

Additional Notes

Lake Marion to Hampton Advisory Task Force March 25, 2009

1) Notes from Ms. Jennings, Task Force Member

Minutes PUC Citizens Advisory Task Force, March 25th

Submitted by citizen member, Carrie Jennings

Sciota Board Supervisor is an audience member only. Not allowed to be at the table.

No one from Great River, the Public Utilities Commission or the Management Analysis and Development group (state facilitators) has been “charged” to take minutes. Charlie is only recording bullet points with markers on large sheets of white paper. Charlie is the hired facilitator. That is his primary role. He also has a documentation role. He was hired by the PUC to facilitate this.

Because we are interested in transparency, I volunteered to take notes and share them with all attendees.

Rules: pay attention; ask to speak; be respectful.

Process comes from a concept of consensus. We may not reach consensus; may reach a point where we make a recommendation (super majority).

I. Scott Ek—State Route permitting process

A. Purple sheet in folders

1. PUC (Public Utilities Commission) accepted application because all submittal rules were followed.
2. ATFs (Advisory Task Forces) were ordered to be created at this time.
3. OES (Office of Energy Security) took on the responsibility of creating the charge for the task forces.

B. Two task forces set up right away: ours and Mn River to New Prague sector. Sent out letters to the rest of the political entities along the route. No additional task forces requested according to Mr. Ek. Public meetings are still being held starting in Hendricks and running E for two weeks. Cannon Falls is the final public meeting location.

C. Route and process will be explained, as well as importance of comment letters. Will be a stenographer—comments can be transcribed from verbal testimony while there. All public comments hold the same weight—task force, public comments—when they come across Scott Ek’s desk they are all the same. No prescribed time limit when testifying at the public hearings.

D. Comments being accepted by e-mail, web page electronic comments

E. Comment period closes April 30th, 4 pm. Should pertain to what should be included in the scope of the EIS (Environmental Impact Statement)

Health, local concerns...

F. This testimony will be instrumental in creating the scope of the Environmental Impact Statement

PUC will hopefully have something by June 1. (allowing a month to three weeks).

Expects a lot of comments.

G. Next steps

1. A draft EIS is developed
2. Another public meeting.
3. A contested case hearing
4. Office of Energy Security's testimony on this project
5. Final EIS
6. Contested case hearing would be closed
7. Administrative law judge issues his (sic)/her findings

H. All of this (the record) is funneled to the PUC with the recommendations of the OES on "the route" which could be a single proposed route, a couple different alternatives...

I. Decision is made at that time whether to issue the permit, what it would look like..

J. Period of Judicial Review

Process takes approx a year and began 1/29/2009 and would be up in 2010, Jan 9.

II. Questions from task force after this presentation.

Q. Trish Johnson: Need has not yet been met for the Lake Marion to Hampton portion of the line.

Scott Ek: Need is a separate docket. Need vs route are different processes.

Trish Johnson: ALJ came out with recommendations on need Dec. 28th. Not sure when the PUC will be deliberating on the actual need for this project.

A: Mike Kaluzniak, staff at PUC, observer.

Evidence collection throughout April, decision in mid to late May.

PUC.state.mn.us April 16th?

Comment, Trish: If they do determine that it is not needed, then the reason for this group kind of dissolves.

Q: Joel—task force membership

Cedar Lake Twp, City of New Prague, Helena Twp. why are they not represented?

A: Sciota Twp is actually on the task force and should not be relegated to being an audience member only.

