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PUBLIC INFORMATION MEETING
DRAFT ENVIRONMENTAL IMPACT STATEMENT
JACKSON - 1:00 P.M. & 6:00 P.M. - APRIL 23, 2014
FOR THE DEPARTMENT OF COMMERCE
OF THE STATE OF MINNESOTA

In the Matter of the Applications of ITC Midwest, LLC for
a Certificate of Need and a Route Permit for the
Minnesota-Iowa 345 kV Transmission Line Project in
Jackson, Martin, and Faribault Counties, Minnesota

PUC DOCKET NOs. ET-6675/CN-12-1053
ET-6675/TL-12-1337

National Guard Armory
108 County Road 51
Jackson, Minnesota

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1 (1:00 SESSION.)

2 MR. RAY KIRSCH: Good afternoon
3 everybody. Glad to see you all here today.

4 We're here for the public information
5 meetings on the draft environmental impact statement
6 for the Minnesota to Iowa 345 kV Transmission Line
7 Project.

8 My name is Ray Kirsch, I'm with the
9 Minnesota Department of Commerce, and we're here to
10 talk about the environmental review document, we're
11 taking comments to improve it.

12 Let me start with a proposed agenda. I'd
13 like to do some introductions. Talk about some
14 materials that are available on the table over here.
15 Talk a little bit about the project just so
16 everybody is on the same page. The state permitting
17 process, the document itself, the draft
18 environmental impact statement, which sometimes
19 you'll hear EIS.

20 A few minutes on using the draft EIS and
21 then we're going to open it up for your comments and
22 questions. And if you have questions at any time,
23 you can certainly interrupt me and I'll try to
24 answer them.

25 I anticipate those first five items maybe

1 taking 20 to 25 minutes and the rest of the time
2 will be as much as we need to try and answer your
3 questions and get your comments.

4 So, again, my name is Ray Kirsch, I'm
5 with the Minnesota Department of Commerce, Energy
6 Environmental Review and Analysis unit, a subsection
7 of Commerce.

8 We are tasked with writing,
9 investigating, analyzing environmental review
10 documents for our transmission facilities that are
11 proposed in the state of Minnesota.

12 With me today is also Suzanne Steinhauer,
13 you met Suzanne when you came to the door, she is
14 also helping me out. And I want to introduce the
15 folks from ITC Midwest who are here. I'll start
16 with Amy Ashbacker, who is the project manager.
17 And, Amy, could you come up and introduce the folks
18 on your team?

19 MS. AMY ASHBACKER: Thanks, Ray.

20 As Ray stated, my name is Amy Ashbacker,
21 I'm the project manager with ITC Midwest for this
22 project. We have several folks here today from ITC
23 Midwest, and I know we have met several of you prior
24 to the meeting, but certainly if there are further
25 questions after this meeting don't hesitate to come

1 and find us and talk to us and we'll assist you in
2 answering any questions that you might have.

3 With that, I want to introduce a few of
4 our personnel. First of all, we have Jack Middleton
5 of Burns & McDonnell. He assisted ITC with the
6 routing on this project. We have Dave Grover from
7 our regulatory department. Joe Berry from our
8 planning department. And Dick Coeur with MBN
9 Engineering, who also assisted with design and
10 routing.

11 And Ray will speak further about the
12 folks in the back who can print maps for you, but I
13 do want to introduce JCG Land Group who is back
14 there and, again, Ray can explain what those maps
15 can be used for.

16 MR. RAY KIRSCH: Great. Thank you, Amy.

17 On the table over there and I hope you
18 picked up there's a presentation of what I'm going
19 to talk to you this afternoon about. There is also
20 a public comment form, so you can make comments
21 today or you can send in comments, you can mail them
22 in, it has my address on the back, you can just fold
23 it over. You don't have to use this form, you can
24 use any type of printed form you'd like.

25 There's copies of the meeting notice over

1 on the table like you received this in the mail if
2 you are here today, but it has good information and
3 if you don't have a copy, please pick one up.

4 There's a mailing list sign-up card. If
5 you're not on the mailing list or you're not sure if
6 you are on the mailing list, you can fill one out,
7 you can drop it off at the table over here, or you
8 can mail it as a postcard to the Public Utilities
9 Commission and they will make sure that you get on
10 the mailing list.

11 So briefly on the proposed project. ITC
12 Midwest is proposing a 73-mile long transmission
13 line, 345 kilovolts in voltage, and to build that
14 project and also some associated facilities.

15 The Lakefield Substation is fairly near
16 here, they want to expand that a bit. Construct a
17 new Huntley Substation in the Blue Earth River area,
18 relocate existing lines so that they come together
19 at a substation and to decommission the Winnebago
20 Substation.

21 One second. I had a laser pointer, but I
22 left it in my bag, so bear with me one second.

23 So it might be helpful to look at parts
24 of the project. So here is the Lakefield Junction
25 substation near Jackson. There are several routing

1 options that proceed eastward. And the Fox Lake
2 area is right here. And then there's several
3 options along Interstate 90 and some go further
4 north along the existing line to the Lake Charlotte
5 area. And then all the way over here is the
6 proposed and alternate site of the Huntley
7 Substation. Here is the Winnebago Substation up
8 here, which would be decommissioned. And then the
9 line proceeds further on down into Iowa. So there
10 are several options there for routing.

11 These poles are a good piece of
12 infrastructure, they're 130 to 190 feet tall. The
13 span between the poles depends on location, but
14 anywhere from 700 to 1,000 feet. The right-of-way,
15 if they would cross your property and they would
16 need an easement from you, they would need 200 feet
17 in the area.

18 This is a picture of a typical structure.
19 There's other pictures in the environmental review
20 document and other structures that could be used for
21 the project.

22 So in order to build the project, ITC
23 needs to get two approvals from the State of
24 Minnesota. One is a certificate of need, which is
25 is the project needed. And, two, a route permit.

1 Both of these processes -- to get these approvals
2 there are processes and they are prescribed by
3 statute and rule. I've noted the certificate of
4 need rules, Minnesota Rules 7849 and for the route,
5 7850.

6 The Commission has a big job and they get
7 assistance from state agencies. They get help from
8 the DNR, the Pollution Control Agency, a number of
9 agencies, but there are two that are specifically
10 called out in the rules to help the Commission.

11 One is the Minnesota Department of
12 Commerce, which is my office. And our job is to
13 conduct environmental review. By that I mean we
14 want to figure out what are the possible impacts of
15 this project so we can make an informed decision
16 about it.

17 The other is the Office of Administrative
18 Hearings. The Office of Administrative Hearings
19 provides law judges that travel throughout the state
20 of Minnesota to hear a whole host of the different
21 matters, but an administrative law judge will come
22 out and hear your comments about this project.

23 So just briefly on the questions that are
24 related to need and routing.

25 On the need side, we're trying to answer

1 the question is the project needed or is a different
2 project more appropriate for the state of Minnesota?
3 And typically we write this down, and is this the
4 right size project? Should it be going to these end
5 points? Should it be shorter in length or longer in
6 length? Should it be a different voltage? Is it
7 the right type of project? Is transmission the
8 issue we're trying to solve or is it really
9 generation as opposed to transmission. And is the
10 timing right? In other words, is this project
11 needed now or is it needed sometime in the future,
12 in which case we might not say it's needed now, but
13 we might wait awhile and see what happens. And if
14 the project is needed, where should it be located
15 and how should it be constructed? These are the
16 questions around the route permit.

17 There are routing factors in Minnesota,
18 Rules 7850. I've included those in your packet.
19 Let me just point them out to you on the next page,
20 this text page.

21 It says Minnesota Rule 7850.4100, and it
22 lists A through N, the factors that the Commission
23 is supposed to consider when issuing a route permit.
24 Including impacts on human settlements, impacts on
25 public health and safety, land-based economies,

1 meaning agricultural or forestry, tourism, mining,
2 things like that. The natural environment. And
3 also use of existing rights-of-way. Is this project
4 using existing rights-of-way or creating a new
5 right-of-way?

6 We'll talk more about these factors in a
7 minute, but they're important because it's sort of
8 the basis or the guidance that the Commission has.
9 So when you want to talk to the Commission and make
10 your case to them, so to speak, they're the factors
11 that they're looking at.

12 I've included here a picture, just to
13 give you some terms of art that the Commission is
14 going to use in the route permit. When they issue a
15 route permit they're going to issue a route width
16 for the project and they will also give an
17 anticipated alignment.

18 Now, the width is the larger area, and
19 could be, say, in this case ITC has requested a
20 1,000-foot route width for their 345 kV line. And
21 they anticipated the line and actually where the
22 poles and the line would go.

23 The idea here is that there's
24 predictability, this is where the project would go,
25 but the anticipated alignment can move within that

1 route width up or down, so to speak. And to give
2 flexibility to the company for things that they
3 cannot anticipate at this point in the routing
4 process, soils and other stuff that need to be
5 investigated. And also flexibility for working with
6 landowners. You may want to adjust that alignment
7 within that route slightly to mitigate impacts on
8 your property.

9 This is a flow chart of the state
10 permitting process. And I'd like to just walk
11 through it briefly with you so we're all on the same
12 page as to where we are and where we're headed.

13 The applications for this project, the
14 certificate of need and route permit were submitted
15 in March of last year and they were accepted by the
16 Public Utilities Commission in June. We were out
17 here in July of last year and we had public meetings
18 and took comments from you all about what do we need
19 to know about this project in order to make a good
20 decision. What are the impacts we need to know
21 about? What are the mitigation measures? What are
22 the routing alternatives that we should look into?
23 ITC had proposed two routes, A and B, but there
24 could be improvements or variations on this.

25 In October of last year we issued the

1 public hearing, what's called a contested case
2 hearing May 13th and 14th down here in this area.
3 And I think in Jackson it will be in this very
4 location. An administrative law judge will come
5 out, will solicit your comments and questions, but
6 your advocacy on what's the best way to route this
7 project. And even before that, is this project
8 needed and, if so, what's the best way to route the
9 project.

10 The administrative law judge takes the
11 environmental impact statement in draft form and
12 then the final form, all of your comments, all of
13 the information in the record, and puts together a
14 report. It has findings and conclusions and it also
15 has recommendations. So the judge will recommend to
16 the Commission should a certificate of need be
17 granted, should a route permit be granted and, if
18 so, what are the conditions in the route permit that
19 we need to have in there in order to do this well.

20 The judge's report goes to the Public
21 Utilities Commission. The Public Utilities
22 Commission is the decision-maker on the certificate
23 of need and the route permit.

24 You may be familiar with the Public
25 Utilities Commission or not. They're a five-person

1 body that meets usually in St. Paul, Minnesota. And
2 they regulate telecom and energy throughout the
3 state of Minnesota. But, anyway, the Commission is
4 the decision-makers and it is anticipated that they
5 will make a decision by the fall of this year.

6 And here's the same information in a
7 tabular format, just showing you the things that
8 have occurred at the public hearings in May, it
9 finally ends in July. The administrative law
10 judge's report is anticipated in September, and then
11 the Commission meeting in the fall.

12 So a few minutes on the draft EIS.
13 Again, the goal here is informed decision-making.
14 Trying to meet the goals of the Minnesota
15 Environmental Policy Act. When we're making a
16 decision about a large infrastructure project like
17 this we want to have the best information we can.
18 And it doesn't mean that you will like the decision
19 the Commission ultimately makes or won't like it,
20 but at least you know they have the information in
21 front of them in order to make that decision. And I
22 think that's a worthy goal in the state of
23 Minnesota, that's a worthy goal, that's why we work
24 through this process.

25 The draft environmental impact statement

1 represents -- hopes to represent a common set of
2 facts. And it does not advocate. In other words,
3 if you read through the document or you look at the
4 different impacts in here, it doesn't say, well,
5 because of that, this route variation at Fox Lake is
6 better than this route variation and that's the way
7 the project should go. It will tell you the
8 different impacts associated with each section, and
9 it may even at the section in the back talk about
10 the relative merits relative to those factors, the
11 routing factors, but it doesn't balance them out and
12 give you some solution at the end, nor is it
13 intended to. It doesn't advocate for one route or
14 the other, but it gives you information about all of
15 it.

16 It discusses the human and environmental
17 impacts of the project and possible mitigation
18 measures, including both how the project is
19 constructed, since it crosses ag land, what needs to
20 be done to make sure that those impacts are
21 minimized during the construction process, and where
22 the project is located, because many impacts can be
23 mitigated by putting the project where it does the
24 least amount of damage.

25 And then, finally, I briefly mentioned

1 it, the draft EIS talks about the relative merits of
2 the routing options and compares the routing options
3 to the Commission's factors and discusses each of
4 them. Some of them may not vary greatly with the
5 routing options in a certain area, but some of them
6 might, and there might be some things that the
7 Commission needs to know. And we're trying to give
8 you all and the other state agencies who use this
9 document some guidance as to how we see those
10 impacts relative to these routing factors.

11 I can't go through the whole organization
12 of the document, but I think by looking at one of
13 the maps from the document I can help orient you to
14 the draft EIS and at least get you started on it.

15 So this is a map from the draft EIS. The
16 project, as I said, from Lakefield to Huntley and
17 then south to Iowa. It's discussed in the document
18 in two parts.

19 So first this segment in orange from
20 Lakefield to Huntley, and then this segment in green
21 from Huntley to Iowa. It discusses Route A and B,
22 both of those segments. It also discusses route
23 alternatives that use Interstate 90 for a portion of
24 their length and some for almost the entirety of
25 their length.

1 Additionally, it talks about route
2 variations, which are smaller segments of the route
3 designed to mitigate an impact at a certain area.
4 So in the Jackson Municipal Airport area, what we
5 call the Jackson Municipal Airport variations, there
6 are three route variations that could be used in
7 that area to mitigate potential impacts.

8 At Fox Lake there are six route
9 variations in that area that could be used. Two
10 that go along the east side of the lake, one
11 crossing the lake over where the existing line
12 crosses the lake, and three on the eastern side of
13 the lake.

14 At Lake Charlotte there are five route
15 variations to perhaps better navigate this area.

16 And let me just back up and say all of
17 these variations that I'm showing you here were
18 suggested by citizens, by you all, generally, when
19 we were out here last year as better ways to route
20 this project.

21 There's one variation here, the Center
22 Creek one, one at the Blue Earth River, and then
23 four smaller variations on the way to Iowa. So a
24 discussion segment by segment of the I-90 route
25 alternatives and the route variations for those

1 specific areas.

