

Resoluitiion #2010-01
Lynden Township - Stearns County, Minnesota

RESOLUTION EXPRESSING A PREFERENCE FOR THE
CAPX 2020 POWER LINE ROUTE

WHEREAS, the power companies of Xcel Energy and Great River Energy have petitioned for a route permit for the construction of a new high-voltage power line ("Transmission Line") that will be located in part through Lynden Township ("Township"); and

WHEREAS, the petition has been referred to the Minnesota Office of Administrative Hearings ("OAH") as OAH Docket Number 15-2500-20665-2 for factual findings and a recommendation to the Minnesota Public Utilities Commission ("PUC") as to the location of the Transmission Line; and

WHEREAS, the consortium of power companies has filed a Minnesota Route Permit application for a Preferred Route, and Alternate Routes A and B; and

WHEREAS, the Preferred Route and the Alternate Route A, west of the City of Clearwater, make a diversion from the Interstate 94 (I-94) corridor to the North. This diversion would parallel Lynden Township Road, (27th Ave), for one mile, to intersect County Highway 143 or County Highway 75. The proposed routes then turn west to intersect the I-94 corridor, approximately 1 mile to the west; and

WHEREAS, the Preferred Route and Alternate A move from the south of I- 94 to the north side of I-94, west of Clearwater. With the Routes diverted to the north, away from the I-94 corridor, it will detrimentally impact a neighborhood of approximately 20 residential dwellings, one commercial camp ground, and a Historic cemetery. In addition, the Preferred Route and Alternate A will be located over or very near and will have a detrimental impact on the Pedestrian and Bike path from the City of Clearwater to the Ball Park on the west side of Clearwater River; and Stearns County Trail along CR 75 to Warner Park; and

WHEREAS, if the Transmission Line Route would remain adjacent to the north side of the I-94 Corridor it would impact only one or two residential dwellings in the Route area; and

WHEREAS, impacting fewer residences by keeping the Transmission Line Route adjacent to the north side of the I-94 corridor is consistent with the location standard set out in Minn. Stat. 216E.03, Subd. 7(a) in that it would minimize conflicts with human settlement; and

WHEREAS, at past Advisory Meetings, the reason offered for diverting away from the I-94 corridor is that the Minnesota Department of Transportation ("MNDOT") did not want the Transmission Line to transit the Rest Area west of Clearwater on the north side of I-94; and

WHEREAS, the Town Board believes that the detrimental impacts upon the approximately 20 residential dwellings, from the northerly diverted Routes, far outweigh the detrimental impacts to the public that use the Rest Area since the vast majority of people using the Rest Area are present on the site for less than 15 minutes while those who live in the residential dwellings are often present within their dwellings and on their

property from 12 to 24 hours daily; and

WHEREAS, keeping the Transmission Line Route parallel to the existing highway right of way along the I-94 corridor and not diverting it north into the residential neighborhood is consistent with the standard set out in Minn. Stat. 216E.03, Subd. 7(b)(8) which encourages routes that use or parallel existing highway rights of way; and

WHEREAS, the diversion from the I-94 corridor would also increase the cost of the Transmission Line, not only because of the increased distance, but particularly with the extra turns the line would have to make in these routes and the extra strength of the support structures at those turns. The extra cost that would come from diverting the Transmission Line from the I-94 corridor is inconsistent with Minn. Stat. 216E.03, Subd. 7(b)(5), which requires that the direct costs of the proposed Route be considered in determining where to site the Route; and

WHEREAS, the proposed Alternative Route B as it passes through Lynden Township is a longer route than the Preferred Route, which in turn would consume more agricultural land, would cause more interference with agricultural operations, and would cost more than locating the Transmission Line parallel to the I-94 corridor. Alternative Route B is therefore inconsistent with the standards set out in Minn. Stat. 216E.03, Subds. 7(b)(5), 7(b)(8) and 7(b)(9); and

WHEREAS, the Preferred Route located parallel to the I-94 corridor as it travels through Lynden Township and not diverting north of I-94 corridor, immediately west of the Clearwater River, best meets the location criteria set out in Minn. Stat. 216E.03, Subd. 7(b)

WHEREAS, Minnesota Statute 365.10 Subd. 17 provides that the Town Board has the authority to promote the health, safety, order, convenience, and the general welfare of the township; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF LYNDEN, STEARNS COUNTY, MINNESOTA:

1. That the Township hereby requests that, for the reasons cited above, OAH recommend to the PUC that as to the portion of the Transmission Line that will be located in Lynden Township, the Preferred Route as filed in the Minnesota Route Permit application be the required route of the Transmission Line, and that such route be located at all times adjacent to and parallel with the I-94 corridor, and that the diversion north of the I-94 corridor immediately west of the Clearwater River not be permitted.

2. That Lynden Town Board supervisor Jerry Finch is hereby authorized to appear before the OAH at the hearing on the Minnesota Route Permit application to present this petition to be received as evidence in such proceeding.

Passed, by the Lynden Town Board, this 1st day of March, 2010.

Supervisor Anne Ackerman X _____

Supervisor Jerry Finch X _____

Supervisor Dave Johnson X _____

/s/ Anne Ackerman_____ Town Chair

 /s/ Jenny Schmidt_____ Deputy Town Clerk

Original document on file at Lynden Town Hall