Comment: **PUC meeting on the 14th and 16th towards the need on the Marion-Hampton portion of the route:9:30 am in St. Paul. Public should participate and attend these hearings.**

III. Green sheet: Issues covered in EIS and what factors are included in the decision making.

- A. Literature study.
- B. No field research.
- C. Checking submitted data against something (not clear what).
- D. For the most part simply planning on using what was submitted by Great River Energy

IV. Craig Poorker, Great River Energy: Brief thumbnail sketch of the project (15').
(Not the time to “drill in”)

- A. Great River Energy representing Cap x2020.
 - 1. History of last 3 years in developing routes.
 - a. July 2007? project and team introduced; sent to 23,000 people; broad pink corridor. Letters to twp, city and county and called county administrators to introduce project.
That kicked off the need portion of the project.
 - 2. Sept 2007 First open houses every 25-30 miles across corridor.
Routing criteria fact sheet distributed. Wanted to hear from public which criteria were important to attendees.
 - i. Impacts to homes was easily #1.
 - ii. Impact to agriculture a close second.
 - 3. Sign up sheets to participate in work group meetings.
 - 4. Feb. 2008 Beginning of work group meetings.
Priorities changed as you went from west to east across the state.
 - 5. Another open house late March, early April, 2008
Focused on areas to avoid
 - 6. Another round of work group meetings: July
Help find routes now.
 - 7. Final open house, August, 2008
Routes narrowing down
 - 8. At the same time, went to *every* city, every county, some twps that asked so they could explain routing criteria.
 - 9. Asked for input from agencies (BWSR, parks, DNR...)
- B. Underlying question remains: HOW WAS INPUT HANDLED/RANKED/PRIORITIZED/INCLUDED?
- C. Final comments from Craig Poorker
 - 1. Heard that they should stick to existing infrastructure, powerlines, roads

2. Stay out of fields
3. The modified the towers to be a Single pole structure on concrete pier (report that this was well received by Ag.community)
4. Only a small percentage of project goes cross country

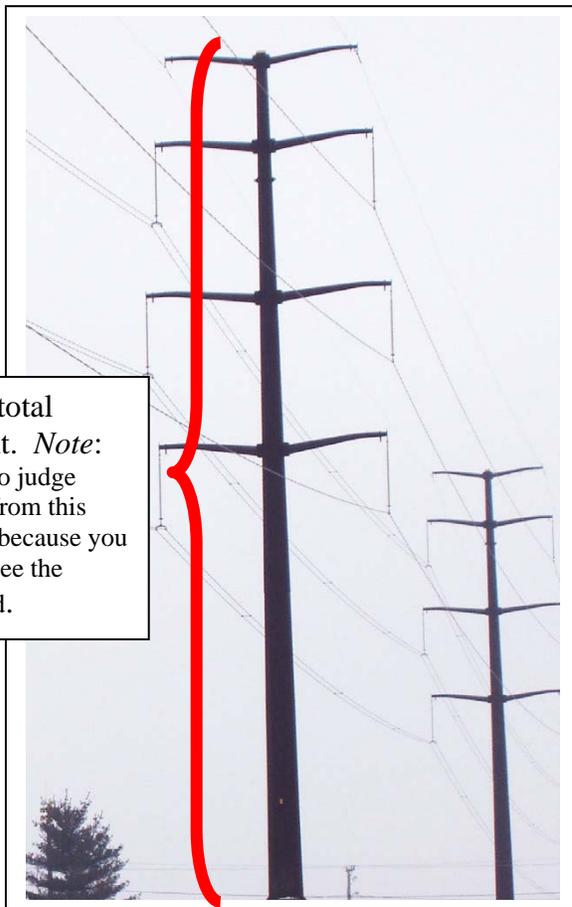
Comment from Joel: Of the 8 miles in Scott Co.,only 1 mile does not go cross country.

Q: Carrie J. Makes is sound like a grass roots process.

Poorker clarification:

Citizens did not choose routes. There was a team working for three years and Craig's name in on the final selection. He is ultimately responsible.

They relied on people to say what was missing in the criteria but the selection was theirs.



180' total height. *Note:* Hard to judge scale from this photo because you can't see the ground.

Russ: From the Nov. 2007 meeting until now there has been no substantial difference in routes proposed. Exact same route handed out then. The routes have not changed.

