

**STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PUBLIC UTILITIES COMMISSION**

In the Matter of the Route Permit Application
by Great River Energy and Xcel Energy for a
345 kV Transmission Line from Fargo, ND
to St. Cloud, MN

OAH DOCKET NO. 15-2500-20995-2
PUC DOCKET NO. E002/TL-09-1056

**DIRECT TESTIMONY OF NORTH ROUTE CITIZENS ALLIANCE
SCOTT HYLLA AND/OR BRENT SCHMITT**

Q: Please state your names and addresses for the record:

A: Scott Hylla, 12385 Co Rd #5, Holdingford, MN 56340; and
Brent Schmitt, 37545 145th Avenue, Avon, MN 56310.

Q: Tell us about the North Route Citizens Alliance?

A: The North Route Citizen's Alliance, NoRCA, is a community-based coalition of over 300 directly-impacted stakeholders affected by the proposed 345kV High Voltage Transmission Line from Fargo to St.Cloud. Segments which will traverse Central and Northern Stearns County, are known as the Preferred, Alternate A and Alternate B "North" Routes. NoRCA has been extensively involved in this proceeding thus far, and has researched, analyzed and identified several important issues pertaining to the proposed Preferred and Alternate A North Routes and has advocated for the study and consideration of Interstate 94 and other newly ATF designed routes as alternatives to the currently proposed "North Routes".

Q: Why are you submitting this testimony?

A: The prehearing order in this case requires that parties submit testimony. We are submitting this testimony on behalf of our organization, based upon our analysis of the application and the Draft Environmental Impact Statement (DEIS) for the southern segment of

1 the Fargo to St. Cloud route. Many issues raised in the DEIS have an impact on routing and
2 should be addressed in the routing hearing, particularly those that could prohibit or limit the
3 route. We will raise some of them here.

4 The NoRCA DEIS Analysis and Comments is a comprehensive review of the Draft
5 Environmental Impact Statement to the currently proposed CAPX2020 routes the southern
6 section from the Sauk Center to South St. Cloud portion of the overall Fargo to St. Cloud
7 CAPX2020 project. We are submitting our Comments as testimony to assure they are
8 considered.

9 **Q: What do you mean by “North Routes”?**

10 A: For clarity’s sake, the NoRCA CAPX2020 “North Routes” addressed in this testimony
11 are defined as the Preferred, Alternate A and Alternate B Routes of the project segment from
12 Sauk Center to St. Cloud.

13 **Q: Are you experts in environmental review and analysis?**

14 A: No, by no means are we experts. We have no special training or experience, other than
15 the practical knowledge gained. Scott Hylla was a member of the Citizens Advisory Task Force,
16 and in that process, reviewed the application and learned about the factors considered in routing.
17 Using this knowledge, we wrote Comments and submitted these for the record. Using those
18 Comments, we have drafted this testimony for consideration in routing.

19 **Q: Have you come to any conclusions regarding the route?**

20 A: Yes. We have reviewed the Application, the Testimony, and the DEIS and determined
21 that “least harmful” alternative to the CAPX2020 North Routes would include the primary
22 utilization of the Interstate 94 corridor or the utilization of more suitable routes to the south of
23 Interstate 94, Routes E, F, G or H.

24 **Q: Would you please summarize your testimony?**

1 This report is comprised of two sections:

2 1) A Comparative Analysis of the significant impacts pertaining to the “North Routes” vs.
3 other alternative routes in the Fargo to St. Cloud using information taken from the
4 Application, Testimony and DEIS.

5 2) A Commentary of the “North Routes” in the DEIS, including imperative items lacking in
6 the Application, Testimony and DEIS, clarifications and suggestions.

7 The Sauk Center to St. Cloud portion of the Fargo to St. Cloud CAPX2020 HVTL project
8 has been a controversial, and often contentious, issue in Central Minnesota and Stearns County
9 for over one year. At issue has been the Preferred route, Alternate A, and more recently added
10 Alternate B, the route’s divergence from the I-94 corridor in the Melrose to Freeport area, and
11 the reckless and gross proliferation of new Transmission Corridors through Central and Northern
12 Stearns County. The Applicants propose needless traversing and potential destruction and
13 fragmentation of sensitive wetlands, forested areas and prime agricultural farmland.

14 CapX 2020 Applicant’s proliferation of New Transmission Corridors is inconsistent with
15 Minnesota’s longstanding policy of Non-proliferation established by People for Environmental
16 Enlightenment & Responsibility (PEER), Inc. v. Minnesota Environmental Quality Council, 266
17 N.W. 2d 858 (Minn. 1978). For these reasons, “least harmful” alternative to the CAPX2020
18 North Routes would include the primary utilization of the Interstate 94 corridor or the utilization
19 of more suitable routes to the south of Interstate 94 (Routes E, F, G or H).

20 **Q: Would you explain “proliferation?”**

21 **A:** Minnesota has a longstanding policy of Non-proliferation established by People for
22 Environmental Enlightenment & Responsibility (PEER), Inc. v. Minnesota Environmental
23 Quality Council, 266 N.W. 2d 858 (Minn. 1978). This policy of non-proliferation of
24 transmission corridors was further emphasized in recent legislation that added a section to the

1 statute regarding criteria, focusing on use of existing corridor and requiring the Commission to
2 explain any proliferation of corridors.

3 PEER provides guidance when weighing proliferating routes, such as the North Routes, with
4 non-proliferation routes:

5 *As interpreted by this court, the prudent and feasible alternative standard is*
6 *analogous to the principle of nonproliferation in land use planning. In County of*
7 *Freeborn v. Bryson, 309 Minn. 178, 188, 243 N.W. 2d 316, 321, we noted that*
8 *although the state's past encouragement of highway construction resulted in the*
9 *elimination or impairment of natural resources, "remaining resources will not be*
10 *destroyed so indiscriminately because the law has been drastically changed by*
11 *(MERA)." Similarly, in Reserve Mining Co. v. Herbst, Minn., 256 N.W. 2d 808,*
12 *827 (1977), we recognized the state's "strongly held commitment * * * to*
13 *protecting the air, water, wildlife, and forests from further encroachment," which*
14 *supported our choice of Mile Post 7 over Mile Post 20 (256 N.W. 2d 823). The*
15 *court had no trouble deciding that the Department of Natural Resources, which,*
16 *like the MEQC, had a statutory duty to protect the environment, had failed to*
17 *comply with this policy of nonproliferation in choosing between the alternative*
18 *sites. See, also, No Power Line, Inc., v. Minnesota EQC, Minn. 262 N.W. 2d 312,*
19 *331 (Yetka, J., concurring specially).*

20
21 *This policy of nonproliferation is also supported by legislative enactments. Minn.*
22 *Reg. MEQC 74(d)(3)(ee), adopted pursuant to authority granted to the MEQC*
23 *under the PPSA, requires the decisionmaker to consider as one factor in the*
24 *selection process whether the proposed route will "maximize utilization of existing*
25 *and proposed rights-of-way." The legislature explicitly expressed its commitment*
26 *to the principle of nonproliferation in its 1977 revision of the PPSA. The MEQC is*
27 *now required to consider the utilization of existing railroad and highway rights-of-*
28 *way and the construction of structures capable of expansion in capacity through*
29 *multiple circuiting in making its selection from among alternative HVTL routes. L.*
30 *1977, c. 439, s 10.*

31
32 ***We therefore conclude that in order to make the route-selection process comport***
33 ***with Minnesota's commitment to the principle of nonproliferation, the MEQC***
34 ***must, as a matter of law, choose a pre-existing route unless there are extremely***
35 ***strong reasons not to do so. We reach this conclusion partly because the***
36 ***utilization of a new pre-existing route minimizes the impact of the new intrusion***
37 ***by limiting its effects to those who are already accustomed to living with an***
38 ***existing route. More importantly, however, the establishment of a new route***
39 ***today means that in the future, when the principle of nonproliferation is properly***
40 ***applied, residents living along this newly established route may have to suffer the***
41 ***burden of additional powerline easements.***

42
43 People for Environmental Enlightenment & Responsibility (PEER), Inc. v. Minnesota
44 Environmental Quality Council, 266 N.W. 2d 858, 872 (Minn. 1978)(emphasis added).

1 Because proliferation has been identified as an issue in recent transmission proceedings,
2 legislation was again introduced and passed in the 2009 legislative session to strengthen
3 Minnesota's non-proliferation policy. The newly enacted laws pertaining to non-proliferation
4 are found in Minnesota Statute §216E.03 subdivision 7e, establishing siting criteria based on use
5 of existing highway right-of-way:

(e) The commission must make specific findings that it has considered locating a route for a high-voltage transmission line on an existing high-voltage transmission route and the use of parallel existing highway right-of-way and, to the extent those are not used for the route, the commission must state the reasons.
EFFECTIVE DATE. This section is effective the day following final enactment and applies to route applications filed on and after that date.

6
7 **Q: Please provide an overview of the North Routes.**

8 **A:** Overall, the area that comprises the North Routes, as defined above, varies greatly. The
9 eastern portion is a combination of Upland Deciduous Forest, including Marschner's "Big
10 Woods" and Aspen-Birch, and unique Coniferous Bogs. The Western portions of the North
11 Routes consist of Brush Prairie and Prairie, interspersed with Wet Prairies. The Proposed
12 Preferred and Alternate A North Routes contain areas of Outstanding, High and Moderate Value
13 biologic and native plant communities, primarily located in Brockway and St. Wendel
14 Townships, as well as along County Road 17 in the Birch Lake State Forest area.

15 Native Plant Communities consist of significant Tamarack Swamp Minerotrophic and
16 Seepage Subtypes, Fen Complexes (including Calcareous Fen), Willow Swamp and Open
17 Wetlands. Water Resources include significant and unique concentrations of NWI Palustrine
18 wetlands, important in the diffusion and filtration of water, floodshed and its unique biological
19 diversity. The area also contains several Recreational and Environmental Lakes. The North
20 Routes directly impact a large and significant complex known as the St. Wendel Tamarack Bog.

