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PUBLIC COMMENTS

TUESDAY, MARCH 16, 2010
1:00 p.m.

In the Matter of the Application for a Route Permit for
the Bemidji-Grand Rapids 230 kV Transmission Project

PUC Docket Number: E017, E015, ET6/TL-07-1327

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1 MS. STEINHAUER: Good afternoon. Can
2 people hear me? I'm not used to a mic.

3 Thank you very much for coming. We're at
4 the draft -- the public involvement meeting for the
5 draft environmental impact statement on the proposed
6 Bemidji-Grand Rapids 230 kV transmission line.

7 My name is Suzanne Steinhauer. I'm with
8 the Minnesota Office of Energy Security. We were
9 the lead state agency on the -- preparing the draft
10 environmental impact statement. With me today is
11 Stephanie Strength. She's from the U.S. Department
12 of Agriculture, Rural Utilities Service, serving as
13 the lead federal agency in the preparation of the
14 DEIS.

15 I also have -- there are a number of
16 people from the applicants here. Jamie MacAlister,
17 who you may have seen at the sign-in table, is also
18 with me and she's filling in as public advisor for
19 the Minnesota Office of Energy Security. And we
20 have Meghan Sweeney and Greg Poremba, also, from
21 ERM. They're the consultants who helped us prepare
22 the environmental impact statement.

23 My role in the project -- the proposed
24 transmission line has been proposed by three
25 utilities. For transmission lines of this size in

1 Minnesota, it needs a permit from the Minnesota
2 Public Utilities Commission. My role is to help
3 develop the record that the Commission can make that
4 decision on, and the EIS, or environmental impact
5 statement, is one very important piece, but it's not
6 the only one.

7 The purpose of the meeting this afternoon
8 is to provide an opportunity for the public to ask
9 questions and provide comment on the completeness
10 and accuracy of the draft environmental impact
11 statement.

12 I realize that most people are here
13 because there are lines on a map and, again, I want
14 to try to focus, to the extent possible, the
15 comments on the information and the accuracy and
16 completeness in the environmental impact statement.

17 In about a month, October 21st through
18 23rd (sic), there will be another set of public
19 meetings up here called contested case hearings.
20 Those are required for transmission lines of this
21 size. They'll be presided over by an administrative
22 law judge. In those hearings, the applicants will
23 advocate for what they prefer to have as a route.
24 There will also be an opportunity for people to ask
25 questions and also to advocate for what your

1 preferences may be as a route.

2 Depending on the route selected, the
3 proposed project is between 68 and 113 miles.
4 Again, it's a 230 kilovolt transmission line. The
5 transmission line would extend from the Wilton
6 Substation, which is located just west of here, to
7 the Boswell Substation in Cohasset. Depending on
8 the route selected, the project may also include
9 either a new Cass Lake substation or improvements to
10 the existing Cass Lake Substation and possibly a
11 breaker station in Nary.

12 For transmission lines of this size, as I
13 mentioned earlier, require the -- a permit, a high
14 voltage transmission line route permit from the
15 Minnesota Public Utilities Commission. The
16 transmission line can be constructed only along a
17 route approved by the Public Utilities Commission.

18 For the purposes of definition, a high
19 voltage transmission line is anything over
20 100 kilovolts. I think most of the things that you
21 see around here are 69 kilovolts or less. There are
22 some higher voltage lines coming into Wilton.

23 And the rules for the Power Plant Siting
24 Act are found in Minnesota Rules 7850.

25 I know many of you were here quite some

1 time ago, it was 15 or 18 months ago, in the summer
2 of 2008 for scoping meetings on the project. The
3 applicants, Minnkota Power, Otter Tail, Minnesota
4 Power, applied to the Public Utilities Commission
5 for a route permit in the beginning of June 2008.
6 The Commission accepted that application as complete
7 at the end of June.

8 We had scoping meetings in the project
9 area, including here in Hampton -- at the
10 Hampton Inn to gather public input on what should
11 be -- what routes should be considered in the
12 environmental impact statement and what effects need
13 to be evaluated.

14 Based on that information, based on the
15 advisory task force that was comprised of local
16 governmental units along the transmission lines, and
17 then agency comments, we released -- the state, the
18 Minnesota Office of Energy Security, released a
19 scoping decision in March of 2009.

20 We spent the intervening, approximately,
21 year developing the draft environmental impact
22 statement, which is a large three-volume set. There
23 are review copies available, if you'd like to look
24 at that. There are some located outside.

25 And that brings us to the public

1 meetings. And as I mentioned earlier, the purpose
2 of these meetings is to gather comments on the
3 information contained in the draft environmental
4 impact statement.

5 As I also mentioned earlier, there will
6 be what's referred to as a contested case hearing to
7 further develop the record and to begin developing
8 the record for a preferred route. Based on the
9 information, the EIS will be entered into that
10 record. The applicants will also enter their
11 information and their preferred route.

12 One thing that I do want to make clear,
13 and I understand it's confusing -- it may be
14 confusing to people, the EIS evaluated three routes.
15 It did not identify a preferred alternative. The
16 purpose of the contested case hearing is to develop
17 a record for the Commission on where the route
18 should go and what conditions should be attached to
19 the permit.

