Eric Lipman

From: Linda Bathen [lhbathen@cox.net]
Sent: Friday, April 30, 2010 6:47 PM
To: Eric.Lipman@state.mn.us
Subject: Transmission Line

Dear Judge Lipman:

Ref: OAH Docket #8-2500-20825-2 TL-07-1327

I'm opposed to the Route 3 Power Transmission Line Proposal. It is excessively long, expensive, and less efficient. It would also affect adversely most acreage of the Chippewa Forest. Because of the length of route three, either route one or two would be the better option for efficient transmission of power. The need for the most cost efficient infrastructure should be considered in view of the current state of the economy.

Thank you for your consideration.
Linda Bathen

20106-51269-01

Eric Lipman

From: Dave Baughn [louie@paulbunyan.net]

Sent: Monday, April 26, 2010 7:09 PM

To: Eric.Lipman@state.mn.us

Subject: Transmission Line

Dear Sir - Please let common sense and a sense of fiscal responsibility lead to the obvious conclusion, routes 1 or 2.

United States Department of Agriculture
Forest Service
Chippewa National Forest Supervisor's Office
200 Ash Avenue NW
Cass Lake, MN 56633-3089
Phone: 218-335-8600
Fax: 218-335-8637
TTY: 218-335-8632

File Code: 1950
Date: May 3, 2010

Honorable Eric Lipman
Administrative Law Judge
P. O. Box 64620
St. Paul, MN 55164

Dear Judge Lipman,

This letter replaces the letter sent to you via e-mail, dated April 30, 2010.

Thank you for the opportunity to comment on the Bemidji-Grand Rapids 230kV Transmission Line project in the matter of the application for a route permit. Otter Tail Power Company, Minnesota Power, and Minnkota Power Cooperative (Applicants) have proposed a route that includes federal land administered by the Chippewa National Forest (CNF).

Our role in this transmission line project is that of a Cooperating Federal Agency in the preparation of the Environmental Impact Statement (EIS). Throughout the process the agencies have been working to coordinate our respective authorities in order to make consistent and complementary decisions. My decision, documented in a Record of Decision (ROD), is whether to issue a Special Use Permit to the applicants authorizing them to occupy and use National Forest System (NFS) lands utilizing routes analyzed in the EIS.

As the ROD will state, special use authorizations are consistent with the 2004 Land and Resource Management Plan (Forest Plan) direction as long as the proposed use cannot be accommodated on non-NFS land. The Forest Plan states that the CNF generally will provide for utility transmission corridors and strives to emphasize the use of common corridors and multiple use sites when granting appropriate right-of-ways.

As the CNF implements the Forest Plan, we keep in mind our unique relationship with the Leech Lake Band of Ojibwe (LLBO). Approximately 40% of the CNF is located within the boundaries of the Leech Lake Reservation. Likewise approximately 90% of the Leech Lake Reservation overlaps the CNF. Beginning in the mid-19th century, the United States made treaties with the Ojibwe that created the reservation and ceded areas of land in northern Minnesota to the federal government. The treaties also reserved the right of the Ojibwe bands to hunt, fish, and gather within the treaty area. The Forest Service has committed through its Forest Plan to facilitate the overall ability of the Ojibwe to exercise these rights in a sustainable fashion on NFS lands. In Addition, government-to-government consultation is ongoing between the Forest Service and the LLBO. This consultation supports Executive Order 13175 (November 6, 2000), which also recognizes the sovereignty of federally recognized American Indian tribes and the special government-to-government relationship between the United States and American Indian tribes.

Judge Eric Lipman

The CNF as required by policy, direction, and law seeks to minimize affects to resources when implementing projects on NFS lands. With this letter I will outline key considerations of the CNF to aid the Public Utility Commission's route permit decision.

In development of the draft EIS, Alternative 1 and 2 were proposed by the applicant and Alternative 3 was developed to respond to the concerns of the LLBO. In general, each of the routes respond to separate issues with each having benefits and consequences. Alternative 1 was originally developed by the applicant and was driven by the desire to avoid the City of Cass Lake, a superfund site within the City of Cass Lake, and the pinch point between two lakes (Cass Lake and Pike Bay). Alternative 2 was proposed by the applicant as well; it is shorter and parallels the existing Enbridge Energy pipeline. Alternative 3 was proposed by the LLBO to largely avoid lands within the Leech Lake Reservation. All Alternatives will have some affects on treaty rights; however only Alternative 3 will have affects on treaty rights outside of the reservation boundary.

With the information available today, the CNF has evaluated each of the alternatives and has begun to identify benefits and impacts of the routes as highlighted below.

Early in the process the CNF has had concerns about Alternative 1 because it crosses the Pike Bay Experimental Forest where the research branch of the Forest Service conducts long term and ongoing research. The Forest Plan states that generally no new special use permits are allowed through the Pike Bay Experimental Forest. Additionally Alternative 1 includes a Goblin Fern study area and critical habitat for Goshawk nesting. This alternative primarily parallels the Great Lakes Gas pipeline which to date has been managed to have a minimal footprint; thus retaining the character of a closed forest canopy. Expanding this corridor by implementing Alternative 1 would result in a loss of the closed forest canopy. It is also worth noting that portions of this route contain spiritually and culturally significant areas for the LLBO, particularly the Ten Section and Cuba Hill areas. At this time Alternative 1 is the least desirable of the three routes from the perspective of the CNF.

Alternative 2 has advantages over Alternative 1 because it is the shortest of the routes and impacts less land, therefore impacts fewer resources partly due to the co-location along the Enbridge Energy pipeline right-of-way. Of the three alternatives this route crosses the least amount of wetlands and water courses. Conversely, the Forest Plan has attributed high scenic value the entire length of Alternative 2 through NFS lands. This high scenic value along with cumulative impacts with the trails, railroad and other utilities must be weighed.

Alternative 3, which parallels an existing transmission line for most of its length, was developed in response to the LLBO's desire to avoid the Leech Lake Reservation, thereby minimizing impacts to fishing, hunting and gathering on ceded lands. The benefits identified for this route include having the fewest known archaeological sites. This alternative is the longest of the three routes and has considerably more impacts to wetlands, water bodies, water courses, soils, forested areas, and biological resources.

Judge Eric Lipman

We appreciate the opportunity to comment regarding this project. If you have any questions please feel free to contact the Project Manager on the CNF, Catherine Thompson, at (218) 335-8655 or (cjthompson@fs.fed.us).

Sincerely,

/s/ Robert M. Harper
ROBERT M. HARPER
Forest Supervisor

cc: Cristi M Corey-Luse
Christine M Brown
Catherine J Thompson
Nancy S Larson
Joseph G Alexander
Stephanie Strength

From:	Schrenzel, Jamie (DNR)
To:	Steinhauer, Suzanne (COMM); stephanie.strength@wdc.usda.gov
Cc:	Colvin, Steve E (DNR); Doneen, Randall (DNR)
Subject:	DNR Bemidji - Grand Rapids Comments for OAH
Date:	Monday, May 03, 2010 11:56:23 AM
Attachments:	DNR_Comments_OAH_Bemidji-GrandRapidsTransmission100503.pdf DNR_DEIS_Comments_Bemidji-GrandRapids100426.pdf Ebfactsheet2008.pdf Ebflyer2008.pdf

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Good Morning,

A comment letter from the Minnesota Department of Natural Resources (DNR) to the Administrative Law Judge regarding the Bemidji to Grand Rapids Transmission Project (PUC Docket Number: E-017, E-015, ET-6/TL-07-1327 OAH Docket Number – 8-2500-20825-2) is attached with enclosures. The letter is a cover letter and summary of the Draft Environmental Impact comments from the DNR submitted April 26, 2010. These documents are being faxed to the Administrative Law Judge. A paper will be sent to the OES, the USDA and the Administrative Law Judge. Please let me know if any other information is needed.

Sincerely,

Jamie Schrenzel
Planner Principal
Environmental Review Unit
(651) 259-5115

Minnesota Department of Natural Resources

500 Lafayette Road • St. Paul, MN • 55155-40

Minnesota DEPARTMENT OF NATURAL RESOURCES

Post-it™ Fax Note 7671	Date 5/3/10 # of pages ▶ 16
To Judge Lipman	From Jamie Schrenzel
Co./Dept. Natural Rec.	Co. Env. Review
Phone #	Phone # 651-259-5115
Fax # 651-361-7936	Fax # 651-297-1500

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May 3, 2010

Honorable Eric L. Lipman
Administrative Law Judge
P.O Box 64620
600 North Robert Street
Saint Paul, MN 55164-0620

Re: Bemidji to Grand Rapids 230kV Transmission Project [PUC Docket Number: E-017, E-015, ET-6/TL-07-1327 OAH Docket Number – 8-2500-20825-2]

Dear Judge Lipman:

The Minnesota Department of Natural Resources (DNR) has reviewed the Bemidji to Grand Rapids 230kV Transmission Project Application for a Route Permit and Draft Environmental Impact Statement (DEIS). The most recent comments from the DNR are included in the enclosed comment letter to the Office of Energy Security dated April 26, 2010 regarding the DEIS.

The enclosed comment letter includes input on topics such as avian impacts, routing near public lands, rare species and recreational resources. The letter focuses particularly on a request for more thorough analysis of waterfowl and water bird use of the various route alternatives, along with estimates of avian risk for each alternative, or combination of alternatives. Generally, based on review of the DEIS, it appears that if proper avoidance, minimization and mitigation measures are utilized; the Route 2 Alternative following U.S. Highway 2 will have the least potential for significant resource impacts. The attached comments also include a review of specific sections of the DEIS in numerical order, recommendations based on DEIS review for route permit requirements and mitigation, and DNR License to Cross Permit information.

Please contact me if any clarification is needed regarding the enclosed comments or the summary provided above. DNR staff are also available for consultation with the applicant and Office of Energy Security regarding the comments provided.

Sincerely,

Jamie Schrenzel

Jamie Schrenzel
Principal Planner
Environmental Review Unit
(651) 259-5115

C: Suzanne Steinhauer, OES
Stephanie Strength, USDA

Enclosures: DNR 4/26/2010 Comment Letter

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Minnesota Department of Natural Resources
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April 26, 2010

Suzanne Steinhauer
Project Manager
Minnesota Office of Energy Security
85 7th Place East, Suite 500
St. Paul, Minnesota, 55101-2198

Re: Draft Environmental Impact Statement for the Bemidji to Grand Rapids 230kV Transmission Project [PUC Docket Number: E017, E015, ET6/TL-07-1327]

Dear Ms. Steinhauer:

The Minnesota Department of Natural Resources (DNR) has reviewed the Draft Environmental Impact Statement (DEIS) for the Bemidji to Grand Rapids 230 kV Transmission Project. For most topics, the DEIS provides a thorough and accurate impact analysis of items identified in the scoping documents. More information would be helpful, and concerns remain, for topics such as avian impacts, routing near public lands, rare species and recreational resources. A thorough analysis of waterfowl and water bird use of the various route alternatives, along with estimates of risk for each alternative, or combination of alternatives, should be included in the EIS. Generally, based on review of the DEIS, it appears that if proper avoidance, minimization and mitigation measures are utilized; the Route 2 Alternative following U.S. Highway 2 will have the least potential for significant resource impacts. The following comments are provided for your consideration including a review of specific sections of the document in numerical order, recommendations based on DEIS review for permit requirements and mitigation, and DNR License to Cross Permit information.

3.6 Wetlands

Though wetland filling on the line route will in most cases be less than one acre, access roads may require more fill. More details about wetland impacts and required mitigation plans would be a helpful addition to the EIS. Please note that the DNR administers the Wetland Conservation Act on State Lands.

3.7 Biological Resources

State Managed Lands
As indicated in the DEIS and permit application, some route alternatives and alternative route segments have the potential to cross State Wildlife Management Areas (WMA) or other publicly managed lands and easements. The expenditure of state, federal, and private dollars to purchase property or establish conservation easements indicates the importance of these areas to wildlife and recreation. It is the responsibility of the DNR to seek avoidance, minimization, and mitigation for potential impacts to public lands from transmission lines, substations, or road networks associated with the project.

Bemidji Slough WMA
The 50-acre Bemidji Slough WMA, Unit No. 1669, owned and managed by the DNR, and located at Section 28, T 146 N, R 33 W, is an emergent wetland and upland grassland complex surrounded by wetlands, agricultural lands, and residential and commercial development. The WMA is within the Bemidji State Game Refuge.

The purpose of the Bemidji Slough WMA is to protect the wetland habitat complex and to provide upland nesting habitat for waterfowl and grassland nesting songbirds. While no waterfowl hunting is allowed on the WMA or within the encompassing state game refuge, deer and other small game hunting is permissible. In addition, because of its close proximity to the City of Bemidji and U.S. Highways 2 and 71, the WMA is a popular wildlife viewing area.

Due to the pressures and cumulative influences of residential and commercial development, adjacent roadways, agriculture, and the City of Bemidji, including a gas pipeline bisecting the WMA, managing Bemidji Slough WMA as a natural and functioning ecosystem is a challenge.

Transmission line encroachments into this WMA may result in changes in avifaunal activity, avian mortality risk (*further described in DNR comments on 3.7.2.3*), recreational usage and noxious invasive plant prevalence. Use of either a northerly or a southerly part of Route J could avoid direct encroachments on the WMA. However, a wetland complex associated with the WMA extends to the south of the WMA. Use of the southerly portion of Segment J would further fragment this wetland ecosystem. In addition, this route would not avoid other mentioned potential impacts to the extent practicable. Therefore, utilization of a route north of the WMAs north boundary, between the Bemidji Slough WMA and the adjacent businesses, or north of the businesses adjacent to U.S. Highway 2, would both avoid and minimize potential aforementioned impacts.