1 The St. Wendel Tamarack Bog is a top biodiversity site and contains one of the largest remaining
2 blocks of native vegetation in Stearns County. The St. Wendel Tamarack Bog Complex is a
3 Natural Resource that has been documented as having local, state, national and even
4 international importance.

5 Finally, the CAPX2020 North Routes contain 43 documented Century Farms. The
6 CAPX2020 HVTL would violate the spirit and letter of Minnesota's policy of agricultural
7 preservation and conservation. Minn. Stat. §17.80. It would compromise the heritage and
8 preservation of the family farm, particularly the Century Farms that hold historical and cultural
9 significance in Stearns County and Minnesota. The proposal of 175 foot, 345 KV High Voltage
10 Transmission lines threatens the integrity of the family farms and the natural character of the
11 property.

12 **Q: What impacts do you see for the Preferred, Alternate A and Alternate B routes?**

13 **A:** In our review, we found that there will be significant impacts pertaining to the Preferred,
14 Alternate A & Alternate B Routes. Using information from the Draft Environmental Impact
15 Statement (DEIS), our NoRCA DEIS analysis provides an overview of the relative impacts of
16 the North Routes, the Preferred, Alternate A & Alternate B routes, versus other Alternate Routes.

- 17 1. "North Routes" would have higher "aesthetic" impact than several routes, particularly
18 routes C & E:

Table 7.3-4. Aesthetic Impact Evaluation for Routes

Route/Option	Homes	
	Within 500' of Alignment	Within 150' of Alignment
Route Alternatives		
Applicant Preferred ROW Occupancy	83	0
Applicant Preferred No ROW Occupancy	82	0
Route A	116	0
Route B	191	0
Route C	77	1
Route D	179	9
Route E	76	0
Route F	206	1
Route G	88	0
Route H	96	0

2. “North Routes” contain highest impacts to “Prime Farmland,” defined as “land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses”. Avoidance of these areas is consistent with the Stearns County Comprehensive Plan and the agricultural land preservation policy of Minn. Stat. §17.80. The “North Routes” Preferred, A and B have significantly more impact on Prime Farmland than routes D, F, G and H, and particularly routes D and H:

Table 7.7-4. Acreage of Prime Farmland within Route and Option Alternatives

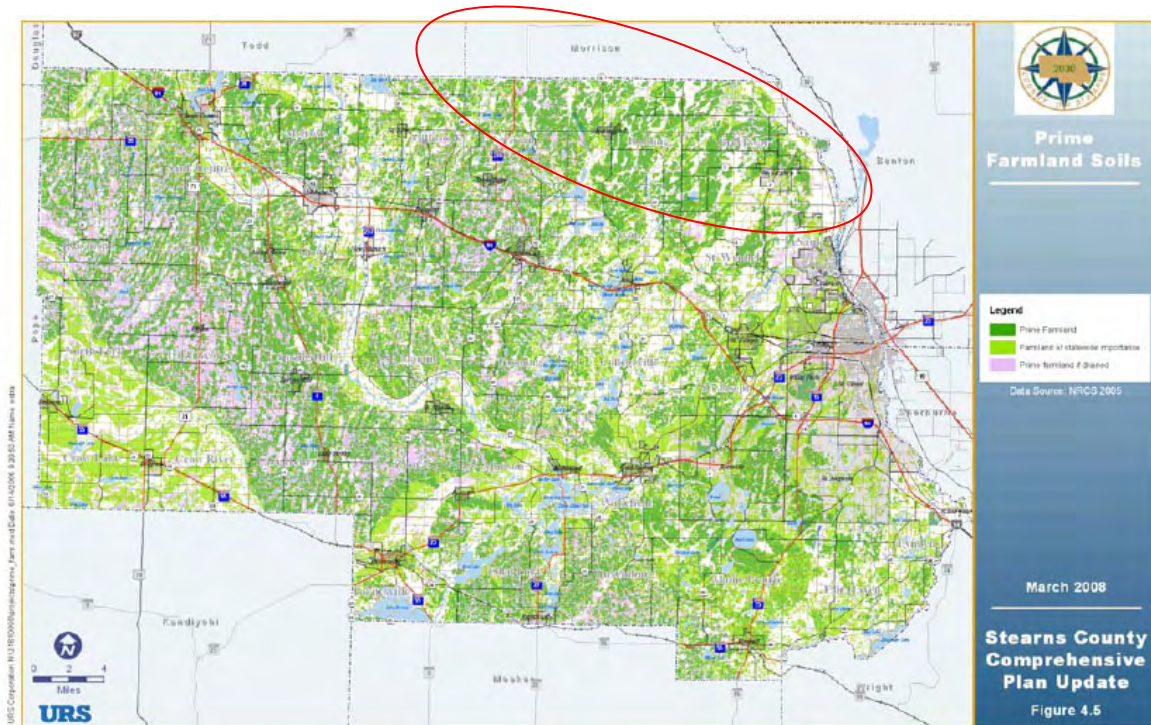
Route/Option	Prime Farmland in Route (Acres)
Route Alternatives	
Applicant Preferred Route	3,068
Route A	3,539
Route B	2,490
Route C	1,592
Route D	1,107
Route E	1,866
Route F	1,586
Route G	1,716
Route H	1,157

3. “North Routes” A and B contain highest acreage of Prime Farmland in ROW versus other routes. Avoidance of these areas would be consistent with the Stearns County Comprehensive Plan and preservation of agricultural land under Minn. Stat. §17.80. “North Routes” A and B affect more Prime Farmland than others, particularly Routes D and H:

Table 7.7-10. Acreage of Prime Farmland within Route and Option ROW

Route/Option	Prime Farmland in ROW (Acres)
Route Alternatives	
Applicant Preferred ROW Occupancy	270
Applicant Preferred No ROW Occupancy	272
Route A	354
Route B	389
Route C	226
Route D	179
Route E	268
Route F	238
Route G	246
Route H	162

The Stearns County Prime Farmland Soils map demonstrates the concentration of Prime Farmland:



4. “North” Routes contain highest impacts to Forestry and Forested areas. The Preferred Route and Route A impact more than twice as much acreage as others, far more than Routes D, E, F, G and H.

Table 7.7-5. Wooded Lands by Route (Sauk Centre to St. Cloud)

Route/Option	Wooded Lands in Route (Acres)
Route Alternatives	
Applicant Preferred Route	1,920
Route A	1,870
Route B	819
Route C	810
Route D	640
Route E	759
Route F	669
Route G	721
Route H	743

Similarly, the Preferred Route and Route A, B and C affect significantly more Wooded Lands in ROW than routes D (all options), E, F, G and H:

Table 7.7-12. Wooded Lands in Proposed ROW for Routes

Route/Option	Wooded Lands in ROW (Acres)*
Route Alternatives	
Applicant Preferred ROW Occupancy	132
Applicant Preferred No ROW Occupancy	131
Route A	125
Route B	113
Route C	110
Route D	83
Route D Undergrounding Freeport	0.3
Route D Undergrounding Albany	0.4
Route D Undergrounding Avon	11
Route E	72
Route F	80
Route G	78
Route H	78

“North Routes” Preferred and A, and Route F, contain the highest number of water wells when compared with other routes

Table 7.8-3. Water Wells contained within the Proposed Routes and Route Options

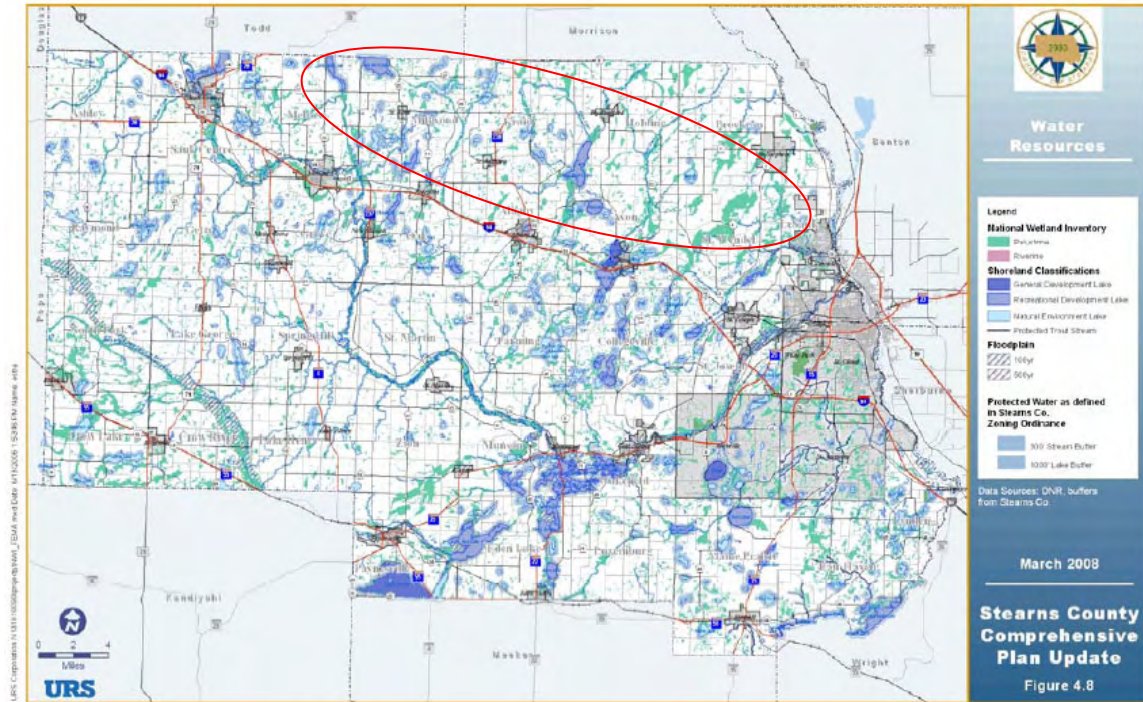
Route/Option	Water Wells
Route Alternatives	
Applicant Preferred Route	140
Route A	127
Route B	76
Route C	44
Route D	80
Route E	70
Route F	129
Route G	71
Route H	61
Route Options	
Option 8	1
Option 9	3
Option 10	1
Option 11	4
Option 12B	5
Option 12E	3
Amended Scope Options	
Option AS-4	2
Option AS-5	1