20 I'm sorry. I need to back up. Based on
21 the -- any comments that we receive here orally this
22 afternoon or in the next couple of days, also in
23 writing, will be included and addressed in the final
24 environmental impact statement. We will take oral
25 comments this afternoon. Some people have signed up

1 to speak on registration cards.

2 You don't feel -- need to feel
3 constrained by that. You can also provide written
4 comments, you can turn those in to us those today if
5 you have them. As long as we receive them by
6 April 26th, they will be included in the final EIS
7 and addressed there.

8 So we can move on to the next slide.
9 Those are some of the milestones and the purpose of
10 the meeting today. As I mentioned earlier, the
11 comment period ends on April 26th. Moving forward,
12 again, the contested case hearings will be held at
13 the end of April, just before the end of the comment
14 period.

15 The draft EIS evaluated three route
16 alternatives represented in the -- the map shown at
17 the front of the room in yellow, red, and blue,
18 along with 20 segment alternatives. The applicants
19 request a route of approximately 1,000 feet, within
20 which they would locate a right-of-way. The
21 right-of-way would be the cleared area and the area
22 that needs to be maintained clear. The applicants
23 have requested a right-of-way of 125 feet.

24 So within all of those routes and those
25 segment alternatives, the EIS looked at what

1 we asked the applicants and worked with the
2 applicants to develop is what we refer to as a
3 feasible 125-foot right-of-way. That does not mean
4 that's where the final route would go, but it
5 provides a way to compare the routes across all the
6 21 different issue areas and -- between the routes.
7 And those routes are perhaps shown a little bit more
8 clearly in the map located at the front of the room.

9 The draft EIS looks at 21 different
10 factors. The Commission, in their final decision,
11 needs to weigh a number of different factors.
12 They're identified as aesthetics, air quality,
13 geology, water resources, floodplains, wetlands,
14 biological resources, species of special concern --
15 threatened and endangered species, in other words --
16 cultural resources, land use, socioeconomics,
17 environmental justice, recreation and tourism,
18 agriculture, forestry and mining, community
19 services, utility systems, traffic, safety and
20 health, and noise.

21 There are, as I mentioned, review copies
22 of the draft EIS located outside. We have a limited
23 number of CDs, if that's something you'd be
24 interested in. There also hard copies available at
25 libraries in the project area, and it's also

1 available on our website.

2 Again, we would like to try to focus the
3 comments today on the information contained in the
4 draft environmental impact statement, specifically
5 the accuracy and completeness of the data. And I'd
6 like to go over some of the ground rules. I'm sure
7 these are very familiar to anybody that's been to a
8 public meeting.

9 A couple people filled out the green
10 speaker cards, and we'll taking those speakers
11 first. We'd like you to come up to the table. We
12 have a microphone here, and please state and spell
13 your name clearly. Christine is the court reporter,
14 she will be taking your comments.

15 Please be respectful of other people.
16 Everybody, I believe, in this room probably has an
17 opinion and some issues that they hold very dear to
18 them and we need to acknowledge that. Please limit
19 your comments to five minutes to allow everyone to
20 speak.

21 The court reporter will be preparing
22 transcripts, and comment sheets are available if you
23 prefer not to speak or if something comes to you
24 later. I know I am an introvert. I don't think
25 very quickly on my feet. Sometimes I'll go home and

1 think about things and wonder about questions that
2 people ask. So as long as we receive those comments
3 by April 26th, they are a part of the record.

4 I just want to say, we'll call on the
5 people who preregistered to speak first and then
6 we'll just open it up for a show of hands and go
7 through, provide everybody with a chance to speak
8 today.

9 There is -- at the registration table
10 there are comments sheets. You don't need to use
11 this sheet to provide written comments, but you may
12 want to take one just to give it to your neighbors
13 because it does provide contact information and the
14 deadline and the location for the comments to go.

15 Our website does also allow you to just
16 comment directly. There's a toggle button, and you
17 can comment directly. If those are received as an
18 e-mail, they get logged as a comment. And, again,
19 comments need to be received by April 26th.

20 And I'll turn this over to Stephanie.

21 MS. STRENGTH: And how do I switch this
22 (indicating)?

23 Okay. Can everyone hear me?

24 UNIDENTIFIED: Yeah.

25 MS. STRENGTH: I'm Stephanie Strength.

1 I'm with the USDA, Department of Agriculture, Rural
2 Utilities Service. I am an environmental protection
3 specialist. I am out of Washington, D.C.

4 We're involved in this project because
5 the borrower, Minnkota in this case, has approached
6 our agency for possible financing for their portion
7 of the transmission line. When that happens, it's
8 considered what we call a federal action and we have
9 to look at the impacts to the environment, to
10 people, and all those -- basically the 21 factors
11 that Suzanne went over earlier.

12 For this project, because of the state,
13 the role they're doing with the preparation of the
14 environmental impact statement, we are preparing the
15 document jointly. So rather than reviewing two
16 documents that large and commenting in two sets of
17 meetings, we're putting it all together and doing
18 one.

19 We have three what we'll call agencies,
20 one is actually the Leech Lake Band of Ojibwe, and
21 then the Corps of Engineers and Forest
22 Service - Chippewa National Forest, who are
23 operating in this EIS as a cooperating agency.
24 Meaning, they're doing the review of the document,
25 they're having input into the document, review all

1 the comments received to make sure that we meet
2 their needs as well. Each of those agencies has a
3 permit that they have to issue if the transmission
4 line were to be allowed and constructed.

