA noise guidelines. As part of final design for the Project, noise mitigation measures will be identified and incorporated into the Project design. Post-construction noise testing will be used to demonstrate compliance with EPA noise guidelines at nearby sensitive noise receptors. If post-construction noise levels exceed EPA guidelines, additional mitigation measures will be identified and implemented to reduce noise levels to within guidelines.

Air Quality
EPA comment: Construction activity would release air emissions from equipment engines, truck engines, and earthwork activity. In 2002, EPA classified diesel emissions as a likely human carcinogen, and in 2012, the International Agency for Research on Cancer concluded that diesel exhaust is carcinogenic to humans. Diesel exhaust can also worsen heart and lung disease, especially in vulnerable populations, such as children and elderly people.

Recommendations:
Require construction contractors to use best practices. Options include: (1) requiring specific idling time limits for construction trucks and heavy equipment, and (2) soliciting construction bids that require zero-emission technologies or advanced emission control systems. Additional best practices are listed in the enclosed Construction Emission Control Checklist.

RUS Response: Project Proponents have indicated they will provide the Construction Emission Control Checklist to the contractors selected for construction and encourage their compliance with the controls provided, to the extent practicable.

Children's Health and Safety
EPA comment: Executive Order 13045 on children's health and safety directs each federal agency to make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children, and to ensure that its policies, programs, activities, and standards address these risks

EPA Recommendations:
Prior to construction, require a construction traffic management plan to ensure that trucks hauling materials and heavy machinery avoid areas where children congregate, when possible. Aim to route construction truck traffic away schools, daycare facilities, and parks, and use

crossing guards when such areas cannot be avoided.

RUS Response: At this time, it is not possible to determine the exact routes for construction traffic outside of the local area of the Project site. All traffic would use 31st Ave East to access the site, likely from US Highway 2. A variety of routes could be used to reach 31st Ave East. Once on 31st Ave East, construction traffic would extend through a residential area for a short distance before reaching the more industrial area around the Project site. No schools, playgrounds or other congregation areas for children have been identified along this street.

Climate Resiliency

EPA comment: The National Climate Assessment finds that in the Midwest extreme heat, heavy downpours, and flooding will affect infrastructure, health, air and water quality, and more. Models predict increasing frequency and severity of storm events. The EA identifies project areas are in wetlands, low-lying vegetative areas and floodplains, and it's unclear whether drainage during heavy rain events was analyzed. Upfront design considerations for climate resiliency may enhance the long-term performance of the project.

EPA Recommendations:

- Consider reasonably foreseeable impacts to the project area, as described in the National Climate Assessment, due to the changes in average temperatures and the frequency and severity of precipitation events.
- If warranted, include measures to ensure that the proposed project would be resilient to anticipated conditions. Consider practices recommended on EPA's Climate Change Adaptation Resource Center website https://www.epa.gov/arc-x.
- Consider adding rain gardens and other planted landscape elements to collect and filter rainwater in the soil, slowing runoff into the sewer system. Permeable pavements on parking lots allow water to be stored in the soil. Planting trees contribute to climate change mitigation by acting as a carbon sink.
- Identify best management practices (BMPs) to reduce leakage of methane from theproposal, such as the natural gas pipeline. EPA has compiled useful information on technologies and practices that can help reduce methane emissions. This information may be found at
- https://www.epa.gov/natural-gas-star-program/recommended-technologies-reduce- methane-emissions.

RUS Response: The proposed Project, according to RUS requirements, is located outside 500-yr floodplains. Additionally, all RUS projects are subject to engineering review for compliance with USDA standards designed to protect facilities against failure during significant weather events. This Project will be designed for a variety of climatic and weather conditions, including heat waves, thunderstorms, high wind events, ice, and significant snowfall. The use of dry cooling would avoid the formation of rime ice and fogging often associated with wet cooling under certain climatic conditions. Disturbance to areas outside the Project footprint will be limited and current vegetation outside the footprint will be left undisturbed. As appropriate, disturbed areas will be revegetated. However, runoff from the Project itself will require collection for treatment (including an oil-water separator) prior to release. All methane and other natural gas facilities will be designed and constructed to prevent and avoid any leaks which could create hazardous

conditions.

Forest Mitigation

EPA comment: Forests provide valuable habitat and help maintain surface and ground water quantity and quality in the watershed, in part, by stabilizing soils. As noted previously, trees contribute to climate change mitigation by acting as a carbon sink. Compensation for the loss of upland forest, due to the proposed Project, is not identified.

EPA Recommendation: In addition to required mitigation for forested wetlands impacts under Clean Water Act 404, we encourage voluntary compensation for the loss of upland forest due to tree cutting/clearing associated with the current proposal. For example, Project Proponents might commit funds to help a local watershed district, and/or local, county or state resource agencies fund on-going or planned forest reclamation projects in the watershed where the forest loss would occur.

RUS Response: Dairyland has a very active environmental stewardship program working with local conservation and environmental groups throughout its service territory on a variety of conservation projects, including upland, wetland, fisheries, invasive plant control, and pollinators. While no specific projects have been identified as part of this Project, Dairyland expects to become more invested in the Superior community and identify and work with local organizations on conservation projects as part of its continuing stewardship program.