2 As I mentioned, it covers and is
3 organized fairly closely to the Commission's routing
4 factors. It talks about human settlements, noise,
5 aesthetics, property value impacts, impacts to
6 airstrips and airports. It talks about impacts to
7 public health and safety. Impacts to land-based
8 economies, principally in this area is agriculture,
9 98 percent of the land cover around here is
10 agricultural land. Archaeological and historic
11 resources. The natural environment, water
12 resources, wetlands, plants, animals, natural
13 resources. It talks about the use of existing
14 rights-of-way, where these routes or route
15 alternatives and operations follow roads or
16 transmission lines, or maybe they just follow a
17 field line. And it also talks about the cost of the
18 project.

19 What I'll note for you, as I noted
20 previously, it doesn't combine these. It doesn't
21 say, well, if you have these aesthetic impacts and
22 you have these agricultural impacts, how to weigh
23 them, how to weigh them best to come up with what's
24 the most appropriate route for the project. That
25 job is primarily with the judge, with the

1 administrative law judge. So I encourage you to
2 give those comments to the judge when he comes out
3 in May. And then ultimately those will be decisions
4 that the Commission has to make based on the judge's
5 report.

6 The EIS is available electronically.
7 It's available on the Department of Commerce
8 website. It's available on the Public Utilities
9 Commission website. It's also available in print at
10 all the libraries. There are review copies on the
11 table over here if you'd like to look at it. There
12 are also copies available on CD. If you have a
13 computer, you can pop a CD in your computer and we
14 have the whole document on the CD. I'd encourage
15 you to pick one up, they're available at the table.

16 If you have questions about the draft EIS
17 or if you have questions at any time during the
18 process, you can contact me. Here's my contact
19 information at the Department of Commerce. You can
20 contact Tracy Smetana at the Public Utilities
21 Commission. She's the public advisor for this
22 project. You can sign up for the project mailing
23 list to make sure that you get all the mailings for
24 the project to keep informed. These are the cards
25 that are available.

1 You can subscribe to eDockets. It's an
2 electronic docketing system, and if you subscribe
3 you get an e-mail every time a document is added to
4 these dockets. By docket I mean like a large
5 electronic file folder for each of these projects.
6 It's a lot of e-mail, but it keeps you up to date.

7 And I'd like to spend a little bit of
8 time as our last topic before comments on using the
9 draft EIS. There's a lot of good information in the
10 draft EIS and my hope is to put all those documents
11 together and have us create such a document and draw
12 all these facts together so that you can use it to
13 advocate. So you can talk to the judge about the
14 need for the project, you can talk to the judge
15 about what belongs in the route permit, you can talk
16 to the judge about these are the impacts I'm
17 concerned about and these are the ways I think they
18 could be mitigated, both in how the project is
19 constructed and where it's located.

20 I want to walk through with you a couple
21 of slides, a couple of maps that I think will be
22 helpful in understanding this process. The judge is
23 coming out in May and you all can certainly -- I
24 encourage you to come out and make your comments to
25 him.

1 As it happens, the parties, including ITC
2 Midwest, to the hearing have submitted their
3 testimony already into the record. So it's already
4 sort of come in to the judge prior to the hearing.

5 ITC has proposed a Modified Route A. So
6 they've modified their original proposal, and this
7 is what they're proposing to the judge going into
8 the hearing. I want to cover this so you know what
9 Route A includes.

10 Also, because the modifications that ITC
11 Midwest is proposing are very similar to route
12 variations that are studied in the EIS and that you
13 all, the public, suggested. And, three, because
14 it's a good example of what you could do when the
15 judge comes out and make your case for a specific
16 route or route alternative.

17 So let's just spend a minute here getting
18 oriented and then I think we may be able to take a
19 look at these. There's four of them. We'll start
20 here with this slide which is from the Jackson
21 airport.

22 So there's an existing 161 kV line, and
23 in their application ITC Midwest proposed a Route A,
24 which uses that line. It's an orange hashed area
25 with the red in the middle. And they came up here

1 and then went over and so on.

2 In this area in the draft EIS we studied
3 a number of alternatives, three alternatives,
4 Jackson Airport 1, 2 and 3. Jackson Airport 2 is
5 this variation here, and it goes up to here and also
6 joins 2 and 3. ITC Midwest has then composed a
7 Modified Route A, which is this blue, light blue
8 line, and it comes over like so. You can see that
9 this is modified to utilize a portion of Jackson
10 Airport 2, and also a portion of what they
11 originally proposed, Route A. So they put those two
12 pieces together. You could put pieces together if
13 you want to and suggest those to the judge of
14 different route variations or route alternatives.

15 Let's look at another example from Fox
16 Lake. The Fox Lake area. The city of Sherburn is
17 right here. The company had originally proposed
18 Route A to come in, route down to right here to the
19 city of Sherburn on the south side of I-90, and then
20 comes up on this orange all the way up to the
21 existing 161 line.

22 Modified Route A, the light blue line,
23 now stays to the north of Interstate 90 for a ways.
24 It goes over, down south of the highway, and then
25 turns north, comes up, and goes over on 140th Street

1 and then on 130th Avenue there. This sort of chain
2 of events is known in the draft EIS as Fox Lake 4.
3 So these are the ideas that were suggested by you
4 all and examined in the draft EIS. And then the
5 company in their testimony has proposed that this is
6 the way to go and has modified their original
7 Route A.

8 At Lake Charlotte. For A, the orange and
9 red in here, and then south, and then right back up
10 to the existing 161 line. Again, we had several
11 routing options suggested by folks in the Lake
12 Charlotte area and we examined those in the draft
13 EIS. Modified Route A, the light blue line, comes
14 down and then over on 160th Street and then back up.
15 So it's a little bit closer to Lake Charlotte, but
16 proceeds right on this road where there's an
17 existing transmission line there. Maybe that's why
18 folks proposed it. But this is the Modified Route A
19 in the Lake Charlotte area.

20 And I'll show you one more. This is of
21 the Blue Earth River, snaking through here. The
22 proposed Huntley Substation is up here. Originally
23 Route A was to come along the existing 161 line and
24 use that, but it crosses the river twice. And
25 during the scoping process the Department of Natural

1 Resources suggested this, what's called the HI-1,
2 route variation 1. And ITC Midwest modeled Route A
3 to something very similar to that. It follows the
4 existing line for a while and then comes along at an
5 angle and then back like this. So it builds on what
6 was proposed in the scoping and from what we studied
7 in the draft EIS.

8 So those are examples of how you can use
9 the draft EIS. How the Modified Route A pretty much
10 resembles the areas where it's modified, routing
11 variations that came from the community that we
12 studied in the draft EIS, and that you could bring
13 forward to the judge if you thought those were the
14 appropriate route or routes for the project.

15 So now we'll move on to comments. As I
16 mentioned, the reason for having the meetings on the
17 draft EIS is to make a final EIS, which has the
18 benefit of your comments. So we want to know what
19 needs to be clarified, what's missing. If there's
20 something missing we want to make sure we add that
21 in, and what needs to be added to make it complete
22 and accurate. So we want it to be a complete and
23 accurate set of facts so we can make an informed
24 decision on the project.

25 You can make verbal comments at today's

1 meeting. You can complete and submit a comment
2 form. The form is here, you don't have to use this
3 form, but you can use something like it. You can
4 complete a comment online and submit them. You can
5 mail or fax or e-mail me a comment. Here's my
6 contact information.

7 The important part and the bottom line is
8 that you have to get your comment to me by May 9th
9 of 2014. So by May the 9th at 4:30 that day I need
10 to have received your comment. All modes of
11 commenting are the same, it doesn't matter how you
12 get it to me, mail, fax or e-mail or online or
13 submitted today, they all count the same. So do
14 what is convenient for you, what is expedient for
15 you so that you get your comment in by May 9th.

16 I'm going to ask that we do one speaker
17 at a time. And I ask that you limit your comments
18 to a few minutes. So if you have lengthier
19 comments, please limit to a few minutes, we'll go
20 around the room and make sure everyone has a chance
21 to speak and then we'll come back to you.

22 We have a court reporter with us today.
23 I'm going to ask you to come up and state and spell
24 your name for the court reporter so we make sure we
25 have that correct.

1 Please maintain respect for others in
2 your comments. And if you can direct your questions
3 or comments to the draft EIS. I understand this is
4 a big document, you may not have had a chance to
5 look at it and read through it. If you have
6 questions that we can answer for you to guide you or
7 help formulate that comment, we'll be glad to do
8 that today. And we have everyone who is working on
9 the project here so now is your chance to do that.

10 So I'll leave this slide up there just to
11 remind us. Clarifications, things that are missing,
12 what needs to be added to make it complete and
13 accurate.

14 So we have two people who have signed up
15 to speak. We'll go with these two folks first and
16 then we'll do a show of hands. And if you could
17 come up to this side so that the court reporter can
18 see you it helps her when she's taking down your
19 thoughts.

20 Jennifer Bromeland; is that right?
21 Close? Please, come on up. If you could state and
22 spell your name for the court reporter.

23 MS. JENNIFER BROMELAND: Jennifer
24 Bromeland, B-R-O-M-E-L-A-N-D. I'm the city
25 administrator with the City of Jackson.

1 And I did also send a letter to
2 Mr. Kirsch outlining my concerns, but I just wanted
3 to state on the record that the City of Jackson is
4 okay with the proposed route, so long as the FAA,
5 the Federal Aviation Administration, determines that
6 the selected route is not a hazard to aviation,
7 specifically related to the existing and proposed
8 operation of the Jackson Municipal Airport. And
9 that the selected route is not in conflict with the
10 existing airport zoning ordinance, and provided that
11 the selected route is not an impact to the existing
12 or proposed runway approach surfaces or other
13 federal part 77 surfaces for the Jackson Municipal
14 Airport. And in the letter I sent with my comments
15 I also did include a copy of our proposed airport
16 expansion.

17 Thank you.

18 MR. RAY KIRSCH: Thank you very much for
19 your comments.

20 Brad Ringnell.

21 MR. BRAD RINGNELL: Brad Ringnell,
22 R-I-N-G-N-E-L-L.

23 I'm on the Sherburn City Council and I
24 oppose this line coming through the city of
25 Sherburn. If they can take that -- if they can take

1 the alternate route, that would be much better for
2 us.

3 We have a cemetery, it's at the south end
4 of town, and if they put this line through the city
5 of Sherburn that would be just like a cemetery in
6 the middle of town.

7 MR. RAY KIRSCH: Thank you. Thank you
8 for your comments.

9 Does anybody else have a question or
10 comment? Please.

11 MS. CAROL OVERLAND: Carol Overland,
12 O-V-E-R-L-A-N-D. I'm an attorney representing No
13 CapX 2020 and Citizens Energy Task Force.

14 And I'm here today about the EIS, and I'm
15 mostly concerned about, and there have been a lot of
16 comments about it, about the DEIS alternatives
17 proposed. And these are system alternatives. This
18 is only system alternatives to this transmission
19 system that are proposed.

20 And the reason I'm here is because it's
21 all connected. This just a part of going across
22 southern Minnesota. It started with that line from
23 Split Rock Substation in Sioux Falls, over to
24 Lakefield Junction, and then the 161 line was built
25 going east. Now they're going from Lakefield

1 Junction with the 345 further east down into Iowa.
2 And this is part of MVP-3. Only half of it, the
3 rest of it is in Iowa. It's all connected to MVP-4,
4 which goes further east. Then that's connected to
5 MVP-5, which goes all the way to Madison.

6 So all of these lines are all connected.
7 We all pay a part of all of these projects because
8 it's part of this MVP portfolio, which is 17
9 projects. And we as Minnesotans will pay for part
10 of each of these projects. They need these
11 projects, all of them, developed to obtain the
12 benefits, but yet they're not considering all the
13 costs. And that needs to be done.

14 Also, this is not about need. This is
15 about want, this is about desire. This is not about
16 need. Need is a very specific thing and it needs to
17 be clarified in the alternatives when it talks about
18 need, what is that need. We need to know that and
19 we don't have that in here.

20 There's a lot about wind generation in
21 here and it should be source neutral, because
22 transmission lines, under law, has to be. It can't
23 discriminate, it has to be source neutral. What are
24 they doing to demonstrate is it wind and is it
25 transmission, or would it be better to have

1 transmission or anything else.

2 We know from the previous project, that
3 was a 2250 -- no -- 2250 MVA line capacity, and
4 going into the one substation. In the middle of
5 that project only 213 to 302 MVA was actually coming
6 off of Buffalo Ridge. That's in the testimony. So
7 what's really on that line? Is it about wind?
8 Let's be honest, it's not about wind. Especially
9 with the recent decision, the Next Generation Energy
10 Act, which was declared unconstitutional by a
11 federal court. It'll be appealed, but that opens
12 the doors for even more coal generation coming
13 through.

14 Now, people are shutting down the little
15 coal plants, but the big ones are still operating,
16 and they want to build more in the Dakotas. So this
17 is providing the access for excess generation. And
18 excess generation is addressed in the DEIS.

19 Another part. I'm going to repeat from
20 yesterday. We had a good meeting yesterday. But
21 it's really important to look at the need for this
22 is purely economic need. They want to sell the
23 power. They need the lines to be able to market it,
24 to be able to get somewhere else so they can sell it
25 for a higher price. What that does in economics,

1 you sell it for a higher price somewhere else, well,
2 we're going to have to pay a higher price here.
3 What will be the impact of that?

4 When you look at alternatives, what
5 alternatives can meet that economic need? And this
6 is why the need needs to be defined. Because if
7 they define the economic need, the only thing that
8 really would be an alternative to that is for us to
9 be just putting money in their pockets. 'Cause
10 that's what this is about. So we need to really be
11 aware of that.

12 And the final comment. On page 49 -- and
13 I've got a lot of these, I've got enough to last for
14 today and tomorrow.

15 On page 49 the DEIS says, ITCM's analysis
16 indicates that it is less effective than a 345 kV
17 line at meeting the need for the project. Well, you
18 know, this is all about ITC's analysis. It takes
19 everything that they say and just regurgitates it.
20 Where is the state's analysis in this? We need
21 that. We need to look at that.

22 So now I urge you to be very specific,
23 address these things. But, you know, it's all well
24 and good that you can go in one place or another
25 place or you want to avoid something, it's really

1 important stuff 'cause you live here, you're on the
2 land, you have to live there. But this line isn't
3 needed. And if you address the need, it may not be
4 built at all because it isn't needed under the laws
5 of the State of Minnesota.