5 So, let's see, as I went through,
6 Minnkota Power Cooperative has come to our agency
7 for possible financing. We do not make any decision
8 on financing until we've assessed the impacts,
9 that's the very first thing. There're some
10 different regulations that play into how an EIS is
11 developed, and then it goes to the cooperating
12 agencies.

13 Go to the next screen.

14 Okay. So the comments that are received,
15 as she mentioned, by April 26th, what they basically
16 do is they go into -- we've put out a draft of what
17 we think the impacts are, it's the draft
18 environmental impact statement. We receive
19 comments, that lets us know other information that
20 we might need to add, some other areas we might to
21 look at to help us determine which of these routes
22 might be the preferred or the best or the one that
23 would go forward. So all those comments will feed
24 into what then comes out in the final environmental
25 impact statement.

1 After that stage, there's a public
2 comment period, but the state and the federal
3 process differ a little bit. At that point, rather
4 than a hearing process, the federal agencies have to
5 establish what's called a record of decision. So
6 that would be in the newspapers where you saw the
7 notices for this meeting, it will also be in the
8 Federal Register.

9 And that record of decision will
10 basically say, for each agency, what our decision is
11 on the permit, where it will be located, what sort
12 of conditions we would want for like the
13 construction or where it's located and things like
14 that. So your input in the meeting is important so
15 that we make the best decision possible.

16 One other comment on this is that in
17 addition to NEPA, which really gets at the 21
18 factors that Suzanne went through, we have another
19 requirement through Section 106, which is getting at
20 cultural resources. So any comments that we receive
21 or that Suzanne receives will be shared with all of
22 the agencies and will help us in satisfying our
23 requirements and making our decision on the cultural
24 impacts of the project as well through Section 106.

25 I think that's about it. So we also have

Commenter 1 – Richard Ludtke

15

1 a website that has this document listed on it. It
2 has my contact information. There are all the
3 notices, there are all the preliminary documents,
4 all of that stuff.

5 Suzanne also has that in even more detail
6 on their agency's website, so you can go here as
7 well if you want to see directly what's posted on
8 the agency website. And if you do want to comment
9 directly to the federal agency, especially Section
10 106, the cultural resources, that becomes a little
11 bit more important that we give you that option.
12 But we will be sharing comments through all the
13 agencies, whether it's state or federal.

14 And so my contact information is on those
15 handouts that were at the entrance if you want that
16 in addition to Suzanne's.

17 And then I'll hand it over to you and
18 we'll start the comment period. Thank you.

19 MS. STEINHAUER: The first person I have
20 is Richard Ludtke. If you could please come to the
21 front and spell your name so that the reporter has
22 an accurate record. Thank you.

23 MR. LUDTKE: Should I use the mic?

24 MS. STEINHAUER: Yes.

25 MR. LUDTKE: Like that (indicating)?

Responses

Commenter 1 – Richard Ludtke

1 MS. STEINHAUER: Yes. You can stand -- I
2 do want the reporter to be able to see you, also.

3 MR. LUDTKE: My name is Richard Ludtke.
4 Richard, R-I-C-H-A-R-D, Ludtke, L-U-D-T-K-E. And I
5 was going to compliment you on creating a cure for
6 insomnia. The report is very long and very
7 detailed, and as a result, my comments make me
8 nervous that I probably missed something as I was
9 trying to read the report.

10 But I have both comments and questions,
11 and maybe they merge together. The first
1-1 12 question -- or first issue I have is on whether or
13 not there would be a Cass Lake Substation. A
14 substation was noted as being missing or absent
15 under Route 3 and present in Route 1 and 2.

16 But then on table 2.4, the table shows a
17 2.2-acre substation expansion under Route 3. That
18 seems to be in contradiction to part of the balance
19 of the report. I think that's a critical issue,
20 because my interpretation is that the absence of a
21 substance puts a cap on power available for economic
22 development in the Cass Lake area.

23 The second issue I would like to raise is
1-2 24 the issue of the carbon footprint, and this may be,
25 again, in the report. The 113-miler, the long route

Responses

Comment 1-1

Tables ES-1 and 2-1 have been edited to correct the noted error. A Cass Lake substation expansion would not be required if Route Alternative 3 were selected.

Comment 1-2

A discussion of carbon footprints and the Project's potential impact on climate change appears in Section 3.2.2.2 of the EIS. Text in this Section has been supplemented with information on the reduction of annual emissions with the Project relative to the currently operating transmission system.

Commenter 1 – Richard Ludtke

Responses

1-2
(cont.)

17
1 to the north, results in a significant energy loss
2 in transmission. I would like to know how that
3 impacts the carbon footprint over time for the
4 project. I didn't see that in the report and, to
5 me, that is a significant element.

1-3

6 Route 3 also has a large proportion of
7 poorly drained soils or wetlands. And not being an
8 expert in this, I was at a loss to interpret how
9 that should be interpreted or translated into
10 difficulty for the project or permanent impact on
11 the environment. I would like to see that
12 clarified, if possible, in the report.

