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PUBLIC COMMENTS

WEDNESDAY, MARCH 17, 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: (Indicating throughout.)
2 So thank you very much for joining us this
3 afternoon. This is the public information meeting
4 and public comment meeting on the draft EIS for the
5 proposed Bemidji-Grand Rapids 230 kV transmission
6 line.
7 My name is Suzanne Steinhauer. I'm with
8 the Minnesota Office of Energy Security. We are the
9 lead agency charged with preparing the environmental
10 impact statement for the project. With me this
11 afternoon is Stephanie Strength. She's sitting at
12 the front table, she's with the USDA Rural Utilities
13 Service, and they are the lead of several federal
14 agencies -- they have been the lead federal agency
15 preparing the EIS.
16 We also have Christine here and she is
17 the court reporter. She'll be keeping a record of
18 the meeting this afternoon, and we'll open it up to
19 public comments and I'll kind of go through the
20 rules with that.
21 Let's see, there are also Cathy Thompson
22 and Christine Brown from the Forest Service here,
23 representing Chippewa National Forest. I have
24 Jamie MacAlister and Ray Kirsch in the back.
25 They're my colleagues at OES, and they can --

1 they're not as involved in the preparation of the
2 environmental review, but they can help you with --
3 if you have questions, they can answer general
4 questions about the project and also the Minnesota
5 review process.
6 Greg Poremba, the gentleman that's
7 standing, and Meghan Sweeney is also here, in red.
8 They're with ERM and they are the consultants for
9 the environmental impact statement.
10 My role for the project is to -- in
11 Minnesota, for transmission lines of this size,
12 before they can be constructed they need to receive
13 a permit from the Minnesota Public Utilities
14 Commission. My role is to develop -- begin
15 developing a record that they can make that decision
16 on.
17 The EIS, the environmental impact
18 statement, plays slightly different roles in the
19 state and the federal process. I'll talk about the
20 state process and Stephanie will kind of go over how
21 that fits into the federal review process.
22 One thing that I do want to note is for
23 the state process, the EIS does not identify a
24 preferred alternative. That can be different for
25 federal projects, but in the state process the EIS

1 is not going to identify a preferred alternative,
2 and this one doesn't.

3 And the purpose of this afternoon's
4 meeting is to take comments on the information, and
5 specifically the completeness and accuracy of the
6 information in the EIS.

7 I recognize that probably most people are
8 here because they have a preference about a route,
9 and we will take those comments. We probably can't
10 respond to them here in the meeting. All of the
11 comments received this afternoon orally and by
12 the -- any written comments by the close of the
13 comment period, which is April 26th, will be
14 included in the final EIS and the responses in the
15 final EIS.

16 I'll get into a little bit later -- this
17 is the handout. There are a couple of handouts.
18 I'm going to be going through the one -- the larger
19 one with several pages. I'll get into -- the state
20 also has a separate process called a contested case
21 hearing. There will be meetings held on that also
22 in the project area. There will be one in Deer
23 River, I don't know the location, probably here or
24 the high school, between April 21st and 23rd.

25 So if you've signed up at the sign-in

1 sheet at the back and if you've checked the box,
2 you'll receive direct-mail notice of those hearings.
3 There will also be a notice published in the
4 newspaper, so we'll get to that a little bit later.

5 The proposed project is a -- depending on
6 the route, there's a map over there near Stephanie,
7 is between 68 and 113 miles of 230 kilovolt high
8 voltage transmission line. The transmission line
9 would extend from the Wilton Substation in the west,
10 which is slightly -- just a little bit west of
11 Bemidji, and then end at the Boswell Substation in
12 Cohasset.

13 Depending on the final route, the project
14 may also include either the expansion of an existing
15 substation in Cass Lake or the construction of a new
16 substation in Cass Lake, and may include a breaker
17 station which --

18 MS. KUISMI: Sorry, Suzanne, can you turn
19 that volume up just a little? It's on the side
20 panel, do you see it, the volume?

21 MS. STEINHAEUER: Oh, okay. How's this,
22 is that any better? No.

23 MS. KUISMI: I don't know, do you want me
24 to go ask the bar to try to hold it down a little?
25 Okay. It's that one.

1 MS. STEINHAUER: Is this a little bit
2 better? I don't know if I'm as interesting as they
3 are. Maybe I'll try to speak more loudly.