Hole- in-the-Bog Peatland Scientific and Natural Area (SNA)
This 1,622-acre peatland is the state's best example of a basin-filled raised bog characterized by a single well-defined, crested raised bog and a peatland lake. It provides a valuable setting for peatland research, being the most southwesterly peatland SNA, and one of the few SNAs outside of a major glacial lake plain.

The DEIS indicates that both Route 1 and 2 avoid direct impacts to this SNA, and that remaining indirect impacts are those associated with aesthetics. This SNA is part of a much larger wetland complex that buffers and contributes to the integrity of the Peatland SNA proper. Utilization of Route 2 following the U.S. Highway 2, instead of Route 1 in this area, would minimize indirect impacts to the SNA.

3.7 Biological Resources

The issue of bird collisions should be more specifically addressed regarding sensitive locations, mitigation and monitoring. Each corridor crosses important waterfowl flyways. The north corridor crosses the Bowstring and Popple rivers at the outlets of Rice and Natures Lakes. The eastern 15 miles of proposed Routes 1 and 2, from the Boswell Energy Center to the Mississippi river, bisect areas where significant numbers of waterfowl are present in the spring and fall. The water bodies are: Mud and Goose Lakes, Lake Winnibigoshish, Ball Club Lake, White Oak Lake, Little White Oak Lake, Blackwater Lake, Boswell Energy settling ponds, Bass Lake and the Mississippi River flood plain. Waterfowl fly back and forth from these water bodies, often in the dark, to and from feeding areas and security areas. Bisecting this complex with a 100 foot high transmission line may cause a high potential for bird strikes. Mud Lake Refuge has held up to 6,200 ducks in recent years. The Boswell settling ponds have held up to 1,500 mallards and 3,500 Canada Geese. Lake Winnibigoshish can also be a major resting area for scaup ducks and other diving ducks during the fall migration. Numerous known eagle territories exist in the corridor areas and young eagles are especially prone to hitting transmission lines. Other species that would be of concern include: peregrine falcon, great gray owl, osprey, northern goshawk, colonial waterbirds, herons, terns, bitterns, swans, and loons.

Although the central corridor is highly industrial relative to other land uses in this region, large patches of woodland exist near the corridor that hold interior forest bird species and provide habitat to species that

need large forest tracts. Some of these patches are over one square mile with only narrow trails or roads. To decrease the level of fragmentation of woodlots and wetlands, proper alignment within chosen routes will be important. Please include a discussion in the FEIS of how the project would affect these large patches of woodland.

The DNR recommends that the proposer provide a detailed plan to address avian risk, including installation of bird diverters, lowering lines, providing alternate locations of transmission lines, line separation distance, possibly supplying power underground when necessary, or other measures as outlined in the recommendations section of this document.

Appendix G indicates flight diverters would be installed where the new route would cross known flyways, or near large wetlands, impoundments, and lakes. Locations would be determined in consultation with State and Federal agencies. There is no discussion of mitigation or concern in the main document and no other mitigation techniques are included. A more thorough discussion on this topic is necessary to identify specific areas and to provide adequate mitigation and monitoring for bird collisions.

3.7.2.1 Vegetation Cover

This section indicates that, "Based upon MnDNR Natural Heritage Information System (NHIS) and data available from the MnDNR Data Deli, no rare or sensitive vegetation communities occur within the route or segment alternatives. Therefore, there would be no impacts to any rare or sensitive vegetation communities." The conclusion in the conclusion in the second sentence is an incorrect deduction from the first sentence. NHIS data are not based on an exhaustive inventory of the state. If there is a lack of data for a geographic area, the area should not be considered to have no significant features present. In this case, the Minnesota County Biological Survey (MCBS) has been completed for portions of the project area, but it should be clear that the MCBS has not been completed for the entire project area. Existing data is preliminary and has not been divided into native community types in areas. Therefore, conclusions should not be based on MCBS data alone. Section 5.3 of Appendix G clearly describes many plant communities containing rare and sensitive plant species. The EIS discussion and conclusions should be based on all available information (e.g. Appendix G – Biological Assessment and Evaluation, previous survey work, etc.). Rare species surveys may be needed if avoidance of native plant communities is not feasible.

3.7.2.3 Fauna

It is unclear whether the recommendations of the Avian Power Line Interaction Committee (APLIC) will be followed to minimize electrocution of birds, including recommendations regarding the design of the power lines, markers on the lines, and addressing the presence of nesting and roosting birds. This did not appear to be explicitly stated. Specific measures should be addressed in the EIS to prevent electrocution and lessen bird strikes. Bird strikes and bird electrocution are concerns for all three route alternatives of the proposed transmission line corridor.

DNR Wildlife staff believe that transmission lines constructed through areas frequently used by waterfowl and other avian species can potentially cause a significant enough disturbance to negatively affect avifaunal activities such as feeding, resting, and nesting.

Overhead transmission lines and associated structures constructed through important habitats such as lakes, rivers and wetlands can potentially increase waterfowl and other avian morality in two ways: 1) by providing artificial perching sites for raptors to hunt from, thereby increasing waterfowl depredation, and 2) by impeding avian flyway routes, thereby increasing avian mortality due to collisions with power lines and associated structures.

Considering these concerns, monitoring is an important topic to address. The DNR recommends that mortality of birds from electrocution or strike be reported to the DNR. The DNR also recommends that the right-of-way be open to surveys so that local research may be conducted to study the effects of transmission lines on birds.

Although certain types of impacts may be similar between various project alternatives, the amount of impact will not. The alternatives are variable in length, types and quality of habitat and resources crossed, and species present. For example:

- Many of the stream crossings associated with Alternative 3 do not currently have infrastructure crossings.
- Many of the forests associated with Alternative 3 consist of larger blocks of contiguous forest.
- Alternative 3 is the longest in length.

Therefore, it is inaccurate to state in this section that the impacts will remain the same between routes relative to wildlife. A more thorough impact analysis should be provided for each alternative including estimates of annual mortality due to power line collision and significance of impact relative to population.

3.8 Species of Special Concern

Natural Heritage Information System (NHIS) data is an important topic for discussion and in the EIS. However, coverage is not equal throughout the three project corridors in the DEIS. The MCBS is typically limited in coverage to public lands, and there is not an equal amount of public lands among the three routes. The EIS should consider and disclose the limitations of MCBS data.

A thorough analysis of waterfowl and water bird use of the various route alternatives, along with estimates of risk and annual bird mortality for each alternative or combination of alternatives, should be included in the EIS. An annual cost estimate using DNR restitution values as surrogate for mitigation costs could be provided as a mechanism for quantifying avian effects and mitigation.

This section limits the review to species found within the route alternatives. It is standard practice for NHIS reviews to search for rare species within a one mile radius around project boundaries. For example, by not using a buffer, the DEIS does not identify that peregrine falcons (*Falco peregrines*), a state-listed threatened bird, have nested in close proximity to the Route 1 area. Similarly, it is incorrect to state that mussel species of special concern have been documented in Route 3, but not Routes 1 and 2. Rare mussels have also been documented in the streams and rivers that Routes 1 and 2 cross. The mitigation measures included on page 222 should be considered in these areas as well.

Table 3.8-5 contains several errors: In the column titled "listing status" under "State," the plant Ram's Head Lady's Slipper should by "T" for Threatened, Triangle Moonwort should be "T," Goblin Fern should be "SC" for Special Concern, Pale Moonwort should be "E" for Endangered, and St. Lawrence Grapefern should be labeled as "T." The common name for Botrichium simplex is Least Moonwort, and the State status should be "SC." White Adder's-mouth should be "SC," and Clustered Bur-reed should have a State status of "SC.

3.13 Recreation and Tourism

Reference should be made to Minnesota's identified Water Trails. Please see the following webpage for more information on Minnesota's Water Trails: http://www.dnr.state.mn.us/watertrails/index.html. High Voltage Transmission Line (HVTL) construction can have visual impacts and affect the experience of recreational users of these canoe-boating routes.

Noteworthy areas of potential aesthetic impact are the crossing of the Mississippi River at the Power Dam on Beltrami County Road 12, Popple and Bowstring Rivers south of Dora Lake, and headwaters streams of the Big Fork River also south of Dora Lake.

Appendix G - Biological Assessment and Evaluation

Generally, it would be helpful if the information and data included in Appendix G was summarized in the main DEIS text. The following specific comments are offered regarding appendix G.

Page 3-3 Old Growth

In addition to the one old growth stand located in the route that is referred to, DNR designated old growth stands adjacent to the routes are also important to discuss. The ecological integrity of these old growth stands can be compromised if too much disturbance occurs in the area surrounding the stand. The DNR tries to maintain old forest conditions around these old growth stands using special management zones and old forest management complexes. At a minimum, any construction activities within 330 feet of an old growth stand should be discussed in the EIS. Forest loss, fragmentation, and spread of invasive species are the main concerns.

Page 3-3 MCBS

There are several MCBS sites rated as "Outstanding" in Cass County within the routes. Though there may be a typo in the county reference, it appears that these sites are not addressed in Appendix G.

Page 4-6 Goshawks and Page 5-7 Goshawks Table 5.2.1.

There is at least one Goshawk territory within 1000 ft of the routes located near Sucker Lake in close proximity to Route 1. More than 0.4 acre of Route 1 is located within the nesting area of Sucker Lake. It is unclear what size buffers around the nest were used in this analysis. It is important to show the reader how the values were calculated as it appears there is a discrepancy. If possible, construction and logging should not occur within at least 500 meters of an active nest during the breeding season of February 1st through August 1st.

The number of goshawk territories affected by the various routes differs within the DEIS. For example Chapter 3 Table 3.8.1 is different from Appendix G Table 5.2.1 and Appendix G Table 5.2.1 and Table 7.1. Explanation is needed about why these numbers differ so that alternatives can be adequately compared.

The DNR recommends that the Natural Heritage Information System is re-checked just before construction begins to see if there are any newly documented locations of tracked species within the routes.

Page 5-32 Direct and Indirect Effects

This section should refer to the new federal guidelines and note that all nest trees will be excluded from harvest. The protections mentioned may not satisfy the federal guidelines. It may be helpful to consult with the USFWS staff person Mags Rheude at 612-725-3548 ext. 2202 to obtain more information regarding these guidelines.

Page 5-62 Blanding's Turtle

Blanding's Turtle (State "T") are mentioned as occurring in the study area, yet in the rare species reptile section on page 200 of the DEIS, the species is not mentioned. Discussion of this species should be added to the EIS text and narrative.

General Recommendations for Permit Requirements and Mitigation

The following comments include recommendations for permit requirements or mitigation based on DNR staff review of the DEIS:

The permit should require that the applicant complete an overall Construction Environmental Control Plan (CECP) to make sure that appropriate systems are in place to ensure compliance with various permit and project plans. CEPC's typically contain additional environmental documents (e.g. Agricultural Impact Mitigation Plans, Environmental Mitigation Plans, Re-vegetation and Restoration Plans, Pollution Prevention Plan, etc.), policies, permits, plans and protocols which, when implemented, will minimize and/or mitigate the potential impacts associated with transmission line construction.

As a component of the CECP, the applicant should include an Environmental Mitigation Plan (EMP) which provides an outline of construction-related environmental policies, procedures, and mitigations measures developed by CAPX for the transmission line project. An inventory of publically managed lands, rare features, water bodies, wetlands, sites of biodiversity significance, recreational trails, native prairie and habitat complexes should be included in the plan. Avoidance, minimization and mitigation measures for each resource should also be included in the plan. The DNR recommends that appropriate avoidance, minimization and mitigation be discussed and agreed upon as part of the permitting process.

The DEIS indicates that an avian protection plan is being prepared. Either a draft of the plan or specific monitoring and mitigation measures within the plan should be included in the EIS. It is recommended that the permit require the final plan to be completed in accordance with the *Suggested Practices for Avian Protection on Power Lines: State of the Art in 2006 (APLIC, 2006)*, be developed with consultation from the DNR, and be included in the CECP.

On other large projects similar to the Bemidji to Grand Rapids Transmission Project, applicants have been required to hire third-party agency monitors to work with and supplement agency field presence. These monitors also satisfy reporting expectations and help to ensure that impacts to protected resources are avoided and/or minimized. It appears that under the current proposal, the use of agency monitors is not planned. A permit requirement for the use of applicant or owner funded agency monitors would be beneficial and is a model that has worked well on other projects.

The route permit should require that a riparian corridor consisting of shrub or low growing woody species be protected and maintained within 35 feet of all public waters and public waters wetlands. This practice is outlined in Natural Resources Conservation Service (NRCS) Conservation Standard 391. The use of herbicide and pesticides should also be restricted in these areas during maintenance. Only woody vegetation that would interfere with the power lines should be trimmed or cleared. Woody vegetation plays an important role in providing habitat for wildlife along riparian corridors as well as providing shading of streams. This is especially important for cold and cool-water streams (e.g. Necktie River and tributaries). Another benefit of leaving woody vegetation is mitigation for providing Off Highway Vehicle (OHV) access to the streams. Utility crossings have become popular areas for OHVs to access and cross streams, which can result in bank instability and erosion.

The permit should require that the Project span waterways and wetlands, where possible, to minimize potential effects on water quality, wildlife, recreation, and aesthetics.

The DNR would encourage commitment from the project proposer to install replacement nesting structures at all locations where osprey build along future transmission line routes. H frame construction is especially attractive to osprey. It is possible that with new regulations, the project proposer would be

removing nests of the species, so the replacement nest structures would serve as mitigation for this impact.