1-4

13 And lastly, on the population and
14 residential densities, there was an argument made
15 that the residential densities in the northern route
16 were lesser. And in looking for the data on that, I
17 ended up in the maps that were in the appendices.
18 The maps use a yellow dot in the legend to signify a
19 residence. And the central corridors going --
20 paralleling Highway 2 had tons of yellow dots, but
21 there were no yellow dots in the northern route,
22 where I know there are residences because they're
23 ours. So I would like to see that examined. I was
24 worried that that may have overstated the
25 difference.

Comment 1-3

A discussion of the potential impacts of the Project on saturated soils appears in Section 3.3.2.2, paragraph 3, of the EIS. Potential mitigation measures to reduce impacts on saturated soils are included in Section 3.3.3 of the EIS.

Comment 1-4

The maps displayed in Appendix D of the EIS have been modified to represent the homes located along Route Alternative 3.

Commenter 2 – Bob Wagner

1 So those are the comments that I have at
2 this time.

3 MS. STEINHAUER: Thank you. I will note
4 your comments. I'll have to look at the information
5 on the substation. In all -- you're correct, in
6 Route 3 there would not be a substation in Cass
7 Lake, and I need to look at that table again. The
8 Boswell Substation would be expanded, so I'm not
9 sure what is reflected in the table.

10 But I certainly take your comments on the
11 apparent lack of residences in Route 3, and I regret
12 that we included that dot layer that came over from
13 the applicants in their application. We
14 hand-counted the homes in the northern area, we did
15 not put dots, and that's why there are no dots on
16 the maps that you have seen. So I certainly take
17 that to heart. Thank you.

18 The next person is Bob Wagner.

19 MR. WAGNER: Thank you. I'll make this
20 real quick. I'm here representing Turtle River
21 Watershed Association. And I simply want to
22 document that we originally submitted a statement of
23 our -- which was unanimous approval of 50 members
24 present at the watershed meeting to reject the
25 northern corridor route, which in the handout I

2-1

Responses

Comment 2-1

Thank you for your comment. It has been noted and included in the record for this EIS.

Commenter 2 – Bob Wagner; Commenter 3 – Mike Lish

Responses

2-2

3-1

19

1 think was number three and I think it's numbered one
2 out there. So I think the numbers are kind of
3 confusing, but if I say northern corridor, you know
4 the one I'm talking about.

5 What I want to submit here is that we've
6 updated our original letter against the northern
7 corridor. We've added some additional information.
8 Particularly, information on census data from Ducks
9 Unlimited Waterfowl, Audubon bird count, and DNR,
10 both game and nongame, census data and how power
11 lines and support structures kill migrating
12 waterfowl, spring and fall, particularly during
13 night flights, bad weather. The northern route,
14 which is double the length, would have double the
15 kill, and other information.

16 So, give this to you or give it to her?

17 MS. STEINHAUER: I can take that.

18 MR. WAGNER: There you are.

19 MS. STEINHAUER: Thank you.

20 The next person who's preregistered is
21 Mike Lish.

22 MR. LISH: Okay. My name is Mike Lish,
23 that's M-I-K-E, L-I-S-H. And my main concern is, I
24 guess I don't understand why -- Mr. Wagner is not
25 going to like this, but anyway, why they don't take

Comment 2-2

Text in Section 3.7.2.3 has been supplemented with information on the potential impact of Route Alternative 3 on fauna compared with Route Alternatives 1 and 2. A description of biological resources and species of concern identified for Route Alternatives 1, 2, and 3 appears in Sections 3.7 and 3.8 of the EIS.

Comment 3-1

The Applicants evaluated alternative locations for Route Alternative 3 prior to developing the route described in the EIS. During the evaluation it was determined that extending Route Alternative 3 east from the Wilton Substation to Highway 71 would require siting the Project through a high density residential development. Extending Route Alternative 3 north of Bemidji along Highway 71 would require siting the Project through additional residential and commercial developments, which are located north of Bemidji and near Turtle River, Ten Strike, and Blackduck. In addition, the Bemidji Airport is located in proximity to Highway 71 and may have been affected by a potential Route Alternative along the highway.

Commenter 3 – Mike Lish

Responses

3-1
(cont.)

3-2

20

1 the trunk highway north on 71 and go around that
2 loop rather than going south through where the more
3 populated areas are?

4 And another item I have a question about
5 is, on that last mailing I had received from you
6 people, you showed some deviations from Route 1 and
7 you talked about going along by the Enbridge
8 pipeline up at Division Street, which is just west
9 of Bemidji, and then going back onto the regular
10 route again.

11 And I guess if you was to go that way,
12 why don't you just go along the highway bypass? If
13 you have problems with the lines, they're easy to
14 get to. And also, along that southern route,
15 there's a lot of homes there, and I'm not -- not a
16 happy camper.

17 MS. STEINHAUER: Thank you.

18 The next person I have is Diane Plath or
19 Plate (phonetic).

20 MS. PLATH: I did not have the
21 understanding that things could be submitted via
22 e-mail or whatever, and I have some e-mail comments
23 from concerned individuals and my own statement, so
24 I will submit those --

25 MS. STEINHAUER: Okay. Thank you.

Comment 3-2

Thank you for your comment. It has been noted and included in the record for this EIS.

