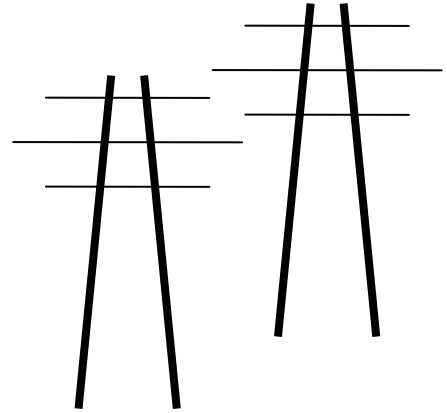


Legalelectric, Inc.

Carol Overland Attorney at Law, MN #254617
Energy Consultant—Transmission, Power Plants, Nuclear Waste
overland@legalelectric.org

1110 West Avenue
Red Wing, Minnesota 55066
612.227.8638

P.O. Box 69
Port Penn, Delaware 19731



December 11, 2015

Brea Grace, Land Use and Development Director
Onalaska City Hall
415 Main Street
Onalaska, Wisconsin 54650

RE: Onalaska Comprehensive Plan

Dear Ms. Brea, the Onalaska Plan Commission, and Onalaska City Council:

Thank you for the opportunity to comment on the Onalaska Comprehensive Plan. Please forward this Comment to the Plan Commission and the City Council. I'm filing this Comment on behalf of No CapX 2020, which for over a decade has been weighing in on transmission projects in administrative, court, and local government venues in Minnesota and Wisconsin. I have worked for over 20 years now representing clients ranging from individuals to townships and cities, from advocacy organizations to individual members of city and county governments. During this time, I've represented parties developing land use plans, specifically, the Essential Services Ordinance of Chisago County (addressing transmission lines) (MN), and the wind turbine and silica sand ordinance in Goodhue County, and commented on tower ordinances in St. Croix County (WI), Freeborn County, and Stearns County.

Onalaska has an important, and unique, opportunity to address impacts of transmission through its Comprehensive Plan and subsequent zoning ordinances. The Comprehensive Plan should also address natural gas and oil pipelines in the community. Onalaska is, in my experience, uniquely affected by transmission lines, too easily visible by a drive down Hwy. 35 and Hwy. 53, transmission on both sides of the highway, criss-crossing the highway, threading through communities and directly over homes. This web of transmission in Onalaska developed decades ago, before the advent of "land use planning" and to address it now requires creative thought. But now that the City has the ability to plan, and control land-use, the health, welfare, and safety requires consideration of location and impacts of transmission.

The Comprehensive Plan should first map out transmission lines 69 kV and above, natural gas transmission lines, and oil pipelines. The Comprehensive Plan should also consider and delineate what areas are appropriate for transmission. I can feel from afar the palms held up in confusion and frustration, eye rolls at the difficulty of this task, but that demonstrates the importance of facing this issue in Onalaska. These lines are in the community and have a

tremendous impact on those living with the lines, and the people of Onalaska deserve consideration, assistance, and guidance from their local government.

Local government does have power of land use controls, and these local land use plans are taken into consideration in siting and routing utility infrastructure:

6. The proposed facility will not unreasonably interfere with the orderly land use and development plans for the area involved.¹