6. “North Routes” Preferred Route and Route A contain significantly higher number of Total NWI Wetlands impacted vs. other routes, notably more than Routes B, D, F, G and H:

Table 7.8-4. Wetland Type and Acreage within the Proposed Routes and Route Options

Route/Option	NWI Wetland Type					
	Total NWI Wetland Acreage	Freshwater Emergent	Freshwater Forested/Shrub	Freshwater Pond	Lake	Riverine
Route Alternatives						
Applicant Preferred	2267	1561	592	85	6	24
Route A	2031	1321	635	51	5	19
Route B	699	503	162	25	5	4
Route C	873	716	88	49	13	8
Route D	799	661	65	29	16	8
Route E	1229	1015	128	55	22	8
Route F	961	766	125	31	14	25
Route G	967	808	112	39	0	8
Route H	921	751	118	36	7	8

This is also documented by the County’s Water Resources map:



7. A similar situation is found when looking at Wetlands. Applicant's Preferred Route, Route A, and Routes C, E, and F have far greater impacts than route B, D, G and H:

Table 7.8-8. Potential Wetland Impacts Evaluation

Alignment	Wetlands ¹ NWI							Wetlands PWI ⁴		
	Total Wetlands Within the ROW (Acres)	Number of Wetlands the ROW Crosses ¹	Forested Wetlands in ROW (Acres)	Number of Forested Wetlands ROW Crosses	Number of Poles in Wetlands ²	Permanent Wetland Impacts (Acres) ²	Temporary Wetland Impacts (Acres) ³	Number of PWI Lakes and Wetlands within ROW	Number of Poles in PWI Wetlands by Alignment	Permanent Wetland Impacts (Acres) ²
Route Alternatives										
Applicant Preferred ROW Occupancy	135	141	33	26	30	.03	17	4	0	0
Applicant Preferred No ROW Occupancy	142	141	36	26	30	.03	18	4	0	0
Route A	111	121	37	26	23	.023	13	1	0	0
Route B	78	87	17	15	16	.016	10	3	4	.004
Route C	104	118	14	13	24	.024	13	6	4	.004
Route D ⁵	94	87	12	14	21	.021	13	4	4	.004
Route E	104	128	9	16	20	.02	13	5	0	0
Route F	106	105	18	13	27	.027	15	4	4	.004
Route G	91	102	9	16	18	.018	12	2	0	0
Route H	86	90	7	17	18	.018	11	1	0	0

8. “North Routes” have a significantly higher number of Floodplains impacts when compared with all routes but Route F. Floodplains are highly regulated by State and Federal agencies:

Table 7.8-5. Floodplains within the Proposed Routes

Route	Floodplain	Acres
Route Alternatives		
Applicant Preferred Route	100-Year	363
Route A	100-Year	358
Route B	100-Year	97
Route C	100-Year	101
Route D	100-Year	101
Route E	100-Year	94
Route F	100-Year	245
Route G	100-Year	108
Route H	100-Year	174

9. “North Routes” Preferred, Routes A and B contain higher number of Perennial Stream crossings compared to other routes.

Table 7.8-6. Potential Surface Water Impacts Route Alternatives Evaluation

Alignment	Perennial Stream Crossings	Intermittent Stream Crossings	PWI Stream Crossings
Applicant Preferred ROW Occupancy	16	19	13
Applicant Preferred No ROW Occupancy	16	19	13
Route A	17	18	16
Route B	16	22	13
Route C	13	20	11
Route D ¹	12	20	8
Route E	14	28	9
Route F	10	26	10
Route G	12	33	12
Route H	12	43	13

¹ Impacts calculated for Route D present impacts as though all of Route D is constructed above ground, subsequent sections of table 7.8-7 present impacts associated with the underground sections of Route D.

10. “North Routes” contain highest concentration of non-agricultural vegetation impacted compared to other routes, the Preferred route having the most, and routes A, B and C following closely behind:

Table 7.9-2. Temporary and Permanent Impacts to Non-Agricultural Vegetation (Sauk Centre to St. Cloud)

Vegetation by Route/Option	Estimated Number of Poles in Vegetated Cover	Temporary Impacts (1 Acre Per Pole) Acres	Permanent Impacts (55 SF Per Pole) SF	Permanent Impacts (55 SF Per Pole) Acres
Route Alternatives				
Applicant Preferred ROW Occupancy	89	89	4,879	0.11
Applicant Preferred No ROW Occupancy	89	89	4,875	0.11
Route A	76	76	4,184	0.1
Route B	73	73	4,025	0.09
Route C	74	74	4,090	0.08
Route D	61	61	3,343	0.06
Route E	58	58	3,216	0.07
Route F	62	62	3,404	0.07
Route G	55	55	3,005	0.06
Route H	57	57	3,125	0.07

11. “North Routes” contain the highest concentration of High to Outstanding MCBS, Sites of Biodiversity Significance, and rare and unique Natural Resources when compared with other routes.

The DEIS page 7-114 notes:

Areas with high biodiversity significance contain sites with high quality occurrences of the rarest plant communities and/or important functional landscapes. Areas with outstanding biodiversity significance contain the best occurrence of the rarest species; the most outstanding example of the rarest native plant communities and/or the largest, most intact functional landscapes present in Minnesota. MCBS sites are present in the area between Sauk Centre and St. Cloud but most are concentrated in the eastern area of Stearns County.

DEIS, p. 7-114. In addition:

*The MCBS sites of biodiversity significance are ranked and organized into three classifications; moderate, high, and outstanding. Areas with moderate biodiversity significance contain significant occurrences of rare species and/or moderately disturbed native plant communities and landscapes that have a strong potential for recovery. **The Preferred, Alternate A & B routes primarily possess MCBS Sites of Biodiversity that is high and outstanding.***

1

Id., emphasis added. MCBS Sites of Biodiversity should be avoided.

Table 7.9-4. Route Impact Evaluation

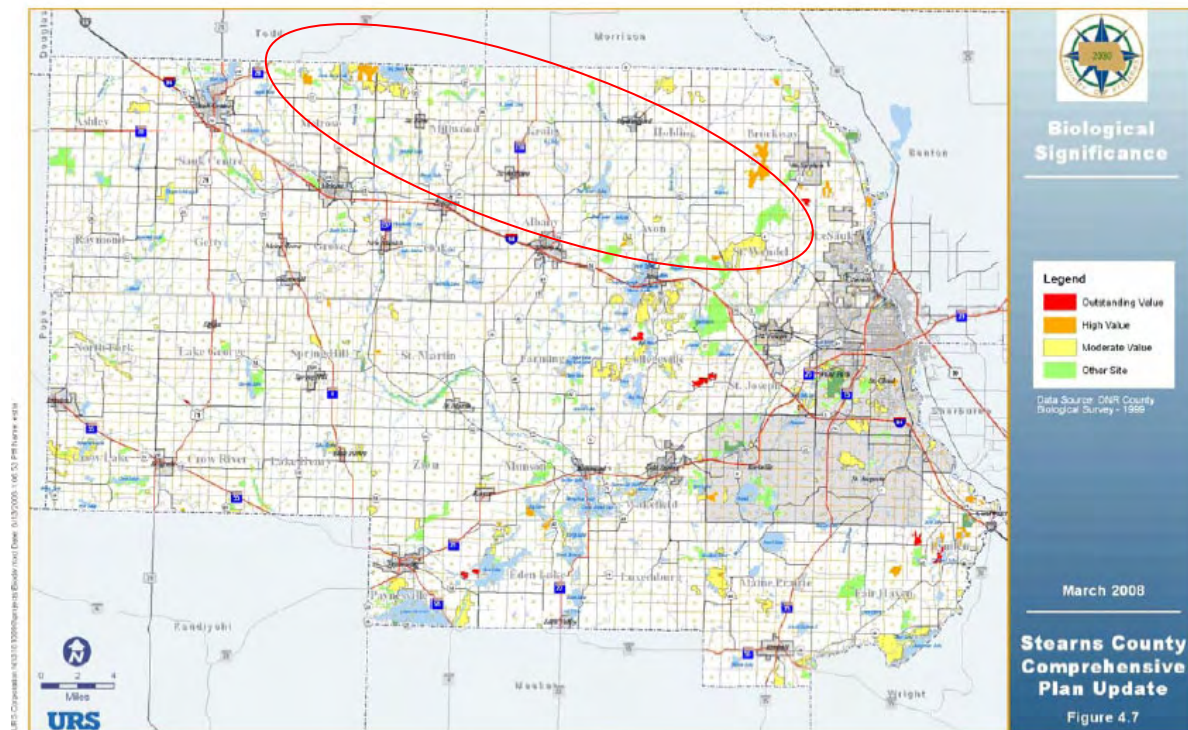
Habitat Classification	Applicant Preferred Route ROW Occupancy		Applicant Preferred Route No ROW Occupancy		Route A		Route B		Route C	
	Route (Acres)	ROW (Acres)	Route (Acres)	ROW (Acres)	Route (Acres)	ROW (Acres)	Route (Acres)	ROW (Acres)	Route (Acres)	ROW (Acres)
WPAs	0	0	0	0	0	0	0	0	0	0
WMLAs	0	0	0	0	0	0	0	0	0	0
USFWS Easements										
Wetlands	0	0	0	0	0	0	0	0	0	0
Grasslands	0	0	0	0	0	0	0	0	0	0
Farmers Home Administration	0	0	0	0	0	0	0	0	0	0
Other	80.7	0	80.7	0	0	0	29.4	6.5	80.7	0
MCBS, Sites of Biodiversity Significance										
Moderate	0	0	0	0	0.3	0	33	1	0	0
High	356	20	356	20	356	20	0	0	0	0
Outstanding	0	0	0	0	0	0	57	3	57	0
MCBS, Native Plant Communities	92	7	92	7	92	7	46	2	29	0
MCBS, Railroad Right-of-Way Prairies										
Fair	0	0	0	0	0	0	0	0	0	0
Good	0	0	0	0	0	0	0	0	0	0
Very Good	0	0	0	0	0	0	0	0	0	0
SNAs	0	0	0	0	0	0	6	0.02	0	0
Minnesota Land Trust Conservation Easements	0	0	0	0	1	0	30	6.5	0	0
BWSR, Re-Invest in Minnesota (RIM) Easements	0	0	0	0	0	0	0	0	0	0
Calcareous Ferns										
Outstanding	0	0	0	0	0	0	0	0	0	0