4 And may also include the construction of
5 a breaker station near Nary.

6 As I mentioned before, for a transmission
7 line of this size, it cannot be constructed in
8 Minnesota without approval from the Public Utilities
9 Commission. The permit issued by the Public
10 Utilities Commission will designate the route for
11 where the transmission line will go. It will also
12 include a number of conditions related to either the
13 construction or operation or route for the project.

14 And, again, my role here -- the
15 Commission in their final decision balances a number
16 of factors that are designated in Rule and Statute.
17 And my role here is to develop a record for the
18 Commission to make their decision on. That will be
19 further developed in the contested case hearings
20 that will be conducted by a judge here.

21 There is -- I think on the third page of
22 your handout, there's a process flow diagram, which
23 when it's reduced doesn't reproduce so well. But
24 I'll go through it briefly to get you to where we
25 are here and then where we're going from here.

1 The applicants, Otter Tail Power,
2 Minnkota Power Cooperative, and Minnesota Power,
3 submitted a route permit application to the Public
4 Utilities Commission in the beginning of June,
5 June 4th of 2008. The Commission accepted that
6 application as complete at the end of June, also in
7 2008.

8 We were out here in the project area in
9 the summer of 2009 for the scoping meetings (sic).
10 There were also -- an advisory task force met
11 several times also in the project area. The
12 advisory task force was comprised of representatives
13 from local government.

14 The purpose of the public meetings that
15 were held in the summer of 2008 was to gather public
16 comment on what's called the scope of the EIS, what
17 the EIS should look at, which routes it should look
18 at, and what effects should be evaluated.

19 So based on the comments we received,
20 based on the information collected through the
21 advisory task force, and then based on agency
22 review, the OES issued a scoping decision in March
23 of last year, March 2009. And we spent the
24 intervening, approximately a year developing the
25 draft EIS. Which is -- there are copies back there

1 on the freezer, it's a large volume -- there's three
2 volumes, there's a number of maps in there.

3 So that brings us to the public meetings
4 to take comments on the EIS. As I mentioned and
5 I'll probably keep mentioning, there will also be
6 contested case hearings held in the project area and
7 that will further develop the record.

8 I realize that many of you have
9 preferences for the route, we'll take those comments
10 here. But the contested case hearings are set up to
11 provide for an opportunity for advocacy. The
12 applicants at that point will advocate for a
13 particular route and anybody else can enter their
14 comments into the record, ask questions of the
15 applicant.

16 And so that process is set up a little
17 bit better for people to advocate for particular
18 routes. We'll certainly take your comments here,
19 but again, the purpose of tonight's meeting is more
20 to just make sure that the information that goes
21 into that record, in the draft EIS is, to the best
22 of our ability, complete, and accurate.

23 I'll try to speak directly in it.

24 And then moving forward, contested case
25 hearings will be held in the project area at the end

1 of April, April 21st through 23rd. The close of
2 comments on the draft EIS, and that is in the
3 comment sheet, it's also in the handout here, is
4 April 26th. Based on the comments, those will all
5 be included and addressed in the final EIS that will
6 come out sometime later, I imagine sometime this
7 summer probably.

8 And then following the conclusion of the
9 final EIS, the judge presiding over the contested
10 case hearings will issue a report to the Commission.
11 Their report will include the judge's
12 recommendations on the route and any permit
13 conditions that should be included.

14 The Commission will weigh the judge's
15 report, they'll also have all of the comments
16 received. They take the judge's report very
17 seriously, but they'll be looking at the body of the
18 evidence and they'll make their final decision on
19 the route permit probably -- maybe sometime this
20 summer or early fall.

21 The draft EIS is, again, available at the
22 back of the room. It evaluated three route
23 alternatives. The applicants in their application
24 asked for the Commission to designate a route for a
25 larger area of up to 1,000 feet, within which the

1 applicants would locate a right-of-way.

2 Right-of-way and easements are often used
3 interchangeably. That means the area that needs to
4 be maintained and clear for construction and
5 operation of the transmission line. The applicants
6 have asked for a right-of-way of 125 feet.