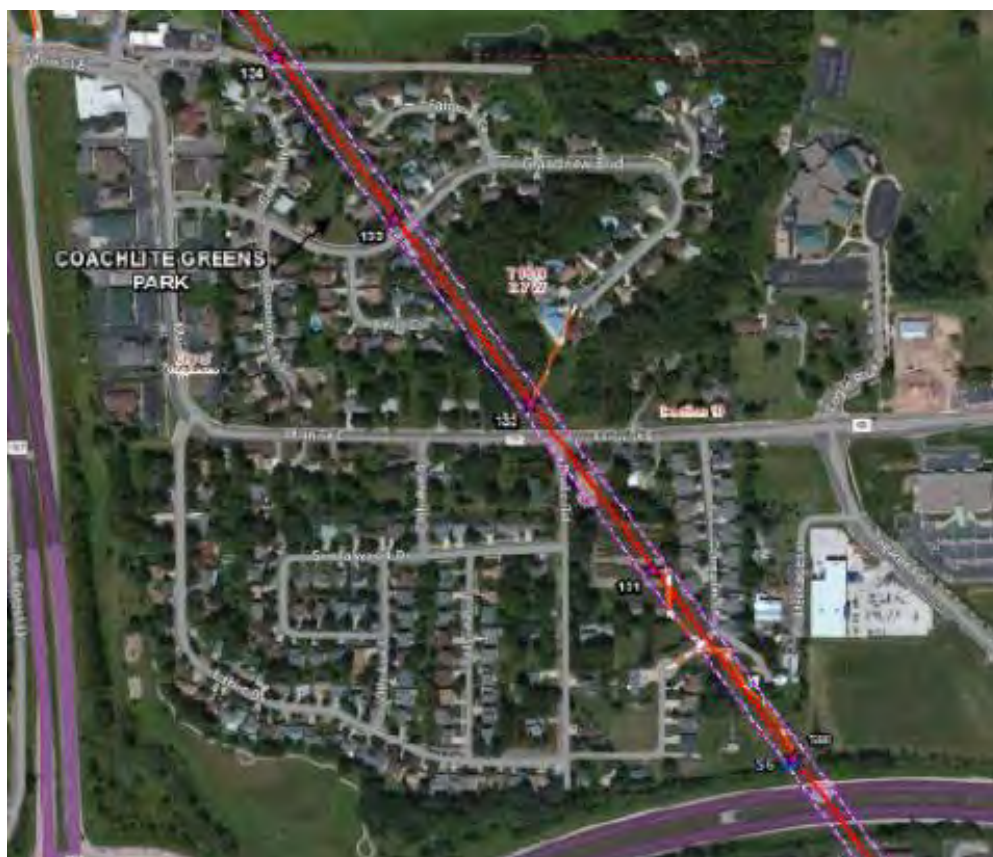
What is appropriate and safe routing for transmission lines in an established community?

Decades ago, but after the transmission lines through Onalaska were originally built, Wisconsin adopted electrical codes that prohibit building underneath transmission lines. Unfortunately, in the case of Onalaska, it's a little late. But it is the time to consider planning for infrastructure placement in Onalaska, whether lines should be upgraded near and over existing homes, and it is time to consider Onalaska's permitting building near transmission lines. Those are issues for the Comprehensive Plan generally, and then for specific zoning ordinances in light of the Comprehensive Plan guidance.

There are several examples of egregiously unacceptable and in appropriate routing and permitting in Onalaska exhibited by the Dairyland Q-1D-South line:



¹ Wis. Stt.196.491(3)(d)6.



Not only are transmission lines running through neighborhoods where, pre-WI Electric Code construction was allowed near the line, but since that Electric Code enactment, homes have been permitted, and subdivisions built, around and up against the line. This is “just” the Dairyland Q-1D South line, and Xcel also has a similar 161 kV, old as well, running parallel to the Dairyland line through other Onalaska neighborhoods. Because it is old, it will be requiring upgrading, and will present the same issue to Onalaska: What is appropriate and safe routing for transmission through an established community?

What is the impact on the airport? In the CapX 2020 transmission proceeding, and in the Badger Coulee transmission proceeding, transmission tower height was at issue, because it was in conflict with both the Middleton and Onalaska transmission overlay ordinances for the community airports. Middleton intervened in the Badger Coulee transmission docket due to the importance of the airport in Middleton. The City of Onalaska provided important testimony regarding the City’s Overlay District, and explained the potential impacts of increased height of transmission towers on the use and safety of the airport. These issues have also not been resolved regarding the Dairyland Q-1D South project, and there would likely be similar issues regarding Xcel when it decides to upgrade its line in Onalaska.

Much of this Dairyland line was built prior to any restrictions on transmission lines near homes and businesses, and before the Airport Overlay. It’s clear that such routing would not be allowed in neighborhoods today. But now, today, when a utility is wanting to upgrade a transmission line, to rebuild it by not “replacing” it with similar but new structures and conductors, but to grossly increase the height and width of the poles, and to increase conductor size so that capacity is doubled or more, is this appropriate? Is it in compliance with the City of Onalaska’s Comprehensive Plan? Where the City has not addressed appropriate corridors, characteristics, and specifications for transmission lines (and pipelines), should that be allowed in the absence of planning? I think not.

