

MINNESOTA POWER
APPLICATION FOR A CERTIFICATE OF CORRIDOR
COMPATIBILITY AND ROUTE PERMIT
CASE NUMBER PU-11-620

DIRECT TESTIMONY
OF
DANIEL MCCOURTNEY

March 5, 2012

1 Q. Mr. McCartney, please state your name, your employer, and your
2 occupation.

3 A. My name is Dan McCartney. I am employed by Minnesota Power, 30 West
4 Superior Street, Duluth, MN, 55802, as an Environmental Compliance Specialist.

5 Q. What is your role in connection with the Southwest Oliver 230 kV
6 Transmission Line Project?

7 A. I'm responsible for the siting and permitting of Minnesota Power's critical
8 infrastructure additions such as high voltage transmission lines, substations and
9 new electric generation sources like the Bison wind facilities.

10 Q. What is the purpose of your testimony at this proceeding?

11 A. The purpose of my testimony is to answer questions regarding transmission,
12 regulatory and environmental aspects of Minnesota Power's combined application
13 for a Certificate of Corridor Compatibility and Route Permit.

14 Q. Please describe the Southwest Oliver 230 kV Transmission Line Project.

15 A. Minnesota Power proposes to construct, own, and operate an approximately 11
16 mile, 230,000 volt (230 kV), three phase alternating current electric transmission
17 line on wood H-frame tangent structures from the existing 34.5/230 kV Bison
18 Substation to the proposed Tri-County 34.5/230 kV Substation site.

19 Q. Please generally describe the route being proposed by Minnesota Power?

20 A. The transmission line will originate at the proposed Tri-County 34.5/230 kV
21 Substation located in Mercer County. The proposed location of the Tri-County
22 34.5/230 kV Substation is in Section 36 of T141N-R88W. From this location, the
23 Route will head east for approximately 11 miles, where it will turn south and end
24 at the existing Bison Substation, in Section 4 of T140N-R86W.

25 Q. What is the estimated cost of the transmission line?

26 A. The transmission line is estimated to cost approximately \$10 million.

27 Q. How much right-of-way has Minnesota Power acquired?

1 A. A 130-foot right-of-way will be acquired for the transmission line. This includes
2 65 feet of right-of-way on each side of the structure centerline for the proposed
3 facility. Right-of-way impacts and calculations for our Application are based
4 upon this 130-foot right-of-way

5 **Q. Would you please summarize the extent of the contacts that have been made**
6 **by Minnesota Power's team with the landowners on this proposed route?**

7 A. All of the participating landowners were initially contacted via telephone after
8 which they were mailed informational material describing the nature and scope of
9 the project. Included in the mailings was a map showing the proposed route of
10 the transmission line relative to each landowner's respective property, and sample
11 copies of the option and easement agreements that would eventually require their
12 signatures contingent upon their agreeing to participate in the project.

13 **Q. How many total landowners are crossed with this proposed route?**

14 A. We have 16 individual parcels with approximately 60 private landowners along
15 this proposed route.

16 **Q. Has Minnesota Power obtained adequate land rights to support this project?**

17 A. Minnesota Power has obtained signed options to purchase easements on all
18 private properties necessary for construction of the transmission facilities. In
19 addition, Minnesota Power has purchased the site for the proposed substation.

20 **Q. Please describe Minnesota Power's reclamation practices for transmission**
21 **line right-of-ways?**

22 A. During construction, crews will attempt to limit ground disturbance wherever
23 possible and will employ appropriate erosion control measures. Upon completion
24 of construction activities, landowners will be contacted to determine if any
25 additional restoration due to construction is necessary. Disturbed areas will be
26 restored to their original condition to the maximum extent practicable and as
27 negotiated with the landowner. Post-construction reclamation activities include
28 removing and disposing of debris, dismantling all temporary facilities (including
29 staging and lay down areas), leveling or filling tire ruts, and reseeding areas

1 disturbed by construction activities with vegetation similar to that which was
2 removed.

3 **Q. How have landowner concerns influenced the structural design of the**
4 **proposed transmission line?**

5 A. All transmission structures will be self-supported H-frame or monolithic steel
6 towers on reinforced concrete foundations to eliminate the need for guy wires,
7 thereby minimizing impact to agricultural activities.