7 So within the three routes and the -- we
8 should also mention there were 20 what we called
9 segment alternatives, which are either deviations or
10 ways of connecting mostly Routes 1 and 2 together.
11 Within those 1,000-foot areas, we looked at 125 feet
12 of what we called a feasible right-of-way as a way
13 to provide some means of comparison between the
14 alternatives evaluated.

15 The feasible right-of-way represents what
16 we asked the applicants and what we reviewed and
17 what we thought was something that looked, at least
18 from a preliminary engineering outlook, was
19 feasible, could be constructed. It does not
20 represent where the route would go, but it provides
21 a way of comparing across all the different factors
22 considered.

23 The draft EIS looked at -- I believe
24 there are 21 different factors for all the segment
25 alternatives, all the route alternatives. It

1 reviewed aesthetics, air quality and climate,
2 geology and soils, water resources, floodplains,
3 wetlands, biological resources, species of concern
4 or threatened and endangered species or special
5 biological communities, cultural resources, land
6 use, socioeconomic, environmental justice,
7 recreation and tourism, agriculture, forestry and
8 mining, community services, utility systems, traffic
9 and transportation, safety and health, and noise.

10 In the notice that you received and also
11 in the newspaper notice, it mentioned that the
12 copies of the draft are available at public
13 libraries in the area. It's also -- there's our
14 contact information, it's also available on our
15 website, on RUS's website.

16 And there's a link there so you can
17 follow to -- we tried to break it apart on our
18 website so you don't have to download all 500 pages.
19 We also do have a limited number of CDs if that's
20 something you'd like. You can talk to me or Jamie
21 or Ray or any of us and we can get you a CD if you'd
22 like to take that home with you.

23 Again, the focus of today's afternoon is
24 to receive comments on the content of the draft EIS,
25 and specifically the accuracy and completeness of

1 the data. As I mentioned earlier, the contested
2 case hearing -- we'll take any comments and we will
3 try to respond to them in the final EIS, but the
4 contested case hearing is also another opportunity
5 for you to comment and to advocate for a particular
6 route.

7 We'll take oral comments here. There are
8 green speaker cards in the back. I think we only
9 have a couple of them, but it doesn't look like a
10 huge crowd. So I'll take those people first that
11 knew they wanted to speak. I'll ask you to please
12 come to the microphone, it's, I guess, pretty clear
13 that we do need a mic, to state and spell your name,
14 please speak clearly and be respectful of others.

15 People here -- I imagine most of you are
16 here because you have seen that there may be a
17 transmission line near or crossing your property,
18 and I understand that you have strong feelings about
19 it. Other people would have just as strong feelings
20 that may be different from yours, so please be
21 respectful.

22 Please limit your comments to five
23 minutes in order to allow everybody to speak.
24 Christine will be -- the court reporter will prepare
25 transcripts. Comment sheets are also available at

1 the back. I suggest that -- you don't need to
2 follow this comment sheet, but I suggest you may
3 want to take one because it does have the contact
4 information, and if that's something you'd like to
5 give to your neighbors so that they have that
6 information to comment, also.

7 They don't have to be on this sheet, but
8 we do have to receive them by the close of business,
9 4:30, on the 26th. They can also be faxed or
10 e-mailed. My contact information is on this
11 handout. You can also comment directly to us on our
12 website.

13 So I will turn it over to Stephanie, and
14 then we'll open it up for comments. Thank you.

15 MS. STRENGTH: Good afternoon. Can you
16 hear me? Okay. I am Stephanie Strength. I'm with
17 the U.S. Department of Agriculture, Rural Utilities
18 Service. It's part of Rural Development, at one
19 time we were known as REA.

20 RUS is jointly preparing this EIS with
21 the state of Minnesota OES so that we don't
22 duplicate this process, so that there aren't
23 multiple of these giant documents for you to read
24 and to comment on and multiple sets of meetings to
25 go to.

1 There are also three agencies that are
2 acting as cooperating agencies. They are also
3 having input into and review over this document
4 process. They'll be reading your comments and
5 responding to them.

6 Those agencies -- and I'm speaking from
7 the smaller handout, it's the one-page. If you need
8 a copy of it, please let me know. We can pass them
9 around. It looks like people have it.