6 Thank you.

7 MR. RAY KIRSCH: Thank you for your
8 comments.

9 Yes, ma'am. Could you come up, please?
10 If you could state and spell your name, please?

11 MS. MARY MUIR: Mary Muir, M-U-I-R.

12 And I guess my question is simple. Then
13 where exactly is this energy going to be used that's
14 being transmitted?

15 MR. RAY KIRSCH: I'll try and answer that
16 and I'll ask ITC to answer.

17 So the electrical transmission grid is
18 just that, it is a grid. So it will be used
19 wherever there is a load, as they say, where there's
20 somebody who needs to use it. So it could be used
21 locally, it could be sent to a larger load center,
22 like the Twin Cities is a place where there's a lot
23 of use of electricity. It could go to Des Moines,
24 it could go to other places in the Midwest where
25 people are using electricity. As the previous

1 commenter said, the grid is neutral. It doesn't
2 care how it gets generated or where it gets used, it
3 will take the electricity, the power, and send it to
4 where it's needed. So it could be here, it could be
5 further away, or it could even be going further
6 eastward. It depends on where it's being used.

7 Does anybody else have a question?

8 Yes, sir.

9 MR. SAM HANSEN: Sam Hansen, H-A-N-S-E-N.

10 I would just like to -- I'm the city
11 administrator for the City of Sherburn, and I would
12 like to go on record that the City of Sherburn is
13 okay with Route A, Modified, or route B, where the
14 line would not go down into the city by the gas
15 station.

16 Thanks.

17 MR. RAY KIRSCH: Thank you.

18 Does anybody else have a question or a
19 comment?

20 Yes, sir. Please.

21 MR. DICK ZEHMS: I'm Dick Zehms, from
22 Sherburn, I'm an area farmer. I've been a farmer
23 for 65 years.

24 Okay. I was in the Marine Corps, I flew
25 choppers in Vietnam, was in the Cuban crisis, and 20

1 years in the reserve. And every time I got promoted
2 I had to take the oath of office. I always thought
3 I was defending the Constitution of the United
4 States.

5 Now, under the 14th Amendment, the due
6 process clause prohibits state and local government
7 officials from depriving persons of life, liberty,
8 and property without legislation authority.

9 I want to know what councilmen, what
10 state legislators, county legislators, voted on
11 these projects.

12 Also, under the clause, which is used by
13 federal judges to make the most of the Bill of
14 Rights to make it applicable to the states, which
15 they must satisfy, the equal protection clause
16 requires each state to provide equal protection
17 under the law to all the people within its
18 jurisdiction. So I just want to know what
19 legislators voted on this.

20 Now my other questions. How, on the one
21 proposed route, I live in section 12, the northwest
22 corner of J of Sherburn, and there's a 161 that's
23 within 100 feet of our house. Now you're going to
24 jump the interstate there to make it a 345. How do
25 you make -- there's going to be a 161 and a 345

1 there?

2 MR. RAY KIRSCH: To answer your question,
3 yeah, there are certain options along Interstate 90
4 that run along there. And if they were to follow
5 along that 161 line, it would be both on the same
6 poles, the 345 and the 161 on the same pole.

7 MR. DICK ZEHMS: Will you have to replace
8 the pole that's already there?

9 MR. RAY KIRSCH: So there are poles that
10 are already there and those poles would have to be
11 removed and replaced, yes.

12 MR. DICK ZEHMS: Do you realize that the
13 line is already within 100 feet of our residence,
14 plus our LP tank, and it's already taken our hog
15 operation out of effect.

16 Okay. Now my other question. When you
17 do the final EIS prepared and issued, is there going
18 to be more than one route issued to the judge?

19 MR. RAY KIRSCH: So we issue the final
20 EIS, and all of these routes could be -- are up for
21 choosing, so to speak. The judge will make a
22 recommendation. The judge is not limited to
23 recommending one route. My experience is that the
24 judge, based on all the testimony, will recommend a
25 route, but there are instances where the judge may

1 say, out of all of these, several of them meet the
2 routing criteria, these two appear to be the best,
3 and send it to the Commission and the Commission
4 makes the final decision.

5 MR. DICK ZEHMS: So if 10 benefit and one
6 suffers, the judge will go with the 10, right?
7 Well, that's what he did in our case, okay.

8 And let's see. Oh. How do you recapture
9 your loss of income and loss of property value if it
10 does go on your property?

11 And with that, I'll go ahead and leave.

12 MR. RAY KIRSCH: Thank you for your
13 comments. I'll try to answer that question.

14 If there is a transmission line over your
15 property, the company would have to have an easement
16 for that. And they would have to pay you what's
17 known as just compensation for that. And I take
18 your point, which is how do you determine what that
19 is, when you have a property value, when you may
20 have continuing operations or streams of income that
21 could be impacted by the transmission line, and that
22 is part of the negotiation between the utilities and
23 the landowner. And neither the Department nor the
24 Public Utilities Commission gets involved, but the
25 Commission is quite knowledgeable and aware of those

1 processes.

2 Well, we have two people who have already
3 spoken. Could you come up, please? If you could
4 state your name again.

5 MS. MARY MUIR: Mary Muir, M-U-I-R.

6 I have another question that was brought
7 up by what's been said previously.

8 Speaking of energy costs, according to
9 President Obama, energy costs are going to be going
10 up extremely high. And we are in the area where
11 this energy is being produced. And I'm wondering
12 what can or will be done to keep energy costs in
13 these areas here lower? I don't think there's any
14 reason why people in the area here, where it's being
15 produced, should wind up paying the exorbitant costs
16 he's talking about.

17 MR. RAY KIRSCH: Thanks for your comment.
18 I don't think I can add anything to that.

19 MS. CAROL OVERLAND: Carol Overland
20 again.

21 Regarding the constitutional issues, this
22 is a real big problem, because this is a private
23 corporation and you're not supposed to be able to
24 take land for a private purpose. So keep that in
25 mind.

1 Something else that has gone to the
2 Supreme Court is the Buy the Farm law, which is
3 Minnesota Statute 216E.12, subdivision 4, which is
4 where if the line is higher than 200 kV, which this
5 is, landowners can elect to be bought out.

6 Now, no one wants to leave their farm, I
7 understand that. But this is an option that is
8 available to people. It's been a part of Minnesota
9 law since the late '70s, maybe early '80s. And if
10 utilities are objecting so much, we're going for it
11 over and over and over again, No CapX and UCAN
12 submitted a brief for the most recent one at the
13 Supreme Court. Every time that Xcel keeps
14 challenging landowners, they're losing, In the
15 district courts and the Supreme Court, Minnesota's
16 Buy the Farm does stand. But it's being challenged
17 over and over again when landowners do try to elect
18 it. So I would expect that this will be a problem
19 with this line, too. But that is an option for
20 people, Buy the Farm.

21 There's a hearing on it right now in the
22 district court in Scott County where Xcel is
23 challenging landowners, particularly the Cedar
24 Summit Farms, an organic dairy farm, and they were
25 part of UCAN when this was a matter before the

1 Public Utilities Commission about need.

2 Anyway, so need, the certificate of need
3 is what gives a utility the right to take the land,
4 gives them the power of eminent domain because it is
5 deemed needed. So that's something that really
6 should be looked at in this case because they are
7 not a public utility, they are a private
8 transmission corporation and you need to be very
9 aware of that.

10 Thank you.

11 MR. RAY KIRSCH: Thanks for your
12 comments. And thank you for reminding us all about
13 the Buy the Farm legislation that is out there.

14 Anybody else who would like to make a
15 comment or a question?

16 Yes, sir.

17 MR. RON MULDER: Ron Mulder, M-U-L-D-E-R.

18 And I have property here straight north
19 of Jackson where it takes the jog to the north. And
20 it sure would be nice if there were at least section
21 lines or half section lines on here so we know
22 exactly where the line is going to go. And, also,
23 on -- I see on one of the new proposals here where
24 one of the proposals, it looks to me like it's less
25 than a quarter of a mile from the other proposal. I

1 guess I would just like to know about exactly where
2 that is, if they have a map that this can be
3 superimposed over so we can see more easily exactly
4 where that line is.

5 Thank you.

6 MR. RAY KIRSCH: Thank you for your
7 comment.

8 So that brings two thoughts to mind. In
9 the detail in the map book for the draft EIS there
10 are detailed maps that can show that, but also you
11 could go back here and get a copy of a map and
12 actually look on the screen and see the area and
13 blow up the area that you're interested in and print
14 off the map and look at it there. So I would be
15 happy to meet with you and look at the draft books
16 for the draft EIS or you certainly could consult
17 with the folks in the back and have a map printed so
18 you get a really clear view of that area that you're
19 interested in.

20 Anybody else have a comment or question?

21 Yes, ma'am.

22 MS. HELEN LEE MURPHY: Thank you. Miss
23 Helen Lee, L-E-E, Murphy, M-U-R-P-H-Y.

24 First of all, I was listening here this
25 morning, and I thought what a wonderful democracy we

1 have. We can speak up and hope that we are listened
2 to, and that's tremendous.

3 Particularly now, with the alternative
4 route not coming into the city of Sherburn, where I
5 happen to live. The north part of Sherburn has a
6 fire department, has school buildings, two
7 buildings, athletic fields, FFA gardens, has a Kum &
8 Go station, has business property wanting to be
9 developed, has a church, has residents' homes.

10 On the map it doesn't look like we're a
11 part of the city because the word Sherburn is way
12 down, and Michael Hook is going to take care of that
13 for me. But I'm still not going to rest. Because
14 we were told this morning, even though there's a
15 Modified Route A not coming into the city of
16 Sherburn, Route A is the second preferred choice.

17 I've been through all of the three thick,
18 heavy books, I still have a little bit of the second
19 book and I will finish it. I spent lots of hours
20 going through this information and I've been very,
21 very concerned.

22 And I'll tell you how this started. Just
23 by accident, I went to the last information meeting
24 last July 18 in Blue Earth. And I was leaving and I
25 heard the announcement made, Mr. Kirsch made, you

1 could have a picture of where you live on your farm.
2 And I thought I'd like to have a picture of my
3 house. And when I saw that red transmission line
4 behind my neighbor's home, I said what's that red
5 line? He said that's the new 345 kilovolt line. I
6 said what? And I received all this information in
7 the mail, and my neighbors got it in the mail but
8 threw it away. I kept mine. I did not see the dip
9 into the city of Sherburn because, as we saw this
10 morning, it's a long 73 miles. But once I found out
11 it was coming into the city of Sherburn, that whole
12 weekend, Friday, Saturday, Sunday, I walked around
13 the house saying what am I going to do?

14 Because the very first question,
15 Mr. Kirsch remembered me, I came to you and asked
16 does this really cause cancer, the radiation and the
17 electromagnetic fields? His answer was yes. He was
18 very kind and courteous to me, as all the ITC people
19 were, they went to the portion in their own book
20 showing that it has proved, particularly, leukemia
21 in children, and my neighbor right behind has three
22 little children, all three under the ages of five.

23 I thought this was horrific, so on Monday
24 morning I go to the city hall and I talked to the
25 administrator there, as well as our mayor, and they

1 said, oh, no, Miss Murphy, it is not coming into the
2 city of Sherburn. We had an electric person here in
3 the winter and it's coming all north of I-90. I
4 said look at my map. Then we realized our
5 property -- and I didn't think about the property
6 then, it was just about health.

7 Then when I checked with the people from
8 the Assembly of God Church by accident, again, Wadke
9 (phonetic) is here, on the region land committee, he
10 came back from the meeting and he found out that it
11 was right across their church. And then when I
12 found that out and met with him, they concluded it
13 was all the value of their property. Then all of a
14 sudden I saw a dollar sign in my brain and I thought
15 what is this? Property value is nothing. Then the
16 city administrator and the city mayor really got
17 excited because that's less money for the city.

18 I went to the school superintendent and
19 she got upset because that's less money for our
20 school district. And we have a big enrollment in
21 our two buildings. And so our superintendent spoke
22 yesterday at Fairmont, she did a very good of
23 explaining that we cannot have this, and that's why,
24 as much as people are telling me, Miss Murphy, calm
25 down, Modified Route A is the preferred choice of

1 ITC. I do not trust it. I'm not going to rest
2 until I hear the final, final verdict from Judge
3 LaFave that Modified Route A is accepted because
4 Route A is still the second choice.

5 So as the public this is how we started.
6 As I said to some of my neighbors, once we fall off
7 the cliff it's too late to go back and we have to
8 save the feet underneath yourself. This is the time
9 now for us to speak up in a democracy. That's why
10 we pay our taxes and that's why we're here today.

11 So after I got back to Sherburn, I went
12 to the library and spent many, many hours in the
13 library. And this is what I found. I thought I
14 would fall off my chair a few times.

15 The proposed Route A, which the electric
16 company prefers, did extend into the school
17 district's property, as well as all of us north of
18 there.

19 This is what disturbed me. Six
20 departments were involved in the process of
21 preparing this document. The Department of
22 Agriculture, the Historical Society, Natural
23 Resources, Transportation, Pollution Control, Water
24 and Soil Resources, but not the Department of
25 Health. I searched and I searched and I searched

1 the book, no Department of Health is mentioned.

2 I tried calling the Department of Health.
3 Of course I get a recorded message and there was
4 about 50 numbers, I think, or so, and I picked out
5 the three or four that would probably suit my
6 questions, and I always got a recording. That's our
7 taxes for us.

8 Then I found this out. The Minnesota
9 Department of Transportation will not permit the
10 physical location of utility lines or structures to
11 encroach the vegetation requirements at rest areas,
12 and this is for aesthetic reasons. Now, in school I
13 teach that aesthetics is another word for beauty.
14 Can you believe it? They were able to come into the
15 city of Sherburn, but they have to respect rest
16 areas and its beauty?

17 Then I found this. Pole structures, and
18 this is word for word, I've got lots of pages of
19 notes. Structures may not placed within native
20 prairie habitats. Prairie bush clover is protected
21 by the federal government and is mentioned several
22 times in the guidelines in Martin County. They're
23 for prairie grass, which is God's creation, but yet
24 that's protected. No poles, no structures, no
25 conductor can go near that prairie grass, but they

1 can go right near our homes in this first draft of
2 Route A.

3 Also, and I really fell off my chair on
4 this one. Historical remains, such as aboriginal
5 mounds, artifacts, ancient burial grounds,
6 prehistoric ruins, they're all protected.