The permit should require that, when possible, the HVTL be co-located with existing utility lines crossing at all existing public water crossings.

The permit should require that, in environmentally sensitive areas, with landowner or agency consent, barriers be constructed to limit unauthorized OHV or other vehicle access to the project Right-Of-Way (ROW).

MDNR Land and Water Crossing Licenses

The following DNR permitting information is provided at this stage in the environmental review and route permitting process for the project proposer, Office of Energy Security and Public Utilities Commission planning and coordination purposes and for consideration in the FEIS:

The review and issuance of DNR land and water crossing licenses are coordinated by the DNR Division of Lands & Minerals. The proposed project spans four counties in two DNR regions (NW and NE). The Lands & Minerals Regional Supervisor in Itasca County is Joe Rokala (218/999-7894) and the Lands & Minerals Regional Supervisor in the NW Region for all the counties to the west is Cindy Buttleman (218/308-2627). The project proposer should contact Joe and Cindy to schedule a pre-application meeting to discuss administrative procedures for submitting the land and water crossing applications for this project.

The project proposer should allow adequate time for review and modification of the license applications after the completion of environmental review. The following information should be included in the license applications:

1. Length and width of each proposed state land and public water depicted on maps and plan sheets. Each crossing must be identified by legal description to the forty.
2. Clearing activities, construction methods, schedule, and staging of operations including equipment and materials storage proposed on state land or in public waters.
3. Permanent and temporary access points to the proposed ROW affecting state land or public waters.
4. Temporary work areas on state land adjacent to the ROW that may be needed during construction. These areas should be clearly delineated and identified in the application materials.
5. General location of existing utility lines or transportation ROWs within or near the proposed ROW on state land or in public waters.
6. State trails or Grant in Aid trails proposed to be crossed.
7. Location and design of tower structures including proposed methods for disposal or wasting of the back dirt resulting from the excavation of the tower footings.
8. Restoration methods including proposed seed mixes and invasive species control measures.

9. ROW maintenance methods and schedule on state land or in public waters.

In addition, the project proposer should be aware of the following points related to the licensing of state land and public water crossings:

1. DNR invasive species standards will apply to state-administered lands and public waters to include cleaning of equipment.

2. Certain pesticides are restricted from use on certified forest lands. Adequate notice of herbicide or pesticide use on state lands will be required and only approved herbicides will be allowed.

3. Use of native species for re-vegetation and clean weed free straw for mulch will be required on certain state land and public water crossings.

4. In-stream work on certain public waters, such as trout streams, must be avoided at prescribed times to accommodate fish spawning.

5. State lands purchased with the assistance of various Federal grant programs may require mandatory federal aid review and approval before the license can be issued. Supplemental information may be required for the federal review. If federal approval is required, additional time will be needed to process the application.

6. If a state land parcel becomes isolated due the construction of the ROW, the project proposer must provide access to the isolated state land across the ROW.

7. A monitoring fee will be assessed for DNR projected reasonable costs for monitoring the construction of the utility line and preparing special terms and conditions of the license to ensure proper construction. Independent environmental monitors may also be required during construction.

8. Permission for temporary access to the ROW across state land is considered a separate transaction and may be granted through a lease. Requests for temporary access are subject to review and approval, and in some cases may not be granted. Allow adequate time for processing access lease requests.

The DNR appreciates the opportunity to provide input regarding the DEIS for the Bemidji to Grand Rapids 230 kV Transmission Project. Further coordination with the DNR regarding flyways sensitive to avian impacts and associated mitigation plans is needed. Coordination with the project proposer is currently ongoing regarding threatened and endangered species and should also continue. If any clarification is needed regarding the provided comments, please contact me.

Sincerely,

Jamie Schrenzel

Jamie Schrenzel
Principal Planner
Environmental Review Unit
(651) 259-5115

Enclosures: 2

Environmental Review Fact Sheet Series

Endangered, Threatened, and Special Concern Species of Minnesota

Blanding's Turtle

(Emydoidea blandingii)

Minnesota Status:	Threatened	State Rank[1]:	S2
Federal Status:	none	Global Rank[1]:	G4

HABITAT USE

Blanding's turtles need both wetland and upland habitats to complete their life cycle. The types of wetlands used include ponds, marshes, shrub swamps, bogs, and ditches and streams with slow-moving water. In Minnesota, Blanding's turtles are primarily marsh and pond inhabitants. Calm, shallow water bodies (Type 1-3 wetlands) with mud bottoms and abundant aquatic vegetation (e.g., cattails, water lilies) are preferred, and extensive marshes bordering rivers provide excellent habitat. Small temporary wetlands (those that dry up in the late summer or fall) are frequently used in spring and summer -- these fishless pools are amphibian and invertebrate breeding habitat, which provides an important food source for Blanding's turtles. Also, the warmer water of these shallower areas probably aids in the development of eggs within the female turtle. Nesting occurs in open (grassy or brushy) sandy uplands, often some distance from water bodies. Frequently, nesting occurs in traditional nesting grounds on undeveloped land. Blanding's turtles have also been known to nest successfully on residential property (especially in low density housing situations), and to utilize disturbed areas such as farm fields, gardens, under power lines, and road shoulders (especially of dirt roads). Although Blanding's turtles may travel through woodlots during their seasonal movements, shady areas (including forests and lawns with shade trees) are not used for nesting. Wetlands with deeper water are needed in times of drought, and during the winter. Blanding's turtles overwinter in the muddy bottoms of deeper marshes and ponds, or other water bodies where they are protected from freezing.

LIFE HISTORY

Individuals emerge from overwintering and begin basking in late March or early April on warm, sunny days. The increase in body temperature which occurs during basking is necessary for egg development within the female turtle. Nesting in Minnesota typically occurs during June, and females are most active in late afternoon and at dusk. Nesting can occur as much as a mile from wetlands. The nest is dug by the female in an open sandy area and 6-15 eggs are laid. The female turtle returns to the marsh within 24 hours of laying eggs. After a development period of approximately two months, hatchlings leave the nest from mid-August through early-October. Nesting females and hatchlings are often at risk of being killed while crossing roads between wetlands and nesting areas. In addition to movements associated with nesting, all ages and both sexes move between wetlands from April through November. These movements peak in June and July and again in September and October as turtles move to and from overwintering sites. In late autumn (typically November), Blanding's turtles bury themselves in the substrate (the mud at the bottom) of deeper wetlands to overwinter.

IMPACTS / THREATS / CAUSES OF DECLINE

- loss of wetland habitat through drainage or flooding (converting wetlands into ponds or lakes)
- loss of upland habitat through development or conversion to agriculture
- human disturbance, including collection for the pet trade* and road kills during seasonal movements
- increase in predator populations (skunks, raccoons, etc.) which prey on nests and young

*It is illegal to possess this threatened species.

RECOMMENDATIONS FOR AVOIDING AND MINIMIZING IMPACTS

These recommendations apply to typical construction projects and general land use within Blanding's turtle habitat, and are provided to help local governments, developers, contractors, and homeowners minimize or avoid detrimental impacts to Blanding's turtle populations. **List 1** describes minimum measures which we recommend to prevent harm to Blanding's turtles during construction or other work within Blanding's turtle habitat. **List 2** contains recommendations which offer even greater protection for Blanding's turtles populations; this list should be used *in addition to the first list* in areas which are known to be of state-wide importance to Blanding's turtles (contact the DNR's Natural Heritage and Nongame Research Program if you wish to determine if your project or home is in one of these areas), or in any other area where greater protection for Blanding's turtles is desired.

List 1. Recommendations for all areas inhabited by Blanding's turtles.	**List 2. *Additional* recommendations for areas known to be of state-wide importance to Blanding's turtles.**
GENERAL	
A flyer with an illustration of a Blanding's turtle should be given to all contractors working in the area. Homeowners should also be informed of the presence of Blanding's turtles in the area.	Turtle crossing signs can be installed adjacent to road-crossing areas used by Blanding's turtles to increase public awareness and reduce road kills.
Turtles which are in imminent danger should be moved, by hand, out of harms way. Turtles which are not in imminent danger should be left undisturbed.	Workers in the area should be aware that Blanding's turtles nest in June, generally after 4pm, and should be advised to minimize disturbance if turtles are seen.
If a Blanding's turtle nests in your yard, do not disturb the nest.	If you would like to provide more protection for a Blanding's turtle nest on your property, see "Protecting Blanding's Turtle Nests" on page 3 of this fact sheet.
Silt fencing should be set up to keep turtles out of construction areas. It is critical that silt fencing be removed after the area has been revegetated.	Construction in potential nesting areas should be limited to the period between September 15 and June 1 (this is the time when activity of adults and hatchlings in upland areas is at a minimum).
WETLANDS	
Small, vegetated temporary wetlands (Types 2 & 3) should not be dredged, deepened, filled, or converted to storm water retention basins (these wetlands provide important habitat during spring and summer).	Shallow portions of wetlands should not be disturbed during prime basking time (mid morning to mid- afternoon in May and June). A wide buffer should be left along the shore to minimize human activity near wetlands (basking Blanding's turtles are more easily disturbed than other turtle species).
Wetlands should be protected from pollution; use of fertilizers and pesticides should be avoided, and run-off from lawns and streets should be controlled. Erosion should be prevented to keep sediment from reaching wetlands and lakes.	Wetlands should be protected from road, lawn, and other chemical run-off by a vegetated buffer strip at least 50' wide. This area should be left unmowed and in a natural condition.
ROADS	
Roads should be kept to minimum standards on widths and lanes (this reduces road kills by slowing traffic and reducing the distance turtles need to cross).	Tunnels should be considered in areas with concentrations of turtle crossings (more than 10 turtles per year per 100 meters of road), and in areas of lower density if the level of road use would make a safe crossing impossible for turtles. Contact your DNR Regional Nongame Specialist for further information on wildlife tunnels.
Roads should be ditched, not curbed or below grade. If curbs must be used, 4 inch high curbs at a 3:1 slope are preferred (Blanding's turtles have great difficulty climbing traditional curbs; curbs and below grade roads trap turtles on the road and can cause road kills).	Roads should be ditched, not curbed or below grade.

ROADS cont.	
Culverts between wetland areas, or between wetland areas and nesting areas, should be 36 inches or greater in diameter, and elliptical or flat-bottomed.	Road placement should avoid separating wetlands from adjacent upland nesting sites, or these roads should be fenced to prevent turtles from attempting to cross them (contact your DNR Nongame Specialist for details).
Wetland crossings should be bridged, or include raised roadways with culverts which are 36 in or greater in diameter and flat-bottomed or elliptical (raised roadways discourage turtles from leaving the wetland to bask on roads).	Road placement should avoid bisecting wetlands, or these roads should be fenced to prevent turtles from attempting to cross them (contact your DNR Nongame Specialist for details). This is especially important for roads with more than 2 lanes.
Culverts under roads crossing streams should be oversized (at least twice as wide as the normal width of open water) and flat-bottomed or elliptical.	Roads crossing streams should be bridged.
UTILITIES	
Utility access and maintenance roads should be kept to a minimum (this reduces road-kill potential).	
Because trenches can trap turtles, trenches should be checked for turtles prior to being backfilled and the sites should be returned to original grade.	
LANDSCAPING AND VEGETATION MANAGEMENT	
Terrain should be left with as much natural contour as possible.	As much natural landscape as possible should be preserved (installation of sod or wood chips, paving, and planting of trees within nesting habitat can make that habitat unusable to nesting Blanding's turtles).
Graded areas should be revegetated with native grasses and forbs (some non-natives form dense patches through which it is difficult for turtles to travel).	Open space should include some areas at higher elevations for nesting. These areas should be retained in native vegetation, and should be connected to wetlands by a wide corridor of native vegetation.
Vegetation management in infrequently mowed areas -- such as in ditches, along utility access roads, and under power lines -- should be done mechanically (chemicals should not be used). Work should occur fall through spring (after October 1st and before June 1st).	Ditches and utility access roads should not be mowed or managed through use of chemicals. If vegetation management is required, it should be done mechanically, as infrequently as possible, and fall through spring (mowing can kill turtles present during mowing, and makes it easier for predators to locate turtles crossing roads).

Protecting Blanding's Turtle Nests: Most predation on turtle nests occurs within 48 hours after the eggs are laid. After this time, the scent is gone from the nest and it is more difficult for predators to locate the nest. Nests more than a week old probably do not need additional protection, unless they are in a particularly vulnerable spot, such as a yard where pets may disturb the nest. Turtle nests can be protected from predators and other disturbance by covering them with a piece of wire fencing (such as chicken wire), secured to the ground with stakes or rocks. The piece of fencing should measure at least 2 ft. x 2 ft., and should be of medium sized mesh (openings should be about 2 in. x 2 in.). It is ***very important*** that the fencing be **removed <u>before August 1st</u>** so the young turtles can escape from the nest when they hatch!

REFERENCES

[1]Association for Biodiversity Information. "Heritage Status: Global, National, and Subnational Conservation Status Ranks." NatureServe. Version 1.3 (9 April 2001). http://www.natureserve.org/ranking.htm (15 April 2001).

Coffin, B., and L. Pfannmuller. 1988. Minnesota's Endangered Flora and Fauna. University of Minnesota Press, Minneapolis, 473 pp.