2

Table 7.9-5. Route Impact Evaluation (Sauk Centre to St. Cloud) Continued

Habitat Classification	Route D		Route E		Route F		Route G		Route H	
	Route	ROW	Route	ROW	Route	ROW	Route	ROW	Route	ROW
WPAs	0	0	0	0	0	0	0	0	0	0
WMAs	0	0	17	0.04	0	0	0	0	28	1
USFWS Easements										
Wetlands	0	0	0	0	0	0	0	0	0	0
Grasslands	0	0	0	0	0	0	0	0	0	0
Farmers Home Administration	0	0	0	0	0	0	0	0	0	0
Other	80.7	0	80.7	0	80.7	0	80.7	0	80.7	0
MCBS, Sites of Biodiversity Significance										
Moderate	15	3	42	6	55	10	60	6	60	6
High	1	0	20	2	42	3	51	8	51	8
Outstanding	0	0	0	0	0	0	0	0	0	0
MCBS, Native Plant Communities	15	3	37	3	9	1	56	7	56	7
MCBS, Railroad Right-of-Way Prairies										
Fair	0	0	0	0	0	0	0	0	0	0
Good	0	0	0	0	0	0	0	0	0	0
Very Good	0	0	0	0	0	0	0	0	0	0
SNAs	0	0	0	0	13	0.4	0	0	0	0
Minnesota Land Trust Conservation Easements	0	0	0	0	0	0	0	0	0	0
BWSR, Re-Invest in Minnesota (RIM) Easements	0	0	0	0	0	0	0	0	0	0
Calcareous Fens										
Outstanding	0	0	0	0	0	0	0	0	0	0

Again, this is reflected in the County's map of areas of Biological Significance:



Q: Are there important items in the Application and DEIS that need correction and clarification?

A: Yes.

Q: Please explain.

A: For example, in the Application and the DEIS, there is no specific physical route comparisons for Sauk Center to St. Cloud, such as total length, complete cost estimates and Total and % Proliferation of new transmission corridors. Without this information, a comparative analysis is not possible.

These comparisons were completed by the Applicant for the Advisory Task Force and must also be included in the record and in any analysis of routes. The comparisons demonstrate the Preferred and Alternate A Routes possess significantly higher Proliferation of new transmission corridors, contrary to MN's Policy on Non-Proliferation and the recently passed legislation amending Minn. Stat. §216E.03, Subdivision 7e.

	Preferred Route	Alternate A Route	South Alternate Route	"I-94" Route	"Hwy. 23" Route
Route Length (miles)	38	42	35	27	30*
Length of Route Paralleling Existing Rights-of-Way (miles)	22	28	27	27	30
Percent of Route Paralleling Existing Rights-of-Way	58%	67%	77%	98%	99%*

ATF Route Comparisons, Freeport to St. Cloud

Q: Are there other issues?

A: Yes. The Application and DEIS also lack specific information regarding the number and locations of homes within 175 feet of centerline. This is important because with transmission structures as high as 175 feet on a 75 foot right-of-way, and with homes potentially within that 175 feet of centerline, these landowners and business owners have potentially significant impacts if the line should fall over. The FEIS must include comparative data of homes and businesses within 175 feet of the Right-of-Way.

1 **Q: What about natural resources?**

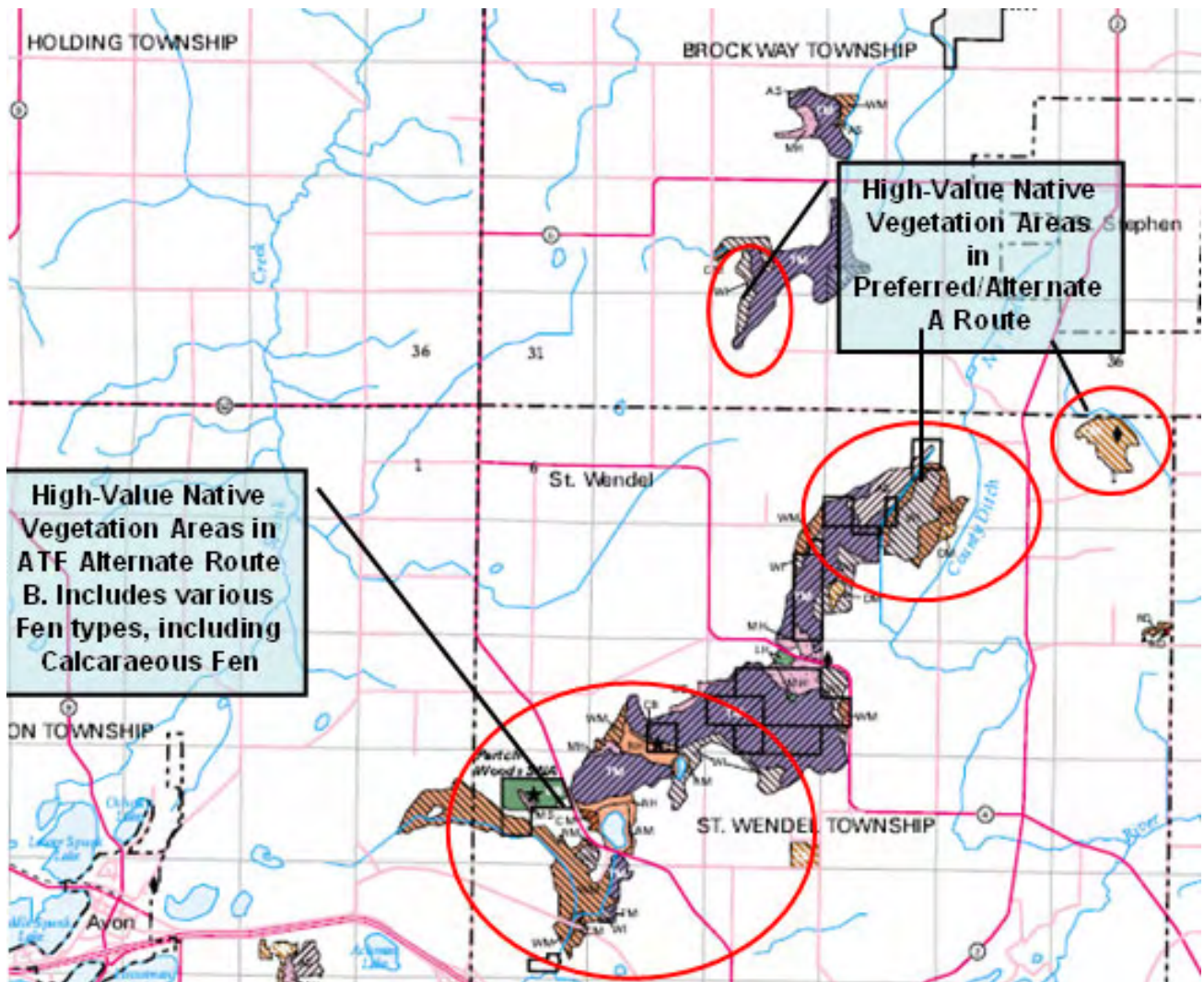
2 **A:** The Application and the DEIS lacks specific information pertaining to important North
3 Routes' Natural Resources, including the St. Wendel Tamarack Bog "Complex", Shepards
4 Lake, Birch Lake State Forest. On a number of occasions, the DEIS refers to the St. Wendel
5 Tamarack Bog in the context of an "SNA". This diminishes the breadth of this resources.

6 The St. Wendel Tamarack Bog SNA is a 170 acre site designated as a Scientific and
7 Natural Area that is but a part of a much larger St. Wendel Bog Complex. The St. Wendel
8 Tamarack Bog Complex itself is over 700 acres and is one of the top two sites for
9 biodiversity and contains one of the largest remaining blocks of native vegetation in Stearns
10 County.

11 The Preferred and Alternate A Routes would cross and impact the St. Wendel Tamarack
12 Bog Complex on the northeast side of the complex, the Alternate B Routes would cross the
13 St. Wendel Tamarack Bog Complex at its southwest location. The St. Wendel Tamarack Bog
14 Complex is home to the best and largest example of Minerotrophic Tamarack Swamp in
15 central Minnesota. In addition to the extensive tamarack stands, the area also contains: rare
16 Mixed Hardwood Seepage Swamp, and unique Calcareous Seepage Fen which supports a
17 population of the State Threatened *Carex sterilis* (sterile sedge). Significant acreage of Rich
18 Fen, Wet Meadow, Mixed Hardwood Swamp, and Shrub Swamp also occur.