7 I also read this, the Minnesota statute,
8 and I have the number here, may have a variable
9 width of up to one and a quarter mile within which
10 there is the right-of-way. Now, I had my neighbor,
11 who is a real estate gentleman, he measured. That
12 one and a quarter mile would come from I-90 which is
13 city property immediately to the south way down to
14 old Highway 16, which means the whole north section
15 of Sherburn would be within the easement as I'm
16 reading it.

17 ITC is requesting a width of up to 1,800
18 feet on I-90 and Highway 4. They want to put the
19 structures 65 to 100 feet apart. But then they need
20 a Minnesota Department of Transportation
21 right-of-way, which means after I-90, the city
22 property, wait a bit, and then go off to the south
23 right on top of the Assembly of God Church. And the
24 Assembly of God Church is 120 feet away from I-90,
25 but then they go on to say that the ITC would never

1 put any electrical line or conductor or structure
2 within 200 feet of anyplace where people congregate.

3 And then Jeff Ross, who is on our city
4 council, he said, well, Miss Murphy, I have a degree
5 in math and I teach it, he's our teacher, and he
6 said I know that 120 is not 200.

7 Then I was disturbed yesterday at both
8 meetings at Fairmont that we had got the answer
9 back, there's references to -- this is on page 28,
10 references to a second 345 kilovolt line in the
11 book, to allow for future expansion and growth in
12 the remaining locations where locations of existing
13 transmission facilities is not proposed at this
14 time. Yes, at this time. Yes, at this time they
15 are just wanting to add a 345 to the 161 we have and
16 that makes 506. But in the future, our children and
17 our grandchildren.

18 And I love Sarah Jagodzinske, yesterday
19 she spoke about the born and the unborn. She has a
20 degree, one of my former students, in science,
21 chemistry and physics. She's knows what she's
22 talking about. When babies are developing, as the
23 unborn children, they're affected by electricity.
24 And so that was yesterday and it's constant in the
25 books, all three of them.

1 Future growth potentially involves our
2 prime wind, our strong wind, our rich wind. I read
3 that about three times. Rich wind, that's strong
4 wind in Southwestern Minnesota. It's the most. In
5 fact, I understand in Faribault County they have a
6 company coming in from Idaho wanting to buy
7 Minnesota's wind so they can make money for Idaho.

8 ITC says the service lives for
9 transmission lines is 55 to 60 years, high voltage
10 transmission lines are seldom retired. Poles are
11 190 feet high. This is another thing that's really
12 rich. Migratory birds, of course, by Fox Lake, the
13 DNR will never commit, five, six, nine times I read
14 they won't allow this, they won't allow that. Isn't
15 that interesting. Those birds travel twice a year
16 and we live here all the time. Maybe they're
17 expecting us humans to migrate.

18 Another thing that disturbs me, no other
19 city is being disturbed by the 3.9 miles through
20 Sherburn. Huntley has a .9. But not in Imogene, or
21 Welcome or Granada or Blue Earth or Fairmont. But
22 into the city of Sherburn that line came.

23 Even eagles are protected. Their nests
24 and even their eggs are protected. But they could
25 get a federal permit, because I went to see a DNR

1 person, he's a law enforcement person, and he said,
2 Miss Murphy, there was eagles nests in Fairmont and
3 they knocked it down. The Assembly of God Church
4 people said to me, oh, Miss Murphy, we have an
5 eagle's nest so we will be protected. And even my
6 neighbor said they'll be protected, nature, an
7 animal or a bird would be protected, but we weren't
8 protected.

9 Now, another thing, my neighbor came to
10 me, in the Jackson paper this last summer had said
11 they're going to build 125 more turbines on 34,000
12 acres of crop reduction planned for the Jackson
13 area. So more turbines to be built, for more
14 generation because they don't want to lose that
15 market, so they put electricity over our heads. And
16 I love this lady here who asked the question, are we
17 going to get money back here for renting our air?
18 Even if there is a determination for air quality and
19 contamination, even electrocution, are we going to
20 get recompense here? And someone told me that
21 people do get money from turbines on your land, but
22 just the fact that we live here and ours must be
23 rich with this strong, strong rich wind, are we
24 going to have lower prices?

25 And I was shocked a couple days ago with

1 Dr. Schatzki, in the book that came out, that I got
2 on Good Friday, although it was published
3 February 24th, he's from Harvard and ITC has hired.
4 All about money. Money, money, money. They'll be
5 making money, but then our rates will be higher.
6 And they have a term for us, we're called
7 ratepayers. Ratepayers are customers. And that's
8 us. And so this lady asked, are we going to get
9 maybe credits on our electric bill because we have
10 given our wind. That's a very valid point.

11 I want to read to you the very first
12 paper book that came out, it was about cancer. But
13 now the second book has these diseases in it. It
14 was investigated with the magnetic field, and by the
15 way, the electric field does not affect human
16 beings, according to the books. Electric field
17 stops at buildings and trees and goes around the
18 homes. No, magnetic field will go through any
19 building or tree, and that's the electric magnetic
20 field. These include cancers in children and
21 adults, depression, suicide, reproductive
22 dysfunction, developmental disorders, immune
23 modifications, nerve modifications, and they go on
24 to say even though this is a possibility, the
25 electric power brings such social health and

1 economic benefits that we shouldn't worry about
2 these other problems.

3 Then also throughout the EIS I read true
4 to neutrality, true to neutrality, true to
5 neutrality. I also read minimal, the plan is
6 minimal to aesthetics, minimal to noise. And by the
7 way, noise is another factor. They say when the
8 molecules ionize with damp weather, there's that
9 constant hissing underneath the poles. Also they
10 say even on a calm evening, they actually say there
11 is a hissing sound with a noise problem.

12 And, of course, they say it's minimal to
13 the homes or businesses, minimal to noise, minimal
14 to lower property values. Well, I went to the
15 Martin County zoning office and I found out that
16 zoning, that the county takes care of it. But the
17 county will take care of hog barns, septic systems
18 and setbacks of homes from lakes. I said to the
19 lady, well, how about taking care of us humans? Oh,
20 no, she said. I said, well, who is your employer?
21 Well, Martin County. Well, that's my taxes.

22 But then at the beginning of this book it
23 says the local county can't help us, and the next
24 paragraph says Minnesota law allows the planned
25 siting to override or supersede any local ordinance,

1 even the county ordinance. Then I thought, as
2 someone says, one of my former students, they said,
3 Miss Murphy, you're just a nobody. I said I'm not
4 going to accept that. As an American citizen I'm
5 going to speak up because this is not right, it
6 should not come over our heads with all this.

7 And then the ITC goes on and says we
8 avoid residences, we avoid businesses, we avoid
9 places where citizens congregate, we want to be
10 harmonious with human settlements and activities.
11 So I'm fortunate, and I bow to them, and I hope it
12 stays that way. And when Judge LaFave comes here
13 May 13th and 14th, I will be at every single hearing
14 so that he knows Modified Route A must be chosen.

15 And I asked the question last night,
16 suppose it's all changed, suppose the Public
17 Utilities Commission wants something different. But
18 they said that can't happen, it has to be in the
19 record. So that's important that you people came
20 here.

21 I've heard so many excuses, I've called
22 some people, oh, Miss Murphy, I prayed for rain and
23 I pray for more rain, or I have a carpenter coming,
24 or I have to work and maybe I'll come during the
25 lunch hour. There is so much apathy or lethargy.

1 And one of my teachers told me that this
2 is big business, they count on our lethargy, they
3 count on our apathy, they count on indifference, so
4 they can come through with these big projects. We
5 can't afford that.

6 I talked about the noise operation
7 before, I've read that, that's page 55, 56, noise
8 mitigation, but it will not affect property values,
9 page 56. Page 57, supersedes, I have it here, I've
10 already said that. Also, there's concern about the
11 fall distance of the line. I asked Mr. Kirsch that
12 day, July 18 in Blue Earth, he said, yes, they can
13 bury a line, but Mr. Kirsch's answer to me was it
14 takes more time and more money and they pass that
15 cost on to the consumer. And I said give us that
16 cost, don't give us cancer, if it has to be.

17 Magnetic fields are measured in
18 milligauss. Now I was told by our physics teacher
19 in high school that above three it's dangerous to
20 our health. So if you look at the electric charts
21 in the three books, I was told -- I asked Mr. Kirsch
22 last evening, the minus was one direction, and plus,
23 what it means is to the left or the right, and if I
24 didn't understand then correct me.

25 Modified Route A will cost 207 million.

1 Route A will cost 208 million. Route B will cost
2 196 million. Another item, too, that disturbed me
3 in the last book, the Jackson County people were
4 honored because they went around the well in the
5 Modified Route A, the buildings, the Des Moines
6 River in the Jackson area, around animal confinement
7 buildings. In Fairmont they can't use the I-90 area
8 because of commercial land use. In Jackson they
9 can't use the I-90 area because of the Jackson
10 Municipal Airport. These are the words from
11 Sherburn, Sherburn is available north and south of
12 I-90. I said, excuse me, please, so we're speaking
13 up to that.

14 And then, of course, we're upset with the
15 DNR completely, very, very much. As I said, and I
16 have an article to read here, my own composition
17 here, but we found out in the Fairmont Sentinel that
18 the DNR was paid \$10,000 to buy the Four Corners
19 area, which is north of Sherburn, for wildlife
20 management. Well, Four Corners is part of Route B.
21 And when I mentioned that to my lawyer, I said
22 that's sabotage, isn't it, that they would actually
23 give money to an area that's supposed to be Route B
24 alternative, but then the DNR, in all the phrases in
25 the books are they're very less likely to honor

1 anybody going through Route B. And that disturbs me
2 a lot.

3 And, of course, I also contemplated this
4 here, but I haven't had it in my brain. They
5 received about 23 alternatives routes, but no
6 comments were received that would meet the ITC
7 stated goals and also to meet Minnesota's mandated
8 goals.

9 We're in a fight here, I think, with the
10 energy situation, and that's exactly what that is,
11 mandated goals.

12 Another thing on these maps, they've got
13 a red circle, a blue circle, an orange circle, and I
14 thought, what does this mean? You can look at the
15 legend here to find out what it means. One circle
16 is the animals are protected that have vertebrae.
17 Another circle is animals that have no vertebrae.
18 Another circle is communities, and I thought, oh,
19 good, people are protected. But it's plant
20 communities. It is unheard of, the power that DNR
21 has on those maps.

22 And also, too, the people who have
23 pacemakers, fibrillators [sic] or insulin pumps, and
24 even AM radios are affected by the electricity.

25 Okay. I'm just about done. And, of

1 course, I'm not pleased with the crunch timing of
2 the last two documents. Income tax time, Holy Week,
3 Easter, field work, and now we have only two weeks
4 by May 9th to get our written comments in. We do
5 need more time and ask for another week on that.

6 You're also disturbing animals, plants,
7 prairie grass, rest areas, ancient ruins, artifacts,
8 wells, airstrips, airports, animal compatibility,
9 which are all protected, but not human life, which
10 is the highest form and order of life on this earth.

11 Also, the map of Sherburn is misleading,
12 but Michael Hook is going to take care of that. It
13 looks like, to strangers from the Twin Cities, like
14 Sherburn is much farther south than it really is
15 because we are the property right next to the
16 freeway.

17 Now, I had some questions for Mr. Kirsch
18 actually last night. The first question is -- oh,
19 and I should mention that I talked to a local
20 veterinarian and she has seen cancer in animals from
21 electricity.

22 Where will the new poles be? Do we know
23 that for sure?

24 UNIDENTIFIED: Repeat the question.

25 MR. RAY KIRSCH: I will repeat the

1 question. Miss Murphy asked, I believe, the
2 question of where will the poles be. And we won't
3 know the answer to that until the Commission issues
4 a certificate of need and issues the route permit
5 which will define the route and the anticipated
6 alignment. So once they decide it, that's when
7 we'll know where the structures will be.

8 There is a process -- I'll expand on that
9 just briefly. Once the Commission issues that, the
10 company will have to go out and do additional
11 engineering work and survey work. And that
12 alignment could move, as we talked about, within the
13 route width. They have to make sure that it fits
14 within the route width. The company then submits
15 their plans to the Commission and the Commission
16 shares it back, whatever has been proposed by the
17 company, there are final engineering plans that fit
18 the permit issued.

19 MS. HELEN LEE MURPHY: Well, that leads
20 up to my next question.

21 Do I understand this right that the
22 161 kV line poles will still stay, or are they going
23 to be taken out?

24 MR. RAY KIRSCH: The ones --

25 MS. HELEN LEE MURPHY: That we already

1 have.

2 MR. RAY KIRSCH: So there are a number of
3 lines in the area, and the proposed Route A follows
4 the existing 161 line on their wooden H frame
5 structures for most of the route. If the Commission
6 were to permit that route, those H frame structures
7 would be removed and then the 161 line would be put
8 on the same pole with the 345 line. In areas where
9 they don't follow along, the existing alignment
10 would still remain there.

11 So let me give you an example. The 161
12 line crosses Fox Lake currently. It would still
13 stay across Fox Lake if the line went on Modified
14 Route A, if the 345 went on Modified Route A.

15 MS. HELEN LEE MURPHY: Well, that one
16 lady talked to me on the phone this morning and she
17 said did you say last night that you put new poles
18 up with one arm only, 345, and the future, that
19 other left part of the arm will be empty? One arm
20 will be 345 but one will be empty, is that for the
21 future adding?

22 MR. RAY KIRSCH: Let me try to address
23 your question. So ITC has proposed Route A, which
24 follows the existing 161 line. Route B also is
25 depicted here and was studied in the draft EIS and

1 tends to follow field lines and roadways and so it
2 doesn't follow existing transmission lines for very
3 much of its length.

4 If Route B were selected, or an area
5 where Route B is used, there's not another
6 transmission line to put it on the other side of the
7 pole. So there would just be a pole and a 345 line
8 and nothing on the other side of that pole. Whether
9 that side of the line could be used in the future,
10 it could, but they would have to come back, show
11 that there's a need for it, and permit it in order
12 to use those poles.

13 MS. HELEN LEE MURPHY: Then
14 Mrs. Jagodzinske asked last night, what is your
15 reason against not going directly south from the
16 Lakefield Substation into Iowa and not come across
17 from the east to the west. Can you explain that,
18 please?

19 MR. RAY KIRSCH: Yes, I believe I
20 answered part of that question and I'll ask ITC to
21 answer part of that question.