Native and Invasive Plant Species

EPA comment: The proposed project could introduce and/or accelerate the spread of non-native invasive plant species through the tires of heavy machinery, among other sources. Early recognition and control of infestations is essential to stopping the spread of invasive plants and avoiding future use of herbicides. In addition, the project calls for reseeding areas after construction, which presents an opportunity to use native plant species.

EPA Recommendations:

- Prior to project construction, implement a plan to avoid introducing and eliminating existing invasive species into the project area. Use native species to revegetate all disturbed green spaces after the project is complete.
- A restoration plan should be required for all wetland areas proposed to be restored to emergent wetland due to temporary impacts. Any approved restoration plan should include performance standards, monitoring plans and adaptive and long-term management plans; including steps that will be taken to minimize and/or control for non- native invasive species.
- Consider creating pollinator friendly habitat when revegetating disturbed areas. For information specific to Wisconsin, see Wisconsin Department of Natural Resources webpage https://dnr.wisconsin.gov/topic/endangeredresources/pollinators.html.

RUS Response: Project Proponents are in the process of working with federal and state permitting agencies to complete acquisition of the necessary permits for Project construction and operation. Those permits will include a Section 404 wetland permit for which a wetland

restoration plan has been prepared and submitted for review and approval. Project Proponents also expect to obtain a National Pollution Discharge Elimination System permit, including a Stormwater Pollution Prevention Plan (SWPPP) which is anticipated to include an invasive plants management plan for the control of invasive plants during construction. Dairyland is coordinating extensively with the Wisconsin Department of Natural Resources (WDNR) and expects to implement appropriate mitigation measures as outlined by the WDNR as part of Project permitting.

US Environmental Protection Agency Construction Emission Control Checklist

EPA comment: Consider measures that apply to the proposed project from the following list.

RUS Response: Numerous mitigation measures included in the EA address various concerns outlined in the Checklist. In addition, Dairyland will provide this checklist to its construction contractors and encourage them to follow and implement the controls outlined as they are able.

Mobile and Stationary Source Diesel Controls

Purchase or solicit bids that require the use of vehicles that are equipped with zero-emission technologies or that most advance emission control systems available. Commit to the best available emissions control technologies for project equipment to meet the following standards.

- On-Highway Vehicles: On-highway vehicles should meet, or exceed, the EPA exhaust Emissions standards for model year 20210 and newer heavy-duty, on-highway compression-ignition engines (e.g., long-haul trucks, refuse haulers, shuttle busses, etc.).[1]
- Non-road Vehicles and Equipment: Non-road vehicles and equipment should meet, or exceed, the EPA Tier 4 exhaust emissions standards for heavy-duty, on-road compression- ignition engines (ie.eg., constitution equipment, on-road trucks, etc.).[2]
- Locomotives: Locomotives servicing infrastructure sites should meet, or exceed, the U.S. EPA Tier 4 exhaust emissions standards for line-haul and switch locomotive engines where possible.[3]
- Low Emission Equipment Exemptions: The equipment specifications outlined above should be met unless: 1) a piece of specialized equipment is not available for purchase or lease; or 2) the relevant project contractor has been awarded funds to retrofit existing equipment, or purchase/lease new equipment, but the funds are not yet available.

Consider requiring the following best practices through the construction contracting or oversight process:

- Establish and enforce a clear anti-idling policy for the construction site.
- Use on-site renewable electricity generation and/or grid-based electricity rather than

[1] http://www.epa.gov/otaq/standards/heavy-duty/hdci-exhaust.htm
[2] http://www.epa.gov/otaq/standards/nonroad/nonroadci.htm
[3] http://www.epa.gov/otaq/standards/nonroad/locomotives.htm

diesel- powered generators or other equipment.

- Use electric starting aids such as block heaters with older vehicles to warm the engine.
- Regularly maintain diesel engines to keep exhaust emissions low. Follow the manufacturer's recommended maintenance schedule and procedures. Smoke color can signal the need for maintenance (e.g., blue/black smoke indicates that an engine requires servicing or tuning).
- Retrofit engines with an exhaust filtration devise to capture diesel particulate matter before it enters the construction site.
- Repower older vehicles and/or equipment with diesel- or alternative-fueled engines certified to meet newer, more stringent emissions standards (e.g., plug-in hybrid-electric vehicles, battery-electric vehicles, fuel cell electric vehicles, advanced technology locomotives, etc.).

Fugitive Dust Source Controls

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative, where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

Occupational Health

- Reduce exposure through work practices and training, such as turning off engines when vehicles are stopped for more than a few minutes, training diesel-equipment operators to perform routine inspections, and maintaining filtration devices.
- Position the exhaust pipe so that diesel fumes are directed away from the operator and nearby workers, reducing the fume concentration to which personnel are expose.
- Use enclosed, climate-controlled cabs pressurized and equipped with high-efficiency particulate air (HEPA) filters to reduce the operator's exposure to diesel fumes. Pressurization ensures air moves from inside to outside. HEPA filters ensure that any incoming air is filtered first.