19 The St. Wendel Tamarack Bog Complex is a natural resource that has been documented
20 as having local, state, national and even international importance. In an effort to ensure the
21 integrity and character of this important Natural Resource is maintained, the St. Wendel
22 Tamarack Bog should be analyzed and referred to in the DEIS in its entirety, rather than as
23 just an "SNA" and the entirety of the bog complex be considered in any routing decision.

1 Directly below is an enlarged map taken from the County Plant Communities map, on the
2 following page:



3
4 Specifically, page 7-36 in the DEIS provides a misleading notation that the “St. Wendel SNA is
5 located approx. 1 mile west of the Applicant Preferred Route and is not impacted by the
6 alignment.” This characterization misrepresents the St. Wendel Tamarack Bog Complex, the
7 relation of the transmission route to it, and the significant impacts. The full St. Wendel

- 2



1 **A:** Yes. In the DEIS, Zoning Impacts, page 7-10 notes:

2 Effects from either route on planned land uses as identified in the future land use
3 plans for each affected jurisdiction would vary. According to the 2003 comprehensive
4 plan for the city of St. Cloud, the Preferred Route would not affect areas identified as
5 primary growth areas, secondary growth areas, or ultimate service areas.

6
7 However, the ATF Final Report noted the St. Joseph Township ATF member as stating:

8
9 Future development area for City of St. Joseph and Waite Park; land has been
10 identified in comprehensive plan for development; land has been purchased and some
11 infrastructure (sewer and water) has been put in place.

12
13 This shows that some of the transmission routes are not consistent with existing planning and
14 could be detrimental to planned growth.

15 **Q: Is anything missing on the maps?**

16 **A:** Yes. Much is missing from the maps. The maps in the Application, the DEIS, and maps
17 used during the DEIS Public Meetings are missing many homes affected by the Preferred and
18 Alternate A & B routes, increasing the residential impact of the 75-500 foot corridor.
19 Comments were made at the DEIS public meetings, we witnessed several such instances at
20 the St. Joseph meeting, but efforts were not made consistently to glean the specific
21 information from the commenters to pinpoint their location.

22 The homes not included range from longstanding obvious residences visible on aerial
23 maps to less obvious pole buildings converted into homes. This was noted specifically by an
24 ATF member in the ATF Final Report, yet this problem and correction by noting the
25 locations of the homes was not incorporated into the DEIS. As many as 115 homes are in the
26 Preferred route corridor within the 500 foot alignments according to NoRCA analysis,
27 indicating flawed inventory in the DEIS.

28 The DEIS states:

29 There are fewer homes within 500 feet of the Applicant Preferred Route alignment
30 than all of the other proposed routes except Route E, which suggests that fewer
31 households would directly view the line.

DEIS, p. 7-49. However, Table 7.3-4, in the DEIS shows the opposite, that fewer homes in Routes C and E would be impacted within 500 feet. An addition of the 115 missing homes would create a different comparison, with greater impacts found in the Preferred Route and most of the other routes. This glaring error must be corrected in the FEIS and these homes and the impacts of transmission must be considered in the choice of routes.

Table 7.3-4. Aesthetic Impact Evaluation for Routes

Route/Option	Homes	
	Within 500' of Alignment	Within 150' of Alignment
Route Alternatives		
Applicant Preferred ROW Occupancy	83	0
Applicant Preferred No ROW Occupancy	82	0
Route A	116	0
Route B	191	0
Route C	77	1
Route D	179	9
Route E	76	0
Route F	206	1
Route G	88	0
Route H	96	0

It is also misleading that the number of homes are listed in a chart entitled “Aesthetic Impact Evaluation for Routes” and that this is regarded as an “Aesthetic” issue and is not regarded as a Public Health and Safety or Socioeconomic impact.

Q: Are natural resources adequately addressed?

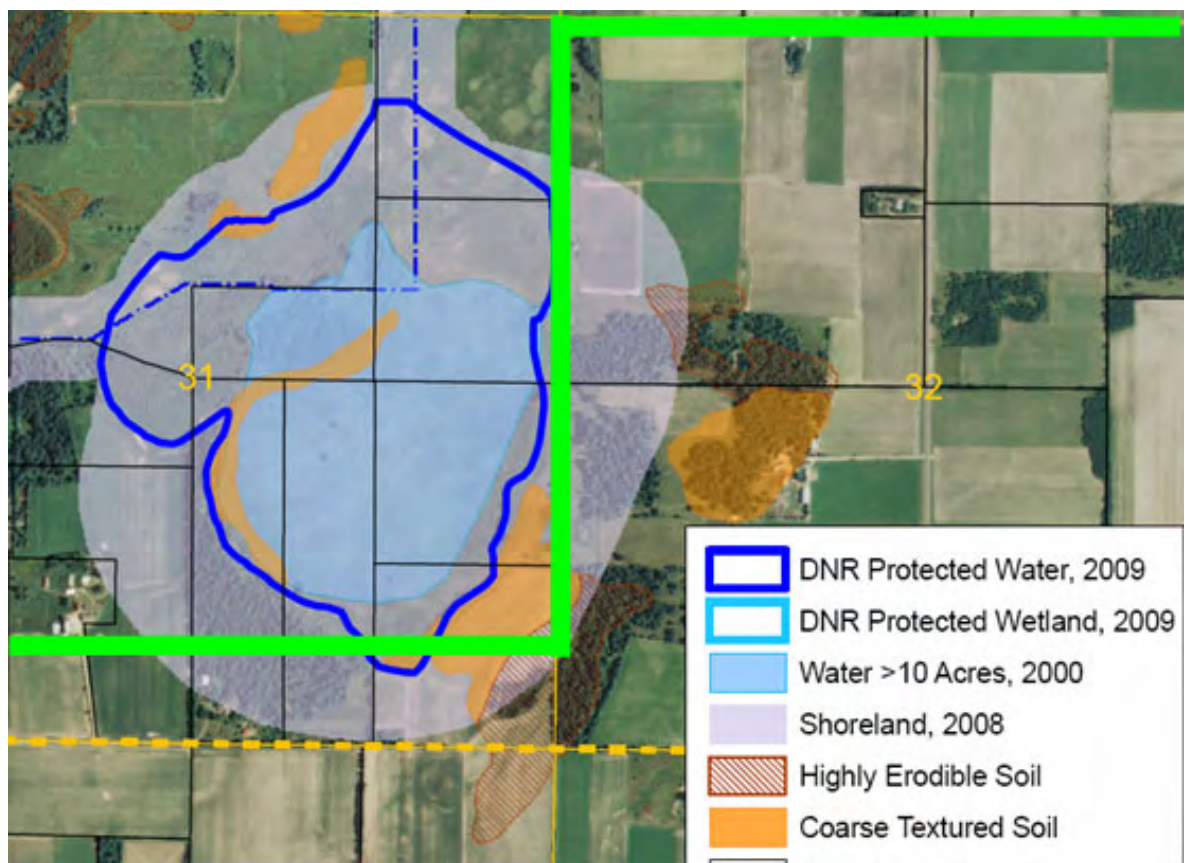
A: The Application, DEIS and FEIS should include more specificity pertaining to wetlands impact on Preferred, Alternate A & B, and this should be taken into account in any routing decision. Specifically, we are concerned about wetlands including Shepards Lake, which was commented on by the DNR, USFWS, and Ducks Unlimited, and St. Wendel Bog Complex, which has been reduced to a much smaller scope.

Avoidance of Shepards Lake was recommended in a DNR scoping letter to OES on Feb. 11, yet Shepards Lake was not avoided nor was the DNR's avoidance recommendation mentioned. Shepards Lake is classified as a DNR Protected Waters, with a 1,000 foot DNR shoreland buffer. The Preferred route would skirt the periphery of Shepards Lake itself and would run within the designated shoreland buffer. In her February 11, 2020 scoping comment to the OES, Jamie Schrenzel, MN DNR, stated:

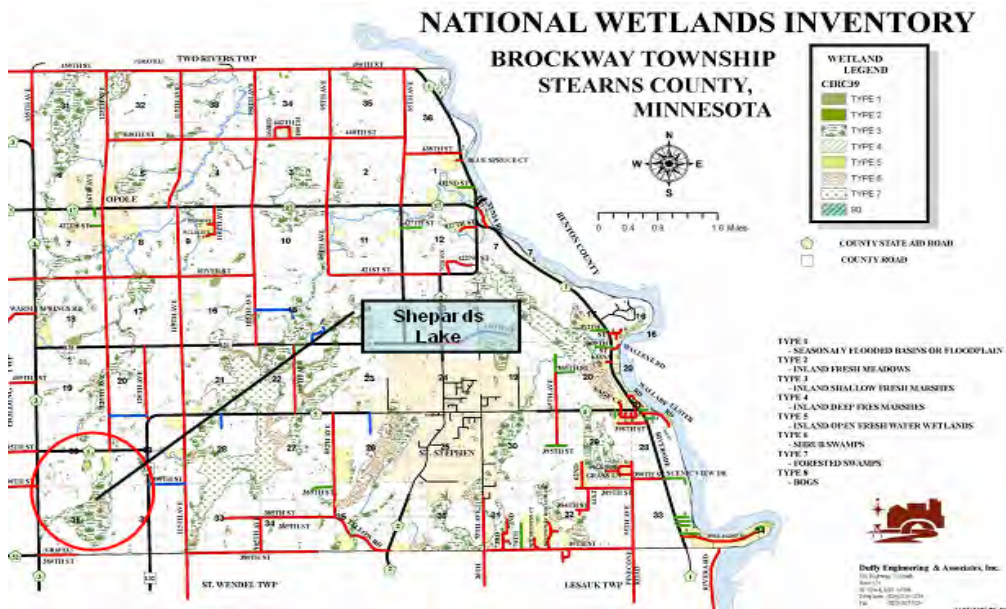
Page 7-40 to 7-41, Figure 7-22. The EIS should give the location of the lakes, as well as their public water inventory numbers, and examine alternative alignments for avoiding crossing the lakes wherever possible. For example, it may be possible to avoid Shepard's Lake in Stearns County with a slight alignment shift.