10 Okay. So the three cooperating agencies
11 are the U.S. Forest Service - Chippewa National
12 Forest, and that is due to the potential for the
13 route to cross Forest Service land. Then you have
14 the U.S. Army Corps of Engineers, and that is due to
15 potential impacts to wetlands and waters of the
16 United States. The last is the Leech Lake Band of
17 Ojibwe, and that is due to the potential for the
18 route to cross the reservation boundaries.

19 RUS is involved because Minnkota Power
20 Cooperative is one of the utilities involved in this
21 project and they have approached RUS for federal
22 financing. And that financing is what we call a
23 federal action, which means we have to look at what
24 the impact of the project would be on the human and
25 natural environment.

1 There are the 21 factors Suzanne listed
2 of all the different resources we look at,
3 everything from land use to threatened and
4 endangered species and cultural resources, so we're
5 all assessing the same things. Your comments will
6 be considered by all of the agencies, and we will
7 alter our paths after the final environmental impact
8 statement from the state.

9 So that means we have the comments coming
10 in on the draft environmental impact statement.
11 Those will be responded to in the final
12 environmental impact statement. After that is
13 released, there's a comment period. After that, the
14 state goes through their process with the PUC as
15 Suzanne explained.

16 However, the federal agencies do what's
17 called a record of decision, and each of the
18 agencies will issue their own. And that's basically
19 where we put in writing and publish in newspaper and
20 the Federal Register which of the routes we would
21 be, in our case, considering financing or the other
22 agencies will be considering issuing a permit for,
23 as well as what sorts of conditions there would be
24 on how it would be constructed. So your comments
25 that you submit today or before April 26th will help

1 develop those decisions. That information is on the
2 back of the one-page handout from RUS.

3 In addition to the EIS process, which is
4 because of NEPA, National Environmental Policy Act,
5 we also have something called Section 106, which is
6 where we address impacts on historic properties,
7 cultural resources.

8 Any comments that are submitted through
9 the EIS process we will also be considering in that.
10 So you don't need to worry about commenting in more
11 than one location. And on the back side of this
12 sheet is my name, Stephanie Strength, my contact
13 information, my e-mail. All of that is there. So
14 if you wish to comment directly to me you can do
15 that. Again, we will be sharing the comments with
16 all of the agencies involved so you don't have to
17 worry about commenting to multiple locations.

18 Our website is listed above my name. On
19 that we have listed the -- or posted that so you can
20 download preliminary documents, the public comments
21 from the scoping process, as well as our scoping
22 report. You can also get the draft EIS there and
23 any notices for future things such as the federal
24 EIS will be there. So a lot of it's a duplicate
25 with what's on the state website, but this is where

Commenter 27 – Lloyd Lundquist

1 you can go to the federal website to find that
2 information.
3 So I'll turn it over to public comment.
4 I think Suzanne will talk and then we'll be back
5 around afterward if you have questions for me, or
6 there are some people here with the Forest Service
7 and we do have someone here from the Corps as well.
8 So if there are questions, we can try to help you.
9 Thank you.
10 MS. STEINHAUER: Thank you.
11 The only person I have preregistered is
12 Lloyd Lundquist, and if I can ask you --
13 MR. LUNDQUIST: I'm right here.
14 MS. STEINHAUER: We really need you --
15 I'm sorry. We need you to really speak up. It's
16 St. Paddy's Day.
17 MR. LUNDQUIST: The only question I had
18 was where the actual -- the three routes went from
19 like Deer River to Cohasset, because the last map I
20 got you bunched them all together. And I live north
21 of Highway 2 and I was just wondering if they were
22 going south of Highway 2 or north of Highway 2, what
23 they were doing. And how much more easement are
24 they taking than what they've already got if they go
25 where the high line is originally at?

Responses

Comment 27-1

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

Comment 27-2

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

27-1

27-2

Commenter 28 – Terry Helmer

19

1 MS. STEINHAUER: The answer is we don't
2 have a final route, so I can't tell you exactly
3 where it will go. The applicants have asked for a
4 125-foot right-of-way. One of the things we'll be
5 evaluating and continuing to build the record on is
6 if there is an existing transmission line there,
7 what would happen if we -- we call it
8 double-circuiting. If there's an opportunity, then,
9 to construct those, to move both of the lines onto
10 one set of structures, it would be a wider easement.
11 But there may be some overlap.