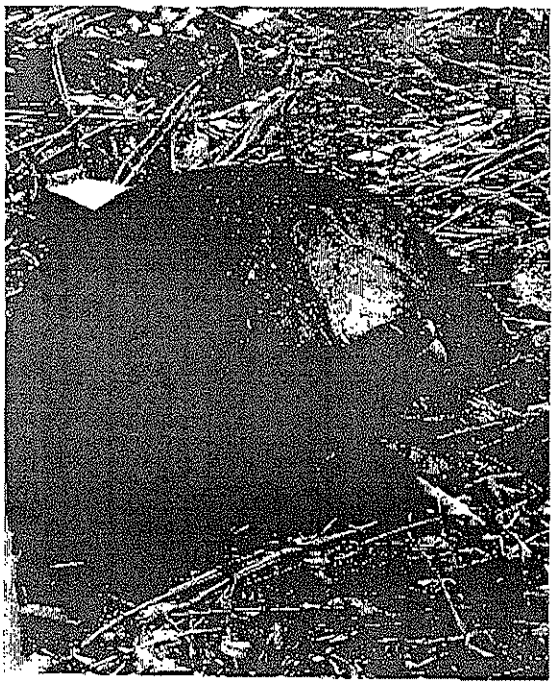
REFERENCES (cont.)

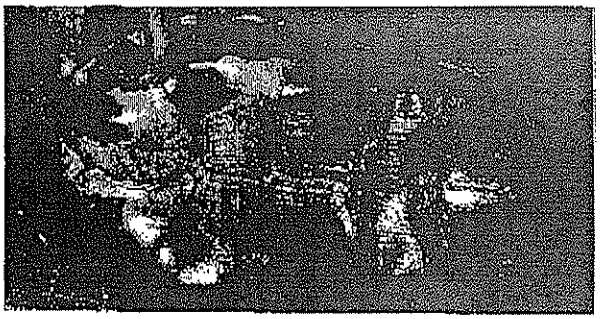
Moriarty, J. J., and M. Linck. 1994. Suggested guidelines for projects occurring in Blanding's turtle habitat. Unpublished report to the Minnesota DNR. 8 pp.

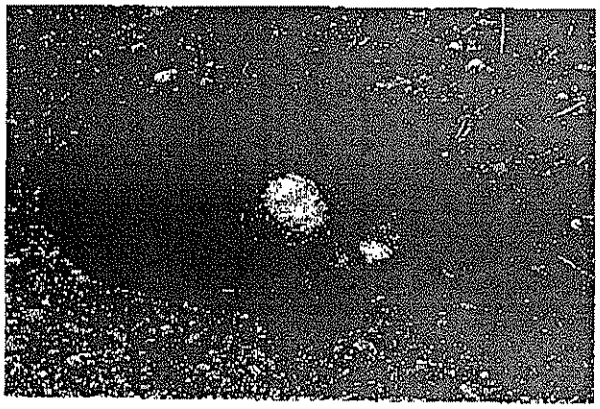
Oldfield, B., and J. J. Moriarty. 1994. Amphibians and Reptiles Native to Minnesota. University of Minnesota Press, Minneapolis, 237 pp.

Sajwaj, T. D., and J. W. Lang. 2000. Thermal ecology of Blanding's turtle in central Minnesota. Chelonian Conservation and Biology 3(4):626-636.

CAUTION







BLANDING'S TURTLES

MAY BE ENCOUNTERED IN THIS AREA

The unique and rare Blanding's turtle has been found in this area. Blanding's turtles are state-listed as Threatened and are protected under Minnesota Statute 84.095, Protection of Threatened and Endangered Species. Please be careful of turtles on roads and in construction sites. For additional information on turtles, or to report a Blanding's turtle sighting, contact the DNR Nongame Specialist nearest you: Bemidji (218-308-2641); Grand Rapids (218-327-4518); New Ulm (507-359-6033); Rochester (507-280-5070); or St. Paul (651-259-5764).

DESCRIPTION: The Blanding's turtle is a medium to large turtle (5 to 10 inches) with a black or dark blue, dome-shaped shell with muted yellow spots and bars. The bottom of the shell is hinged across the front third, enabling the turtle to pull the front edge of the lower shell firmly against the top shell to provide additional protection when threatened. The head, legs, and tail are dark brown or blue-gray with small dots of light brown or yellow. A distinctive field mark is the bright yellow chin and neck.

BLANDING'S TURTLES DO NOT MAKE GOOD PETS
IT IS ILLEGAL TO KEEP THIS THREATENED SPECIES IN CAPTIVITY

SUMMARY OF RECOMMENDATIONS FOR AVOIDING AND MINIMIZING IMPACTS TO BLANDING'S TURTLE POPULATIONS

(see Blanding's Turtle Fact Sheet for full recommendations)

- This flyer should be given to all contractors working in the area. Homeowners should also be informed of the presence of Blanding's turtles in the area.
- Turtles that are in imminent danger should be moved, by hand, out of harms way. Turtles that are not in imminent danger should be left undisturbed to continue their travel among wetlands and/or nest sites.
- If a Blanding's turtle nests in your yard, do not disturb the nest and do not allow pets near the nest.
- Silt fencing should be set up to keep turtles out of construction areas. It is critical that silt fencing be removed after the area has been revegetated.
- Small, vegetated temporary wetlands should not be dredged, deepened, or filled.
- All wetlands should be protected from pollution; use of fertilizers and pesticides should be avoided, and run-off from lawns and streets should be controlled. Erosion should be prevented to keep sediment from reaching wetlands and lakes.
- Roads should be kept to minimum standards on widths and lanes.
- Roads should be ditched, not curbed or below grade. If curbs must be used, 4" high curbs at a 3:1 slope are preferred.
- Culverts under roads crossing wetland areas, between wetland areas, or between wetland and nesting areas should be at least 36 in. diameter and flat-bottomed or elliptical.
- Culverts under roads crossing streams should be oversized (at least twice as wide as the normal width of open water) and flat-bottomed or elliptical.
- Utility access and maintenance roads should be kept to a minimum.
- Because trenches can trap turtles, trenches should be checked for turtles prior to being backfilled and the sites should be returned to original grade.
- Terrain should be left with as much natural contour as possible.
- Graded areas should be revegetated with native grasses and forbs.
- Vegetation management in infrequently mowed areas -- such as in ditches, along utility access roads, and under power lines -- should be done mechanically (chemicals should not be used). Work should occur fall through spring (after October 1st and before June 1st).

Compiled by the Minnesota Department of Natural Resources Division of Ecological Resources, Updated March 2008
Endangered Species Environmental Review Coordinator, 500 Lafayette Rd., Box 25, St. Paul, MN 55155 / 651-259-5109

****
*** RX REPORT ***
****

RECEPTION OK

TX/RX NO	7707
RECIPIENT ADDRESS	6512971500
DESTINATION ID	
ST. TIME	05/03 12:51
TIME USE	11'21
PGS.	16
RESULT	OK

May 4, 2010

Jon Eggers
P.O. Box 204
Blackduck, MN 56630

RECEIVED
10 MAY -7 AM 7:52
ADMINISTRATIVE HEARINGS

Honorable Eric L. Lipman
Administrative Law Judge
P.O. Box 64620
600 North Robert Street
St. Paul, MN 55164-0620

Your Honor,

I am writing this letter to you on the matter of a HVTL between Grand Rapids, MN and Bemidji, MN.

PUC Docket Number: E-017, E-015, ET-6/TL-07-1327
OAH Docket Number-8-2500-20825-2

Sir, I have never been contacted or informed about any of the public meetings or comment periods for this entire matter. My neighbor told me about this issue late last week and showed me a letter with public hearing dates and locations. I called Ray Kirsch on 5/3/10 and he told me it was probably a simple mistake that I did not end up on a mailing list and that I write you a letter with my comments. Looking at my neighbors letter I have missed many deadlines and I do not believe I should be left out of this process due to an oversight on someone else's part.

The first point I would like to make is if Bemidji needs the power then Otter Tail Power should add on to their simple cycle gas turbine plant that **already** exist nears Solway, MN. The infrastructure is already in that area. This new line would be completely unnecessary if that approach was taken thus not impacting the land owners in the proposed route, the Chippewa National Forest, or Leech Lake Reservation. Additionally, a gas turbine burning natural gas pollutes far less than a coal fired plant for the the same megawatts produced. The applicants could also contact Caterpillar about power plant options based on the 3600 series engines and place the plant at the load making a transmission line almost completely unnecessary. I believe these options would also be more cost effective for the applicants.

My second point is land value. There is no doubt in my mind the value of my land will drop and the taxes will not. I would not have purchased my property if a HVTL were on it and I don't believe I could get a fair market value if I could sell it. I do not have a tree

line that could possibly hide the line and the right of way itself, 5.6 acres, is 14% of my property. Two years ago my plot of land was reclassified into Residential-Homestead Rural Vacant Land and split into approximately a 10 acre and a 28 acre parcel according to the Itasca County website. My assumption is that rural vacant land is easy to take under the Eminent Domain Statutes regardless of the three bedroom home and two out buildings being used on the property. My second assumption is that the reclassification of my property and this HVTL route go hand in hand.

My final point is the corridor along U.S. Hwy 2 already exists if a HVTL is truly necessary. In the recent past we have heard that the Bemidji Airport is going to expand and hasn't. The Ainsworth OSB mill was closed, then reopened with less capacity. A huge lot was cleared five years ago for a mall that has yet to be built. I can't believe that the new convention center or new Menards would require a HVTL for their needs. I don't see the need for this new HVTL until heavy industry decides to come here and stay.

Your Honor, Thank You very for your consideration in this matter.

Sincerely,

Jon Eggers

Jon Eggers

Eric Lipman

From: Daniel J. Gartrell [gartrell@paulbunyan.net]
Sent: Wednesday, April 28, 2010 6:18 PM
To: Eric.Lipman@state.mn.us
Subject: Not Proposed Route #3

To Honorable Eric I Lipman, Administrative Judge,

In your hearings about the routing of the power line from Bemidji east to Grand Rapids, please adopt Route #1 or #2 and Not Route #3. As you know the first two routes are more direct; rights of way will be less of a problem; and fewer residents will feel put-upon by less than far-sighted government decision making.

We respect your judgments in this matter, but request that Route #3 be set aside and selection be made from Proposed Routes #1 or #2.

Sincerely,

Dan Gartrell
Forty-two year resident
Long Lake in Turtle River Township

Dale & Jane Grasdalen
920 Oak Hills RD SE
Bemidji, MN 56601
Phone: 218-333-3709
grasdale@paulbunyan.net

RECEIVED
2010 MAY -3 AM 8:41
ADMINISTRATIVE HEARINGS

May 2, 2010

Honorable Eric L. Lipman
Administrative Law Judge
P.O. Box 64620
600 North Robert Street
Saint Paul, MN 55164-0620
Facsimile: 651-361-7936

RE: OAH Docket Number: 8-2500-20825-2

Dear Judge Lipman,

Please allow us to introduce ourselves and our family. Our names our Dale and Jane Grasdalen. We reside at the above address with our two children, Alex and Mikaela.

We attended the hearing in Bemidji on April 22, 2010 held at the Holiday Inn Express. We were not prepared at that time to make a statement. Dale had previously submitted an email to Suzanne Steinhauer regarding our standing in regards to this project.

If we are understanding the routes correctly, the power line will be going right through our yard if the preferred route or route number one is chosen. We have lived here for almost nine years. We bought the property knowing that the Great Lakes Gas Line ran through the property. Even though we had some reservations about owning property with a pipeline running through it, we purchased it anyway. We own twenty acres and enjoy our property very much. If we have to move, it will be very hard to replace our home and acreage. Our home is in an ideal location for our life. It only takes us about five minutes to drive to our business. We live close to Horace May Elementary School where our daughter is still a student, and our son transfers to a bus to the middle school.

It is our hope that every person who is going to be affected by this power line, is more than just a name, address, and obstacle in the way. This will change our lives forever if it comes through our property. We have already experienced a zoning change by Bemidji Township and the City of Bemidji since we moved into our home that has dramatically changed the surroundings here.

Across the road there is a defunct outlet mall development. When we moved here, the zoning was all agricultural. Across the road there was a nice home with a barn, a pasture with horses, and a nice large wooded area. The zoning was changed to commercial, and we now see a gravel pit. When this happened, we moved our driveway and moved more trees in to screen ourselves from this project. The potential of a power line coming through is yet another issue we must face.

Another concern, is that of EMF's. We know it can be argued that EMF's do not pose a

health hazard, but it can also be argued that they can.. We feel that we do not want to take a risk of even living too close to a power line if there is even a small threat of potential health hazards. We understand that all of the people involved in this project are trying to do what is best for their company and their positions, but we have to do what is best for our family. Therefore, if we are forced to move from our home, we will expect to be financially compensated to live the life we have grown accustomed to.

In addition, we are having to put our lives on hold to a certain extent. We were planning on doing some remodeling, painting, and landscaping this summer. However, we are limiting what we will do in the event that we may not be here next year. It is our hope that a decision will be made swiftly enough so that if we have to relocate, we will have ample time to either find property to build on, or to find an existing home to move into.

It may be selfish to say please don't choose the route that comes through our property, because we know there will be another family that will have to take our place. We are stating that if the power line route ends up coming through our property, we will expect to be given time to relocate, along with financial compensation in order to do so.

Sincerely,

Dale Grasdalen

Jane Grasdalen

Dale Grasdalen

Jane Grasdalen

EXHIBIT
B

JACK GUSTAFSON
6089 N. PORTAGE LN. N.W.
CASS LAKE, MN 56633

RECEIVED
10 APR 20 AM 10:56
ADMINISTRATIVE HEARINGS

REFERENCE IS MADE TO THE PROPOSED 230 KV POWER LINE FROM BEMIDJI – GRAND RAPIDS. MY INPUT IS AS FOLLOWS:

ROUTE #1 IS HORRIBLE IDEA!