Commenter 4 – Benita Dingman

21

1 MS. PLATH: -- otherwise.

2 MS. STEINHAUER: Thank you.

3 Those are the only people that have
4 preregistered to speak, but I want to open it up
5 now. And if you'd like to speak, if you could raise
6 your hand and we'll just make sure that everybody
7 has an opportunity to do that.

8 I just want you to know we are meeting
9 again tonight. There are also meetings tomorrow and
10 Thursday, and the written comments can be submitted
11 in writing by mail, by fax, or by e-mail until
12 April 26th. So I encourage comments now, but if you
13 can't think of something or if you want to take some
14 time, there remains plenty of opportunity.

15 Well, gosh, I want to be respectful of
16 people's time, but I want to leave the option open
17 for people to comment. We will be around later,
18 both Stephanie and I, and also representatives from
19 the applicant to answer question. But I want to
20 make sure people feel like they have an opportunity.

21 MS. DINGMAN: I have a question. You
22 mentioned there's going to be public hearings, are
23 we going to be getting notification in the mail or
24 do we have to read the paper? How do we find out
25 about this public hearing?

4-1

Responses

Comment 4-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment.

Commenter 4 – Benita Dingman; Commenter 5 – Jay Johnson

Responses

1 MS. STEINHAEUER: If you could identify
2 yourself, please.

3 MS. DINGMAN: My name is Benita Dingman.

4 MS. STEINHAEUER: And the question was to
5 the public hearings. Yes, you will be getting a
6 notice in the mail and they will also be published
7 in the local papers, and those will be the 21st
8 through 23rd. I don't know the locations yet, but
9 when we figure those out we'll notify people.

10 I want to clarify, we will -- the state
11 will notify people who have registered on the
12 project mailing list maintained by the state. So if
13 you received a -- I believe the applicants sent out
14 a notice of these meetings with a cover letter. If
15 you received that notice in addition without a cover
16 letter, then you are on the project mailing list.
17 You can also indicate that on the sign-in sheets and
18 we'll make sure that you're updated.

19 But to answer your question, yes, you
20 will receive direct mail notice if you're on the
21 project comment list and there will be notice in the
22 paper.

23 Yes.

24 MR. JOHNSON: Jay Johnson. You answered
25 this question out in the lobby there, kind of, but

Commenter 5- Jay Johnson; Commenter 6 – Richard Ludtke

Responses

5-1

23

1 when will people know if they're going to have a
2 tower within sight of their house or close by, when
3 will they have time to object to that if they think
4 it's too close, or how?

5 MS. STEINHAUER: I can answer that
6 question in two parts. First of all, there is no
7 preferred route now. Once the Commission selects a
8 route, then the applicants will start to work with
9 landowners to determine -- in some -- based on the
10 comments that we receive here, and perhaps even more
11 specifically in the contested case comment -- in the
12 contested case hearing, we will develop a permit.

13 In some areas, that permit may be very
14 specific about where the route can go and the width
15 of the route. In some areas, it may provide more
16 latitude. In any case, once the Commission permits
17 a route, the utilities will contact those landowners
18 and start working with them on the placement of the
19 route, including the placement of the poles.

20 Yes.

21 MR. LUDTKE: I apologize for being quiet,
22 Richard Ludtke. Could you explain the Buy the Farm
23 law that was referred to in this?

24 MS. STEINHAUER: The question was about
25 the Buy the Farm law. There are two things. First

6-1

Comment 5-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment. A discussion of the easement acquisition process appears in Section 2.4.3 of the EIS.

Comment 6-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment. A discussion of the acquisition process and "Buy the Farm" provision appears in Sections 2.4.3, 3.11.2, and 3.11.3.6 of the EIS.

Commenter 7 – Jim Haack

24

1 of all, whatever route the Commission permits, the
2 utilities then have the right of eminent domain. By
3 determining the route, the Commission has determined
4 that the project is in the public interest.

5 Eminent domain doesn't mean that they can
6 just show up and start digging holes and put the
7 pole in your property. They will begin to negotiate
8 with landowners. If you -- if the landowner and the
9 utility are unable to reach an agreement about the
10 conditions of the easement, then the utility can
11 seek to condemn your property, which means it goes
12 to adjudication as to the compensation that you
13 receive for the easement. The easement is a
14 right-of-way, easement and right-of-way I think are
15 used interchangeably, that needs to be maintained clear
16 for the transmission line.

17 For transmission lines over 200 kilovolts
18 in Minnesota, there's a statute referred to as Buy
19 the Farm. And that means that if your property is
20 along the route selected you can request the utility
21 not to buy an easement, but buy the property
22 outright. So that is an option available to
23 landowners.

24 Yes.

25 MR. HAACK: Does that just include the

7-1

Responses

Comment 7-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment. A discussion of the acquisition process and "Buy the Farm" provision appears in Sections 2.4.3, 3.11.2, and 3.11.3.6 of the EIS.

Commenter 7 – Jim Haack; Commenter 8 – Barbara Bohn

Responses

7-1
(cont.)