12 MR. LUNDQUIST: All right.

13 MS. STEINHAUER: Thank you.

14 Yes.

15 MR. HELMER: Terry Helmer, Grand Rapids.

16 MS. STEINHAUER: You're really going to
17 have to --

18 MR. HELMER: Terry Helmer, Grand Rapids.

19 MS. STEINHAUER: I'm sorry. Can you
20 please come up?

21 MR. HELMER: Do you want me to use this
22 thing (indicating)?

23 MS. STEINHAUER: Yes.

24 MR. HELMER: It's not going to work.

25 Terry Helmer, Grand Rapids. I own property on White

Responses

Commenter 28 – Terry Helmer

20

1 Oak Lake over here, and I've already got a
2 transmission tower that's on my property. Your
3 proposed line is going to run right through there,
4 again. There's already a couple gas lines, oil
5 lines. I don't know what else they can get in
6 there.

28-1

7 I'm just wondering if your mind is made
8 up as to which route you're going to take. I can
9 understand where you're coming from because it would
10 be the easiest way to go, but it doesn't help me
11 any. I've got 37 acres in there on White Oak Lake
12 and it's already messed up over there. And then
13 they just put in two oil lines, I think -- or three
14 this summer.

15 I don't know. I'm just venting a little
16 bit.

17 MS. STEINHAUER: Thank you for your
18 comment. Just to clarify, first of all, I am not
19 going to be the one making the decision, and
20 secondly, the record from our perspective isn't
21 complete. And that's one of the things we're out
22 here taking comments on now and at the end of April,
23 and the judge will be making the recommendation on
24 that.

25 So I can certainly understand the

Responses

Comment 28-1

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

Commenter 28 – Terry Helmer

1 frustration of not knowing where it's going to be,
2 but I have to answer honestly. It's not my place to
3 have an opinion and I don't, and it will be some
4 time. Thank you.

28-2

5 MR. HELMER: Thank you. Now, what's your
6 time schedule on this, and what happens if you do
7 put it -- what's your schedule on this if -- well, I
8 lost my place here. I'm just wondering, if you do
9 go through that property, do you pay compensation
10 for whatever property you take through there?

28-3

11 MS. STEINHAUER: The question was what's
12 the time frame for completion of the project, is
13 what it -- the first part?

14 MR. HELMER: Well, that would be one,
15 yes.

16 MS. STEINHAUER: And then is there
17 compensation provided.

18 The first part is I would say that the
19 earliest the Commission -- and I cannot speak for
20 the federal agencies, but the earliest that the
21 Public Utilities Commission would make a decision on
22 the route would be perhaps late summer of this year.

23 Following that, the applicants -- and
24 just to clarify again, the Commission, and I
25 represent the Commission, makes the decision. But

Responses

Comment 28-2

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

Comment 28-3

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

Responses

22

1 they're not constructing the line. So following the
2 permit decision by the Commission, the applicants,
3 the utilities, would send out people once the route
4 is determined to work with landowners and reach --
5 try to reach an easement agreement with the
6 landowners.

7 For the route that's permitted, the
8 utilities do have condemnation authority. The
9 utility must to try to reach an agreement between
10 the landowner and the utility. If they can't reach
11 that, they can move to condemn. Which would mean,
12 still, that the landowner must be compensated, but
13 it's adjudicated, the level of compensation and the
14 conditions of easement are adjudicated.

15 One thing that I do want to make clear is
16 for a transmission line of this size, anything -- in
17 Minnesota anything over 200 kilovolts, and this is
18 230 kilovolts, there is also a provision in statute
19 called the Buy the Farm provision. That means if a
20 transmission line is permitted across your land, you
21 can request that the utility buy the parcel
22 outright. Not just an easement or a strip, but buy
23 the parcel outright. So that is also an option
24 available.

25 The utility must, in any case, compensate

Commenter 29 – Greg Abbott

23

1 the landowner. The Commission does not -- the level
2 of compensation is not part of the Commission's
3 decision. There are members from the -- there are
4 representatives from the utilities and they can talk
5 to you after the meeting about how compensation is
6 determined.

7 Can you --

8 MR. ABBOTT: I can speak up.

9 MS. STEINHAUER: Really loudly, please.

10 MR. ABBOTT: I will. Okay. If --

11 MS. STEINHAUER: Can you please identify
12 yourself.

13 MR. ABBOTT: Greg Abbott. If you can't
14 come to a determination agreement with the
15 landowner, is eminent domain ever your last resort?