22 The planning process for these lines is
23 through the regional transmission operator, which is
24 the Midcontinent Independent System Operator here in
25 the Upper Midwest. They work with the utilities to

1 look at all the needs, the growth of the electrical
2 grid, and the need for the growth of the electrical
3 grid. And they try to map out all the alternatives
4 that could possibly meet that need.

5 Through that process, they look at the
6 various possibilities and ways of connecting the
7 electrical wires in the electrical grid. And
8 through that analysis they determined that the
9 connections had to be made in Minnesota at Lakefield
10 and Winnebago, but Winnebago was too small so they
11 had to create a new substation fairly near it called
12 Huntley. So those connections would be made before
13 going into Iowa. That was the project that best met
14 all the criteria and that's why that project came
15 forward.

16 Do you want to add anything to that?

17 MS. AMY ASHBACKER: No.

18 MS. HELEN LEE MURPHY: Another lady on
19 the phone this morning asked me did ITC own any
20 turbines in southwest Minnesota. Does ITC? I read
21 in your books it is just in the transmission
22 business. So does ITC own any of these turbines in
23 southwest Minnesota?

24 MS. AMY ASHBACKER: No.

25 MS. HELEN LEE MURPHY: Now, back to

1 these. Now, the judge will be here May 13 and May
2 14. Now, will there be meetings, a continuing
3 hearing in St. Paul then after that?

4 MR. RAY KIRSCH: So you're correct, the
5 judge will be out here May 13th and May 14th to hear
6 all of your questions, comments, take your advocacy,
7 as I said. Following that, the following week, the
8 hearing will continue in St. Paul, Minnesota. It's
9 what's called an evidentiary hearing where parties
10 can bring in witnesses and provide other testimony
11 and do cross-examination. And that's for parties
12 who are part of the hearing. And certainly if folks
13 want to come up to St. Paul and listen to that part
14 of it, you can, but the public part of it is when
15 the judge comes out here on May 13th and 14th.

16 MS. HELEN LEE MURPHY: So at those
17 evidentiary hearings, then we don't have a say?

18 MR. RAY KIRSCH: That's right.

19 MS. HELEN LEE MURPHY: So when the judge
20 is here that's our last chance to speak. Will we
21 receive the final EIS document? Will that be
22 available to us like before at the libraries?

23 MR. RAY KIRSCH: Yes.

24 MS. HELEN LEE MURPHY: And then we have
25 to wait until September 2014 for the judge's report,

1 and will that be in the library also and how will we
2 be notified?

3 MR. RAY KIRSCH: The question is will the
4 judge's report be at the libraries. I don't know
5 that. I will have to find out about that. The
6 judge's report comes out in the eDockets, in the
7 electronic docketing system, so it will be issued
8 there.

9 MS. HELEN LEE MURPHY: So on the
10 computer?

11 MR. RAY KIRSCH: So it will be online.
12 So I don't know if it's in print version, I don't
13 think it has been made available in libraries, but
14 it's something you can certainly raise with Judge
15 LaFave when he's here. Just say, Judge, I appreciate
16 that the report is available electronically, and
17 that's convenient for other folks, but could you
18 also put it in the libraries, and he would be the
19 one who could decide that.

20 MS. HELEN LEE MURPHY: Now, one of those
21 people would be up in St. Paul listening to the
22 evidentiary hearings, but if we would see something
23 that would be contrary to what we would want, at
24 that point we can't do anything about it; is that
25 correct? Am I right?

1 I know January 15 was the last intervention for us
2 to have a lawyer, but suppose now we would want a
3 lawyer to speak for us. Is it too late to have that
4 on the docket and requested, or would that be a
5 future question?

6 MR. RAY KIRSCH: My initial reaction is
7 it would be too late. You would have to ask Judge
8 LaFave if he would rule on whether or not you could
9 do that.

10 MS. HELEN LEE MURPHY: Thank you.

11 MR. RAY KIRSCH: Thank you for all of
12 your comments and really good questions. I hope
13 they were helpful for several folks in the audience.

14 Is there anybody else who has a comment
15 or a question today?

16 Yes, sir.

17 MR. MARK WHISNEY: Mark Whisney,
18 W-H-I-S-N-E-Y.

19 I live north of town, and where it's
20 going to cross the river, it's going to go right in
21 front of my place. I moved to the country for peace
22 and quiet. I don't own no farmland. But I know,
23 the only way I can say is if -- the way it sounds,
24 nobody wants it. They talk about alternate routes.
25 I want no -- I don't want any route. I don't want

1 me to pull up the EIS. And on page 66 it says
2 predicted average at the edge of the 345
3 right-of-way for all scenarios are less than 20
4 milligauss. And if you look on page 67, as I
5 understand it, the widest part of the right-of-way
6 is 200 feet; is that correct? 200?

7 MR. RAY KIRSCH: 200.

8 MS. CAROL OVERLAND: 200. So at each
9 side there would be 100, correct? Well, if you look
10 at this chart, also -- where did he go? There he
11 is, Mr. Barr Engineering. Take 67, if you look at
12 under the minus 100 on the milligauss chart, we have
13 26.4 and 28.4. That's more than 20. And I think
14 Miss Murphy's math person would agree with that,
15 that 26.4 and 28.4 are above 20. So that statement
16 at the bottom of page 66 on the right-hand side is
17 not correct.

18 And also you should know that the
19 milligauss level for precautionary purposes to avoid
20 is two milligauss. That's more than 10 times at the
21 edge of the right-of-way. You should know that.

22 Thank you.

23 MR. RAY KIRSCH: Great. Thank you for
24 your comment. We'll take a look at that and see if
25 it needs to be corrected.

1 Does anybody else have a question?

2 Yes, sir, please come on up.

3 MR. IAN DEVINE: Ian Devine, D-E-V-I-N-E.
4 I live in the Jackson municipal area on zone 28, and
5 I live on a Century Farm.

6 And my neighbor to the south, in zone 33,
7 is also on a Century Farm. And --

8 UNIDENTIFIED: Hold the mic up.

9 MR. IAN DEVINE: Sorry. But we're both
10 on Century Farms. And the proposed Route B runs
11 right there between our properties.

12 Now, we have prairie grounds that is
13 unregistered. If we were to get that registered
14 with the state, would that make the proposed route
15 null and void?

16 MR. RAY KIRSCH: I don't know that I can
17 answer your question. I'm not familiar enough with
18 registration of prairie ground and whether or not it
19 could be crossed. So I would have to know more.
20 I'm not sure.

21 MR. IAN DEVINE: Okay. And, also, we
22 have nesting grounds for bald eagles there. And
23 it's, you know, just pristine Midwest land. I mean,
24 nobody wants to have that there. And my neighbor is
25 90 years old, you know, you can't have lines like

1 this running that close to a 90-year-old.

2 MR. RAY KIRSCH: Thank you. Thank you
3 for your comments.

4 Anybody else have a question or a
5 comment? I'm not seeing any other hands.

6 So I'm going to close here by reminding
7 folks that if you think of something later on, we'll
8 be here tonight and we'll be here tomorrow, but if
9 you think of something next week you can send me a
10 comment. That needs to be to me by May 9th.

11 Anybody else?

12 All right. Well, I want to thank you all
13 for coming out today and our meeting is adjourned.

14 Thank you very much.

15 (1:00 session concluded at 2:34 p.m.)

16 (6:00 SESSION.)

17 MR. RAY KIRSCH: Well, good evening,
18 everyone, and welcome to the public information
19 meeting tonight for the draft environmental impact
20 statement for the Minnesota to Iowa 345 kV
21 transmission line.

22 My name is Ray Kirsch, I'm with the
23 Minnesota Department of Commerce, and let me step
24 into the agenda for tonight's meeting.

25 Here is how I propose to spend our next

1 little bit of time together. I'd like to do some
2 introductions and talk about the materials that were
3 on the table that you have with you. Briefly talk
4 about the proposed project so we're all on the same
5 page on the state's permitting process. Talk about
6 the draft environmental impact statement that's been
7 issued for the project. And then spend some time
8 about using the DEIS, how it can be helpful to you,
9 and then we'll open it up for your comments.

10 I anticipate the first five things on the
11 agenda will take 20 to 25 minutes and then we'll
12 open it up for your questions and comments, and
13 we'll stay until everyone has had a chance to say
14 what they need to say.

15 If at any time you need to ask a question
16 or feel the need to ask a question about something
17 that's unclear, please raise your hand and stop me
18 and I'll try to answer as best I can.

19 So, first of all, again, my name is Ray
20 Kirsch, I'm with the Minnesota Department of
21 Commerce, Energy Environmental Review and Analysis
22 Unit. Our job is to perform the environmental
23 review, which means to go out and investigate
24 potential impacts and mitigation measures for
25 transmission facilities -- certain transmission

1 facilities in the state of Minnesota.

2 With me tonight also is Suzanne
3 Steinhauer. You might have met Suzanne when you
4 came in the door. Also tonight we have several
5 members of the ITC Midwest staff, and they will be
6 helpful in answering questions, too.

7 I'll first introduce Amy Ashbacker, who
8 is the project manager. Amy, could you introduce
9 your team?

10 MS. AMY ASHBACKER: Thanks, Ray.

11 As Ray said, my name is Amy Ashbacker and
12 I'm the project manager for this project with ITC
13 Midwest. And we do have several other ITC personnel
14 here and some representatives of ITC Midwest here
15 tonight. So we hope you ask us questions after the
16 meeting tonight if you don't get everything answered
17 during this part of the meeting tonight.

18 But I do want to introduce a few of the
19 folks. They include Dave Grover of our regulatory
20 department. Joe Berry of our planning group. Jack
21 Middleton with Burns & McDonnell, who assisted ITC
22 in the routing of this project. And Dick Coeur,
23 with MBN Engineering, a design engineer and he also
24 assisted us in the routing.

25 I also want to recognize JCG Land

1 Services in the back there, I know some of you have
2 already gone to them and had a map printed out, but
3 they're available to do that, and Ray can explain
4 further what you might do with that map as far as
5 submitting comments go.

6 Thank you.

7 MR. RAY KIRSCH: Thank you, Amy.

8 On the table over there where you walked
9 in, we have a copy of the presentation that I'll be
10 walking you through tonight, which has good
11 information and some good maps in it.

12 There's a public comment form on the
13 table. You can use this form to submit a comment.
14 You can submit a comment through May the 9th, and you
15 don't have to use this form, but it's a handy form,
16 you can fold it over and just send it in.

17 Also on the table is the meeting notice
18 for tonight's meeting, but it has good information,
19 so if you did not get a copy, please pick one up.

20 And, lastly, there is a project mailing
21 list card. If you're not on the mailing list or not
22 sure if you're on the mailing list for this project,
23 you can fill a card out and drop it off at the table
24 as you leave. Also, you can put a stamp on it and
25 mail the postcard to the Public Utilities Commission

1 and they'll make sure you're on the list.

2 ITC has proposed to construct a
3 73-mile-long 345 kilovolt transmission line here in
4 southern Minnesota from Lakefield Junction to
5 Huntley Substation and south to Iowa.

6 It includes expanding the Lakefield
7 Junction Substation, constructing a new Huntley
8 Substation, relocating existing lines, and removing
9 the Winnebago Junction Substation. Let's take a
10 look at that on a map, it's easier.

11 Here's the Lakefield Junction Substation,
12 it's a little bit west of where we are tonight in
13 the city of Jackson. This map depicts the several
14 routing options evaluated in the draft EIS going
15 eastward to the Fox Lake area. This is the
16 Fairmont. This is the Rutland Substation in here.
17 The Winnebago Substation, which will be
18 decommissioned and moved here, the new Huntley
19 Substation could be here at this proposed site or at
20 an alternate site. And the line proceeds then south
21 to Iowa, cross over the Iowa border, and the project
22 continues in Iowa. That part of the project is
23 permitted by the Iowa Utilities Board.

24 These are large structures. A large
25 infrastructure project, 130 to 190 feet in height.

1 They span 700 to 1,000 feet. And the right-of-way
2 associated with the project, should it cross your
3 property, the right-of-way, being the easement, that
4 would be 200 feet in width. This is a typical
5 structure, there are other structures that could be
6 used for the project, but this is the predominant
7 structure of the project.

8 To build this project ITC needs two
9 approvals from the State of Minnesota. Well, two
10 major approvals from the State of Minnesota. It
11 requires a certificate of need and they require a
12 route permit, both of them from the Minnesota Public
13 Utilities Commission.

14 The certificate of need process is
15 spelled out in Minnesota Rule 7849 and the route
16 permit process is in Minnesota Rule 7850.

17 The Commission has a big job to do. But
18 there's a five-person panel in -- primarily in
19 St. Paul. They make all decisions about telecom and
20 energy and transmission in the state of Minnesota,
21 the utilities in Minnesota.

22 It's a big job. They get assistance from
23 a number of state agencies. Two of them are called
24 on particularly in statute and rule.

25 One is the Department of Commerce, the

1 office that I work at, to do the environmental
2 review, which is what are the impacts that this
3 project could have and how might they be mitigated.

4 The second is the Office of
5 Administrative Hearings. The Office of
6 Administrative Hearings has administrative law
7 judges which go out throughout the state and hear
8 different matters and try to help agencies develop a
9 record so that they can make a decision on those
10 matters.

11 The question for the certificate of need
12 is, is this project needed or is a different project
13 more appropriate for the state of Minnesota? Is
14 this the right size project, is it the right
15 voltage? Is it the right type of project? This is
16 a transmission project moving power from place to
17 place. Is that what is needed or is a generation
18 plant, some sort of a power-producing plant needed?
19 And is it the right time for this project? Is it
20 needed now or is it needed perhaps sometime in the
21 future?

22 On the routing side, if the project is
23 needed, the questions are where should it be located
24 and how should it be constructed? To decide that,
25 the Commission has before it a set of routing

1 factors in Minnesota Rule 7850. In your handout
2 I've included the complete list so that you have it.
3 It looks like this, a page of text, and it lists all
4 the factors that the Commission is to consider, A
5 through N, when it makes a decision on a route
6 permit.

7 If you look through it, it includes
8 effects on human settlements, effects on public
9 health and safety. Impacts on land-based economics,
10 archaeological and historic resources, the natural
11 environment, use of existing rights-of-way. A
12 number of factors. It doesn't tell you how to
13 balance those factors one against the other, but it
14 shows you the factors that the Commission is going
15 to look at in making a decision. It shows you the
16 factors that the judge is going to use when he comes
17 for the hearing and asks for your input.