8 **Q. Does the Southwest Oliver transmission line route impact any exclusion areas**
9 **listed in Chapter 69-06-08 of the North Dakota Administrative Code?**

10 A. No.

11 **Q. Does any part of the proposed Southwest Oliver transmission line route**
12 **impact any avoidance areas?**

13 A. No.

14 **Q. Have any historic areas which are not specifically designated as exclusion or**
15 **avoidance areas been identified?**

16 A. Not to date. Minnesota Power has preformed a Class I Literature Search, which
17 resulted in no significant historic properties being affected. Results from the Class
18 I Literature Search can be found in the November 2011 Application. Minnesota
19 Power has also preformed a Class III Resource Inventory of the entire route
20 corridor. This inventory has resulted in no significant historic properties that
21 would be affected by this project. The Resource Inventory can be found in the
22 February 2012 supplemental filing.

23 If a historic area is discovered during construction activities, Minnesota Power
24 plans to work with the North Dakota SHPO to appropriately mitigate any
25 potential impacts.

1 **Q. In what other ways has Minnesota Power honored North Dakota's standards**
2 **in the design of the Southwest Oliver transmission line?**

3 A. Beyond addressing exclusion and avoidance areas, the implementation team, with
4 the assistance of HDR Engineering, considered potential impacts to all other
5 criteria listed in chapter 69-06-08-01 of the ND Administrative Code. Using GIS
6 datasets for desktop analysis followed by onsite routing efforts, each applicable
7 criterion was factored into the proposed route.

8 **Q. Are there any areas where animal or plant species that are unique or rare to**
9 **North Dakota would be irreversibly damaged?**

10 A. No. Although Minnesota Power has worked collaboratively with the U.S. Fish
11 and Wildlife Service to contribute to the conservation and recovery of the
12 endangered whooping crane.

13 **Q. What is Minnesota Power prepared to do in furthering the cause of**
14 **protecting this species?**

15 A. As adopted in the Commission's Order for the Bison I Wind Project Certificate of
16 Site Compatibility in Case No. PU-09-151, we have agreed that within the
17 migration corridor, any above ground transmission or distribution facilities we
18 build will be equipped with bird-flight diverters; along with an equal length of
19 preexisting line, which for Minnesota Power will mean our DC Line.

20 **Q. This facility is located in Mercer, Morton and Oliver counties. Have**
21 **approvals been obtained from these three counties?**

22 A. Yes. We submitted on February 16, 2012 a compliance filing with the applicable
23 local approvals obtained from Mercer, Morton and Oliver counties.

24 **Q. Are there other permits that are required for the transmission line?**

25 A. Yes. A NPDES permit application and Storm Water Pollution Prevention Plan,
26 will be prepared by Minnesota Power and submitted to the North Dakota
27 Department of Health prior to the initiation of transmission line construction.

1 **Q. Will the proposed route pass within 500 feet of a farmhouse, rural residence,**
2 **or place of business?**

3 A. No.

4 **Q. Has Minnesota Power considered the potential for noise from the proposed**
5 **transmission line?**

6 A. Yes, the nearest sensitive receptor to the proposed route is approximately 1,500
7 feet, where noise from the transmission line is predicted to be below rural
8 background levels.

9 **Q. Will the facility have any visual impacts to the adjacent areas?**

10 A. Visual resources within the proposed corridor largely consist of broad expanses of
11 cultivated fields, rangeland and grasslands. Because of the gently rolling terrain
12 in the proposed corridor, the transmission structures will be visible in the general
13 area of the route; however, due to the low population density of Mercer, Morton
14 and Oliver counties, the visual impact will be limited.

15 **Q. Do you anticipate any significant impacts on areas of extractive or storage**
16 **resources?**

17 A. No. There are no economic lignite reserves in the proposed corridor.

18 **Q. Mr. McCourtney, the Commission notice of this hearing dated January 18,**
19 **2012 listed the following four issues to be considered. Based on your**
20 **knowledge of the project, do you believe the location, construction and**
21 **operation of the proposed facilities will produce minimal adverse effects on**
22 **the environment and upon the welfare of the citizens of North Dakota?**

23 A. Yes.

24 **Q. Are the proposed facilities compatible with the environmental preservation**
25 **and the efficient use of resources?**

26 A. Yes.

1 **Q. Will the proposed facility locations minimize adverse human and**
2 **environmental impact while ensuring continuing system reliability and**
3 **integrity and ensuring that energy needs are met and fulfilled in an orderly**
4 **and timely fashion?**

5 A. Yes.

6 **Q. Is it appropriate for the Commission to waive Procedures and Time**
7 **Schedules as requested, including the request for a single consolidated**
8 **application for Corridor Certificate and Route Permit?**

9 A. Yes.

10 **Q. Does this complete your direct testimony?**

11 A. Yes.