16 MS. STEINHAUER: Again, I want to qualify
17 the you in there.

18 MR. ABBOTT: Anybody, you know, the --

19 MS. STEINHAUER: The route and the
20 conditions of the easement are determined between
21 the landowner and the utility. Eminent domain and
22 condemnation -- I guess I use them interchangeably,
23 but for the route that the Commission determines,
24 part of that determination is the Commission's
25 determined that that route is in the public

Responses

Comment 29-1

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

29-1

Commenter 30 – Garry Frits

1 interest, and that grants the utility the authority
2 to use eminent domain.

3 That does need to be the last resort.
4 They do need to try to make a good faith effort with
5 the landowner before they can proceed to eminent
6 domain proceedings.

7 MR. FRITS: My name is Garry Frits. And
8 I'd like to comment for the record that one of the
9 problems I think a lot of us are having is that,
10 lacking a preferred alternative being identified in
11 the draft environmental impact statement, it's very
12 difficult for us to comment, not knowing where the
13 preferred alternative is at this time.

14 I think it would have been to the benefit
15 of you folks who wanted public input if you would
16 have identified that, the preferred alternative.
17 Knowing that it may not be the final alternative,
18 but recognizing that at least the public could spend
19 some time reviewing the document and looking at why
20 that alternative was preferred against all of the
21 others.

22 And I think that's a lot of the
23 difficulty that I had and other people had, too, in
24 commenting at this stage of the process.

25 MS. STEINHAUER: Thank you for the

Responses

Comment 30-1

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

30-1

Commenter 31 – Norley Hanson

1 comment, and I can certainly understand that.
2 That's why we have the contested case hearing, but I
3 can understand the frustration with that. Thank
4 you.

5 I want to make sure that people who do
6 want to speak this afternoon have an opportunity.
7 We will be available afterwards to try to answer
8 questions, and you can provide written comments any
9 time before April 26th.

10 I don't see any hands, so I'm going to --
11 yes, did you have a comment?

12 MR. HANSON: I'm Norley Hanson. My
13 comment that I would like to make is what is the
14 time frame you're looking at that so you will have a
15 preferred route, a preferred alternate route, and so
16 forth? You know, you've been doing this now for a
17 year and a half and we don't know any more about it
18 than when you started.

19 MS. STEINHAUER: The earliest the
20 Commission would make a decision would be this
21 summer. They would permit a route. At that point,
22 there would not be an alternative. If for some
23 reason the permitted route could not be constructed,
24 the utilities would have to come back to the
25 Commission and we'd have to reopen the case.

Responses

Comment 31-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment regarding the Project schedule. Text, tables, and figures throughout the EIS have been supplemented with a discussion of Route Alternative 4, a combination of Route Alternatives 1 and 2, which the Applicants have identified as their preferred route. A discussion of the Preferred Alternative of the lead federal agency appears in Sections 2 and 5 of the EIS. Neither the OES nor the Commission have identified a preferred route, as discussed in Section 2.5 of the EIS.

31-1

Commenter 32 – Terry Helmer; Commenter 33 – George Berbee

Responses

32-1

1 Going once -- yes. I'm sorry. Could you
2 please identify yourself once again.

3 MR. HELMER: Terry Helmer again. It's
4 probably just abstract, how tall are these towers
5 we're talking about building, are they like the ones
6 I see going to Duluth?

7 MS. STEINHAUER: The question was how
8 tall are the towers. The applicants have proposed
9 their preference is to use -- located against the
10 back wall, their preference is to use the H-frame or
11 the two-pole structures. Those would be between, I
12 think, 70 and 100 feet tall.

13 They may in some areas also use the
14 single-pole structures, which would be the other
15 illustration, which would be narrower but a little
16 bit taller to compensate.

33-1

17 MR. BERBEE: Are those metal, those
18 single lines?

19 MS. STEINHAUER: The single-pole
20 structures --

21 MR. BERBEE: I just had a question. Are
22 those metal or --

23 MS. STEINHAUER: I'm sorry. Could you
24 please identify yourself for the record.

25 MR. BERBEE: George Berbee.

Comment 32-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment. A discussion of the Project structures appears in Section 2.4.1 of the EIS.