This is a serious omission that must be corrected in the FEIS and which must be considered in routing.

This map demonstrates the impact of the Preferred route:



Shephards Lake is also shown on the National Wetlands Inventory map:



Q: Is the Lake Wobegon Trail adequately considered and analyzed?

A: The DEIS should include more specifics related to the Lake Wobegon Trail, such as clarification of crossings, etc. On the Lake Wobegon Map, below, Alternate A crosses the Trail twice, and Alternate B three times (DEIS Alt A=1, Alt B=1). Also, no reference is given to the impact and visual intrusion of the HVTL on the Trail's historical Covered Bridge at Holdingford.



1 **Q: Are there additional historical impacts to be addressed?**

2 **A:** Yes. Identification of historical sites in the Application and DEIS, in narrative and on the
3 maps, is missing, including impacts on Century farm program, visual intrusion of farms natural
4 character. Along the Preferred route, NoRCA has identified 27 Century Farms, and in Alternate
5 Route A, 24 Century Farms.

6 Also missing in the Application and DEIS is discussion of impacts on agricultural land in
7 light of the state's policy of agricultural land preservation and conservation. See Minn. Stat.
8 §17.80:

9 **17.80 STATE AGRICULTURAL LAND PRESERVATION AND**
10 **CONSERVATION POLICY.**

11 **Subdivision 1.Policy.**

12 It is the policy of the state to preserve agricultural land and conserve its long-term use for the
13 production of food and other agricultural products by:

- 14 (a) Protection of agricultural land and certain parcels of open space land from conversion to
15 other uses;
16 (b) Conservation and enhancement of soil and water resources to ensure their long-term
17 quality and productivity;
18 (c) Encouragement of planned growth and development of urban and rural areas to ensure the
19 most effective use of agricultural land, resources and capital; and
20 (d) Fostering of ownership and operation of agricultural land by resident farmers.

21 **Subd. 2.Methods.**

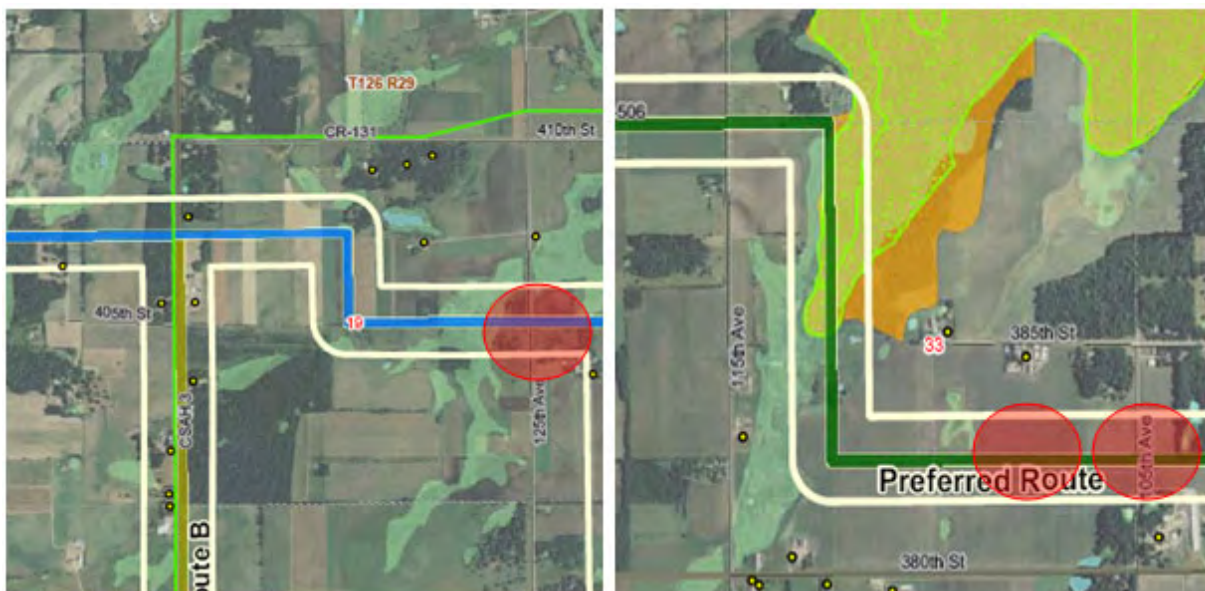
22 The legislature finds that the policy in subdivision 1 will be best met by:

- 23 (a) Defining and locating lands well suited for the production of agricultural and forest
24 products, and the use of that information as part of any local planning and zoning decision;
25 (b) Providing local units of government with coordinating guidelines, tools and incentives to
26 prevent the unplanned and unscheduled conversion of agricultural and open space land to
27 other uses;
28 (c) Providing relief from escalating property taxes and special assessments and protection of
29 normal farm operations in agricultural areas subject to development pressures;
30 (d) Development of state policy to increase implementation of soil and water conservation by
31 farmers;
32 (e) Assuring that state agencies act to maximize the preservation and conservation of
33 agricultural land and minimize the disruption of agricultural production, in accordance with
34 local social, economic and environmental considerations of the agricultural community;
35 (f) Assuring that public agencies employ and promote the use of management procedures
36 which maintain or enhance the productivity of lands well suited to the production of food and
37 other agricultural products;
38 (g) Guiding the orderly development and maintenance of transportation systems in rural
39 Minnesota while preserving agricultural land to the greatest possible extent;
40 (h) Guiding the orderly construction and development of energy generation and transmission
41 systems and enhancing the development of alternative energy to meet the needs of rural and
42

1 urban communities and preserve agricultural land to the greatest possible extent by reducing
2 energy costs and minimizing the use of agricultural land for energy production facilities; and
3 (i) Guiding the orderly development of solid and hazardous waste management sites to meet
4 the needs and safety of rural and urban communities and preserve agricultural land to the
5 greatest possible extent by minimizing the use of agricultural land for waste management
6 sites.

7
8 **Q: Are there other agricultural impacts?**

9 **A:** Yes. To more fully consider agricultural impacts, effort must be made to identify and clarify
10 Center-Pivot irrigation in Preferred and Alternate A & B routes. NoRCA has identified at least
11 two additional center-pivot irrigation systems in the Preferred Route and 2 additional center-
12 pivot irrigation systems in Alternate A route in Brockway Township. Transmission lines are not
13 compatible with irrigation. The route should avoid center-pivot irrigation systems.



14
15 **Q: Are there recreational and natural resource impacts not addressed?**

16 **A:** Yes. Pertaining to recreation, the Application and the DEIS fail to include reference to the
17 Alternate A route's impact on the Birch Lake State Forest and the Preferred Routes impact on
18 Shepards Lake. The DNR has brought these resources and impacts to the attention of MOES. See
19 letter, MN DNR to MOES on Feb. 11, 2010.

20 Pertaining to impacts on Flora, the DEIS notes:

1 The majority of the Applicant Preferred Route occurs along existing rights-of-way,
2 including roads, and is also often adjacent to cultivated row crops. Given that the
3 vegetation communities that occur in these areas are regularly disturbed, impacts due to
4 construction are not anticipated to substantially disrupt vegetative community quality or
5 function.

6
7 DEIS, p. 7-117.

8
9 This statement is factually wrong, misleading and irresponsible given the gross proliferation of
10 routes and the relatively high impact on the routes wetlands and wooded lands, as well as the MCBS
11 Sites of Biodiversity. Also, “Typically, vegetation is controlled mechanically or with herbicides on
12 a regular maintenance schedule”. These errors of fact and characterization must be corrected in the
13 FEIS and the impacts considered in routing.

14 Pertaining to Rare Unique Natural Resources/Critical Habitat the Application, and the DEIS
15 statement:

16 As discussed in previous sections, Applicants have routed the Applicant Preferred Route
17 such that the majority is co-located with existing rights-of-way, therefore minimizing
18 additional tree clearing that could increase fragmentation of sensitive habitats.
19 DEIS page 7-131

20 This is statement is false, misleading and irresponsible because the Preferred Route possesses the
21 highest amount of Proliferation of new transmission corridors, as demonstrated above. These errors
22 of fact and characterization must be corrected in the FEIS.

23 **Q: Are you satisfied with the way in which the potential for underground constructin is**
24 **addressed?**

25 **A:** No. Underground costs must be fairly evaluated. The February 24, 2010 underground
26 cost estimate prepared by Power Engineers, Inc. for this docket reflects the following cost
27 estimates for a 2 mile stretch:

1.4 Cost Estimate Summary

The estimated installation costs (rounded) for the XLPE and HPFF pipe-type insulated cable systems for a 2.0 mile 345 kV underground line, excluding transition stations, are:

Description	Material (One Circuit)	Labor (One Circuit)	Total (One Circuit)	Total (Two Circuits)
345 kV XLPE 3500 kcmil Copper Conductor	\$28,000,000	\$11,800,000	\$39,800,000	\$79,600,000
345 kV HPFF 3500 kcmil Copper Conductor	\$29,900,000	\$14,000,000	\$43,900,000	\$87,800,000

Costs of undergrounding are stated and dismissed in the Application, and are not addressed or analyzed in the DEIS, except for a mention on page 1-40, with no review of differing options, only 14miles of underground construction all lumped together in one length. There is no analysis or consideration of undergrounding in problematic areas. There is no cost benefit analysis of impacts of transmission and mitigation by underground construction.

Q: Have you reviewed the testimony submitted by Darrin Lahr on October 13, 2010?

