

An Interview with
JAMIE SCHRENZEL

Conducted by Marta Monti
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Marta: Today is July 10, 2015, and I am speaking on the phone today with Jamie Schrenzel, an energy planner with the Minnesota Department of Natural Resources (DNR). I was hoping we could start there, with you telling me about what you do in the environmental review unit.

Jamie: I work for the Environmental Review Unit at the Department of Natural Resources. We do Responsible Government Unit (RGU) work for projects where the DNR is the RGU. Some of us also help out with environmental review that other agencies in the RGU do. For example, we have someone who coordinates with FERC on hydro-electricity. I work with the PUC for energy projects. Mostly we work on EAW (Environmental Assessment Worksheets) and EIS (Environmental Impact Statements) for the DNR.

Marta: So what do you spend most of your time doing with the Public Utilities Commission (PUC)?

Jamie: I spend almost all of my time interacting on projects with the PUC or the Department of Commerce.

Marta: Let's dive right into CapX2020. When did your department start hearing about these projects?

Jamie: Oh let's see. I think I started working on them as soon as I started working for the unit, which was in 2009. So, the entire time I've been working in that unit. They were a large series of projects.

Marta: How does working on this big project compare to working on other transmission line projects in the state?

Jamie: It's certainly more time consuming. They just span such large distances and include more coordination between agencies, and internally at the DNR as well between our permitting and Environmental Review Unit. Just because of the magnitude of those projects, they certainly are more time consuming than a smaller project that comes in.

But they compare in a very similar way to like the current Great Northern Transmission Line.

Marta: Yeah, that's another big one too. You say it's comparable, but that's an international project. Does that add another layer of challenges?

Jamie: It does add another layer of coordination with the Department of Energy, but it's a similar scale of work for us.

Marta: Could you walk me through the process of what the DNR looks for? I know this is a pretty broad question...

Jamie: Oh sure. Our role, as you mentioned in the questions you sent, we are not an RGU, but we are the downstream permitter--that's the term for it, the lingo. So the PUC permits the route and the need for the project, and then we have permits on various portions of the project that depend on that routing permit. For example, if the route crosses a certain river, then the DNR has a license to cross public lands and waters license that we would then need to work with the company on issuing.

There's an interrelated permitting relationship with the PUC. Various agencies have downstream permits, and so we are required by statute to communicate with the PUC about our permitting requirements.

Marta: So the PUC acts like an in between. How closely do you work with the utilities to do this?

Jamie: We work directly with the utility for early coordination for our permits, and then we also...it ends up overlapping with Environmental Review and PUC permitting quite a bit. The two are sometimes hard to distinguish--they are interrelated, so the topics overlap quite a bit. But I think you could technically call it early coordination for DNR permits.

Marta: Would you say that the utilities are easy to work with?

Jamie: Sometimes we aren't in agreement over the recommendations the DNR makes. The utilities, of course, are thinking of more than...they have to think of all different sorts of factors, and so does the PUC. All sorts of different factors, like relationships with landowners, obviously economic factors that they have, as well as natural resource concerns, and permitting timelines.

Where we are at the DNR, we are very focused on either our permit requirements or our general jurisdiction over...I should have mentioned this earlier...a general role that we have with our general jurisdiction over wildlife. That's a pretty broad jurisdiction, and that's something that we give advice to other agencies about. So if the PUC is making a decision that affects wildlife, we may give advice. Because of our jurisdiction over wildlife in the state of MN, it covers both public and private land.

And then I should mention our other role is "landowner". We're a permitter, technical advice giver, and landowner. We also operate as a landowner in these proceedings. Thinking about what needs we have if they cross our land, what kind of needs are related to that.

There are certainly sometimes tensions because people are coming from different perspectives, and different points of view. However, the CapX utilities are very collaborative, they do a lot of early coordination.

Marta: Did you see more early coordination from the CapX group because the project was so large?

Jamie: Yes, I definitely see more early coordination on the permitting end and the environmental review for the larger projects than a smaller project. Though, if I'm comparing it to Great Northern, they also did a lot of early coordination. So it kind of depends on the size of the project, which makes sense. There's just a lot more work to do, so you need to get on the same page.

Marta: One of the questions that I send you was about something that cropped up in the news this past week, about some land in Wisconsin. The Mississippi Valley Conservancy owns land that the line crosses, and construction was supposed to halt from mid-May to mid-August because it is nesting season for 2 endangered bird species. But, they were building, and someone noticed and called it in. I'm wondering if this is something that happens a lot?