Comment 33-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment. A discussion of the Project structures appears in Section 2.4.1 of the EIS.

Commenter 34 – Kay Ikola

1 MS. STEINHAUER: The single-pole
2 structures would be metal. The two-pole or the
3 H-frame structures could be wood or metal. It
4 probably depends on the actual area where they would
5 be installed.

6 And the metal structures could be either
7 galvanized, or the shiny metal, or what they call
8 COR-TEN, which is the brown, some people say rusty,
9 metal so it's darker.

10 Yes.

11 MS. IKOLA: Okay. Kay Ikola, I-K-O-L-A.
12 And I just have a question of when you came up with
13 the third alternative. Because I've heard about
14 this for a couple years, but I never really heard of
15 the third alternative route until lately.

16 MS. STEINHAUER: The question was when
17 did the third, or the yellow, the more northern
18 route enter into the picture. The applicants in
19 their application to the Minnesota Public Utilities
20 Commission proposed two routes, generally in the
21 Highway 2 area.

22 Through scoping and through agency
23 review -- I should backtrack. When they approached
24 the RUS about financing, the RUS looked at -- they
25 look at things a little bit differently and they had

Responses

Comment 34-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment. A discussion of the Project scoping process appears in Sections 1.4.1, 1.4.2, and 2.1.2 of the EIS. The state and federal scoping decisions are included Appendix A of the EIS.

34-1

Responses

28

1 four what they call macro-corridors, or four larger
2 study areas. One was in that northern area, there
3 were also two that were further south of Leech Lake.

4 Through the public scoping comments, the
5 agency review, I think they're starting to identify
6 some problems with portions of one of the routes in
7 the Highway 2 area. And the fact that even if there
8 weren't problems, those two are pretty close, they
9 parallel each other very closely for a long
10 distance. And I think the agencies agreed that
11 there needed to be a different alternative that was
12 looked at.

13 And that -- so it's been reviewed for a
14 while, that was in the OES's scoping decision that
15 came out in March of 2009. That's when I think it
16 was probably formally identified for the public for
17 the first time.

18 MS. STRENGTH: Do I have to identify
19 myself?

20 It was also addressed in more detail in
21 the federal agency's scoping document decision,
22 which is also on the RUS website. And in that all
23 of the additional macro-corridors or the routes
24 other than what the applicant had first come out
25 with, those are addressed in detail as well as some

Commenter 35 – Terry Helmer

29

1 of the agency's analyses for why we decided not to
2 go with one of the southern ones and why we kept in
3 the northern one that wasn't originally proposed.

4 Ms. IKOLA: Okay. Thank you.

5 MS. STRENGTH: Um-hmm.

6 MS. STEINHAUER: Again, I want to make
7 sure people have an opportunity to comment. I also
8 want to respect people's time if they need to move
9 on.

10 So not --

11 MR. HELMER: When will your next meeting
12 be, or is there going to be one?

13 MS. STEINHAUER: There's another public
14 comment meeting tonight in Blackduck.

15 MR. HELMER: I know that, but somewhere
16 down the line.

17 MS. STEINHAUER: The next set of meetings
18 will be April 21st through 23rd. They will be in
19 the same cities as these meetings have been. I
20 can't tell you which actual building they'll be in.
21 If you check the box on the sign-in sheet at the
22 back, you'll receive notice of those, and I expect
23 the notice will go out sometime in early April.

24 MR. HELMER: Okay. You said, now,
25 April 23rd?

Responses

Comment 35-1

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

35-1

Commenter 35 – Terry Helmer

30

1 MS. STEINHAUER: April 21st, 22nd, and
2 23rd.

3 MR. HELMER: Okay. And then what are you
4 going to tell us at that meeting, that this is a
5 done deal or --

6 MS. STEINHAUER: That is the contested
7 case hearing. It will be presided over by a judge.
8 At that point, the applicants will have
9 identified -- they've identified their preferred
10 routes and they will advocate for that. I'll ask
11 questions of them. Any member of the public -- or I
12 imagine some of the other agencies will also -- can
13 ask questions and can advocate for routes at that
14 point.

35-2 | 15 MR. HELMER: You will send us the
16 information beforehand of the routes you're picking,
17 before this meeting?