18 I've included here a schematic of the
19 route width, the right-of-way, and the anticipated
20 alignment. These are what I would call terms of art
21 for the Commission when they route a transmission
22 line.

23 The route width is that area specified in
24 the route permit where the line could go. For
25 instance, ITC has asked for a route width of 1,000

1 feet for their 345 kV transmission line. The
2 anticipated alignment is where the poles will
3 actually be and the line will follow. The
4 anticipated alignment can move within the route
5 width up and down, side to side. So the Commission
6 is trying to balance predictability, where it's
7 going to go, with some flexibility, both for the
8 company, 'cause they haven't done the final
9 engineering and there may be some things they need
10 to do, and for landowners, so when they meet with
11 you there's some ability to move that line one way
12 or the other to make impacts less on your property.

13 I want to briefly walk you through the
14 flow chart so everybody is on the same page as to
15 where we are in the permitting process and where
16 we're headed.

17 So in March of last year the company
18 submitted a certificate of need and route permit
19 applications to the Minnesota Public Utilities
20 Commission. Those applications were accepted in
21 June. Last year in July we were out here in
22 Jackson, Fairmont, and Blue Earth for public
23 meetings. And we were trying to gather your input
24 on what's important about this project, what do we
25 need to know about this project, the possible

1 impacts of this project. What do we need to make an
2 informed decision.

3 And also are there better ways to route
4 this project. If it's needed, are there any routing
5 options that are not on the table right now that you
6 think should be on the table, that you think are
7 better ideas. And we got a lot of good ideas and
8 they're reflected in the draft EIS and we'll talk
9 about those in a minute.

10 We issued the scoping decision in October
11 and we prepared the draft EIS and issued it last
12 month. The draft EIS is two volumes, pretty hefty
13 volumes. This is the first volume, it includes text
14 and maps and graphs. And it talks about all the
15 different routing options for the project. The
16 second volume is a little thinner, but it's an
17 11-by-17 detailed map book, including -- and at a
18 scale such that you can really see the details on
19 everybody's property along the possible routing
20 options. And the EIS is also available on a CD and
21 we'll talk a little bit more about that.

22 So here we are at the public meetings and
23 comment period on the draft EIS, April 22 through
24 the 24th. An opportunity for you to comment on the
25 draft EIS. All of your comments will be taken and

1 used to prepare the final EIS. So we issue it in
2 draft form because we know we're not perfect, we
3 make mistakes, we miss things. If you could help us
4 find those missing things, find the things that are
5 incomplete, find the things that need clarification,
6 we'd be grateful. Those will go into the final EIS.

7 In the meantime, concurrent with that,
8 May 13th and 14th there will be public hearings in
9 this area. An administrative law judge from the
10 Office of Administrative Hearings, Judge James
11 LaFave, will come out and solicit your ideas on
12 what's the -- is the project needed and, if so,
13 where is the most appropriate place for it to be
14 located. And he will take all of your testimony and
15 he will prepare a report.

16 The judge's report right now is scheduled
17 to come out in September of this year. The judge's
18 report includes findings, conclusions, and
19 recommendations. It will include recommendations
20 about whether the Commission should issue the
21 certificate of need and whether the Commission
22 should issue a route permit. And if it should issue
23 a route permit, what should the permit say, how
24 should it describe how the project is constructed,
25 what should it say about where it is located.

1 All of that report and the whole record
2 goes to the Minnesota Public Utilities Commission.
3 They make the final decision, anticipated sometime
4 in the fall of this year. So that's when we'll know
5 if the project is going to go ahead and, if so,
6 where it's going to be located.

7 I've put this in a table form, the same
8 information, but it just gives you a different
9 format showing where we are in the upcoming events.
10 The public hearing is May, the final EIS in July,
11 the judge's report in September, and the Commission
12 meeting to consider the certificate of need and
13 route permit in the fall of the year.

14 And now to the draft EIS itself. The
15 goal of having an environmental review,
16 environmental impact statement, is informed
17 decision-making. We want folks who are in
18 decision-making roles like the Public Utilities
19 Commission to have the facts about the decision
20 they're making. You may or may not agree on
21 whatever they decide, but doggone it, they better
22 have the facts in front of them when they make the
23 decision so they are aware of the repercussions of
24 what they're deciding.

25 The EIS works to develop a common set of

1 facts. So you all have the same information about
2 all the routing options out there and you can use
3 that information to make your case. It doesn't
4 advocate. You can't read the EIS and say, aha,
5 that's obviously the best way to go. It'll tell you
6 about the different types of impacts --
7 archaeological, historic, impacts to noise, impacts
8 to property values, where folks live along the line,
9 but it doesn't balance them out for you. It does
10 give you the information so that you could formulate
11 an answer and relate that to the judge and to the
12 Commission.

13 Again, it talks about human and
14 environmental impacts and possible mitigation
15 measures. The mitigation measures could be how it's
16 constructed. It's crossing ag land, a farm, there's
17 tile drainage on the land, how is the tile repaired
18 if it's damaged. How is the damage avoided to begin
19 with. And also where the project is located. Many
20 impacts of a transmission line can be avoided or
21 mitigated by routing and by choosing routes that are
22 away from the things you want to avoid. Not always
23 possible, but often.

24 And finally the EIS talks about the
25 relative merits on the routing options. It takes

1 that list, which I showed you, the Minnesota rules,
2 and talks about the routing options in comparison to
3 that list. It talks about their relative merits.
4 It points out areas where it looks like there's
5 going to be a moderate or substantial impact and
6 maybe that impact would not be mitigated except by
7 choosing a different route and it talks about that.

8 I cannot give you a complete guide to the
9 EIS here without walking through it page by page.
10 But I think I can give you a little bit of a
11 synopsis to help you understand how it's put
12 together, so if you haven't already looked at it you
13 can make heads or tails of it. So I'm going to do
14 that with this map, which is a map that is in the
15 DEIS.

16 So this is a map of the project. Here's
17 the Lakefield Junction Substation, the proposed
18 Huntley Substation, and the Iowa border. The draft
19 EIS approaches this as a project in two segments.
20 The one in orange, the Lakefield over to Huntley,
21 and the one in green from Huntley to the Iowa
22 border. So it's divided up into those two segments.

23 Within those segments it looks at Routes
24 A and B proposed by ITC Midwest. It looks at the
25 I-90 alternatives, which are route alternatives that

1 use Interstate 90 to a greater or lesser extent. It
2 also looks at what are called route variations,
3 small segments of route designed to mitigate
4 specific impacts.

5 The Jackson Municipal Airport, in the
6 area we are in this evening, there are three route
7 variations to better navigate that area suggested by
8 citizens last July. In the Fox Lake area there are
9 six route variations -- two on the west side of the
10 lake, one crossing the lake where there's an
11 existing line, and on the east side of the lake.
12 Again, these six were suggested by citizens last
13 July when you were out here and they're examined in
14 the EIS.

15 At Lake Charlotte there are five route
16 variations that could be selected for the project.
17 One is Center Creek. One over here by the Huntley
18 Substation along the Blue Earth River, where the
19 existing line crosses the Blue Earth River. And
20 there was a suggestion to avoid crossing the Blue
21 Earth River by going slightly west. And there are
22 four route variations in the Huntley to Iowa
23 southern portion of that route.

24 So two segments, one, two. Within that,
25 route alternatives and different areas of route

1 variations. For each of those routes and route
2 variations we look at -- we pretty much walk down
3 the list of the factors that the Commission is going
4 to look at. Impacts to human settlements, including
5 noise, aesthetics, property values, public service,
6 potential impacts to airstrips and airports, impacts
7 to public health and safety, to land-based
8 economies. And by that I mean agriculture, tourism,
9 mining, forestry. Impacts to archeological and
10 historic resources, the natural environment, rare
11 and unique natural resources, the use of existing
12 rights-of-way and cost.

13 And I'll point out, we talk about all
14 these, we spell out the impacts, but the EIS does
15 not come to a solution based on those impacts. We
16 are hoping that, in addition to your comments
17 tonight, you will come back and tell the judge how
18 best to balance those, what the Commission should
19 make of those factors. Like there are ag impacts
20 with one route, there are aesthetic impacts with
21 another route, what's the best way to go.

22 The EIS is available electronically. You
23 can view it at the Department of Commerce website
24 and you can view it at the Minnesota Public
25 Utilities Commission website through their

1 electronic docketing system. It's available at
2 local libraries. There are review copies on the
3 table over here that you can look at this evening.
4 As I mentioned previously, there are CD copies if
5 you would like a copy on a CD.

6 The maps in the map book are fairly
7 detailed. All those maps are available in the back
8 of the room. If you wanted to zoom in on a
9 particular property or a particular area, we will be
10 glad to print you off a map. You could use that to
11 formulate your comment on the draft EIS, like you
12 printed off this map and on this map something is
13 missing, a building. Hopefully not an airstrip,
14 hopefully we got them the first time around. But
15 something that you see that needs to be clarified or
16 that is missing.

17 You may also make a copy in advance of
18 the hearing next month so that you are ready to come
19 and talk to the judge and say to the judge, I've
20 looked at this draft EIS, I've looked at all the
21 routing options, I live near Fox Lake, here's the
22 best way to proceed. I live near the Blue Earth
23 River, and here's how I think you should proceed.

24 If you have questions about the draft EIS
25 or any time during the process at all, you can

1 contact me. You may also contact the public advisor
2 for the project, which is Tracy Smetana at the
3 Public Utilities Commission. You can sign up for
4 the project mailing list. If you sign up for the
5 project mailing list you get all the relevant
6 mailings for upcoming events and upcoming things in
7 the process of the project. You can subscribe to
8 eDockets -- eDockets is an electronic docketing
9 system, it will send you, if you're into e-mail and
10 that's the way you like to receive things, it will
11 send you an e-mail every time something is added to
12 the docket for this project. And by docket I mean a
13 big electronic folder, a chunk folder, all the
14 documents, and every time one is added you will get
15 an e-mail.

16 The last topic is -- before we get to the
17 comments -- is using the draft EIS. I want to spend
18 a few minutes about this because we put a lot of
19 time and effort in doing a draft EIS and my hope and
20 the State of Minnesota's hope is that a draft EIS is
21 helpful to you. That it contains information that
22 tells you about the project and all the routing
23 options such that you can take a look at that and
24 help us make it a final EIS. But also take that
25 information to the hearings with the judge and

1 ultimately to the Commission and say, here's how I
2 see all these impacts playing out, doggone it, I
3 know there's impacts, we can't avoid them all, but
4 this is the first best way to go and the second best
5 way and whatever you want to say.

6 So you can use it to advocate relative to
7 the need for the project or the route permit. What
8 impacts you're concerned about. How they might be
9 avoided. If you have concerns about how the project
10 is constructed. You can use the draft EIS to raise
11 those concerns with the judge. If you think you
12 have an idea about how the project should be
13 located, the route and the alignment, to best avoid
14 or mitigate impacts, you can use the draft EIS to
15 formulate those ideas and bring them up at the
16 hearing.

17 I want to walk through with you four maps
18 from ITC Midwest's Modified Route A. As it happens,
19 the judge will be out here in May, but through the
20 hearing process, ITC is required to prefile their
21 testimony, so they have to put it into the record
22 early and they have done that. In doing so, they've
23 looked at Route A, they've looked at -- they were
24 here last summer, as were you all, we had comments
25 on what's going to be in the EIS. And they have

1 proposed a Modified Route A. And I want to go
2 through this just so you know what that is. Two,
3 because you'll see that the modifications that ITC
4 is proposing to follow for a great deal, some of the
5 routing options which you all suggested last summer
6 and which are covered in the draft EIS. And, three,
7 I think they're good examples of what you could do
8 at the public hearing when the judge is here to make
9 your case more specific on the route in general.

10 So there are four maps to look at. This
11 is a map of the Route A in the Jackson Municipal
12 Airport area. There's an existing 161 line here.
13 And Route A is depicted in this orange area with a
14 red line in the middle for the alignment. It comes
15 like so and up and over and then back down and over.
16 And this bump out to the north, which is found on
17 all the routing alternatives in this area is
18 intended to provide room for the Jackson Municipal
19 Airport to operate and to even expand its
20 operations. In this area there are several route
21 variations called Jackson Airport 1, 2 and 3.

22 This blue line, the light blue line, is
23 Modified Route A. And so you'll notice here that
24 this is Route A, and Modified Route A is over here.
25 And it uses a portion of what's called JA-2. And

1 that's the Jackson Airport route variation 2, which
2 is something suggested by citizens last summer. So
3 they're proposing to take this long corner here, use
4 a part of this JA-2, and then use a part of Route A.
5 So they've combined something that the citizens have
6 suggested with something from their original Route A
7 to come up with the Modified Route A in this area.

8 I bring this up because you could do
9 something like that, similar, if you wanted to while
10 the judge is here, and I wanted to show you that
11 this is studied in the EIS so you have information
12 on it.

13 Here's another example of the Fox Lake
14 area. This is the city of Sherburn down here.
15 Route A comes in here, drops to the south of the
16 road. Follows along the south side and then
17 proceeds north to be joining the 161 line north.
18 Modified Route A stays to the north of the highway
19 and then drops down south of the highway and back up
20 and comes to here. But instead of going directly
21 north, it proceeds eastward and then north at 130th.
22 That is known as Fox Lake 4 in the draft EIS. It's
23 a Fox Lake route variation number 4. So with a
24 small deviation in the alignment here, but basically
25 that route variation is what the company is

1 proposing in this area. So you can see how your
2 comments got into the EIS, were examined in the EIS,
3 and they're now being used as part of Modified
4 Route A.

5 Here's a map of the Lake Charlotte area.
6 Again, there were a number of route variations
7 suggested by folks in the Lake Charlotte area. This
8 is Route A here in the orange, again with the red.
9 It will drop southward, eastward, and then back
10 north to the existing line. Modified Route A in
11 this area, this blue line, comes south, it doesn't
12 go quite as far south, and then cuts across here on
13 160th and back up. So Modified Route A is very
14 similar to Lake Charlotte 5, a route variation that
15 was suggested by citizens in the Lake Charlotte
16 area. So, again, a suggestion in the draft EIS as
17 picked up by ITC as part of their Modified Route A,
18 what they're suggesting going into the hearing.