Jamie: I'm trying to think of an example, but anything I can think of wasn't as "big" as that. It's more like, one of the challenges of working on these transmission lines, particularly with rare species or migratory bird, but those are examples of time-sensitive type recommendations. That is one of the things we spend time coordinating with the company on. We'll have a meeting after the route permit is issued to try to get the construction timelines synced up with various DNR requirements as much as possible. It is a challenge, because they are dealing with landowner requests, their own construction crew issues, and then there's permitting requirements, and then there are also recommendations that might not have a permit requirement, but we might say "it's best for this species if you construct at this time of year." Or "it's best if you do clearing at the time because of a special concerned species" or something like that.

It doesn't always line up perfectly. It can be very challenging. Xcel Energy or GRE will usually call us and say "we're having trouble with this" or "what do you think we should do? Can we expedite review of this vegetation management plan in order to meet our goal to clear at the right time of year?" That is definitely a coordination challenge, and in my experience they usually call is with a challenge and try to work on it with us.

Marta: Before it becomes a big issue.

Jamie: Right. I can't remember a situation where we found out they were working in an area when they weren't supposed to be, or something like that.

Marta: Well, with the incident that I was referring to, apparently the construction teams were using tablets in the field, and the notes for that stretch didn't mention the halt of construction.

Jamie: Yeah, it was a communication thing. That's what can be so helpful--we have these vegetation management plans, for example, which are required by the PUC, and they usually have a requirement in the permit that says "work with the DNR before the plan is finalized," so then we have an opportunity to work with them on the logistics of that sort of thing. What we want, is that those plans are handed to the contractors.

Then there is also environmental monitoring that is there to further ensure that plans like that are enacted on the ground.

Marta: Who does that environmental monitoring?

Jamie: The PUC will also often require a 3rd-party independent monitor that will oversee construction and try to ensure that these permitting requirements happen on the ground, and report back to the agencies about that. They usually set up a website where they will give us a password and we can review their compliance reports. But they don't work for us, they work for the PUC. They are usually financed by the utility...Xcel or GRE. That's a permitting condition that the PUC often puts in the permit, and I think they did it for all the CapX projects.

Marta: You mentioned that you give recommendations, and I was wondering if you could share a few more examples. You mentioned time-sensitive, and seasonal building.

Jamie: We try to reduce impacts...oh that's such a broad question, I'm trying to think of some good examples. Another one of our roles as a permitter of taking of threatened or endangered species. We try to avoid trying to issue that permit, so we spend a lot of time making recommendations on avoiding the taking of threatened or endangered species. That's a great example of how environmental review and permitting overlap, because the permit would be someone coming to us and saying "I need to take this threatened or endangered species," but the environmental review process is an opportunity to avoid ever having to issue that, and working together to avoid that. That's a good example of how environmental review can relate to permitting, and sometimes even avoid the need for a permit.

Say there is a rare plant, and we know that there's an area with those rare plants. For a transmission line, we might say that it's best if you avoid that area, or we might say "could you

make sure that you're not putting a pole right there, and also use no herbicides through underneath the line." That would be a way to address a rare species.

We also make route recommendations during the scoping for the EIS. We may say, "Can you follow the boundary of the wildlife management area instead of going through the middle of it," and try to reduce the impact to public lands. Or ask them to follow the road that goes through it instead of going through a wooded area.

That's a good example of where we are thinking of our jurisdiction over wildlife, there might be rare species as a part of a public land--and again, we're also speaking as a landowner, saying that it would work better for us if you put it here.

Marta: This is probably a very specific question, but as I was driving up to Fargo from the Twin Cities, and I was watching the line follow the highway.

Jamie: Haha yeah, I'm always looking at the bird diverters.

Marta: So of course, I'm staring at the line, and I'm watching it cross the highway, and make little turns around small random clumps of trees that are in the middle of farmland. I saw a lot of different types of poles, and I was wondering if your recommendations get down to those specifics? Do you ask them to put in shorter pole so they don't stick up into flyways?

Jamie: What it could be, I don't know exactly where it is, but there are a lot of different types of poles that they use. Sometimes they use a special configuration to make a sharp turn. Then sometimes they use H-frames, which are lower and shaped like an H, and they use those to cross rivers sometimes or if they need it to be a lower vertical frame.