Craig: routes were not finalized until Aug. 2008.

Mark Nagel: Doubling of lines on I-35-- How many lines? Two circuits on one set of poles. Would require a wider r-o-way?

A: Don't like to have two power lines side by side. Better if separated by a mile or so. Would have to keep 150 kV line and have two others.

Joel: Will this start out as single or double circuit?

A: Brookings – Lyon,single; Helena-Hampton,single; inbetween: double.

Craig: During the process "interveners" suggested the line was not being designed big enough for all the renewable energy coming online. (e.g. wind from Buffalo Ridge). We do not know who these interveners are or if this was the intent of suggesting the addition of renewable energy sources. It is how Great River Energy interpreted those comments.

Joel: Excel was ordered to do that by PUC because they were caught stealing from the consumers (overcharging on rates) and were forced to have more renewables as punishment.

Clarence: Percent wind on the line?

Craig: No numbers yet on anything.

Ray K: Can you not go down existing line on the w side of I-35?

Craig: Talking a double -circuit structure here.

Carrie: Listing of priorities for selecting the route?

Craig: Criteria were not weighted because the last utility to score or weight different criteria ran into problems with the Ag. community (Stearns Co.?)

Impacts to home and ag most important

Carrie: Sophisticated ways to optimize this route even if weighting is not used. Fuzzy logic, optimization methods would at least be reproducible and defensible. Your process is not.

Craig—no comment.

Ray K: How were homes considered

Craig: Number of homes and distance—

“probably opted to...” examples of how they probably decided but nothing concrete.

Trish: Wants more than a 75' easement because that distance does not protect people from EMFs (electromagnetic fields). Worries about health and safety are real. In some of rejected routes—26 houses selected over 28. How is that protecting health of people?

Craig: How close were they to road ? Older homes are often farther from road. Side of road was also important.

Clarence—Didn't understand the road easement issue. 6' (33' from center). Are these lines going to be on the twp road right of way?

Craig: The easements would overlap. Arms would hang over. The easement would be 75-80 feet into private property.

Blow out zone—when wires blow out (wires have slack and can sway like a jump rope). With heavy sag on a windy, high-energy day, need that zone.

After break:

Housekeeping:

Merlin Dubbels, Sciota TWP now at the table.

Charlie Petersen is open to editing but he will have final say on the document.

We have his card with contact information (on vacation 3-10th)

He will be working from a template document and will bring copies of that at the next meeting.

Criteria conversation we had with Craig—he will write a paragraph summary listing what his criteria are.

He will start with PUC factors and write a paragraph or so to explain the “chunks of value” in the conversation.

Postal mail is the formal way of communication. E-mail helps from a timing standpoint. Expense report: Ray Kirsch—can get reimbursed for mileage—travel to meetings.

V. Looking at impacts and issues of the transmission line.

A. The worksheet.—Charlie wants to collect them all. They are our issues but wants to raise them up to the consensus level and discuss them.

Will be collected at the end of this meeting. Item 6 on the agenda is a question:

What impacts/issues need to be considered in the evaluation of the proposed transmission route or substations.

B. Teams of two selected 4 concerns, took them one at time to post.

- Negative impact on property value
- Negative impact on Lonsdale 2025 Comp plan (planned expansion)
- Natural Pipeline hazard to pipeline flyover.
- Wheatland Twp supervisor Sect 22 and 23—gas line seepage in past.
- Roads—who pays for construction damage and repair in installing the line
- Ag land in Webster Twp—keep it rural.
- Impact on interchange plans on CSAH 2 and I-35—part of New Market Twp currently, not annexed.
- Electromagnetic fields, impacting on human settlement, NIH found in 200% increase in childhood leukemia with average exposure to EMF. The current R-oWay is not sufficient to protect against increased cancer risk.
- Road right of way, current and future. Not determined for all roads currently and in the future there may be a road expansion.
- Health issues—EMF
- Health issues not adequately addressed.