19 The last one I will show you is a portion
20 of Modified Route A, is the Huntley Substation, the
21 proposed site of the Huntley Substation and the Blue
22 Earth River. In this area Route A followed the
23 existing 161 line south to the existing line there.
24 It crosses the Blue Earth River twice. The
25 Department of Natural Resources put an option into

1 the scope and into the draft EIS which moves to the
2 west here, skirts around the river crossings, and
3 then comes back to the line. ITC Midwest has picked
4 up on that, it kind of comes along the existing
5 line, takes a slightly different angle, and comes
6 back. So basically it picks up the same idea as
7 what is called HI-1, Huntley to Iowa option 1.
8 Again, in the draft EIS, a slight variation in the
9 alignment, but very similar to what's in the draft
10 EIS and what was suggested by the Department of
11 Natural Resources.

12 So now on to your comments. The reason
13 we're here tonight is to get your comments on the
14 draft EIS. What needs to be clarified, what's
15 missing, what do we need to make it complete and
16 accurate.

17 You can submit a comment at tonight's
18 meeting. You can complete and submit a comment
19 form. You can comment online. You can go to the
20 Commerce Energy Facilities website. You can scroll
21 down to submit a comment, if you click on that
22 button it will show all of the projects that are
23 open, you can click on this button. You can mail or
24 fax or e-mail me a comment. I have all of my
25 contact information there at the Minnesota

1 Department of Commerce and my e-mail address. The
2 bottom line is it has to be to me by May 9th at the
3 end of the day. So all modes of communication are
4 equal, it doesn't matter how you get it to me,
5 whatever is most expedient and easy for you, I'll
6 take that. But it has to be to me by the 9th.

7 I'm going to ask that we go one speaker
8 at a time and limit your comments to a few minutes,
9 if you can, so that everybody has a chance to speak.
10 If you have more to say, we'll come back to you.
11 I'd like you to state and spell your name for the
12 court reporter. We have a court reporter here
13 tonight to make sure we capture your thoughts. I'm
14 not trying to scrawl it down while you're saying it.

15 We want to maintain respect for others.
16 They may have a different opinion about the project
17 or some aspect of it. Please try to be civil in
18 your comments. And direct your comments and
19 questions to the content of the draft EIS.

20 I realize that you may not have had a
21 chance to read this document. That's very clear to
22 me. And you may need to ask a question to formulate
23 your comment. Please ask the questions. If you
24 have questions, we have everybody in the room here
25 who ought to know about the project and should be

1 able to answer your question. There's some that we
2 haven't been able to, but we'll try to answer as
3 many as we can.

4 You have until the 9th, so if you don't
5 have a copy, you can get one at your library. I
6 encourage you to pick up a CD. If you have a
7 computer you take a look at it, it's an easy way for
8 us to get information to you and I encourage you to
9 take one and submit your comments after you have had
10 a chance to look at it.

11 So I'll leave this up here to try to
12 focus our thoughts. What needs to be clarified,
13 what's missing, and what needs to be added such that
14 it's complete and accurate.

15 We only have one speaker who signed up so
16 far, and after that we'll do a show of hands.

17 So, Mr. Mixer, if you want to come up.
18 Were you hoping that number was 1 through 4?

19 MR. RON MIXER: I was hoping.

20 Ron Mixer, same letters as yesterday,
21 M-I-X-E-R.

22 I was there yesterday, but I do have a
23 couple of questions and one comment. Once again,
24 I've looked at the Modified Route A route variations
25 for Fox Lake. And although it does point out where

1 homes and private landing strips are, it does not
2 show where the church is on that map. I think
3 that's an important factor on that map. We'd like
4 to see that that gets included. I know it's an
5 overlay that has to be put in. If they could make
6 sure that happens, that would be very helpful to us.

7 I have really two questions that are
8 significant and two questions that are specific to
9 the EIS. The first two need to be answered first.

10 I understand this is one of, I think, 17
11 segments of a multivalued project. I think we're
12 number 7, if that's correct, or somewhere in there.

13 MS. AMY ASHBACKER: 3.

14 MR. RON MIXER: We're number 3? Okay.
15 That number is not important.

16 At what stages are the other 16 segments?
17 Are they at the stage of looking for certificates of
18 need, or does that have anything to do with ITC
19 Midwest at all?

20 MR. RAY KIRSCH: I don't think I can
21 answer that.

22 MS. AMY ASHBACKER: I can answer the
23 question.

24 MR. RAY KIRSCH: Okay.

25 MS. AMY ASHBACKER: Yeah. You are

1 correct, there are 17 MVP projects. They are
2 projects, you said segments. One project may
3 contain several segments so I just want to clarify
4 that. But they are throughout the MISO footprint,
5 the Midcontinent Independent System Operator. ITC
6 is involved with four MVP projects. And as far as
7 certificates of need, that's a Minnesota-specific
8 process that you're talking about, and from ITC's
9 standpoint, we are only involved with MVP 3 in
10 Minnesota. And so I can't speak to any of the
11 others.

12 MR. RON MIXER: That's fair. Just
13 curiosity.

14 So in that this is part of a multifaceted
15 project with 17 separate projects going forward,
16 when does the certificate of need expire if the
17 other projects are not complete? Will this project
18 go through if the other projects are not completed?
19 How does this all correlate from our standpoint as a
20 community here with everybody else that's involved
21 in this much larger project from MISO?

22 MR. RAY KIRSCH: I will try to answer. I
23 don't -- my instinct is that, as Amy said, each
24 state proceeds differently, so they each may not
25 have a certificate of need to issue. But I think

1 MISO's idea was that each of these projects would be
2 built in turn. But you raise a good point, which is
3 is it possible that a region-wide planning process
4 could somehow be short-circuited or frustrated by a
5 project that is planned that didn't go through.

6 MR. RON MIXER: Exactly.

7 MR. RAY KIRSCH: I guess that is a
8 possibility. I don't know how that would be handled
9 and I don't know the probability of that happening.
10 The whole point of having a region-wide transmission
11 line operator is to get all those details out on the
12 table, to look at the planning scenarios over a long
13 time, to look at the cost and benefit ratios for
14 each of those projects so that over several planning
15 iterations you get to those projects that makes
16 sense and everybody is excited and bought into
17 those.

18 And each utility, as they may point out,
19 they may have certain ones. But other utilities may
20 be responsible for building that in other parts, so
21 there's always -- it's a challenging job that the
22 operator has. But that's the best answer I can give
23 to you.

24 Do you want to add anything to that.

25 MS. AMY ASHBACKER: No.

1 MR. RAY KIRSCH: Okay.

2 MR. RON MIXER: Thank you.

3 MR. RAY KIRSCH: Thank you very much.

4 Is there anybody else who has questions
5 or comments tonight? We're all here, folks.

6 Yes, sir, please come on up.

7 MR. KURT OLSON: Well, I just wanted to
8 have -- my name is Kurt Olson, and I'm a councilman
9 over in Sherburn.

10 And we had some definite problems when we
11 first started into this project with the line coming
12 into town, and I'd just like to say that after
13 talking with Amy -- and she said they are planning
14 on following the 161 route.

15 MS. AMY ASHBACKER: That's our
16 preference.

17 MR. KURT OLSON: That's the preference.
18 Hopefully that will work that way and it'll stay
19 where the existing lines are on our side of the
20 interstate there as it passes by Sherburn.

21 And I just -- it's nice to know that our
22 voice is heard.

23 MR. RAY KIRSCH: Thank you for your
24 comment. I do encourage you to come back if you all
25 can on May 13 and 14 to make sure that the judge

1 hears that, too, because he is the one who is going
2 to make the recommendation to the Commission. And
3 if that's the recommendation you want him to make,
4 he needs to hear that loud and clear.

5 Is there anybody else who has a question
6 or a comment? We have everybody here.

7 MS. JULIE ANTHONISEN: Julie Anthonisen,
8 and it's J-U-L-I-E, last name, A-N-T-H-O-N-I-S-E-N.

9 And I just want to state that I also
10 support the Modified Route A because I am a part of
11 Sherburn and I'm the children's pastor at the church
12 that's right next to the lines. And if the lines
13 were to come right on the church's property, it
14 would inhibit a lot of the things that the church
15 could do. Such as right now we have lots of plans
16 in the making, and a new pastor coming, and we're
17 not sure which plans would come through, but we are
18 putting a youth center north of the building or a
19 day care or a Christian school, and those things
20 would be prohibited with the lines being on our
21 property. So I just wanted to say that we'd like to
22 see it go with the Modified Route A.

23 Thank you.

24 MR. RAY KIRSCH: Thanks for your
25 comments.

1 Anybody else have a question or a
2 comment?

3 Yes, Miss Murphy.

4 MS. HELEN LEE MURPHY: Miss Helen Lee
5 Murphy, M-U-R-P-H-Y. Thank you.

6 Yes, I reiterate that, Ray's same
7 sentence, and response to ITC Midwest that they had
8 modified the Route A not coming into the city of
9 Sherburn. We definitely don't need all that
10 electricity over our heads, so we're so grateful for
11 that.

12 However, I'm still leery because Route A,
13 as it was originally dipping into the city of
14 Sherburn, is still their second choice, not route B.
15 And so I'm very concerned that through the judge and
16 through the next hearings in the Twin Cities with
17 the Department of Commerce and the Public Utilities
18 Commission, that maybe Modified Route A would not be
19 accepted. Then they're dipping into Sherburn. So
20 not until September until we finally read a final
21 paper that the judge has listened to us and it's not
22 coming into the city of Sherburn.

23 So when I originally found out by
24 accident that it was coming into the city of
25 Sherburn, I was very alarmed. And so after I

1 informed our city office and our city mayor, I went
2 to the library and read that six departments were
3 involved in the application. Agriculture,
4 Historical Society, Natural Resources,
5 Transportation, Pollution Control, Water and Soil
6 Resources, but not the Department of Health. I
7 tried to call them several times but got a recording
8 each time.

9 Then I learned in the paper from the
10 electric company that the Department of
11 Transportation doesn't permit any line or structure
12 near their rest areas because it would spoil the
13 beauty of the place. I read that it may not be
14 placed within the prairie grass sections right here
15 in Martin County, where they have prairie bush
16 clover, which is also protected by federal law, you
17 cannot have anything electric near its presence.
18 Also, historical remains, such as aboriginal mounds,
19 artifacts, ancient burial grounds, are also
20 protected.

21 Then, of course, I went on to read about
22 the width. They could also get an easement of a
23 mile and a quarter, which from I-90 would bring it
24 down to old Highway 16. Beyond our two schools we
25 have a fire department in that area, we have a Kum &

1 Go station, two businesses, we have a church and, of
2 course, homes. One of those homes happens to be my
3 home.

4 Then there's also a reference to a
5 second, on page 28, a second 345 kilovolt line,
6 which would be future expansion in remaining
7 locations on the existing transmission lines that
8 are not proposed at this time but could be in the
9 future, which would make it a total of 800,000
10 kilovolts over our heads.

11 Also, I was disturbed when I read on page
12 74 that the birds who migrate twice a year -- and we
13 live here all year long -- are protected by the DNR.
14 So the DNR will not permit any lines there because
15 of the birds.

16 However, they go 3.9 miles through the
17 city of Sherburn where people live and a lot of
18 human activity, particularly two school buildings,
19 they have gardens there, there is a high school and
20 a grade school and, of course, lots of students.
21 And Highway 4 is also near there. Also, eagles
22 alive or dead -- or dead -- that's right, alive or
23 dead, nests or eggs are also protected, but not
24 human life. So I was really disturbed.

25 Then I read in the Jackson paper last

1 August and September, that 125 more turbines are
2 going to be built on 34,000 acres here in the
3 Jackson area, which means that land is taken out of
4 crop production.

5 Then in the book of the ITC I read that
6 electricity is to be marketed to the Cities, to
7 Austin, to Iowa, and this morning and last night we
8 also heard that it is going as far as Des Moines or
9 Madison, Wisconsin.

10 And you'll notice the city's impact, but
11 not Imogene, Welcome, Blue Earth, Fairmont. Huntley
12 .9 miles impacted. So we respect, we're very
13 grateful that ITC Midwest has realized that they
14 cannot come into our city.

15 Now, in the second book that's in the
16 library, this is on page HI-2, the diseases besides
17 cancer, depression, suicide, reproductive
18 dysfunction, developmental disorders, immune
19 diseases, nerve diseases, and it goes on to say,
20 however, electric power brings obvious health,
21 social, and economic benefits. So even though it
22 might cause diseases to us -- so it's all
23 contradictory.

24 Then I had pages here that have disturbed
25 me. For instance, I'm constantly reading through

1 the routing and you read minimal effects, minimal
2 effects to displaced homes or businesses, minimal
3 effects to noise from the transmission lines with
4 molecules ionized, particularly in damp weather, and
5 even one section says we can hear noise from the
6 power lines. Minimal value to our property, it
7 doesn't affect our property value. And minimal to
8 local zoning. Our local zoning just takes care of
9 well setups and septic systems and setbacks from
10 lakes and homes but not human zoning.

11 But then I did read in the second book
12 that came out that Minnesota law does allow electric
13 companies to override and supersede local county
14 ordinances. But then ITC said they wanted to avoid
15 residences and businesses and other places where
16 people congregate. They want to be harmonious with
17 human settlements and activities.

18 They also talked about the noise
19 situation, and they also mentioned -- and I asked
20 Mr. Kirsch, it does impair air quality, maybe
21 Mr. Kirsch could explain it to the people, what you
22 told me, what we mean by air quality from a
23 transmission line.

24 MR. RAY KIRSCH: I will try to explain
25 that. Miss Murphy is referencing a conversation we

1 had before the meeting began, she had a question
2 about air quality. In the draft EIS it talks about
3 possible impacts, one of them is air quality.

4 The ionization that occurs around an
5 electric transmission line can create small amounts
6 of ozone. And ozone and nitrous oxide can combine
7 to create smog and these chemicals can cause
8 respiratory impacts in us, or in people. And there
9 are national air quality standards for ozone and
10 nitrous oxide, but as I indicated to Miss Murphy, as
11 we talked about the DEIS, the amount that's created
12 by transmission lines is very, very small compared
13 to all the other sources, primarily automobiles
14 driving up and down the highway in Minnesota. So in
15 the Twin Cities where -- or other large cities where
16 ozone is more of a factor, and we're very near the
17 national standards, and if we go over them, there
18 are obviously drastic measures to reduce those
19 impacts in rural areas, not only Minnesota, but
20 nationwide. But what goes over the electric wires
21 is very, very tiny and so it does not have an
22 impact. Nonetheless, we talk about it as a
23 possibility in the draft EIS.