A: Yes, and I have some comments and questions.

Q: Please explain.

A: In his explanation of the RPA Preferred Route on Page 9, Mr. Lahr defines the aspects of the Preferred Route which make it “Preferred”:

Both the RPA Preferred Route and Route A satisfy the State routing criteria and are constructible. Applicants identified the RPA Preferred Route as preferred because it impacts fewer homes, makes use of existing linear features, minimizes impacts to agricultural land uses, minimizes impacts to natural resources and trails, and is shorter in length, which reduces costs. The RPA Preferred Route parallels I-94 for the greatest distance. The I-94 right-of-way

1 is an existing transportation corridor that has already altered and disturbed the
2 natural surroundings for nearly the entire length of I-94 within the RPA
3 Preferred Route. A summary comparison of Applicants' proposed routes is
4 included in Chapter 6 of the Application.

5 This general assertion that the Preferred Route follows “existing rights of way” is flawed.

6 The portion of the Preferred and Alternate A route from Sauk Center to St. Cloud creates the
7 greatest level of proliferation of new transmission corridors of all the route alternatives from
8 Sauk Center to St. Cloud. This is contrary to Minnesota transmission routing policy.

9 In addition, in his presentations to the Freeport to St. Cloud Advisory Task Force, Mr.
10 Lahr concluded the following regarding the routes:

- 11 • **“There really is no “Preferred” Route, we simply had to assign labels to all 3**
12 **alternatives”**
13 **-Darrin Lahr, January 22, 2010 ATF**
- 14 • **“We don’t care where it goes, we just need wire!”**
15 **-Darrin Lahr, February 25, 2010 ATF**

16 Furthermore, in his testimony Mr. Lahr repeatedly “stays on message” when referring to
17 the utilization of property lines and the route “generally following existing rights of way”
18 when property lines are not “existing rights of way.” Mr. Lahr fails to acknowledge
19 anywhere in his testimony, Minnesota’s Policy on Non-Proliferation and newly enacted laws
20 pertaining to HVTL routing.

21 The lack of regard for existing state HVTL routing policies and Minnesota laws in the
22 Preferred and Alternate A route’s divergence from the I-94 corridor in the Melrose to
23 Freeport area and the reckless and gross proliferation of new transmission corridors through
24 Central and Northern Stearns County creates considerable concern. The proliferation of new
25 transmission corridors creates the needless traversing and potential destruction and
26 fragmentation of sensitive wetlands, forested areas and prime agricultural farmland. The
proliferation of new transmission corridors is inconsistent with Minnesota’s longstanding

policy of non-proliferation established by People for Environmental Enlightenment & Responsibility (PEER), Inc. v. Minnesota Environmental Quality Council, 266 N.W. 2d 858 (Minn. 1978). As I noted earlier in my testimony, PEER and Minnesota Statute §216E.03 subdivision 7e, provide guidance when weighing proliferating routes, such as the North Routes, with non-proliferation routes. The legislature and the court carefully and expressly stated that when building new transmission, landowners already burdened with transmission “may have to suffer the burden of additional powerline easements.

With regards to the proliferation of new transmission corridors, in Mr. Lahr’s Testimony, in the “General” category of Schedule 5 of the Sauk Center to St. Cloud, the Applicant’s attempt to define a direct physical comparison of each of the route alternatives length and following of Rights of Way. However the results, for one reason or another, appear either transposed or wrong as a numerical error.

SAUK CENTRE TO ST. CLOUD ENVIRONMENTAL ROUTE COMP										
LAND USE AND OTHER ENVIRONMENTAL RESOURCES WITHIN THE RIG										
General		RPA Preferred Route	Route A	Route B	Route C	Route D	Route E	Route F	Route G	Route H
	Length of Route (miles)	48	45	40	39	37	44	48	41	45
	Length Paralleling Existing ROWs (miles)	29	33	41	32	30	33	45	33	32
	Percent of Route Paralleling Existing ROWs	48	45	45	39	38	42	49	42	42
	Length Paralleling Existing Linear Features (miles)	61	69	99	82	80	76	91	74	71
	Number of Acres in Representative 150-Foot ROW	800	865	834	710	678	797	899	807	847

Specifically, the data in the rows “Percent of route paralleling existing ROWs” and “Length paralleling existing linear features(miles), appear “transposed”. This analysis appears to be used by the applicant’s to identify the relative Percent of Non-Proliferation. That is, the percentage of the route or alternative route following an existing HVTL or

parallel an existing highway right of way. Assuming the applicant's data pertaining to each route's length and the length paralleling existing ROWs (namely, transmission lines or existing highway ROW) is correct, the analysis should conclude a significantly greater proliferation of new transmission corridors in the Preferred and Alternate A routes vs. all other alternatives:

CAPX2020 Sauk Center to St. Cloud Analysis of Non-Proliferation	RPA Preferred Route	Alternate A	Alternate B	Alternate C	Alternate D	Alternate E	Alternate F	Alternate G	Alternate H
Length of Route (miles)	48	48	46	39	37	44	49	44	45
Length Paralleling Existing ROW (miles)	29	33	41	32	30	33	45	33	32
Percent of Route Paralleling Existing ROW (%)	60	68	89	82	81	75	91	74	71

Furthermore, in an analysis of new transmission corridor proliferation amongst individual Townships in the Preferred Route, the Townships of Avon, Brockway and St. Wendel in Central Stearns County bear a disproportionate share of new transmission corridors in the Preferred Route. As well, Holding Township in the Alternate A Route possesses significant proliferation of new corridors.

Preferred Route Township Analysis of Non-Proliferation	Albany	Avon	Brockway	St. Wendel	St. Joseph	Holding (A)
Length of Route in Township (miles)	7.45	8.2	5.3	8.6	3.3	7
Length of Route in Township Paralleling existing ROW (Miles)	5.25	3.7	0.5	4.9	2.5	4
Percent of Route in Township Paralleling Existing ROW (%)	70%	45%	10%	57%	76%	57%

In addition, the area through St. Wendel Township contains a route width of up to 1.25 miles to allow for siting coordination with landowners and state and federal agencies to develop a final alignment and design. The rates of proliferation in St. Wendel Township could be dramatically increased given the relative variances in final routing.

1 It should also be noted that the townships with the highest rates of Proliferation of New
2 Transmission Corridors, Avon, Holding, Brockway and St. Wendel Townships, also possess
3 some the most sensitive environmental areas, such as Shepards Lake and the St. Wendel
4 Tamarack Bog, and the highest concentrations of prime farmland.

5 **Q: What other issues do you see in Mr. Lahr's Testimony?**

6
7 **A:** There is a need for a more specific comparison of the routes. Mr. Lahr cites, very
8 vaguely, the Modified Preferred Routes comparison to the other alternatives in the Sauk
9 Center to St. Cloud portion of the project. We wish to address Mr. Lahr's comparison of the
10 Preferred Route to the Alternative Routes E, G & H on Page 23.

12 **Q. HOW DO ROUTES E, G, AND H COMPARE TO THE MODIFIED PREFERRED**
13 **ROUTE?**

14 **A.** The impacts of Routes E, G, and H are similar, as they share a common
15 portion west of St. Cloud and leading to the Quarry Substation. These routes
16 present challenges along waterways, including public waters inventory ("PWI")
17 streams and waterway crossings. None of these routes are clearly superior to
18 the Modified Preferred Route.

11
12
13 Without support, Mr. Lahr makes the conclusory statement that, "[n]one of these Routes are
14 clearly superior to the Modified Preferred Route." However, an in-depth analysis of the
15 Fargo to St. Cloud DEIS demonstrates considerable differences.

16 **A.** The Modified Preferred Route affects more residences (83) than Alternative E (76), and
17 slightly less than Alternatives G(88) & H(96). However, as stated in the Freeport to St. Cloud
18 ATF Final Report and the NorCA DEIS Public Comment document, the maps are missing
19 many homes impacted by the Preferred and Alternate A & B routes increasing the residential
20 impact of the 75-500 foot corridor. Comments were made at the DEIS meetings, but efforts
21 were not made consistently to glean information from commenter's. Homes not included
22 range from longstanding obvious residences to pole buildings converted into homes. This

was noted by an ATF member in the ATF Final Report, yet it was not incorporated into the DEIS. As many as 115 homes in the Preferred route exist within the 500 foot alignments according to NoRCA analysis, indicating flawed inventory in the DEIS. This glaring error must be corrected in the FEIS.

Table 7.3-4. Aesthetic Impact Evaluation for Routes

Route/Option	Homes	
	Within 500' of Alignment	Within 150' of Alignment
Route Alternatives		
Applicant Preferred ROW Occupancy	83	0
Route E	76	0
Route G	88	0
Route H	96	0

B. Versus Alternatives E, G & H, the Modified Preferred Route from Sauk Center to St. Cloud Routes contain significantly higher impacts to “Prime Farmland”: “land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses”. Avoidance of these areas would be consistent with the Stearns County Comprehensive Plan and agricultural preservation policy in Minn. Stat. §17.80.

Table 7.7-4. Acreage of Prime Farmland within Route and Option Alternatives

Route/Option	Prime Farmland in Route (Acres)
Route Alternatives	
Applicant Preferred Route	3,065
Route E	1,866
Route G	1,716
Route H	1,157

C. The Modified Preferred Route contains higher acreage of Prime Farmland in ROW vs. Alternatives E, G & H. Avoidance of these areas would be consistent with the Stearns County Comprehensive Plan, policy of agricultural preservation in Minn. Stat. §17.80 and siting criteria in Minn. Stat. §216E.03.

Table 7.7-10. Acreage of Prime Farmland within Route and Option ROW

Route/Option	Prime Farmland in ROW (Acres)
Route Alternatives	
Applicant Preferred ROW Occupancy	270
Route E	268
Route G	246
Route H	162

D. The Modified Preferred Route contains significantly higher impacts to Forestry and Forested areas than Alternatives E, G & H.