25

1 right-of-way or the total piece of property?
2 MS. STEINHAUER: I'm sorry. Can you
3 please identify yourself so the reporter has a
4 record.
5 MR. HAACK: Jim Haack, H-A-A-C-K.
6 MS. STEINHAUER: That is for the entire
7 parcel.
8 MR. HAACK: So they would have yo buy --
9 MS. STEINHAUER: The Buy the Farm
10 provision is for the entire parcel, which may be
11 land, it may include structures.
12 Yes.
13 MS. BOHN: Barbara Bohn, B-A-R-B-A-R-A,
14 B-O-H-N.
15 The comments that are given today or the
16 ones that have been written, are they available for
17 us to read online?
18 MS. STEINHAUER: Yes. They will be
19 available. I think that probably what we'll do is
20 consolidate them and organize them, that's what we
21 have done for the scoping comments so that people
22 can find them and make sure that their comments are
23 included.
24 MS. BOHN: Okay. Which website do we
25 look at to do that?

8-1

Comment 8-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment.

Commenter 9 – Carol Winans

1 MS. STEINHAUER: I would look at the OES
2 website, which is on the longer handout, the
3 multi-page handout.
4 MS. BOHN: Okay. Thank you.
5 MS. STEINHAUER: Yes.
6 MS. WINANS: My name is Carol Winans, and
7 it's W-I-N-A-N, S as in Sam.
8 And the questions I have is, I was under
9 the impression, there was something in the Pioneer
10 that the Otter Tail Power notified the people in the
11 area that they were opting out of this, and this is
12 information -- or this is electric power coming
13 from -- or needed in South Dakota.
14 And why it coming all the way across
15 where it's coming? I don't quite understand, if
16 it's needed in South Dakota, why you're using it
17 coming -- I mean, couldn't you do something else,
18 couldn't there be a better way to provide this
19 electricity without doing the power in this huge
20 line?
21 MS. STEINHAUER: I can't comment on the
22 article that was in the Pioneer, I have not seen it.
23 There's no generation associated with this project.
24 The project that the Commission determined the need
25 on was based on reliability for the project area.

9-1

Responses

Comment 9-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment. A discussion of the purpose and need for the Project appears in Section 1.1 of the EIS.

Commenter 10 – Jack Frost

1 So there's no -- with some transmission,
2 it's associated with new generation. That's not the
3 case for this project. And I can't comment, I
4 haven't seen the article in the Pioneer, but that's
5 not part of this project.
6 Yes.
7 MR. FROST: I'm Jack Frost, F-R-O-S-T.
8 Beltrami County Commissioner. I was on the scoping
9 initiative in 2008, a past board member of Beltrami
10 Electric. And in representing the board, we of
11 course would like the least invasive routing and
12 alignment. And it seems to make sense if it can
13 incorporate an existing right-of-way already, that
14 that would seemingly make sense.
15 I know that there can be specific causes,
16 but overall, and since 2008, I've got a lot of
17 respect and admiration for all the agencies and the
18 oversight that has been given to this initiative.
19 Obviously, we need more and more power and we depend
20 so much on electricity and it's very important to
21 our way of life.
22 And I have, again, a lot of good faith
23 that we will get those good outcomes and do the
24 right thing and provide the least invasive means of
25 providing power to our constituents out here.

10-1

Responses

Comment 10-1

Thank you for your comment. It has been noted and included in the record for this EIS.

Commenter 10 – Jack Frost; Commenter 11 – Dave West

Responses

28

1 And I appreciate this opportunity that
2 people can come and voice their opinions and
3 concerns and have an open forum. And there will be
4 a public hearing coming up after afterwards. And I
5 think sometimes you get involved in all the process
6 and all the introspection in looking at and
7 measuring outcomes and what impacts could be, but I
8 really think that that is well thought out and well
9 provided for. I applaud you in your efforts.

10 MS. STEINHAUER: Thank you.

11 Yes.

12 MR. WEST: Dave West, W-E-S-T. When you
13 were answering that gentleman's questions in the
14 front row there (indicating), it sounded -- unless I
15 misunderstood your answer, it sounded like you were
16 saying that you would approve the applicants' route
17 without them being specific as to exactly where
18 their tower is going. Is that correct?

19 MS. STEINHAUER: That is correct, for the
20 most part.

21 MR. WEST: Correct. So the applicant
22 doesn't have to tell you or us exactly where this
23 route is and we won't know until they start digging;
24 is that correct?

25 MS. STEINHAUER: For the most part, I

Comment 11-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment.

11-1

Commenter 11 – Dave West; Commenter 12 – Jim Haack

Responses

1 would expect that the route will not identify
2 individual tower locations.
3 MR. WEST: So we won't know until they
4 start digging where they're going?
5 MS. STEINHAUER: The applicant -- when
6 you are negotiating an easement with them, you
7 should ask them where the towers will be.
8 MR. WEST: Okay. So maybe it's not on
9 your property -- it's not on your property, but just
10 outside your boundary line, the answer to my
11 question from you, then, is that we don't know where
12 it's going?
13 MS. STEINHAUER: I don't know where the
14 individual towers are going, that is correct.
15 MR. WEST: Okay.
16 MS. STEINHAUER: I want to provide
17 another opportunity --
18 Yes.
19 MR. HAACK: This is Jim Haack, again.
20 The existing right-of-way, is there a reason they
21 can't use the existing right-of-way along the
22 pipeline for the power?
23 MS. STEINHAUER: Transmission and
24 pipeline right-of-way cannot -- you can't build --
25 the direct answer to your question is you can't

12-1

Comment 12-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment.

