

Kenneth Wald
Narrator

Edward P. Nelson
Interviewer

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EN: Today is March 24, 1978. I'm at the office of Kenneth Wald, Department of Natural Resources. My name is Ed Nelson.

Mr. Wald, what's your position at the Department of Natural Resources, and how long have you been here?

KW: I'm a planner in the Environmental Use Section, and I've been here about seven years.

EN: What did you do prior to this position?

KW: Immediately prior I was in school working on my master's degree. Then prior to that I worked for the federal government.

EN: For the Department of Forestry, did you say?

KW: No, for the Department of Army and for the U.S. Forest Service.

EN: What is your master's degree in?

KW: In forestry.

EN: What does your position as a member of the Environmental Review Section here entail?

KW: Reviewing environmental documents and also preparing environmental documents on some types of projects.

EN: Can you give some background on the Environmental Review Section of the Department of Natural Resources and its relation to powerline and power plant siting projects?

KW: Well, at the time of the CPA-UPA project, we were assigned to prepare the Environmental Impact Statement on that project. However, since that time, the power plant siting staff of the EQB has been responsible for preparing all EISs on transmission and power plant projects. So we have not since that time prepared any EISs on those type projects. All we do now is review them. And, of course, we also participate in the EQB routing procedures, the public meetings and public hearings. We evaluate the routes and make recommendations and comments as to what the effects of various routes would be and preferred route would be from the Department

standpoint and so on.

Primarily from the standpoint of impacts on types of natural resources that we have jurisdiction over.

EN: When and why was this change made from this section to the MEQB [unclear]?

KW: I guess you'd have to ask the MEQB power plant siting staff that question.

EN: Were you involved with the environmental review of the 400 +/- [kV line]?

KW: Yes, I was in charge of preparing the Environmental Impact Statement.

EN: Can you give sort of a background on your role in that?

KW: Well, just being responsible for the preparation, we had to gather all the background information, both on the existing environmental setting of the area through which the line was passing and also information on the impacts, which a line would create. And we relied to a large extent on other agencies which had expertise in various areas, for example, the State Health Department, the Pollution Control Agency, the Department of Agriculture, as to the health effects of the line, the impacts on agriculture and so on. So our role is really one of coordinating the other agencies' inputs from that standpoint. And then we, ourselves, did most of the work on the impacts to the natural type resources.

EN: Have you done other projects of this nature prior to this?

KW: Well, that was one of the earlier statements that had been done after the Power Plant Siting Act was passed and after the environmental review procedures were established. So, there hadn't been a whole lot. I don't recall exactly what projects our department may have done, you know, before and after that, but that was one of the earlier projects—primarily because the whole process was very new at that time.

EN: What sorts of things are considered when preparing an Environmental Impact Statement?

KW: Number one, I guess, all of the things that are listed in the MEQB regulations as far as content of Environmental Impact Statement. Basically that includes a description of the project that's proposed, a description of the existing environment, the physical and social and economic environment in the area that the project is going to be located in, a description of the impacts that the project is going to have, both on the natural environment and on the human and economic sectors. Basically that, I guess, sums it up.

EN: Were there certain guidelines that you had to follow? Were you involved in setting priorities or things like that?

KW: Well, not priorities, no. The EQB regs specify what things have to be included. In fact for

transmission lines the regulations specifically say that an EIS on a transmission line does not have to look at alternatives. Its purpose is to evaluate the impacts of the project, which are proposed. So we did not have to establish in the EIS, you know, priorities or whatever between ultimate route proposals, for example.

EN: There's been a lot of discussion and controversy surrounding the priority of farmland—that it was given less priority than DNR wildlife lands. Do you have any comments on that?

KW: Well, that's largely, I guess, misinformation on the part of a lot of people. There never has been anything in the regulations, which gave any special preference to wildlife lands. The EQB routing criteria for transmission lines—there are two types of areas which are specified, exclusion areas—and the only exclusion areas listed were wilderness areas, and this line went nowhere near any wilderness areas. The other are avoidance areas, which, number one, by their nature are not areas that you can't go through, but they're only areas that are kind of specified as being of some special significance that you shouldn't go through if there's some alternative. But even in that list, wildlife areas are not listed. Wildlife areas simply had absolutely no recognition in the regs as either exclusion or avoidance areas for transmission line routing.