Sometimes we ask for an H-frame across the river to reduce the vertical plane of lines, and that's because it might be a flyway. If we know there's a flyway there for bird migration, we may make that request, and so does Fish and Wildlife Service sometimes. However, that's a bit of a toss-up with vegetation impacts because it's a wider right-of-way, and so you kind of get in a situation of deciding is it work the vegetation impact to reduce impacts to the flyway, and can you mitigate that with diverters instead?

One of the kind of interesting things about working on transmission lines is that there's a lot of value judgements at different locations that are very site-specific. It's not just environment versus another goal. There can be conflicting environmental goals.

But what you mentioned, it's one of the more tricky ones. You can have more forest clearing, or bird impact mitigation.

Marta: Yes, and I think you raise a big point there about the uniqueness of each decision.

Jamie: Yeah, there's no textbook way to do it. Well, H-frames at rivers, that's kinda textbook, but then sometimes you see the clearing effects, and you wonder if that's the best decision.

Marta: You mentioned that you might recommend they not spray pesticides. Is that common practice--the spraying of pesticides?

Jamie: You know, I tend to focus on native plant communities as opposed to other vegetation. For example, I'm not sure what they do over farmland, if anything, because it is low-growing. But yeah, there is certainly use of herbicides in right-of-way management--and sometimes it's at our suggestion. If there's an invasive species we'd like them to control, that sort of thing.

Marta: I know that a lot of the Mississippi crossing was handled by USFWS, but I'm wondering if you were involved with that as well?

Jamie: Yes, we also had a license to cross that river because some of that is in Minnesota and it is public water. USFWS, I think their jurisdiction tended to kind of be a higher-view than ours.

We made comments during the development of the EIS and the routing process. I think that we encouraged looking at a variety of crossings, and we also encouraged looking at routing under the river because it's such an important flyway. But that's very technologically challenging and expensive.

The Alma crossing....there was already some industrialization going on in the area as well as an existing line, so that's a good example of reasons probably why they would focus on an area like that--to try and discourage fragmentation, or having multiple crossings.

Marta: So let's talk about the PUC a bit more. Do you give testimony to them? Do you have meetings before testimony with them? What is the day-to-day relationship like?

Jamie: We participate in....do you have the flowchart from the Department of Commerce that shows the different review steps for both Environmental Review and the routing permit?

Marta: Yes

Jamie: Ok good, that's a nice guide. I've got it hanging on my wall in my office. We participate in the public review comment periods, then we also have--especially on complex projects--we'll have inter-agency meetings to give technical advice, or say...GIS files, that sort of thing. We'll

write a letter, and sometimes if it seems like it's needed, we will also provide testimony in the Office of Administrative Hearings or at public hearings in front of a judge. Or sometimes we'll provide testimony at the PUC agenda meeting, where they tend to make decisions. It just kinda depends on where the testimony is needed. We don't always do it. Or, we just show up and are available for questions.

We try to make all the public hearings. We can't always be there, with workload and long commutes to get to the meeting. Sometimes we'll go to one out of four of the, something like that.

Marta: So you would do that no matter what? Are you invited? Ordered?

Jamie: The PUC encourages us to go to the environmental review meetings for the EIS and all the stuff for the Office of Administrative Hearings.

I have been called up before...I can't remember if it's happened with CapX, but sometimes I'm called up by the Commissioners at an agenda meeting. For one of the CapX projects, I was subpoenaed or an Office of Administration hearing

Marta: Does that happen often?--getting subpoenaed?

Jamie: I got subpoenaed for Brookings-Hampton. So no, it does not happen very often.

Marta: What happens when you're subpoenaed?

Jamie: We would help out as an expert witness. So I brought along an eagle expert, because the issue was about eagles at the crossing of the Minnesota River. And so, we had both the eagle expert at the DNR (nongame specialist of the area) and I gave testimony. Which, actually, we don't have a primary jurisdiction over eagles, so it was sort of a confusing to everybody. But we certainly arrived and provided help in assisting that.

Marta: We are kinda getting close to our time. I'm wondering if there is something about your work that you'd like to share that I didn't ask about?

Jamie: I think with CapX it's been exciting to see how inter-agency coordination, and coordination with the utility can result in some very quick, reduction of impacts across large areas. That's been a really exciting thing about working on CapX...sometimes there can be...and it doesn't always go this way, but sometimes there can be a reduction of environmental impacts over a large part of the state. There is effective coordination between those parties, and of course it's all playing out in the public too. I think there were some really effective public comments.

Marta: Great. Thank you so much for your time today, Jamie!

Jamie: You're welcome, my pleasure.