ROUTE 1 (US ROUTE) – THIS ROUTE WOULD HAVE A SIGNIFICANT IMPACT ON THE AESTHETICS ALONG US-2 ACCROSS THE CHIPPEWA NATIONAL FOREST. JUST EAST OF CASS LAKE BETWEEN PIKE BAY & US-2 THERE ARE RR TRACTS, 4 PIPELINES, A BURRIED PHONE LINE, AN ATV TRAIL, & THE MI-61-21 BIKE TRAIL. FROM THE ℄ OF THE R.R. TRACTS TO THE SHOULDER EDGE OF US-2 IS 65.5 YARDS (MEASURED WITH A LAZER RANGE FINDER ON 4-13-10). BESIDES THE HUGE IMPACT ON AESTHETICS ALONG US-2, THE BIKE TRAIL, ATV TRAIL, PIKE BAY & CASS LAKE THERE IS NO WAY THAT THE PROPOSED POWER LINE WOULD MEET ANY REQUIRED SEPARATION DISTANCES.

ROUTE 2 GREAT LAKE PIPELINE CORRIDOR – I DON'T WANT IT IN MY BACKYARD, BUT IF IT HAS TO BE I COULD LIVE WITH IT HERE IF YOU GO ON ALTERNATIVE ROUTE "B" & STAY ON PIPELINE ALL THE WAY TO EAST OF BENA. PLEASE GO ON ROUTE ALTERNATIVE "B" AS IT WOULD BE A SHAME TO PUT THE POWER LINE RIGHT ACCROSS MOSS LAKE & BETWEEN CAMP & UPPER TWIN LAKES, ALL OF WHICH ARE TOTALLY UNDEVELOPED.

THE CASS LAKE TOWN & AREA DOES NOT HAVE MUCH GOING FOR IT EXCEPT NATURAL BEAUTY

OF THE AREA & THE CHIPPEWA NATIONAL FOREST.
PLEASE DON'T FOUL IT UP ANYMORE THAN
ABSOLUTELY NECESSARY WITH YOUR DAM POWER
LINE!

Jack Griffin

Eric Lipman

From: Jack & Sharron Haugen [sailred@frontiernet.net]
Sent: Tuesday, April 27, 2010 10:06 AM
To: Eric.Lipman@state.mn.us
Subject: power line

Dear Judge Lipman, I am opposed to route 3 of the proposed line, it sure makes more sence to go with route 1 or 2 that is way shorter and less expensive to build, seems like a "no brainer" to me !!! please say no to route 3, thanks for your consideration, Jack Haugen, Long Lake seasonal resident.

20106-51269-01

Eric Lipman

From: Lynne Holt [lkholt@paulbunyan.net]

Sent: Monday, May 03, 2010 8:34 PM

To: Eric.Lipman@state.mn.us

Subject: OAH docket #8-2500-20825-2 TL-07-1327

Honorable Eric Lipman,

I am a property owner of 30 years very near the current right away for the power line that is proposed to be used for Route 3, the Northern Route, for the Bemidji-Grand Rapids 230kV Transmission Project.

After attending two meetings and reviewing the EIS for this project, I was unable to attend the final meeting focusing on the selection of the final routing of this line. Therefore, I am sending my comments in this email.

I strongly oppose the use of Route 3 for the project because of costs and environmental impact. Routes 1 or 2 are preferred by the technical staff of these projects for similar reasons. According to the EIS, the negative environmental impact of the Northern Route is extensive compared to the routes along highway 2. All have some impact on the Chippewa National Forest so that is not an issue.

The factor with the most impact, however, is the increased cost of the northern route. Funds, time, and environmental disruption are significantly increased with the northern route. From the meetings I attended and the materials I have read, there does not seem to be a technical reason for the use of this route. In fact, there would be the additional loss of needed substations if the northern route is selected. I would assume this need for added power in Cass Lake would then be addressed with another project with even higher costs.

I do realize the sensitivity of crossing native reservation land, but feel this can be addressed through negotiation and the project can move forward using Route 1 or 2. Although we live in an area of lower population density, expansion of access to electrical power is important for all. We must all play our part, but in a responsible, cost-effective manner. Higher utility bills due to inefficient transmission can be avoided.

Thank you for this opportunity to comment on this project, OAH docket #8-2500-20825-2 TL-07-1327.

Lynné Holt
8734 Cranberry Ct NE
Bemidji MN 56601
218-586-2952
lkholt@paulbunyan.net

20106-51269-01

Eric Lipman

From: Jane & Jay Johnson [janenp@paulbunyan.net]
Sent: Wednesday, April 28, 2010 1:52 PM
To: Eric.Lipman@state.mn.us
Subject: Proposed Power line Route 3

The honorable Eric Lipman:

I would like to comment on the proposed route 3 power line. This does not impact our property but I have attended the meetings and feel I would be as upset as my neighbors and friends. It would seem that this proposed route would be of a much greater distance , therefore more expensive with the cost passed on to the consumer. The easement for the line cuts into property that makes a real concern for people. It would also impact several businesses in the area.

Jane Johnson
OAH docket #8-2500-20825-2-TL-07-1327

Leech Lake Band Of Ojibwe

115 Sixth Street NW. Suite E, Cass Lake, MN 56633
218-335-7400 - fax 218-335-7430

***Arthur "Archie" LaRose,* Chairman**
***Michael Bongo,* Secretary/Treasurer**

District I Representative *Robbie M. Howe*
District II Representative *Lyman L. Losh*
District III Representative *Eugene Whitebird*

Date: 5/3/2010

The Honorable Eric L. Lipman
Administrative Law Judge
P. O. Box 64620
St. Paul, MN 55164

RECEIVED
10 MAY -5 AM 7:57
ADMINISTRATIVE HEARINGS

Dear Judge Lipman:

We are pleased to comment on the Bemidji-Grand Rapids 230kV Transmission Line project in the matter of the application for a route permit. Otter Tail Power Company, Minnesota Power, and Minnkota Power Cooperative (Applicants) have proposed a route that includes crossing the boundaries the Leech Lake Band Ojibwe.

The role of the Leech Lake Division of Resource Management (DRM) in this transmission line project is that of a Cooperating Federal Agency in the preparation of the Environmental Impact Statement (EIS). Throughout the process the agencies have been working to coordinate our respective authorities in order to make consistent and complementary decisions. The DRM's decision, will be documented in a Record of Decision (ROD) issued by myself.

The Leech Lake Band of Ojibwe has a unique relationship as co-managers of the area's that we share boundaries. This in turn gives the Chippewa National Forest (CNF) a trust responsibility to over see that safeguard of the Natural resources of the Leech Lake Band of Ojibwe (LLBO). Approximately 40% of the CNF is located within the boundaries of the Leech Lake Reservation. Likewise approximately 90% of the Leech Lake Reservation overlaps the CNF. The LLBO also reserved the right of the Ojibwe bands to hunt, fish, and gather within the treaty area. The CNF has committed through its Forest Plan to facilitate the overall ability of the LLBO to exercise these rights in a sustainable fashion on NFS lands. In Addition, government-to-government consultation is ongoing between the CNF and the LLBO. This consultation supports Executive Order 13175 (November 6, 2000), which also recognizes the sovereignty of federally recognized American Indian tribes and the special government-to-government relationship between the United States and American Indian tribes.

The CNF is required by policy, direction, and law seeks to minimize affects to Leech Lake Band of Ojibwe resources when implementing projects on NFS lands. With this letter I will outline the issues that will shape our decision.

In development of the draft EIS, Alternative 1 and 2 were proposed by the applicant and Alternative 3 was developed to respond to that there was not enough option on the table to fulfill the National Environmental Policy Act (NEPA) requirements. In general, each of the routes respond to separate issues with each having benefits and consequences.

Alternative 1 was originally developed by the applicant and was driven by the desire to avoid the City of Cass Lake, a superfund site within the City of Cass Lake, and the pinch point between two lakes (Cass Lake and Pike Bay). Alternative 2 was proposed by the applicant as well; it is shorter and parallels the existing Enbridge Energy pipeline. Alternative 3 was proposed to fulfill NEPA, and avoids almost all of the Leech Lake Reservation.

With the information available today, the DRM has evaluated each of the alternatives and has begun to identify benefits and impacts of the routes as highlighted below.

Alternative 1 contains spiritually and culturally significant areas for the LLBO, particularly the Ten Section and Cuba Hill areas. At this time Alternative 1 is the least desirable of the three routes from the perspective of the DRM. Also Route 1 crosses the Pike Bay Experimental Forest where the research branch of the Forest Service conducts long term and ongoing research. The Forest Plan states that generally no new special use permits are allowed through the Pike Bay Experimental Forest. Additionally Alternative 1 includes a Goblin Fern study area and critical habitat for Goshawk nesting. This alternative primarily parallels the Great Lakes Gas pipeline which to date has been managed to have a minimal footprint. Increasing this corridor by implementing Alternative 1 would result in a degrading of this area.

Alternative 2 has advantages over Alternative 1 because it is the shortest of the routes; also out of the three alternatives this route crosses the least amount of water basins and water courses. On the contrary, the DRM has looked at the high value water bodies that route 2 would cross including the Mississippi River, Upper Sucker Lake a previously undeveloped Lake and the Pike Bay Bottle Neck Area, which is highly visited tourist attraction in the Cass Lake area. This high scenic value along with cumulative impacts with the biking/walking trails, railroad and other utilities that have already littered this area must be weighed. The most important thing to be considered is that this area has been easily accessible to tribal members for fishing, hunting, and gathering. The expansion of the corridor by implementing Alternative 2 will result in impacts to fishing, hunting, and gathering. Route 2 leads to Environmental Justice questions that would need to be addressed with the total population of the reservation being over 50% American Indian.

Alternative 3, which parallels an existing transmission line for most of its length, was developed in response to the concerns that there were not enough alternatives to fulfill NEPA, also the route would minimizing the impacts to fishing, hunting and gathering of the LLBO by avoiding almost all of the Leech Lake Reservation. The benefits identified for this route include having the fewest known archaeological sites, would avoid all municipalities, persevere the scenic value of the Highway 2 corridor and also avoids the Environmental Justice issue. The route 3 alternative is the longest of the three routes and would impact more wetlands, water bodies, water courses, soils, forested areas, and biological resources that have already been affected by a pre-existing Power line.

If there are any questions please feel free to contact us at 218-335-7400.

Sincerely,

Bruce M Johnson

Bruce Johnson, Director
Division of Resource Management
Leech Lake Band of Ojibwe

cc: RTC
DRM files

20106-51269-01

Eric Lipman

From: karen ludtke [karenludtke@gmail.com]
Sent: Wednesday, April 28, 2010 1:37 PM
To: Eric.Lipman@state.mn.us
Subject: OAH docket #8-2500-20825-2 TL-07-1327

Dear Judge Lipman,

I am writing to express my strong opposition to any consideration of route 3 for this power line. While this seems too obvious to merit comment, one of the engineers stated in the fall meeting, regarding the need for the project, that if the northern route (#3) was selected that there would still be an immediate need for a power line on the direct route to meet the needs for Cass Lake's future utility demands. If a power line must be built to Cass Lake regardless of the disposition of this application, it only makes sense to use a direct route.

Additionally, I have been distressed by the lack of attention to the carbon foot print difference resulting from a longer line and energy losses that result. In this day of concern for the global environment and in an age when the state of Minnesota has restricted future power purchase agreements on the basis of carbon emissions, this would seem to be an important issue.

While I live on Long Lake and would prefer not to see this line in my neighborhood, I do understand that the public good must come first. I do not understand how the public good can be served by selecting the much longer and indirect route that entails higher costs (passed on to all consumers), 25% energy loss due to the length of the line which would persist for the life of the line adding substantially to costs and the carbon footprint. I found to logical justification for this route whatever; just evidence that more wetlands would be disturbed, a greater acreage damaged, some homes moved and very little regard to people's interests, especially if they do not live in an incorporated village or town. Our residential pattern is much like a line village that follows water and roadways and little of it is incorporated, yet we do have strong neighborhoods. If one only examines census data on human impacts, you will quicky discover that the census does not release much information on such rural places. This should not be taken to mean that we do not matter.

I want to thank you in advance for considering my comments. I can only imagine how trying your task can be.

Sincerely,

Richard L. Ludtke
9415 Oman Rd. NE
Bemidji, MN 56601

20106-51269-01

Eric Lipman

From: Gary Matheny [gmatheny@paulbunyan.net]

Sent: Monday, May 03, 2010 7:46 AM

To: Eric.Lipman@state.mn.us

Subject: Beltrami Electric/ Ottertail Minnkota Project

Dear Sir

Thank you for inviting our comments on this project. I am very concerned because our little two acre farm is right in the path of the Blackduck route, two miles east on the Alvwood Road on the north side.

Grandpa Ferdig built this house and since hes been gone, we have been living here for ten years. We bought and paid for it contract for deed and have been fixing it up ever since. These last two years we have added an additional master bedroom/bath/closet spaces so that our young son and daughter could each have their own rooms. Many church freinds and family have put time into helping us build this addition. We are just finishing the interior and next year will begin on the siding. We are debt free.

Our house and land is not worth alot compared to most places but we have made it our own and it is debt free. I am sure the electric company will not be willing to give us enough money to buy another place debt free and as well suited to our needs. Gary works here in Blackduck but it is seasonal and we could not afford to make monthly payments on a new place.

Even if the project were to spare our land but run behind it on county land, I would be concerned for the health of our family of small children and our small farm of goats and chickens.