24 MS. HELEN LEE MURPHY: I'm glad to hear
25 that, because the book does say there's no federal

1 law on how close transmission lines can be to people
2 and I could not believe that and I think you should
3 broaden that.

4 Another thing, too, I want to read to you
5 here is that, according to the book, this is a
6 footprint of the possible expansion of another 345
7 line into the future.

8 Then also we're not pleased with this
9 crunch timing. This is income tax time, Holy Week
10 time, Easter time, the men are in the field, and now
11 we only have two weeks, May 9, to get this to the
12 judge. And as Mr. Kirsch told me beforehand, this
13 is the critical time to all of us, because once the
14 judge comes on May 13 and 14 our time for speaking
15 is over and then it goes to the Twin Cities. And
16 that's what bothers me.

17 But my hat is off to Michael Hook, who
18 works here for ITC. When I looked at the map, the
19 Sherburn name was way down towards Highway 16 and
20 didn't acknowledge the fact that all this property
21 up north near I-90 is city property. And the reason
22 it's not streets is because Highway 4 states it
23 would not permit things to be built there. So
24 there's homes, there are things there, a church. So
25 Michael Hook ensures me the next maps that will be

1 printed will have the word Sherburn so that the
2 people from the Twin Cities can see this.
3 Otherwise, as it looks now, it looks like rural
4 wasteland or a park. There's school buildings
5 there, and I've already mentioned all the places
6 that are there.

7 And we were very disturbed that all these
8 places are protected but not human life. Animals,
9 plants, prairie grass. And I got calls this morning
10 at my house about things that people are upset about
11 when we were here yesterday and last night. But
12 I'll go on. Airports, animal confinement buildings,
13 they're all protected, but not human life. And
14 human life is the highest form of life on this
15 earth, therefore it needs to be protected. And I
16 mentioned the map, that this is being taken care of.

17 Modified Route A cost 207 million,
18 Route A itself cost 208 million, Route B cost 196
19 million. People here this morning were asking about
20 the cost and I found out how the ratepayers and its
21 customers, that's us, so we'll be paying evidently
22 more for our electricity.

23 That one last testimony of Dr. Schatzki
24 from Harvard University that works for ITC, it's
25 like reading a calculus book and I didn't understand

1 it, but it's basically stating the economic impact
2 of this electric line.

3 Also, we need to look at the maps, the
4 blue circles, the orange circles. I said what are
5 these? And one says communities, and I said, oh,
6 people. No, it's plant communities. Another circle
7 is vascular plants. Another is animals with
8 vertebrae, another circle is animals without
9 vertebrae. That, of course, is the DNR control of
10 so much of the problems that we're having. And it
11 says that in the book several times. The DNR will
12 not permit this in the wildlife management areas,
13 DNR will not give a license to cross the lake. So
14 that's another problem.

15 And I did call the DNR man north of
16 Sherburn, because there's an eagle's nest near the
17 bridge and lots of people from the Assembly of God
18 Church said the eagles will save us. Well, when I
19 spoke to this gentleman, he said, no, he's a law
20 enforcement person, but he said Fairmont has
21 actually knocked down an eagle's nest to get a
22 federal permit. Jackson County, they talk about the
23 well, animal confinement, airstrips, and around I-90
24 in Fairmont they said they can't go into that area
25 because of commercial land use, but in Sherburn

1 north and south we're open. But I think that's been
2 changed now in the state change.

3 As I said, I'm very, very relieved that
4 Modified Route A is existing, but we cannot be
5 completely certain that's what will happen. Because
6 their second choice is Route A. If it happens.
7 Maybe the certificate of need will not go through.
8 Maybe the Department and Public Utilities Commission
9 will say this isn't necessary and leave things as
10 they are.

11 Also, pacemakers, fibrillators [sic], AM
12 radio will be disturbed, according to the book, by
13 this new generation of electricity or distribution.
14 And also the words future expansion of I-90 is also
15 mentioned. The church has a picture in it, 120 feet
16 away from the freeway, that the ITC said they won't
17 go any closer than 200. Well, right there is a
18 mathematical problem.

19 Now, I asked the questions of Mr. Kirsch
20 and I asked Mr. Coeur to help me. I want to
21 understand how the lines are -- now, if you look in
22 the books there's magnetic amps, magnetic fields,
23 and there's milligauss. And there's a plus and a
24 minus. Well, now, maybe, if I understand that
25 correctly, 161 is on one side and 345 on another.

1 And that would indicate the difference of 75 feet on
2 this side of the pole, 75 feet on that side. I
3 think I'm beginning to understand it, but I need
4 more education on that.

5 And I also had another question here for
6 you, Mr. Kirsch. I asked him -- if I can go through
7 this now. I did talk to a local veterinarian and
8 she has seen cancer in cows from electricity from
9 the pastures. Okay, so here we go. 161 kilovolt
10 lines that we have now, Mr. Kirsch, if they're
11 changed to the 345, that wooden pole will be taken
12 out; is that correct? And 345 on one side and 161
13 on the other side, on the other arm; is that
14 correct? And then if you don't use the 161, you
15 just put in 345, then you'll have the 345 on one
16 side on the new pole, but then nothing on the other;
17 is that correct?

18 MR. RAY KIRSCH: Yes.

19 MS. HELEN LEE MURPHY: Which means in the
20 future they could put another 345 kilovolt power on
21 that side; is that correct?

22 MR. RAY KIRSCH: In the future.

23 MS. HELEN LEE MURPHY: But that's not in
24 this project, okay.

25 And, like I say, maybe an engineer could

1 come up here. Mr. Coeur, could you explain that
2 magnetic field to the public today? Is that a
3 problem?

4 MR. RAY KIRSCH: What's your question?

5 MS. HELEN LEE MURPHY: Well, the same
6 thing I asked last night. What is the plus and the
7 minus, do I understand it right, it's the 161, so
8 that's less voltage than the 345, is that why the
9 difference is 50 feet on one side and 50 feet on the
10 other and they should be the same but they're not.

11 MR. RAY KIRSCH: So if I understand your
12 question, I'll try to be clear. In the draft EIS we
13 talk about the electric and magnetic fields and we
14 talk about public health and safety. And in there
15 we have some tables and they present distances from
16 the line. Zero gain if you're standing, say,
17 directly underneath the transmission lines,
18 underneath the pole of the transmission line, and
19 then, you know, to one side 50 feet or to the other
20 side 50 feet. And as with all electromagnetic
21 radiation in the world, it decreases with distance,
22 so it drops off in a bell shape rather quickly.

23 I think your question is should the
24 drop-off equally on either side of the line, if you
25 look at electric and magnetic levels 75 feet on this

1 side, should they equal the magnetic and electric
2 field on this side. And they would except that one
3 line is 161 kV and the other is 345. And they carry
4 different amounts of amperage so it's skewed
5 slightly. So they'll have a slightly higher value
6 on the 345 side of the line because it carries more
7 energy on that side. So if everything is completely
8 equal, then the curve would be exactly symmetrical,
9 but it's not because one of the lines carries more
10 power.

11 So that's why you see the numbers that
12 are similar but are slightly higher on one side, the
13 side that has 345 on it. Is that helpful? If not,
14 we could certainly -- I could certainly meet with
15 you and we could look at the tables afterwards and
16 make sure that is clear.

17 MS. HELEN LEE MURPHY: Well, then, when
18 you read that table from left to right, we have to
19 find the category that's going to be the particular
20 line that will be near, if Route A goes through, we
21 have to know which particular category that route
22 is.

23 MR. RAY KIRSCH: And let me follow up on
24 that. So not only does the voltage of the power
25 lines, but the configurations of the lines that some

1 of them have. So for this project there are several
2 configurations and some of them are -- there are
3 appendices in the back, some are 161 kV lines, some
4 of them are 169 -- I mean, 161 and 69 on the same,
5 some are just the 345.

6 As you said, on Route B, if that was
7 selected, one side would have 345 and nothing on the
8 other side, that has an electromagnetic profile, so
9 it depends on the structure and it depends on the
10 line where it's carried. So each of those sort of
11 diagrams would be slightly different.

12 MS. HELEN LEE MURPHY: Then when our
13 physics teacher said anything above three milligauss
14 is harmful to human health; is that correct?
15 Because some of these numbers are quite high.

16 MR. RAY KIRSCH: Answering that question
17 is an involved response, actually, because we talk
18 about that in the draft EIS. The milligauss that
19 are put out by transmission lines, and folks are
20 exposed to electric and magnetic fields in their
21 homes and where they work and live. In the 1970s
22 public health researchers found out, discovered
23 through their experiments, that there was a
24 correlation between wire coating, which is the wire
25 size, so the wire size being a proxy for how much

1 power the line can hold, and childhood leukemia, and
2 people were very curious about this.

3 So the National Institutes of
4 Environmental Health, the Congress asked them to
5 investigate this. The World Health Organization has
6 investigated, the scientific community, I can't
7 remember the entire name, has investigated. It has
8 been a particular problem because they can show this
9 correlation exists, but they cannot, through animal
10 models or cell models or any other models show how
11 it works. There's no correlation, in other words.
12 Which leaves folks scratching their heads as to what
13 else could be causing it, and has led most
14 regulatory agencies to say it looks like there's a
15 risk here. We're not sure what it is. We can't
16 quantify it. But nonetheless it's there.

17 The best thing to do is to avoid putting
18 these magnetic fields near population centers, near
19 people, but especially near children who are
20 particularly susceptible to this. So the safe
21 level, or a level that's, quote, unquote, safe, is
22 uncertain. Different people have suggested, you
23 know, whatever the background level of electric and
24 magnetic field is in this room, other people have
25 said higher levels have shown no difference, so

1 There is a continuation of the hearing in St. Paul.
2 But that continuation is only for parties to the
3 hearing, which are folks who have intervened into
4 the hearing. And they participate perhaps to give
5 some details about specifics, and that they want to
6 get witnesses and expert witnesses and
7 cross-examination of those witnesses, more like a
8 trial, to get some very specific information into
9 the record.

10 As Miss Murphy said, you can certainly
11 come to the Public Utilities Commission in St. Paul
12 and listen to those proceedings. Typically the
13 judge does not allow people who are not parties to
14 the proceedings to participate, but it is up to the
15 judge, it is the judge's show, and what the judge
16 wants to do is what will happen.

17 So I can't tell you what Judge LaFave
18 will want to do, but typically parties -- you have
19 to be a party to participate, but you can come and
20 listen.

21 MS. HELEN LEE MURPHY: So when you say
22 parties, you mean lawyers? Is that what you mean?

23 MR. RAY KIRSCH: Typically people who are
24 represented by lawyers.

25 MS. HELEN LEE MURPHY: And you said by

1 May 30 we could have final comments to the judge? I
2 see.

3 Well, thank you for your help. And,
4 again, we're grateful to ITC for modifying Route A,
5 and we hope that's the route that's chosen.

6 Thank you very much.

7 MR. RAY KIRSCH: And let me just clarify.
8 The comments to me for the draft EIS are May 9th and
9 that still stands. The judge's notice, I have not
10 seen a paper copy but I've seen an electronic copy
11 that went out, and it says May 30th.

12 MS. HELEN LEE MURPHY: Is that in the
13 mail now?

14 MR. RAY KIRSCH: I assume it's in the
15 mail so everybody who is on the project mailing
16 list, you should check your mail, it should be
17 arriving at your door shortly.

18 MS. HELEN LEE MURPHY: Did you say the
19 final report would also be printed?

20 MR. RAY KIRSCH: Miss Murphy asked about
21 the judge's report. The judge's report is typically
22 issued electronically and put into the docket
23 electronically. I do not know of an instance where
24 the judge has put his or her report in a library or
25 something like that. But you should ask the judge.

1 It's up to the judge what they would like to do
2 about distribution. I don't know how he would -- if
3 he would look kindly on your request or not. It
4 seems a reasonable request, but I cannot answer for
5 the judge.

6 MS. HELEN LEE MURPHY: And if we go up to
7 the Twin Cities the week of May 19th, are those
8 words of the speakers, is that all available to us
9 and the public down here or not?

10 MR. RAY KIRSCH: There will be
11 transcripts of those. I don't know, are those
12 transcripts --

13 COURT REPORTER: They will be in the
14 libraries.

15 MR. RAY KIRSCH: The court reporter says
16 they will be available in the libraries so you will
17 be able to read everything that was said.

18 MS. HELEN LEE MURPHY: That very day?

19 MR. RAY KIRSCH: It will take some time
20 to do the transcripts.

21 (Discussion off the record.)

22 MR. RAY KIRSCH: Thank you, Miss Murphy,
23 for your comments.

24 Is there anybody else who has any
25 questions or comments?

1 Yes, sir. Please come up.

2 MR. BRIAN COULTER: Brian Coulter, with
3 an I, Coulter is C-O-U-L-T-E-R.

4 I just have a question as far as Modified
5 Route A. There's a Route A and a Modified Route A
6 with some route variations in there. And so excuse
7 me if it's in the book and I haven't picked up on
8 that. Is that going to be chosen in its entirety,
9 or can they pick and choose what they're going to
10 do, or is Modified Route A pretty much where they
11 want to go at this point?

12 MR. RAY KIRSCH: Let me try to answer
13 your question. So there is Route A, and the company
14 has proposed several modifications along that
15 Route A. It's entirely possible that through the
16 judge's hearing record and the Commission will say
17 in this area Modified Route A looks good, in this
18 area that didn't appear to be the best routing
19 option, something else works. Over here, yeah,
20 Modified Route A works, but here not. So the
21 company may feel that that's the best way to go, but
22 it could be in bits and pieces, there could be other
23 route variations that could be picked in certain
24 areas. So it's not an all or nothing.

25 MR. BRIAN COULTER: Okay.

1 MR. RAY KIRSCH: Is that all? Okay.

2 Thank you.

3 Does anybody else have a question or a
4 comment?

5 I'll remind you all that comments are due
6 to me by May the 9th. If you have a comment, any
7 mode of comment, get it to me by the end of the day
8 on May 9th will work, whatever works for you.

9 Are there any other comments tonight?
10 We're all here. If you any questions or comments, I
11 will be available afterwards, you can get a map if
12 you want to use it to make your draft EIS comment or
13 if you want to use it in preparation for speaking
14 with the judge next week -- next month, excuse me.

15 All right. I'm not seeing any hands. So
16 I want to thank you all for coming out tonight, very
17 much appreciate your input, and thank you very much.

18 (6:00 session concluded at 7:18 p.m.)

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