So there was never, anything to that argument. In fact the line is passing through both state and federal wildlife management areas. And it was never our position that it should not. We recognized that they had to be looked at as possible locations just like any other land. Well, obviously our department is given the responsibility by the legislature for looking out for the interests of wildlife specifically. That's, you know, the purpose of our department's existence, part of it, and particularly for those lands that have been bought with public funds and sportsmen's funds for the preservation of wildlife and the propagation of wildlife. And so we take a special interest in looking out for those, but we have never said that no transmission line should ever go across them. In fact, as I said, this line and many other lines have crossed wildlife areas and many other kinds of state lands.

EN: Then there's nothing to back up the statement that duck eggs will not hatch under a power line or something like that or the deer won't cross under a powerline right-of-way.

KW: Well, specifically on those two points, no, there's no evidence. In fact I don't think we've ever even suggested those particular things as being impacts, but the only thing we have said is that some species of wildlife and waterfowl can apparently detect the presence of the line, either the noise or the electromagnetic field, and therefore they may tend to avoid it simply because it's something that is foreign to them—that scares them—and not that there's any harm to them from that, but wildlife simply react to things that they're not familiar with by avoiding them. So therefore, for some species, it may mean that they won't nest immediately under a line, not because it's harmful to them, but simply because they sense something unusual there and so they avoid it. I don't think there's any evidence that deer wouldn't cross a corridor or anything like that. That's completely unfounded. But it's just simply that matter of the avoidance thing. And so particularly if a line passes over a wetland, for example, it may mean that the birds would not use that area for nesting immediately under the line. But it's not because necessarily it's harmful to them.

The one area where there is harm is in the area of collisions with the wires. And, of course, that will be more prevalent in the area of wetlands or other specific areas that are used more by wildlife for nesting or for resting or feeding during migration or whatever because if they're taking off or landing, and there's a transmission line there. There's always a chance they're going to run into it. The other way that it interferes—that it may be somewhat detrimental in wildlife management areas is that it somewhat restricts hunting that can occur. We obviously can't have people shooting up into a transmission line. So as far as waterfowl hunting particularly it somewhat limits that in the area immediately adjacent to and under the power line.

EN: I'm not sure about this, but at what stage did the Environmental Impact Statement come in the powerline siting process in regards to the 400+/- kilovolt line? As I understand it, it didn't come at the normal stage. It came later after the route or corridor or something?

KW: I don't know what you mean by the normal stage. It was prepared as the regulations required it to be prepared, which was during the routing stage. And the EIS was done and completed before the route was—before the EQB made its final decision, which is what it's required to do. I don't remember if it was started during the corridor stage or where it was started. I think it was started after the corridor was designated. So it was basically on the corridor that was designated with its many alternate routes within that corridor. And it was completed by the time that the route selection process was drawing to an end so that the EIS was available to the EQB when it made its final route selection. And, as a matter of fact, the EIS went really beyond what the regulations required, because as I mentioned earlier, the regulations say that the EIS does not have to deal with alternative routes, and our EIS did. It had very detailed information on all of the more than 100 different alternate route segments that had been proposed, so that you compare those and see the advantages and disadvantages of each one. So our attempt was to make it a useful document in selecting the final route.

EN: Was it difficult to prepare using a twenty mile corridor or over a large piece of land? Did the land vary a lot?

KW: Well, yes. You have quite a variation, but at least that's not as bad as having try to prepare it over a 100-mile wide swath that you had under consideration during the corridor stage. And that's why the EIS was not required to be done at the corridor stage. It would simply be impossible without having any idea where routes were going to be located at the corridor stage. It wouldn't be possible to do an EIS on that big a swath of land. At least when you narrowed it down then to the one twenty mile wide corridor with some alternate routes proposed through there you knew what you were looking at. And in actuality, the EIS dealt with the routes that were proposed within the corridor, not so much the corridor as a whole, although where appropriate it contained information on the entire corridor, particularly more the socio-economic type things. But as far as the specific resource information, it really dealt with that more on the specific route level so that each route was identified as to what kind of land it crossed, what kind of resources it impacted and so on.

EN: Did the DNR make a recommendation for a route or just...?

KW: Well, the DNR did at the hearings make a recommendation for a route. That was not part of the EIS. The purpose of the EIS is not to make recommendations. It's just to provide information. But, yes, as a separate process DNR did at the hearings make a route recommendation.

EN: And what did you mean by separate process?