Commenter 12 – Jim Haack

Responses

30

1 build a transmission line directly over the pipeline
2 right-of-way. Both of them require a cleared area
3 for safety. There may be some opportunity to
4 slightly overlap along the edges, but that is
5 correct.

6 MR. HAACK: Well, does that transmission
7 line affect the pipeline at all as far as any, you
8 know, electrical-type deals?

9 MS. STEINHAUER: There is opportunities
10 for interference, and we did review that in the
11 utilities section of the environmental impact
12 statement. So there's more detail included on that.

13 MR. HAACK: So just to complete that,
14 then, there is -- the power lines will have an
15 effect on the pipeline, you know, as far as power
16 and EMF and all that good stuff, is that what you're
17 saying?

18 MS. STEINHAUER: There is a reason why
19 the power line cannot be constructed directly over
20 the pipeline.

21 MR. HAACK: And is that the same
22 reason -- might be why there's a limitation for a
23 distance between the power line and houses?

24 MS. STEINHAUER: The distance between the
25 transmission line and houses, there are different

Commenter 12 – Jim Haack

12-2

1 effects. The pipeline is metal and has to be
2 grounded, and there is a distance requirement
3 between pipelines and houses, and that's part of
4 what the right-of-way is designed to accomplish.
5 MR. HAACK: But you're saying that it
6 affects the -- therefore, there is a distance --
7 minimum distance from existing structures or
8 existing houses that you will have to run the line?
9 MS. STEINHAUER: There can be no
10 structures within the right-of-way.
11 MR. HAACK: Well, what about in close
12 proximity?
13 MS. STEINHAUER: There can't be any
14 structures within the right-of-way, what is -- there
15 can be structures outside of the right-of-way.
16 MR. HAACK: But that property owner
17 doesn't have any say as to if the right-of-way goes
18 within certain distances of his dwelling?
19 MS. STEINHAUER: The state maintains a
20 safe -- the state maintains a safe distance and
21 there are industry standards, and that's part of
22 what the right-of-way is designed to accomplish.
23 Beyond that, there is -- that would be a negotiation
24 between the property owner and the utility.
25 MR. HAACK: So we don't know what the

Responses

Comment 12-2

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment. A discussion of safety and health appears in Section 3.20 of the EIS. The intent of a ROW is to allow for operation and maintenance of a transmission line in a way that ensures the safety of residents, transmission line maintenance personnel, and other members of the public. ROW width varies by the type of transmission structure and the surrounding environment. The Applicants have requested a ROW of 125 feet, or 62.5 feet on either side of the centerline using the H-frame structures they propose. In some areas, single-pole structures with ROW of approximately 75 feet, or 37.5 feet on either side of the centerline, could be used. No building structures would be allowed within the ROW.

1 distance is between the house or the dwelling and
2 the high voltage line, the minimum distance?
3 MS. STEINHAUER: I will be clear, the
4 minimum distance is the edge of the right-of-way. I
5 cannot tell you what the distance would be between
6 the transmission line and your home.
7 MR. HAACK: That's my point. Thank you.
8 MS. STEINHAUER: I want to -- yes.
9 MS. ANDERSON: Barbara Anderson, S-O-N.
10 First of all, you might want to change
11 your minutes there where she was talking in the
12 beginning about the next hearing, she said
13 October 21st to 23rd, she meant April.
14 When we made the comments during the
15 scoping period, which for some of us was very much
16 in length and depth, will that be incorporated at
17 this point, or do we have to do all of that all over
18 again to get it into the EIS?
19 MS. STEINHAUER: The question is the
20 comments that were received during scoping, are they
21 incorporated in the EIS? They are not incorporated
22 individually. There is a table in the back where we
23 tried to summarize the comments, and that is the --
24 and where we think that we address them.
25 So that's how they're incorporated in the

13-1

Comment 13-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment.

Commenter 13 – Barbara Anderson

Responses

1 draft EIS. The comments are part of the state's
2 record and also part of the federal record. But
3 they're addressed -- they're not included as an
4 appendix specifically in the draft EIS.

13-1
(cont.)

5 MS. ANDERSON: Do we then have to repeat
6 them at this point to have them be a part of the
7 record, is what I'm saying, if they were sent in in
8 2008? You mentioned that comments needed to be in
9 by April 26th, do we have to repeat those that were
10 sent in during the scoping period?

11 MS. STEINHAUER: Well, I think what I
12 would respond to that is we've received the scoping
13 comments and we tried to address them in the
14 information contained in the draft environmental
15 impact statement.

16 If you don't believe that that
17 information addresses your comments, then yes, you
18 should submit them -- your comments and what you
19 believe needs to be included in the final
20 environmental impact statement.

13-2

21 MS. ANDERSON: I have one other question,
22 what is the Minnesota law for -- is it just the
23 75 feet, then, that is considered safe for humans?
24 I mean, if you give it 125 and you're at one side or
25 the other of the easement, what -- each state is

Comment 13-2

A discussion of state and international standards for EMF exposure appears in Section 3.20.1.1 of the EIS. Ms. Steinhauer's response below should be corrected to state that Minnesota has an 8 kV/m standard for electric fields, but no standard for magnetic fields.

**Commenter 13 – Barbara Anderson;
Commenter 14 – Cameron Clemens**

Responses

13-2
(cont.)