Thank you so much for giving us a chance to express our concerns,
Gary and Juanita Matheny

Bemidji-GrandRapids 230V Transmission Project
PUC Docket Number E-017,E-015,ET-6/TL-07-1327
OAH Docket Number - 8-2500-20825-2

May 2, 2010

Honorable Eric L. Lipman,
Administrative Law Judge
P.O. Box 64620
600 North Robert Street
Saint Paul, M 55164-0620

Judge Lipman,

Power lines are an important part of our community. The environment and the stewardship of the environment are equally if not more important because once lost, can never be brought back. The proposed northern route that passes near Blackduck has the greatest impact to the natural environment as well as has a significantly higher construction, maintenance and servicing costs than the other proposed routes. In addition the Minnkota witnesses at the hearing in April stated the northern route would loose a significant amount of power along the additional length of the transmission lines. Our concerns are grouped into these categories: Green Issues, Natural Resource Issues and Environmental Impact Issues.

In this age of 'going green' the northern route is significantly less green than the southern routes. Today, any development occurring any place, should be done with green technology and sensitivity to green related issues. This is particularly true for a power utility and the construction and use of a power line. This project should demonstrate sensitivity and understanding of green related issues, and serve as an example to the public of a green project.

<u>Green Issues</u>

- The northern line is significantly longer than the other two routes. The longer power line destroys a greater amount of natural wildlife habitat including woods and wetlands.
    - Greater amounts of construction materials and related use of natural resources are required for building the line.
    - Increased transportation costs are required to construct, maintain and service the northern route line and the related environmental impacts
    - Highway 2 is already a transportation and utility corridor and much of the route has exisiting residential and commercial development. It makes more sense to further develop areas that already have a fair

amount of development than to develop areas that are predominantly undeveloped and in a natural state.

Bemidji-GrandRapids 230V Transmission Project
PUC Docket Number E-017,E-015,ET-6/TL-07-1327
OAH Docket Number - 8-2500-20825-2

Natural Resource Issues

- The longer northern line correspondingly exposes wildlife to many more miles of negative affects of potential wire impacts such as birds flying into the wire and poles during migration killing the birds.
- Clearing for a power line along the northern route will negatively impact larger contiguous areas of undeveloped land reducing the ability of the land to support certain types of wildlife that require larger tracks of undeveloped land.
- The natural environment has already been impacted on the southern route. Further development of the southern routes would have less environmental impact on wildlife than the northern route.

Environmental Impact Issues

In addition to the environmental concerns listed above, we would be remiss if we did not mention that the northern route residences were not indicated on the mapping presented during the March meetings held in Bemidji. The Hwy 2 route residences were well documented by yellow dots. When asked about the northern route we were told that the residences were hand counted giving the impression that there are far less homes. We question the accuracy of this as a greater number of miles would be impacted encompassing a greater number of homes that are hidden in the wilderness areas.

Summary
Natural habitat costs, environmental impact, material consumption, construction and servicing costs are all reasons to reject the northern route. Utilities should be the epitome demonstrating good energy stewardship.
Evidence of good stewardship can not be found in the northern route.

In closing, we note that Minnkota is the first electric cooperative in the nation to reach the 30% level of renewable energy generation. After attending our Beltrami Electric Cooperative 70th Annual Meeting, we trust their decision making process.

Sincerely,

James and Karol McCracken
6400 Parkers Lake Road NE
Bemidji, MN 56602
218-751-0160 email jkkkm@paulbunyan.net

Mississippi River Parkway Commission of Minnesota

300 33rd Avenue South, Suite 101 • Waite Park, Minnesota 56387
Phone: 651-341-4196 • E-Mail: info@MnMississippiRiver.com

Members of the House: Sheldon Johnson (DFL – 67B) – Chair; Greg Davids (R – 31B) ***Members of the Senate:*** David Senjem (R – 29), Sandra Pappas (DFL – 65) ***State Agency Appointees:*** Robin Kinney – Agriculture, Frank Pafko – Transportation, Don Frerichs – Explore Minnesota Tourism, Greg Murray – Natural Resources, Open – Historical Society ***Regional Appointees:*** Jack Frost – Lake Itasca to Grand Rapids, John Schaubach – Grand Rapids to Brainerd, Karl Samp – Brainerd to Elk River, Paul Labovitz – Elk River to Hastings, Sheronne Mulry – Hastings to Iowa Border ***Member at Large***: Andrew Golfis

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10 APR 26 AM 7:54
ADMINISTRATIVE HEARINGS

April 22, 2010

Suzanne Steinhauer
Office of Energy Security
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101-2198

RE: CapX 2020 Bemidji – Grand Rapids Transmission Line Project
PUC Docket No. TL-07-1327

Dear Ms. Steinhauer:

The mission of the Mississippi River Parkway Commission of Minnesota is to promote, preserve and enhance the resources of the Mississippi River Valley and to develop the highways and amenities of the Great River Road. The CapX 2020 Bemidji to Grand Rapids Transmission Line Project includes potential routes directly impacting the Great River Road, a National Scenic Byway in ten states. Our Commission requests that the information below and attached map be included in analysis and decision making processes for final transmission line location.

The Minnesota Great River Road has achieved the esteemed designation of a National Scenic Byway because it possesses characteristics of regional significance demonstrating intrinsic qualities in at least one of the following areas – archaeological; cultural; historic; natural; recreational; and scenic. The area of the proposed transmission line alignment includes all of these intrinsic qualities. It is imperative for our state to protect the byway and the river it celebrates for current and future byway travelers.

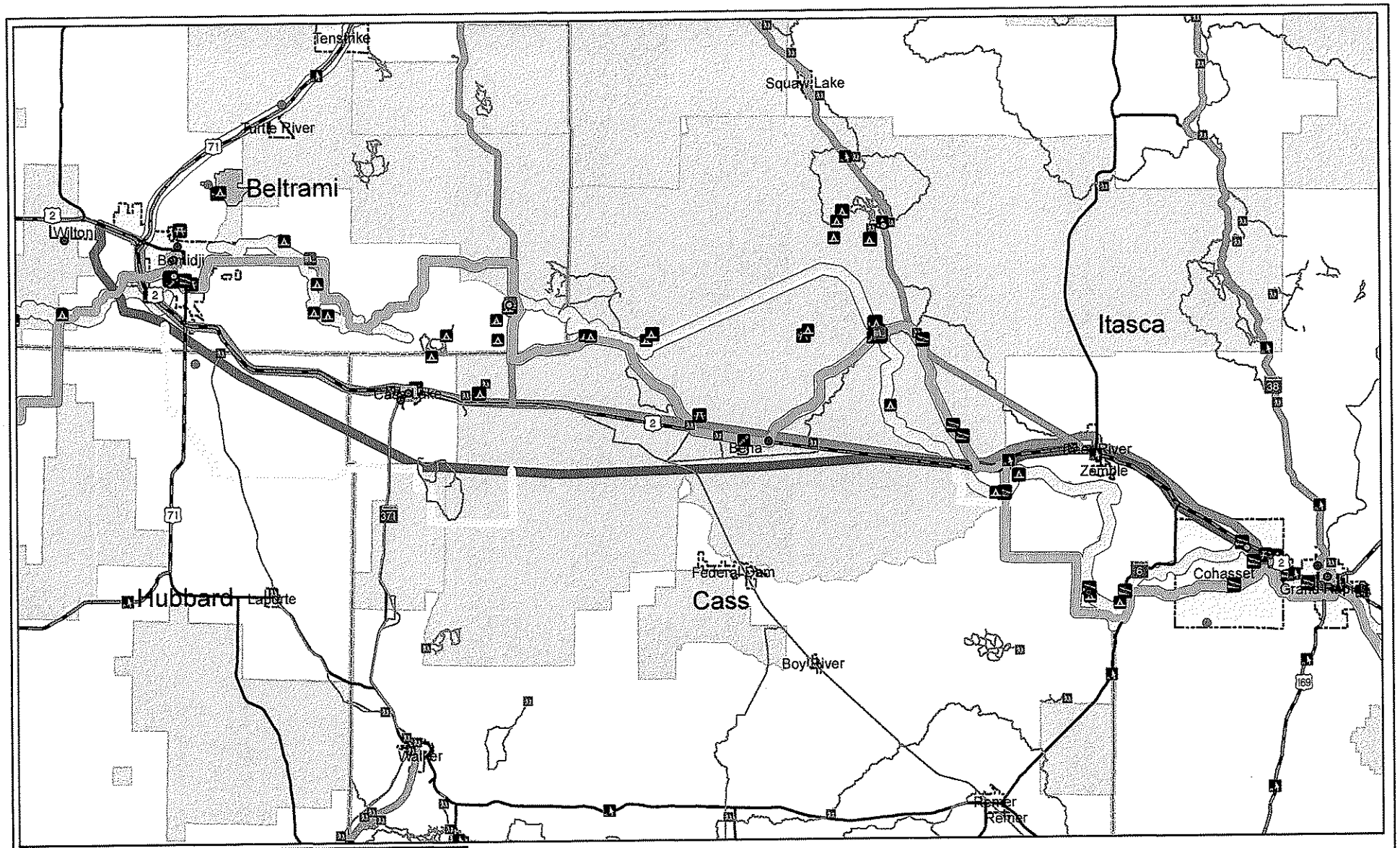
We ask that decision makers, in keeping with non-proliferation statutes, utilize all possible strategies to avoid, minimize and mitigate any impact to the Great River Road and Mississippi River corridors; and exercise due diligence in assessing potential impacts to the Great River Road. Cumulative impacts to the Great River Road and the Mississippi River throughout Minnesota should also be considered related to all CapX2020 transmission line segments being considered for approval. The MN-MRPC requests a video visual impact simulation of the proposed lines and associated vegetation impacts from the vantage point of both the car traveler and bicyclists in motion along the Great River Road prior to further consideration of the preferred alignment.

We appreciate your consideration, and offer our Commissioners and technical advisors to provide further information as the planning process continues. Please keep us informed of any actions taken on the Bemidji to Grand Rapids segment.

Sincerely,

Sheldon Johnson/cm

Representative Sheldon Johnson
Chair



Intrinsic Qualities

- Museum
- Fishing Pier
- City Park
- Golf Course
- Festival
- Dam
- Historical Property
- Rest Area
- Campground
- Boat Access
- Picnic Area
- Trailhead
- Great River Road
- Other Scenic Byway
- Trail
- State Park
- Mississippi River
- State Forest

Road Type

- Interstate Highway
- U.S. Highway
- MN Highway

Proposed CAPX2020 Routes

- Bemidji to Grand Rapids Alternative Route
- Bemidji to Grand Rapids Route 1
- Bemidji to Grand Rapids Route 2

N

CAPX2020 Areas of Potential Great River Road Impacts

Bemidji to Grand Rapids

01-03-2010

Source: Proposed Routes Based on Information Obtained From:
http://www.capx2020.com
Highway Linework, County Shapefile and Municipal Boundary Info: Mn/DOT Basemap
Intrinsic Qualities:
Great River Road Development Plan 2000
Cartography: Josh Kuhn, 651-366-3884 & Andy Trska, 651-366-3877

MnDOT Office of Transportation Data & Analysis

CapX2020

20106-51269-01

Eric Lipman

From: Joanne Mulbah [jlmulbah@YAHOO.COM]

Sent: Friday, April 30, 2010 4:44 PM

To: Eric.Lipman@state.mn.us

Subject: Proposed Power Line through Chippewa National forest

To the Honorable Eric Lipman

Dear Sir: I write to you today with great concern over the proposed power line location of the Chippewa National Forest. This is one of the more natural areas in our area that is still fairly healthy. In Cass Lake we are a superfund site with a pipeline running through the entire community. Leaks have happened there on several occasions within a hundred mile area.

This area of our planet has far too many contaminants already - more than its share. Our Eagles are back now along with some of the larger birds. The June berries have finally returned after all the spraying in our communities that destroyed the ecosystem. With contaminants on the ground and below the ground we do not need the added damage of one above the ground.

Let others share the burden of this powerline in their communities and give our small community a rest to heal from further contamination.

Thank you for your consideration.

Joanne Mulbah
Box 42
6082 161 Street NW
Cass Lake, MN 56633
218-335-6395

Minnesota Pollution Control Agency
520 Lafayette Road North | St. Paul, MN 55155-4194 | 651-296-6300 | 800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us

RECEIVED
10 MAY -3 AM 11:35
ADMINISTRATIVE HEARINGS

April 30, 2010

The Honorable Eric L. Lipman
Administrative Law Judge
P.O Box 64620
600 North Robert Street
St. Paul, MN 55164-0620

RE: Bemidji – Grand Rapids 230 kilovolt (kV) Transmission Line
Draft Environmental Impact Statement (Draft EIS)
Docket Number: ET6/TL-07-1327

Dear Judge Lipman:

Thank you for the opportunity to review and comment on Bemidji – Grand Rapids 230 kV Transmission Line Project. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, the MPCA has the following comments to provide at this time.

- MPCA noted that comments were received on the Scoping Decision from the U.S. Environmental Protection Agency on September 30, 2008. These mirror many of the concerns of the MPCA.

- As stated in Section 3.4, a National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit is required from the MPCA prior to construction. Information regarding the MPCA's Construction Stormwater Program can be found on the MPCA's Web site at: http://www.pca.state.mn.us/water/stormwater/stormwater-c.html. Table 3.4-5 listed water resources with designated impairments in the study area. The stream designation and/or impairment will both dictate additional increased stormwater treatment during construction and require additional increased permanent treatment post-construction. These requirements will be included in the NPDES/SDS Construction Stormwater Permit. In addition, any project that will result in over 50 acres of disturbed area and has a discharge point within one mile of an impaired water, is required to submit their Stormwater Pollution Prevention Plan (SWPPP) to the MPCA for a review at least 30 days prior to the commencement of land disturbing activities.

