ThreeRivers
PARK DISTRICT

Three Rivers Park District Board of Commissioners

Sara Wyatt
District 1

Marilynn Corcoran,
District 2

Joan Peters
District 3

Dale Woodbeck,
Vice Chair
District 4

John Gibbs
District 5

Larry Blackstad, Chair
Appointed

Barbara Kinsey
Appointed

Cris Gears
Superintendent

November 16, 2012

Mr. Burl Haar
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St Paul MN 55101

RE: In the Matter of the Application of Xcel Energy for a Certificate of Need for the Scott County – structure #57 115/115kV Conversion and Structure #57 – Westgate Upgrade in Hennepin and Carver Counties, Minnesota. MPUC Docket No. E-002/CN-11-332

Dear Sir:

Three Rivers Park District owns and operates the Lake Minnetonka LRT Regional Trail, which passes through the Cities of Excelsior, Deephaven, Shorewood, and Minnetonka. The regional trail is located within the Hennepin County Regional Railroad Authority (HCRRA) corridor. As proposed in the Certificate of Need (CN), the CN Project would upgrade existing power lines within the HCRRA corridor. The CN Project would run parallel to, and would affect approximately five miles of the regional trail.

On October 30, 2012, the Environmental Assessment Scoping Decision Amendment (Document ID 201211-80309-01) was approved to include assessment of a new alternative route along Highway 5 (Highway 5 Alternate). As discussed below the CN Project raises significant concerns for Three Rivers Park District, primarily due to potential effects on five miles of regional trail along that route. The Highway 5 Alternate does not run parallel to the regional trail and would have no effect on the regional trail or its users.

The CN (Section 6.2.9) does not recognize the volume of use of the regional trail, nor does it take into account the potential effects on the regional trail users. The regional trail is very popular and is heavily used, with the latest estimates from the Metropolitan Council (2011) indicating over 410,000 trail visits annually. Mitigative Measures discussed in the CN are not adequately addressed with regard to impacts on trail users.

The CN does address typical vegetation management in Appendix H. However, the proposed project is an a-typical situation due to the presence of a heavily used regional trail within the same HCRRA corridor. The majority of the HCRRA corridor is wooded, which provides privacy screening for homeowners adjacent to the corridor, and which provides a natural setting for trail users. Application of typical vegetation management standards may significantly impact over 410,000 trail visits annually, and may significantly impact the existing screening for adjacent landowners. At a

Administrative Center, 3000 Xenium Lane North, Plymouth, MN 55441-1299
Information 763.559.9000 • TTY 763.559.6719 • Fax 763.559.3287 • www.ThreeRiversParks.org

public meeting with Xcel representatives on 09/29/2011, Xcel indicated a modified vegetative management plan would be developed to address these concerns. The CN Vegetation management Plan in appendix H does not reflect that discussion.

The CN does not address any plans for upgrading the lines from 115kV to 345kV in the future. The Minnesota Department of Commerce's own analysis of the CN, dated November 9, 2012 (Document # 201211-80499-01), specifically identifies the future upgrade to 345 kV as alternative that will likely need to be explored, possibly as early as 2023. That same analysis indicates that the upgrades of substations would require additional land, and would require "*buy out of residences/business and relocation of streets/regional trails*". Consequently, while the CN preferred route might at this time be the least expensive option, it does not take into account future costs or feasibility to meet future expected needs beyond the short-term.

In summary, Three Rivers Park District requests:

1. That the CN be amended to adequately address the potential impacts of the Project on 410,000 trail users annually on the Lake Minnetonka LRT Regional Trail.
2. That the CN be amended to fully examine alternative routes, in particular the Highway 5 Alternate, and to conduct analysis of all potential routes taking into account long-range power needs as well as the short-term needs.
3. That, if the final approved route will parallel the Lake Minnetonka LRT Regional Trail, the Public Utilities Commission require a modified vegetation management plan to be developed by Xcel in collaboration with the Hennepin County Regional Railroad Authority, Three Rivers Park District, and the Cities through which the route will pass.

Thank you for your consideration.

Respectfully,

Jonathan Vlaming
Associate Superintendent
Division of Planning, Design and Technology