KW: Well, our participation in the routing process in the hearings was really somewhat a separate matter from our work on the EIS. The EIS has to be kind of a neutral document looking at the impacts and so on of all of the proposed routes and letting the reader make up his mind from that information, but it doesn't contain a recommendation or decision. Then our agency, at a hearing, would carry that one step further—using information that was generated in the EIS then that helped us to make a recommendation in our testimony at the hearings.

EN: Was your recommendation accepted then by the...?

KW: Oh, no. It was, of course, just one of many, many recommendations from other agencies and the scores of landowners and so on that participated in all those hearings. And it was taken into account by the hearing examiner and the EQB. And I think, you know, part of what we recommended was selected, but certainly not necessarily because we recommended it. It just happened that it was also what the Citizen's Committee and others—In fact I think that in the end we largely ended up supporting pretty much what the Citizen's Committee had recommended. And I don't recall offhand, you know, whether that was exactly what we had recommended. I don't think it was, but—

EN: Were you involved with the public hearings?

KW: Yes, we testified at the public hearings, both at the corridor and at the route stage.

EN: There has been a lot of criticism of the public hearings. I was wondering if you might give your impression of the sorts of questions that you were asked, how the public hearings were held?

KW: Well, I'm not sure what you're getting at. Public hearings, I guess, are largely what you make of them.

And, you know, the purpose of the hearings in the first place—I guess that's the thing you have to take into account, and what the whole process entails. And when you have hearings on the corridor or the route that's what they are. They're to find the best corridor or the best route.

Well, a lot of people, of course, come objecting to the line, per se, and that's not the purpose. The purpose is to find the best corridor, the best route. And at that stage there's nothing the hearing examiner or the EQB can do about whether or not there's going to be a project. That decision is made by the Energy Agency through the Certificate of Need process.

So rather than participating in helping to select, you know, the best location, a lot of people just come objecting to the project in general. And that's not really very beneficial participation because it's not what that segment of the process is designed to do. So if you're going to make the most out of a hearing, you have to go with the objective of assisting in what that particular segment of the process is trying to do—in this case select a corridor or select a route.

So, I think, you know, many people did, and particularly the Citizen's Committee probably had the biggest input and the biggest success in guiding and ultimately determining what the route would be by their very meticulous evaluation of all of the proposed route segments and in making recommendations as to what the best one was and so on.

EN: Have you ever been involved in other controversies of this nature?

KW: I suppose, you know, everything we do is more or less controversial. Probably nothing that has gone to the proportions that this particular project has gone.

EN: How do you react or has the Department reacted to criticism of your agency in this project?

KW: Well, our Department really hasn't received a whole lot of criticism directly on that particular project because our role was really somewhat limited, other than the EIS, which, you know, there was some criticism of that as not being adequate, although the courts have found it to be adequate. So I guess that really answered that question for us. Other than that it's just our participation as one member of the EQB. And, of course, the EQB has received a lot of criticism, whether that be founded or unfounded. But our agency directly has not received all that much criticism. There has been some regarding this alleged position of not allowing it to cross wildlife land, which isn't true.

EN: Are you involved with the MEQB directly or?

KW: Well, our agency, like all the other major ones is a member of EQB, yes.

EN: Has this particular controversy made your job more difficult?

KW: Oh, I don't think necessarily. That's what the job is. So,, it's what you expect.

EN: This is more of a general question, maybe asking for an opinion on feelings. But why do you think this controversy occurred and in such proportions?

KW: Well, I guess I don't know that I'm really in a good position to say why it occurred. There are probably a whole string of reasons why it occurred. I think it all boils down to a matter of really individual rights. That somebody is trying to do something, which the people who it's affecting don't want to have done to them. And it's against their will. That's simply what it boils down to.

Had the whole thing been approached differently, it maybe could have been more acceptable to

them. I don't know. But it's a matter of the public good, whatever that is, versus the individual rights of people who have to accept the costs, the direct costs, and the consequences of those actions, which are supposedly in the public interest. So that's not unlike many other types of projects—highways or pipelines or anything else—that benefit many people, but harm a few people in the process.

EN: I think that I covered everything I have listed here. Are there any things that I didn't cover or areas that you can think of?

KW: No, that would be about all I would have to add, I guess.

EN: Any final comments or summary or...?

KW: No, I don't think I really have any more. Especially if you don't have any more questions.

EN: Okay, thank you.

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