- As stated in Section 3.4 of the Draft EIS, a Section 404 Permit is required by the U.S. Army Corp of Engineers. Depending on the project's proximity to impaired waters, a Clean Water Act Section 401 Water Quality Certification or waiver from the MPCA to verify compliance with state water quality standards may also be required. For further information about the 401 Water Quality Certification process, please contact Kevin Molloy at 651-757-2577 or Bill Wilde at 651-757-2825.

- On page 119, the first full paragraph mentions numerous water permits. However, there may be some confusion as to what permits would be required for this project. For example, this paragraph references the "General Permit for Storm Water Discharges Associated with Construction Activities." It is unclear whether this is the same or different than the referenced "National Pollutant Discharge and Elimination System (NPDES) permit" identified later in the paragraph. Also referenced is the "Storm Water Pollution Prevention Plan (SWPPP)." This is not a permit, but an erosion and sediment control plan that the owner of a project is required to complete prior

to acquiring the NPDES Permit from the MPCA. The SWPPP must contain specific information that is identified in the NPDES General Permit for Construction Activity (MNR100001). In addition to the permits that are listed here, local government units (LGUs) may have permit requirements, such as one for moving dirt in the shoreland zone, although there are frequently exemptions to these requirements for utility work. Contact the LGU for further requirements.

- In Section 3.4.3 on page 119, the bulleted section identifies "typical" best management practices (BMPs) that may be used on this project to meet permit requirements. However, the BMPs listed here do not seem to be "typical" for this type of a project.
  - The third item suggests installing "sediment and erosion control measures prior to construction, in accordance with erosion control plans and permits." Erosion control, which equates with ground cover, cannot be placed prior to beginning of construction activity; if that were the case, then the erosion control would immediately be removed once the ground clearing was initiated. Erosion control cannot realistically be installed until the work on an area has ceased for a period of time no greater than 14 days. Sediment control could be placed prior to beginning construction, and is required to be placed prior to beginning construction, but on a linear project such as this, which extends somewhere between 68 and 116 miles, "typical" sediment control BMPs (i.e., silt fence) are seldom used because they are impractical in many areas. They are valuable adjacent to surface waters and as ditch checks, but linear projects are almost always atypical with regard to sediment and erosion control. There are options for sediment control, such as using slash mulch produced on the project by chipping removed trees, soil berms placed during the clearing process, partially burying logs along the right-of-way, and numerous other possibilities, but these must be carefully thought out and discussed in consultation with the contractors for the project prior to developing the SWPPP.
  - The fourth bullet suggests "turbidity control methods" prior to discharging concrete wastewater to streams or surface waters. The intent here is unclear. Is the proposer referring to concrete slurry, or other type of wastewater? Concrete slurry must be contained in a lined concrete washout area, and cannot be discharged to streams or surface waters, but no water that is not clear and clean of sediment or other contaminants should be discharged to streams or surface waters.
  - The sixth bullet item indicates that the use of "...pesticides or herbicides" would be avoided in or near water bodies. As a significant portion of any of the suggested routes will be near or in wetland or other surface waters, an alternative method of controlling taller tree species should be suggested in these areas, as the application of herbicide is currently the only method suggested in the document.
  - The seventh bullet item indicates that construction vehicles will be fueled outside of water bodies; however, secondary containment of fuel tanks or other chemicals or vehicle maintenance is not mentioned as a BMP despite being a requirement of the NPDES Permit.
  - The eighth bullet indicates that procedures will be used to minimize "inadvertent fluid returns" during horizontal direction driller (HDD) operations. The MPCA has typically restricted the use of chemical additives in HDD drilling mud for similar activities, so clarification of what "procedures" are being considered would be useful in this section.
  - In addition to the procedures that will be used to reduce the risk of inadvertent drilling mud releases, a plan should be developed for the containment and removal of drilling fluids if they are released into water bodies. In areas where guided bores or HDD are not to be used for water body crossings, details of how those water bodies are to be crossed will be needed by state agencies to determine possible impacts, or to suggest possible alternative crossing methods.

Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this project, please contact Elise Doucette of my staff by e-mail at elise.doucette@state.mn.us or by telephone at 651-757-2316.

Sincerely,

Craig Affeldt

Craig Affeldt
Supervisor
Environmental Review and Feedlot Section
Regional Division

CA/EMD:mbo

cc: Suzanne Steinhauer, Minnesota Office of Energy Security
Kevin Molloy – MPCA, St. Paul
Bill Wilde – MPCA, St. Paul
Scott Lucas – MPCA, Brainerd Office
Reed Larson – MPCA, Brainerd Office

April 20, 2010
EIS Comments

Honorable Eric L. Lipman
Administrative Law Judge
P.O. Box 64620
600 North Robert Street
Saint Paul, MN 55164-0620

EXHIBIT
D

Honorable Eric L. Lipman:

Following are comments regarding the EIS for the Bemidji-Grand Rapids Transmission Line as it exist on this date. Some comments are in general and some are specific.

General:

In general, the EIS provides considerable information relevant to construction of the Project. As is the nature of such an undertaking, much of the information requires an extreme stretch of the imagination to accept its relevance. Since an EIS exercise does nothing to acquire the basic needs of humankind, the best it can do is to help identify measures which might minimize the use of natural resources necessary to construct the project. In actuality, the Applicants probably identified most of these measures in their study leading up to their permitting request.

Essentially every life form on this planet is dependent on water, food, and shelter for their existence. These basic needs, in one form or another, come from natural resources and, indeed, from other life forms. All creatures are very creative in their efforts to survive but in the end create nothing except more of their species. Those that fail to adapt to ever changing conditions eventually perish.

Whether we like it or not, the use of natural and human resources to generate, transmit, and utilize electrical energy is a necessary part of our environment today and, most likely, into the foreseeable future. Harnessing of electrical energy was developed to aid the human species in performing work necessary to obtain their basic needs. The human species is apparently hell-bent on populating itself to near or complete extinction and therefore we are considering the Project. While we 'consider', the Chinese are bringing on-line one coal-fired electrical generation plant every week along with the necessary distribution systems. While we 'consider', the Chinese and other countries are exploring for new energy sources and locking up as many existing sources as possible.

Cost of any construction project is directly tied to use of natural resources and human resources (additionally dependent on natural resources). The Applicants, after considering other supply sources, addition of generating capacity, and various routes, applied for permitting for Routes 1 or 2 which appeared to meet the increased need, the overall grid

requirements, and to have the least cost. Routes 1 and 2 remain the best options. Estimated costs of all options considered are now, approximately three years later, only higher. As time passes by, the price of dwindling non-renewable resources will only go up, not down. If any or all of the Applicants may need financing to construct their portion of the Project there will be interest charge costs. Hopefully they will not have been delayed to the point they face rising interest rates which will pass through to the customers.

The EIS provides a pretty good description of possible construction details. More detail is most likely not possible pending route selection and final design. At this point it is not clear whether it is planned to clear the entire 125' ROW for each route or to, where possible, widen existing electrical ROWs to meet 230KV requirements and convert to a two-tier configuration. Obviously a plus would be less loss of trees in forested areas and less loss of area to all affected parties. The trade-off would apparently be higher structures, increased difficulty in maintenance/repair operations, and certainly more risk to linemen working with and near 'hot' high-voltage lines. The linemen, in most cases, are only allowed one mistake. The trade-offs in cost are not readily apparent at this time.

It is unclear whether a separate central-corridor option for an entirely new two-tier 230KV system on a new ROW has been considered with the upper line installed initially and the second line installed now or at some date in the future. With a government intent on pushing the populace into 'damn the cost' electric cars this may come sooner than later. This option would assuredly lessen the risk to linemen during construction. If sufficiently removed from existing transmission lines this could, at some point, make possible removal of the existing lines and structures with the opportunity to reuse the abandoned area. Most of the removed materials would, in fact, be reusable or recyclable. Initial cost would obviously be higher but, how much is unclear. Future costs could be lower and the 'permitting' process much less onerous and costly than starting all over with a new transmission line and ROW.

The EIS, almost in passing, notes that the Project will impact some private property owners. Information on the number of owners, the acreage taken by the ROW, the acreage of forested land removed, and other considerations is almost non-existent and miniscule compared to the pages and tables dedicated to CNF and LLR lands. Some space is dedicated to negotiating a 'fair market value' for loss of use. Of course, in the event of no agreement on 'fair market value' there is mention of Eminent Domain. Private owners can gain some indication of their situation on pages 281 - 287. The private owner that retains "ownership" of the property will, of course, be permitted to pay property taxes on the total acreage regardless of loss related to the ROW, wetlands, setbacks, zoning restrictions, land-use restrictions, etc. Some property owners per statute are seemingly excluded from any compensation. Can any rational person argue that "private property" exists in this nation today?

EIS Comments

The 'fair market value' and Eminent Domain, mentioned above, work basically as follows:

1. You need to give us the engine out of your car.
2. The 'fair market value' of your car is nearly zero since it has no engine.
3. We could give you scrap value for the engine.
4. If you don't agree meet Eminent Domain.

Oh, incidentally, you are still responsible for loan repayment, any applicable fees or taxes, replacement costs, insurance, etc.

Specific:

The Executive Summary appears to emphasize concerns of some and minimize the concerns of others. The bulk emphasizes negative impacts, some real and others a real stretch, while listing very few positive impacts. As much or more than the total EIS document could be written in rebuttal. A few items can be mentioned in an attempt to present some perspective.

No-Build Alternative:

Of 20 categories selected to summarize only 2 one-liners are offered in two categories. No Effect is listed for 18 categories. Perhaps an electrical shutdown of a week or a month in the dead of winter might suggest other impacts worth mention.

Aesthetics:

Suffice it to say scenes that are pleasing to some are often unpleasant to others. It is hard to view with alarm an immobile and static transmission line in a nation proceeding to trash the entire Great Plains from Canada to the Gulf with wind generators, millions of miles of buried cables, switching/control structures, substations, and, indeed, more overhead lines to convey energy to central distribution locations. The impact on the nervous system of humans and other animals from overhead electrical lines will, most probably, be negligible compared to what is coming.

Air Quality and Climate:

The concern over fugitive dust anticipated during the Project might be put in proper perspective by considering the impact on people and environment exposed to the fallout below a volcanic dust cloud.

Vehicle emissions due to the Project may well be less than the total emissions from all vehicles, in the area served, in just a few days.

Biological Resources:

Under Route 1 it is stated that there would be jeopardy to one-flowered broomrape (Orobanche). This is a parasitic plant which can germinate and grow only by sucking the life out of other plants. As such it is a parasitic plant. It appears to be listed by the State of Minnesota as a "Prohibited Noxious Weed" and as a "State Listed Noxious Weed". No commercial or medicinal benefits were found for this weed. Why does the Summary suggest jeopardizing this weed is of concern?

Respectfully,

Diane L. Plath

Diane L. Plath

Ernest D. Plath

(I, Ernest D. Plath, have read and concur with this letter. Written signature can be requested at 360-533-5058, if required.)

20106-51269-01

Eric Lipman

From: Diane Plath [dplath@paulbunyan.net]
Sent: Tuesday, April 27, 2010 5:08 PM
To: Eric.Lipman@state.mn.us
Subject: bemidji-grand rapids transmission line

Honorable Eric L. Lipman:

The following comments refer to OAH docket #8-2500-20825-2 TL-07-1327.

My name is Diane Plath. Don and Kris Wagner have asked me to relay their comments to you. They are traveling, unavailable to send a response and returning home May 6th (three days past the deadline of May 3.)

Donald J. and Kristen L. Wagner reside at 12634 Three Culverts Rd NE; Bemidji, MN 56601. They own 40 acres: Taylor Township T.148N.-R.31W. Their phone number is 1-218-586-2776.

Per Don: Don and Kris Wagner, Don's brother, Robert Wagner, and a third party will be greatly affected by the Proposed Northern Route 3. Due to the proposed easement increase, all three residences will become uninhabitable. Furthermore, this loss of homes will amount to $1,000,000.00, if not more.

Don Wagner has previously submitted a letter regarding future lines that he received from the power company when the present line was built. You have a copy of this letter, so I will not go into detail. If your copy is not available, Don would be happy to send another copy. However, this would not be possible until after May 6th, upon their return.

The Wagners are strongly opposed to the Northern Route 3!

I trust this correspondence will be accepted as a response from Don and Kris Wagner. Their email address is dkwagner@paulbunyan.net.

Thank you for your attention to this matter.

Diane Plath
Turtle River Township
Beltrami County

April 29, 2010

RECEIVED
10 APR 30 PM 2:00
ADMINISTRATIVE
HEARINGS

Honorable Eric L. Lipman:

I was in attendance at the hearing on April 22, in Bemidji . I would like to pass on to you my thoughts as to which route would be in the people's best interest and why. The best route would be route alternative #2 for the following reasons:

It is the shortest and would easily save a couple million dollars in construction and maintenance costs. To make that determination one only has to do the following procedure:

Start at the west end of Fifteenth Street North, very close to the Wilton substation, and follow proposed route 2 heading East. Double circuit the existing route along Fifteenth Street to Adams Avenue. That would be a simple up-grade of the existing line. Continue East to Hwy 2 along the railroad corridor. The area has very few if any dwellings. Then follow the Hwy 2 right of way to Rosby. Staying on the West and South side of the highway would make the most sense. (Have not looked into the routing beyond this point.)