C. Sending up a second card that is not a repeat of the first.

- Irrigation—easements interrupt center pivot
- Sky Harbor Air Park—20 plus aircraft and in the flight pattern.
- Buffalo, Elk, Dairy and Beef grazing in and near powerlines.
- What effect on humans and animals.
- Also an economic issue with decreased production in dairy for example
- The whole timeline—
- Wetland proximity to the Big Slough—S. of Farmington, on either side of Highway 3, abuts school property, parallels the oil pipeline.
- Construction would cause problems
- Vermillion Watershed Plan
- Impact future development areas in the city of Elko-NewMarket, 2030 comp plan
- Use existing right of way and future planned source
- Where will demand be in the cities and where will the demand be?
- There may be other sources besides coal plants in the west.
- How is demand changing with new economic reality?
- May be new sources—wind and nuclear

D. Grouping the cards now *(this represents our final categorization of the cards we summarized)*

1. **Inconveniencing farmers, impacting their incomes**

Other land uses that may be affected but this issue is about farming.

- Ag land piece
- Irrigation easements interfered with
- Wheatland township uses crop dusting for vegetables that are the primary cash crop
- Farming around poles
- Scott Ek wants to put this into limiting land use

2. **There are existing road and utility (not pipeline) right of ways that could/should be used but the future of road expansion needs to be taken into account.**

- Road right of way—co-location in road right of ways
- Use of existing ROW and future
- Co-location of other public uses
- Best location areas

3. Coordination with the existing comp plans and other ongoing studies (Vermillion Joint Powers)

a. Respect their desires to develop in a specific way

b. or to stay as they are (rural and open)

Specific comp plans –development—Lonsdale, Elko New Market

Non-development (Webster and Eureka)

4. There are health issues concerning the effects of electromagnetic fields on humans and wildlife and also concerns about static electricity.

- EMF and health
- EMF and economic impact
- Health issues not adequately addressed
- People living near the substation
- Substantial economic property loss because of health risks associated with future EMF fields.

5. There is a real economic loss on the current and future land value. The prospect of loss is greater on land that could potentially be developed. There is also devaluation of existing value on developed land. Land that is in the “zone” cannot be sold currently because of the uncertainties.

- Property devaluation—
- negative impact on property values,
- elk, buffalo, dairy impacted in productivity;
- affects both developed and undeveloped land.
- Aesthetics and noise

6. There are issues surrounding the construction of the project. Impact on township roads during construction is apparently covered in the permit. Damage must be repaired. Wetland damage is less clearly dealt with and they could potentially suffer in the future when repairs to the lines are required on an emergency basis.

- Road construction damage
- Time line of construction
- Road use
- Wetlands
- Wetland destruction—vermillion river watershed ordinance are restrictive
- No control over easements on Ag land

7. Wetland damage during construction and on an ongoing basis.

- Wetland priority—
- Big Slough south of Farmington

8. Issues of fairness. Process is not transparent, scientific or without bias.

- Not in my back yard
- Pits neighbor against neighbor,
- north vs south

9. Emergency and safety issues associated with the line (as opposed to long-term exposure to EMFs)

- Safety
- crossing pipelines
- living with the line for evermore-
- Sky Harbor Air Park

10. Rate increases

11. Cultural impact—on Cambodian monastery

VI. Have your homework to Charlie Petersen by Tues, March 31st.

Now is the public comment period of the meeting.

(name?) Lives 1.5 mi N., lives on a land-locked piece with no road frontage on a major road but now he has .5 mile of property that might have an easement on . His neighbor's house is within 60' of the line. He has grain bins that are going to be difficult to use. There are eagles. His dad has a pacemaker so cant' be in EMFs.