18 MS. STEINHAUER: The selection of the
19 route won't happen until after the conclusion of the
20 contested case hearing. What I will -- we'll send
21 you a notice of the hearings at the end of April,
22 and then when the Commission makes -- we'll also
23 then provide a notice of the availability of the
24 final EIS.

25 And we will -- if you registered on the

Responses

Comment 35-2

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

Commenter 35 – Terry Helmer; Commenter 36 – Janet Snell

1 OES's project website or checked the box, you'll
2 receive a notice of the meeting where the Commission
3 is scheduled to make their final selection. That
4 will be in St. Paul.

5 So the earliest that the final selection
6 would happen -- I would anticipate the earliest
7 would be sometime this summer of this year. I don't
8 know the date.

35-3 | 9 MR. HELMER: Not this summer, but the
10 following summer?

11 MS. STEINHAUER: Summer of 2010, this
12 summer.

13 MR. HELMER: Okay.

14 MS. STEINHAUER: At the earliest.

15 MR. HELMER: Okay.

16 MS. STEINHAUER: I'm very hesitant,
17 particularly with this project, to provide a
18 schedule anymore.

19 MR. HELMER: I understand.

20 MS. STEINHAUER: And I can appreciate how
21 frustrating that is.

22 Yes.

36-1 | 23 MS. SNELL: Janet Snell, S-N-E-L-L. Have
24 you addressed crossing tribal lands with the routes
25 you have now?

Responses

Comment 35-3

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

Comment 36-1

Please refer to the comment response from Ms. Steinhauer that appears directly below the comment. A discussion of the potential for the Project to cross tribal lands appears in Section 1.3.5 of the EIS.

Commenter 36 – Janet Snell

1 MS. STEINHAUER: The question is have we
2 addressed crossing tribal lands with the routes that
3 are on the board now. Yes, the EIS does address
4 that. If any of the routes cross the reservation,
5 they would need a resolution or a permit from the
6 Leech Lake Band of Ojibwe.

7 MS. SNELL: So has that taken place, in
8 that you already have them lines mapped out, or are
9 these just proposed?

10 MS. STEINHAUER: These are proposed
11 routes. These are route alternatives. There has
12 been no selection by any of the agencies about which
13 route will be constructed. But with the two lines
14 along the Highway 2 area, they both do cross the
15 reservation and would need permission from the Leech
16 Lake Band to cross the reservation.

17 MS. SNELL: And if they object, then you
18 do these alternates?

19 MS. STRENGTH: The Leech Lake Band of
20 Ojibwe are a cooperating agency for the development
21 of the environmental impact statement. So in the
22 draft EIS, what is discussed is what the impacts
23 would be to the reservation from any of the routes
24 that cross the reservation, and they would be part
25 of the decision-making process. They would issue

Responses

Comment 36-2

Please refer to the comment responses from Ms. Steinhauer and Ms. Strength that appear directly below the comment. A discussion of the permissions required to cross the Leech Lake Reservation appears in Section 1.2.3 of the EIS.

36-2

Commenter 36 – Janet Snell

1 their own decision at the same time that the federal
2 agencies do so.

3 So at this time there's been no decision
4 and there's been no resolution because there's not a
5 route for them to make a resolution on yet. But
6 they are part of the process and part of the
7 analysis going on now.

8 Does that answer your question?

36-3 | 9 MS. SNELL: And these 21 factors that she
10 listed in selection, have they been built into the
11 routes you have proposed?

12 MS. STRENGTH: Those 21 factors are
13 considered for all three of the routes. So while we
14 don't have a preferred right now, we have looked at
15 the same impacts or the same 21 resources for all
16 three of the routes.

17 Where normally you might see one route
18 with a couple little alternatives being considered
19 at this detail, we're considering all three because
20 of the complexity of the lands being crossed by this
21 project and all the agencies. Which is what's
22 feeding into the time line problem, that's why it's
23 taking so long, because there's a lot of
24 coordination.

25 MS. SNELL: Okay.

Responses

Comment 36-3

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

1 MS. STEINHAUER: Thank you.
2 I'll sweep the room one more time for
3 hands, and seeing none, we'll conclude the formal
4 portion of this meeting. And we are available to
5 answer questions afterward. Thank you very much.
6 (Public comment concluded.)
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Responses