One would see there are several long stretches with few landowners. There would be fewer easements and leases. That would save a great deal of time and money. The land is of lower value then route 1. The crossing of the Mississippi River would be as easy as it can be. There are fewer wetlands to cross

Put the transmission line as close to the Hwy 2 right of way as possible. That would lessen the amount of timber that would need to be cut—a majority of the land is already open meadows. Maintenance and inspection would be easier to accomplish and access would be free of most impediments through all seasons. Keeping the land and ditches under or near the line clear of brush could be a shared cost with MNDOT. That would save them money. The state might even receive some easement funds.

Route 2 would be closer to the substations in the city of Bemidji and the industrial parks. Although not one of the proposed routes, the most logical and economical route would be to follow the railroad corridor through the city of Bemidji...

Respectfully submitted:

Keith Pommerening

Keith Pommerening
218-368-5689
3579 Melshir Lane SW
Bemidji, Mn. 56601

P.S. will mail a copy also - Thanks Keith

From: Mike Schmid
To: Kirsch, Raymond (COMM); Steinhauer, Suzanne (COMM)
Subject: Proposed Powerline
Date: Friday, April 30, 2010 9:16:29 AM

Dear Honorable Eric L. Lipman, 4/30/10

To Whom It May Concern:

I am writing in regard to the Bemidji-Grand Rapids 230 kv Transmission Project. We live adjacent to (south of) the Enbridge Pipeline on Hubbard County 101, so we will be directly impacted if the powerline route follows the pipeline. Our legal land description is: Section 14, Twshp. 145, Range 032, 14-1, Lot 1. My family and I are opposed to the pipeline route for several reasons. I already wrote a letter to Ms. Steinhauser and Mr. Kirsch on 4/12 explaining our reasons. At the recent meeting on 4/22, the power companies said that their proposed route would follow the Enbridge Pipeline which is directly north of our property. So many people wanted to testify, so I will just write my comments.

Our home is sheltered from the north and west by a woodlot. The pipeline has already taken part of our windbreak. The powerline proposes to take more. If they get their proposed 1000 ft. right of way, they will be on our doorstep! It is completely unreasonable for them to have such a huge right of way. We were told many times that they would only need approx. 130 feet. Please do not allow them to have the option to destroy our woods and devalue our property. I do not believe that the studies they cited at the meeting are accurate that said that a powerline has almost no effect on property values. I don't know anyone that wants to live near a big powerline. More important than the property values are the health concerns. I have three teenagers at home with me as well as 5 grandchildren that visit regularly. I do not want their health endangered in any way.

We have just lost our efforts to keep the pipeline from taking over part of our property. Why should the same people be faced with a further loss of land and possible dangers related to the powerline? The Highway 2 corridor already has powerlines, so adding to their capacity would not inconvenience any homeowners, Why can't they just follow the Hwy. 2 corridor?

If the powerline has to go by the pipeline, why can't it be either north of the railroad tracks or north of the pipeline instead of cutting down more of our woods?

Thank you.

Sincerely,

Mike Schmid
49638 317th Ave.
Cass Lake, MN 56633

OAH Docket 8-2500-20825-2

Judge Eric L. Lipman, Administrative Law judge
P.O. Box 64620
600 North Robert Street
St. Paul, MN. 55164 – 0620
Facsimile 651 – 361- 7936

Subject: Comments relating to Bemidji to Cohasset 230 kV transmission routing

Position: While I am not against additional transmission facilities being added to support the electrical gird where and when needed, I believe that this project is not supported by the documentation.

Discussion: I support a "no build" option.

1. Least cost option: In the meeting held at Blackduck, the question of cost impact to the consumer was repeatedly asked and repeatedly the transmission line proponents avoided the question with a statement of "we don't know the answer and can not provide the cost impact to the consumer's average bill".
    a. There are three primary utilities involved and I don't believe that their boards and management would allow them to move forward with a potential project without having some idea of the potential cost impact to the consumer. Without adequate cost information it is not possible to assess and compare the line cost to consumer benefit relationships.
    b. The currently existing Winger to Wilton 230 kV line supplied from the west and partially supplied from North Dakota generation plants, which this new proposed line is supposed to support and help, was only loaded at 63 MW on 4/21/10 at 1:00 p.m. This is only a small percentage of the line capacity.
    c. In fact the concern for the area, as stated in the EIS executive summary, states the only concern is the potential of lower voltages in the area in the winter, and only if the existing 230kV line were lost. It would be fair to expand this statement and suggest that if any line flowing power into or from the Wilton substation were to fail in the winter it may be a problem resulting with regional voltage reductions. To focus only on replacing power into the region from one existing line and not all of the major transmission lines providing power into and from the Wilton substation is irresponsible.
    d. Why only build a 230kV line into the area if the load growth is outstripping the capacity of the current supply from the existing transmission lines? Why isn't a larger transmission line (like 345kV or greater) from the west included with a larger line from the east (345 kV instead of 230kV) to meet and supply the Wilton substation if this lack of power is so critical? Where will the power be generated to supply these lines that feed into the Wilton substation? If the load growth is actually increasing at 2 to 3 % per cent year then the utilities will only be back for more transmission lines in the near future. Clearly the proposing utilities

stated that there was no new power generation planned for the region. Therefore we would still be facing a problem with available power.

e. By placing generation capability close to the Wilton substation the transmission system could be properly reviewed and planned to match the real future local load growth areas within this region. The EIS and Scoping documents do not reference any generation installation as an option. The proposing utilities further have stated that their review did not indicate any generation potential projects. This is not correct. There is a 20 MW plant working through siting issues within Cass County in the Remer area. This generation may help to alleviate power flow problems to some extent and reduce the need for any of the proposed new 230kV transmission line power.

f. Generation is a viable option for alleviating transmission line power flow problems and installation. This option has not been explored. The type of generation installed would depend on the way it interfaced with the actual regional constraints. Since this was not discussed there has been little opportunity to put forward cost effective options but it does appear that these cost effective options do exist.

g. Lastly generation could easily be incorporated with cogeneration concepts and thermal uses in both the Bemidji and Walker areas. This could actually reduce the demand on the electric grid and reduce risk if any one line would fail in the winter months. The use of cogeneration would likely provide for matching thermal energy and electrical generation potential within the winter period for which the major concern relating to the loss of the existing 230 kV Winger to Wilton line is noted as a reason for requesting the new installation of the proposed line.

2. Conclusions:

a. The three options proposed to solve a very limited issue have not been well reviewed from a cost benefit basis. Other options that could reduce the project cost have not been considered, and if they have, these potential cost savings options have not been discussed.

b. I have seen no long term and future maintenance and operational costs included in the project cost. The project cost also does not include the cost of land acquisition. How can any of these transmission line routes be recommended without real consideration of options and how these options impact the consumers' monthly electric charges?

c. Since the consumer is already paying for the initial study and review, the consumer should at least get good technical comparisons of real energy saving options and associated cost saving options. This does not appear to have been performed. Until a real review has been completed and provided for discussion, none of the three routings should be recommended.

Yours truly,

Dean Sedgwick

OAH Docket 8-2500-20825-2

Honorable Eric L. Lipman, Administrative Law judge
P.O. Box 64620
600 North Robert Street
St. Paul, MN. 55164 – 0620
Facsimile 651 – 361- 7936

Subject: Comments relating to Bemidji to Cohasset 230 kV transmission routing

Sir:

My position is opposed to the selection of Route 3 (Northern Route):

Responsibility to ratepayers
I believe it would be negligent for a public agency to mandate that ratepayers fund a transmission line choice which is $25 million more than required. That figure, I understand, does not include cost of right of way acquisition on almost 50 miles of additional line, nor the additional cost of providing a separate solution to Cass Lake reliability.

There is also cost to the utility ratepayers and the environment because of line loss over the length of the extra mileage. More electricity than is metered at the endpoint would need to be generated with its associated emissions. If line loss over the additional mileage is acceptable loss, perhaps the other, shorter routes are oversized.

Scenic values and tourism as major part of economy
Based on my experience in mailing addresses in this area, over half of the home addresses in northern Minnesota are out of county. These people own second or seasonal homes in the area. They probably chose to purchase land in this area for its wilderness and scenic beauty. Crossing the forest with adjacent rights of way, opening a pathway 225 feet or three quarters of a football field wide, would affect these values.

These seasonal residents also come to this area during the summer months. By holding these hearings in January to April, most of these residents will not have an opportunity to participate unless their land falls directly under the line and they received a written notification.

The economy in the area east of Blackduck changes away from farming. People generally depend on tourism or logging for their livelihoods, or they are retired and have moved to their seasonal homes. Tourism in this area is based on visitor experiences of undisturbed and natural scenic environment.

In the wildlife section of the Environmental Impact Statement limited or no occurrences are listed of animals such as the grey wolf, puma and snapping turtle. These animals occur in this area. Their ranges certainly cross the route, even if they were not identified as being spotted on the route.

Thank you for the opportunity to comment.

Yours truly,

Sally Sedgwick

2501 N. Plantagenet Rd. SE
Bemdiji,MN 56601
April 26, 2010

RECEIVED
10 APR 28 AM 7:49
ADMINISTRATIVE HEARINGS

Honorable Eric L. Lipman
Administrative Law Judge
PO Box 64620
600 North Robert Street
St. Paul, MN 55164-0620

Dear Judge Lipman:

Subject: Power Line/Bemidji, Minnesota

Recently, we made a trip from Grand Rapids, MN, to Grand Forks, ND, and noticed the many high lines along US Hwy. 2. Therefore, wouldn't it be a simple matter to just add to these lines that are already in place and have probably been since US Hwy. 2 was constructed rather than destroy virgin areas with these horrible looking power lines. Also, with today's technology it is amazing that these lines are above ground. They should have been concealed underground years ago.

If there is ever major vandalism or terrorism to the power line and pipeline, these two facilities would be shut down simultaneously. Furthermore, the repair crews would be in the way of each other to repair damaged power. Also, many of the areas throughout the country would be highly inaccessible with deep snow in the winter but US Hwy. 2 remains open all the time.

In addition, if the power line follows the pipeline, these same land owners having recently been raped by the pipeline would now have to contend with a power line that would totally destroy their property value. The addition of these new pipelines has greatly reduced the value of our property but at least they are underground and do not render the land totally unsellable as a highline would. We have valuable property along a tar road that would be totally worthless for development as we had once planned to do. From the windows of our home, we will have to look at these ugly lines on a daily basis—the aesthetics and beauty we now enjoy will be totally destroyed. On nearly all highways in the USA, power lines have followed these paths since rural electric was established.

Compensation for the use of our property by these utilities is a total joke! We pay taxes on property that is totally worthless, loose property value, and then turn around and pay the IRS another 30-40% of what we were compensated. In turn, the utility companies have the use of our property forever for a pittance of money and over the years make billions and billions of dollars at the landowner's expense.

Our recommendation is to follow US Highway 2 with the power line.

Sincerely,

Gerald A. Solheim

Gerald A. Solheim

Eldora L. Solheim

Eldora L. Solheim

Rita Velat
1240 Fernwood Drive
Arcata, CA 95521

Arcata, 04/15/2010

20105-50446-02

I do not have internet access

Certified

RECEIVED
2010 APR 28 AM 7:50
ADMINISTRATIVE HEARINGS

Honorable Eric L. Lipman
Administrative Law Judge
P.O. Box 64620
600 North Robert St.
St. Paul, MN 55164-0620

Reg.: Property ID: R.14.00022.00 Located in Beltrami
R.14.00023.00 County, Bemidji, MN

Regarding your letter of Febr. 23, 2010:
I called Suzanne Steinhauer's Office (651) 296-2888 and left my phone # with the request to call me at my number and explain what this planned project is all about. To this date - no answer from her office.

Then I called your office Mr. Kirsch and explained my situation. Thank you(!) - for being so helpful!

I just received your letter of 04/06/10. Regarding this:

I am strongly against your planned transmission line by Otter Tail Power Company, Minnesota Power and Minnetonka Power Cooperative - from Bemidji to Grand Rapids if this will have any negative impact on the value of my property. We have paid dearly in the past already and I do not consider it fair to dump your problems and wishful thinking on the back of a poor widow.

Let me make clear (what nobody seems to remember any more): Nobody wanted to buy property in the Bemidji area when we purchased our land about 50 years ago. It was considered to be "Too far and too much hard work" and it was too much money to invest and no financial return on the investment. Over the years we have paid a phenomenal amount of taxes. I am not aware that we received any benefit for it. Dutifully my husband and I took care of the land as best we could, while others had rental incomes.

20105-50446/02

Right after we had purchased our property the MN. Power Comany decided to run a power-line over our land. At the time I was new to this country and did not understand the implications of it. Why didn't they use tax forfeited land of which there were large tracts available nearby? We have paid a very high price already in the form of reduced value of our land!!! These power companies pay no attention to environmental impacts.

Shortly before my husband passed away (in 2002) we were asked (forced!!!) to pay for very expensive road upgrade - blacktop -. Does anybody maintain these roads? Again we were paying for people who live in Bemidji and benefit from these improvements. Sorry - I am a poor widow and not a bank.

What about illegal hunting that goes on up there? Where are the people who enforce our laws?

There was another incident a couple years ago: We had already made our final payment for our land many years prior. All of a sudden one day the Bank of Bemidji "informed" us "that we still had not made final payment for the land." What an outrageous claim and false! I went through my old records and located the "fish" number which proofed that we did not owe a dime to the bank any more. Our land was clear of debt. Outrageous that accusation!

Enough is enough! How many times do you want to dump unjust burdens on people who made more than double sacrifices already. Our families have paid dearly over the years in the name of Eminent Domain. This time it's absolutely NO.

Sincerely

Rita Velak