Table 7.7-5. Wooded Lands by Route (Sauk Centre to St. Cloud)

Route/Option	Wooded Lands in Route (Acres)
Route Alternatives	
Applicant Preferred Route	1,920
Route E	759
Route G	721
Route H	743

Table 7.7-12. Wooded Lands in Proposed ROW for Routes

Route/Option	Wooded Lands in ROW (Acres)*
Route Alternatives	
Applicant Preferred ROW Occupancy	132
Route E	72
Route G	78
Route H	78

E. The Modified Preferred contains a significantly higher number of Total NWI Wetlands impacted vs. Alternatives E, G & H.

Table 7.8-4. Wetland Type and Acreage within the Proposed Routes and Route Options

Route/Option	NWI Wetland Type					
	Total NWI Wetland Acreage	Freshwater Emergent	Freshwater Forested/Shrub	Freshwater Pond	Lake	Riverine
Route Alternatives						
Applicant Preferred	2267	1561	592	85	6	24
Route E	1229	1015	128	55	22	8
Route G	967	808	112	39	0	8
Route H	921	751	118	36	7	8

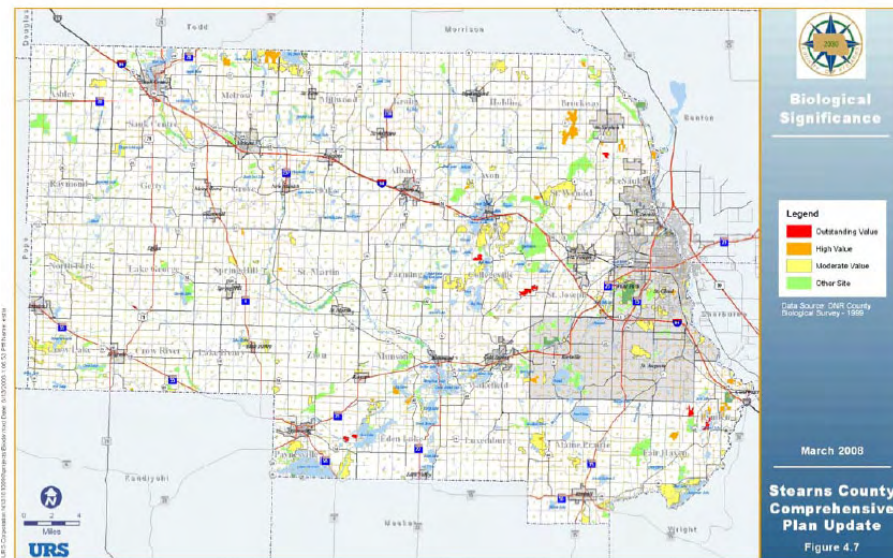
F. The Modified Preferred Route contains a higher concentration of High to Outstanding MCBS, Sites of Biodiversity Significance vs. Alternative E, G & H routes, rare and unique Natural Resources. The DEIS page 7-114 notes “Areas with high biodiversity significance contain sites with high quality occurrences of the rarest plant communities and/or important functional landscapes. Areas with outstanding biodiversity significance contain the best occurrence of the rarest species; the most outstanding example of the rarest native plant communities and/or the largest, most intact functional landscapes present in Minnesota. MCBS sites are present in the area between Sauk Centre and St. Cloud but most are concentrated in the eastern area of Stearns County”. In addition, “The MCBS sites of biodiversity significance are ranked and organized into three classifications; moderate, high, and outstanding. Areas with moderate biodiversity significance contain significant occurrences of rare species and/or moderately disturbed native plant communities and landscapes that have a strong potential for recovery.

Table 7.9-4. Route Impact Evaluation

Habitat Classification	Applicant Preferred Route ROW Occupancy		Applicant Preferred Route No ROW Occupancy		Route A		Route B		Route C	
	Route (Acres)	ROW (Acres)	Route (Acres)	ROW (Acres)	Route (Acres)	ROW (Acres)	Route (Acres)	ROW (Acres)	Route (Acres)	ROW (Acres)
WPAs	0	0	0	0	0	0	0	0	0	0
WMAs	0	0	0	0	0	0	0	0	0	0
USFWS Easements										
Wetlands	0	0	0	0	0	0	0	0	0	0
Grasslands	0	0	0	0	0	0	0	0	0	0
Farmers Home Administration	0	0	0	0	0	0	0	0	0	0
Other	80.7	0	80.7	0	0	0	29.4	6.5	80.7	0
MCBS, Sites of Biodiversity Significance										
Moderate	0	0	0	0	0.3	0	33	1	0	0
High	356	20	356	20	356	20	0	0	0	0
Outstanding	0	0	0	0	0	0	57	3	57	0
MCBS, Native Plant Communities	92	7	92	7	92	7	46	2	29	0
MCBS, Railroad Right-of-Way Prairies										
Fair	0	0	0	0	0	0	0	0	0	0
Good	0	0	0	0	0	0	0	0	0	0
Very Good	0	0	0	0	0	0	0	0	0	0
SNAs	0	0	0	0	0	0	6	0.02	0	0
Minnesota Land Trust Conservation Easements	0	0	0	0	1	0	30	6.5	0	0
BWSR, Re-Invest in Minnesota (RIM) Easements	0	0	0	0	0	0	0	0	0	0
Calcareous Ferns										
Outstanding	0	0	0	0	0	0	0	0	0	0

Table 7.9-5. Route Impact Evaluation (Sauk Centre to St. Cloud) Continued

Habitat Classification	Route D		Route E		Route F		Route G		Route H	
	Route	ROW	Route	ROW	Route	ROW	Route	ROW	Route	ROW
WPAs	0	0	0	0	0	0	0	0	0	0
WMAs	0	0	17	0.04	0	0	0	0	28	1
USFWS Easements										
Wetlands	0	0	0	0	0	0	0	0	0	0
Grasslands	0	0	0	0	0	0	0	0	0	0
Farmers Home Administration	0	0	0	0	0	0	0	0	0	0
Other	80.7	0	80.7	0	80.7	0	80.7	0	80.7	0
MCBS, Sites of Biodiversity Significance										
Moderate	15	3	42	6	55	10	60	6	40	6
High	1	0	20	2	42	3	51	8	51	8
Outstanding	0	0	0	0	0	0	0	0	0	0
MCBS, Native Plant Communities	15	3	37	3	9	1	56	7	56	7
MCBS, Railroad Right-of-Way Prairies										
Fair	0	0	0	0	0	0	0	0	0	0
Good	0	0	0	0	0	0	0	0	0	0
Very Good	0	0	0	0	0	0	0	0	0	0
SNAs	0	0	0	0	13	0.4	0	0	0	0
Minnesota Land Trust Conservation Easements	0	0	0	0	0	0	0	0	0	0
BWSR, Re-Invest in Minnesota (RIM) Easements	0	0	0	0	0	0	0	0	0	0
Calcareous Ferns										
Outstanding	0	0	0	0	0	0	0	0	0	0



G. In addition to the significant differences to Human Settlement, Agricultural, and Environmental impacts between the Modified Preferred Route and the Alternatives E, G & H, the Modified Preferred Route possesses considerably more Proliferation of New Transmission Corridors from Sauk Center to St. Cloud. As discussed earlier in this testimony, Minnesota's Policy on Non-Proliferation (PEER vs MEQB, 1978) and Minn. Stat. §216E.03, Subdivision 7e, require new HVTL routing to follow existing highways and

1 transmission line Rights of way. Based upon these criteria, the CAPX2020 Fargo to St.
2 Cloud route, Sauk Center to St. Cloud portion, should follow the route alternative which
3 creates the least amount of New Transmission Corridors, while meeting the guidelines
4 established by Minn. Stat. §216E.03.

5 Mr. Lahr's testimony with regards to his lack of specificity pertaining to the proliferation
6 of new transmission corridors and his remarks pertaining to the differences between the
7 Modified Preferred Route and the Alternatives to the South are misleading. A more specific
8 analysis of the factors demonstrates that the Modified Preferred Route is instead clearly an
9 inferior route to Alternatives E, G & H.

10 The primary Applicant's new marketing slogan is: "Xcel Energy, Responsible by
11 Nature." Contrary to this slogan, Mr. Lahr's testimony is reflective of an irresponsible and
12 misleading approach to the routing of the Modified Preferred Route from Sauk Center to St.
13 Cloud, based upon its excessive proliferation of new corridors and the needless destruction
14 and fragmentation of sensitive environmental features and prime agricultural farmland.

15 **Q: Do you have any words in summary?**

16 A: Yes. Though the Fargo to St. Cloud CAPX2020 Application is missing important
17 information, and the Draft Environmental Impact Statement is far from complete or adequate,
18 close analysis shows that even in its present state it does illustrate the tremendous negative
19 impacts associated with the Preferred, Alternate A and Alternate B routes when compared
20 with the other the alternatives.

21 The impacts of the North Route's Gross Proliferation of New Transmission Lines poses
22 serious negative consequences to sensitive wetlands, forested areas and prime agricultural
23 farmland.

1 In addition, the DEIS lacks detail -- there are many undocumented homes and residences
2 within the 1,000 foot transmission line corridor, it does not establish the numbers of homes
3 within “fall down” distance of the centerline, it minimizes the negative effects on unique
4 natural resources of Stearns County, trail impacts and zoning impacts and negative effects
5 due to the fragmentation of the North Route’s historical properties, Century Farms.

6 A “least harmful” alternative to the CAPX2020 North Routes would include the primary
7 utilization of the Interstate 94 corridor or the utilization of more suitable routes to the south
8 of Interstate 94 (Routes E, F, G or H).

9 **Q: Does this conclude your testimony?**

10 **A:** Yes.