Math Sirek, Co Rd 2 1 mi E of roundabout on 13. Powerline is scheduled to go over his house. His grand and great grand parents were driven out of Czech for a similar reason, The family has been there since the 1880's. His family has served in WWI, II, Korea, he was in 1962 in Cuban Blockade, nephew in Iraq and half a dozen nieces or nephews. They succeeded in keeping the Russian out of Cuba, can they keep the powerline out of their backyard. County road went through his land in 1953. Check didn't come from the eminent domain until the 1980's. It will be even more unfair today because they have all the big lawyers.

Roger Tupey—Own and operate a certified organic farm on Co. Rd 2 and Hwy 13. (Charlie was not retained by MinCann). Our process today on the task force only has three meetings from here. We accomplished a lot. We can't make any mistakes. After this we can no longer make ANY comments. We can't let this happen because that is what happened with the MinCann project, through the middle of their farm. Used a quick-take to get their land. With this route, it's a shame we are putting the cart in front of the horse. We need to be talking about the NEED. MNCAN did the same thing. Please don't let this happen again. Question the need. Farm is headed for century farm status, has sons and grandsons. Additional comments about eagles in the trees in their trees.

Bev Topp—Timeline of these meetings—three meetings—next meeting starting to name alternative routes. The map in Carrie's area has errors. Can't do alternative routes without checking the data. Need to have working groups inbetween the meetings. Too much to just complete in three meetings.

This issue is about routing and property owners. The eminent domain situation was changed in 2006 for owners to have more control. At the end they put in an exception and exempted public utilities from this. The property owners are the losers. There will be no additional protection given to owners this session (unless we all call our legislators tonight). Bills are not going to make it through committee on time. Section 117.189 exempts public utilities. Bev is the chair of the Citizens Energy Task Force

(later comment from Bev Topp) Other task forces have gotten large maps blow up with clear plastic covers. Deb Pile at the PUC says that the Eureka resolution to consider the route on Co. 70 is being left up to the task force. To do justice to this promise, we need more information on the feasibility of this. Has that been determined.

Cindy (last name is on the sheet)

Struggles with being in an unknown situation. There are 1000' between the north and south line and a lot of people are affected by unknowns. Loss of value in the township. If she is not paid (or is but suffers a loss), why would she be happy about that? Only been out here 15 years, heart goes out to those who have been here longer.

You are going through prime land in Rice Co.. Try to use a freeway.

Struggles with the need. Population not increasing that fast.

Brookings to Hampton—but there is not enough proof to go to Hampton according to the ALJ. Indicates this is a false process.

Eminent domain—low pay.

People in her section have to look out at 180' towers 5-7 of them within a mile.

To go through this area to shove electricity to the city, give them the powerlines.

Why should children and adults be exposed to the EMF

They get the easement, I pay the property tax

Scott Co. should be aware that I will be paying lower property tax because of the devaluation to my land.

Ken Pomigian (sp?)

Land on the S end of Cedar Lake on co. Rd 2, coming to meetings from the get-go.

Nothing has changed despite input. Co. 2 has the County Park, it is not in it but across from it. On the S side of the lake. Airplanes land on the lake. Further S and E is on the S side of his ag property, jumps the street, jumps across 2 and the result will be posts in all three of his 80 acres parcels. Open Space Development in Cedar Lake—community mound systems, pressurized system pumped into New Prague—the poles will be on the land designated for community mounds. Interferes with their developments private expansion plans. Interferes with the expansion of Co. Rd. 2.

Randy Ahmen (ohmen) taken a look and driven most of route. Other utilities have plenty of their own poles around. Why is it required to take new easements? He is part of the cellphone industry. Municipalities told them they couldn't put poles everywhere they wanted—combine carriers, hide poles. 180' poles over 30-50' poles could be in the same easements. Cell phone antennaes even sit on top of the existing poles. (Minnesota Valley Cooperative poles.)

Scott Ek response: Overlay of current easements for powerlines. Probably does not drill down to distribution lines that service residential areas. Has 60 kv lines.

VII. Next steps: Future meeting on April 15, here from 1-5.