34

1 different. I can show you where California wants
2 you 300 meters, somebody else is different, other
3 countries are different, what is the Minnesota
4 requirement?

5 MS. STEINHAUER: Minnesota has a minimum
6 requirement for magnetic fields, and that's eight
7 gauss per meter. Minnesota does not have a standard
8 for electric fields. I would direct your attention
9 then to, I believe it's section 3.20, which is
10 public health and safety effects, and that's where
11 we include information and our assessment on the
12 information available on electromagnetic fields and
13 potential health effects.

14 Yes.

15 MR. CLEMENS: My name is Cameron Clemens.
16 The last name is C-L-E-M-E-N-S. I live in an area
17 which is on the northern route. And I'm looking at
18 the map and I'm wondering, is there a cost --
19 substantial cost differential that would be needed
20 to put the line up to Blackduck and over east from
21 there as compared to the other two lines which kind
22 of follow the Highway 2 corridor?

23 MS. STEINHAUER: Thank you for your
24 comment. To answer your question, yes, there is a
25 cost difference. The costs are -- it's, I believe,

14-1

Comment 14-1

Please refer to the comment response from Ms. Steinhauer and Mr. Poremba that appears directly below the comment.

Responses

35

1 in the table in the executive summary. It's also in
2 either Chapter 1 or 2, I can't recall the exact
3 table.

4 But there a number of factors that go
5 into the cost, and obviously length is one of them.
6 So I can't tell you the exact cost -- the cost
7 differential between the routes, but there is a
8 differential and the northern route is more
9 expensive as far as capital cost.

10 MR. POREMBA: Suzanne, do you want me to
11 give them? I've got the table.

12 MS. STEINHAUER: Sure.

13 MR. POREMBA: The cost for --

14 MS. STEINHAUER: Could you identify
15 yourself?

16 MR. POREMBA: Yeah. So this is on the
17 executive summary table, number one, the cost for
18 Route 1, which is the southernmost, is roughly \$63
19 to \$65 million. The cost for Route 2 is roughly 66
20 million -- I'm rounding these off -- and the cost
21 for Route 3 is about 99 million.

22 UNIDENTIFIED: 99?

23 MR. POREMBA: Yeah.

24 MS. STEINHAUER: Could you identify
25 yourself again?

**Commenter 15 – Jane Johnson; Commenter 5 – Jay Johnson
(continued from earlier)**

Responses

15-1

36

1 MS. JOHNSON: Jane Johnson, S-O-N. This
2 question may be for Stephanie. I'm just curious as
3 to why there are so many different regulations for
4 different states concerning environmental impact?
5 MS. STRENGTH: I would say in part
6 because it's decided at the state level, there's not
7 a national standard. So each state can have their
8 own political process for deciding things like that.
9 What we look to is what is the industry
10 standard, what has been put out there as far as
11 what's required for safety. And there are different
12 requirements through the electric industry that are
13 published on that, and some of that information is
14 in the DEIS. But as far as the states, they can
15 make their own decision, so some might be more
16 inclusive than others.
17 MS. STEINHAUER: Yes.
18 MR. JOHNSON: It's Jay Johnson again. Is
19 it not true that alternating current does not have
20 an electromagnetic field around it, or am I wrong
21 about that?
22 MS. STEINHAUER: Alternating current does
23 have an electromagnetic field.
24 MR. JOHNSON: Oh, it does.
25 MS. STEINHAUER: Comments? Going once --

5-2

Comment 15-1

Please refer to the comment response from Ms. Strength that appears directly below the comment.

Comment 5-2 (continued from Commenter 5 earlier)

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment.

Commenter 16 – Tom Leif; 17 – Barbara Anderson

Responses

16-1

37

1 yes.

2 MR. LEIF: Tom Leif. Based on the

3 colored routes up there, where do we find

4 specifically what properties are affected?

5 MS. STEINHAUER: There are more detailed

6 route maps in the --

7 MR. LEIF: I can see the yellow dots and

8 I've gone to the computer and looked at the yellow

9 dots. And it's from a distance and they blend in.

10 But I'm interested in specifically the properties

11 that are affected.

12 MS. STEINHAUER: I would refer you to the

13 utilities. They have that information, we do not

14 have individual property information. And the

15 answer is, we don't know what properties are

16 ultimately affected until there's a route decision.

17 I want to be truthful about that.

18 Ms. Plath.

19 MS. PLATH: It's been answered. Thank

20 you.

21 MS. STEINHAUER: Yes.

22 MS. ANDERSON: I simply wanted to say

23 something in comment to what he said. Cindy Kuismi

24 with Otter Tail Power has been very helpful in

25 either e-mailing or sending very site-specific

17-1

Comment 16-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment.

Comment 17-1

Thank you for your comment. It has been noted and included in the record for this EIS.

Commenter 17 – Barbara Anderson

Responses

17-1
(cont.)

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38

enlargements of any portion of these routes to us and to other people. If you were to contact Otter Tail, she's their information officer. There are plenty of dots and you can even see the house, the trees, everything.

MS. STEINHAUER: I don't see any more hands. I'm going to say going once, going twice, going three times.

Thank you very much for your time and your interest in the project. And we'll be available later and try to answer questions. Thank you very much.

(Public comment concluded.)