I ask that Onalaska implement planning to address these issues, and that no transmission be allowed, that a moratorium be put in place, while transmission is incorporated into the Comprehensive Plan, and until zoning ordinances are enacted.

Again, thank you for the opportunity to provide this Comment.

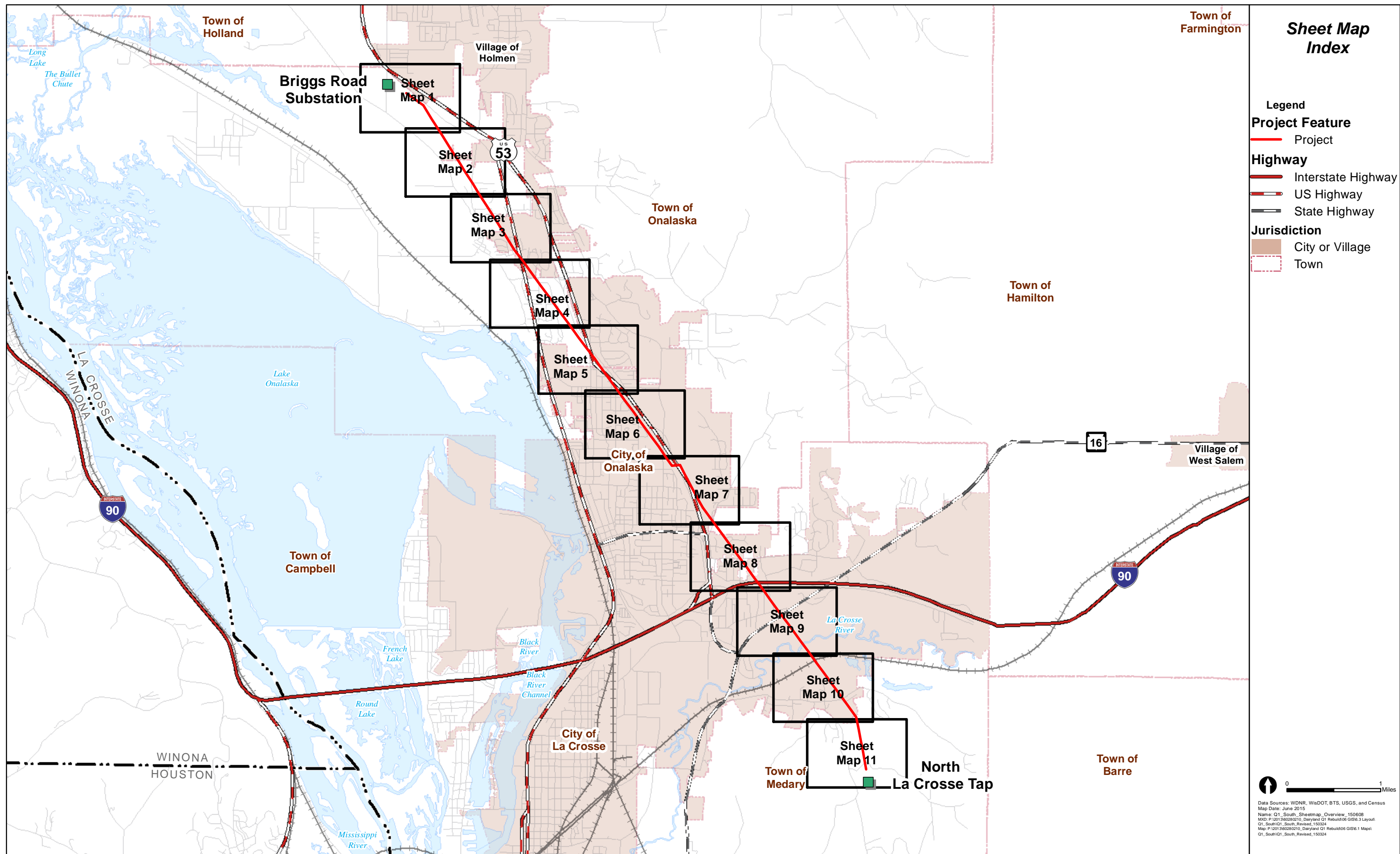
Very truly yours,

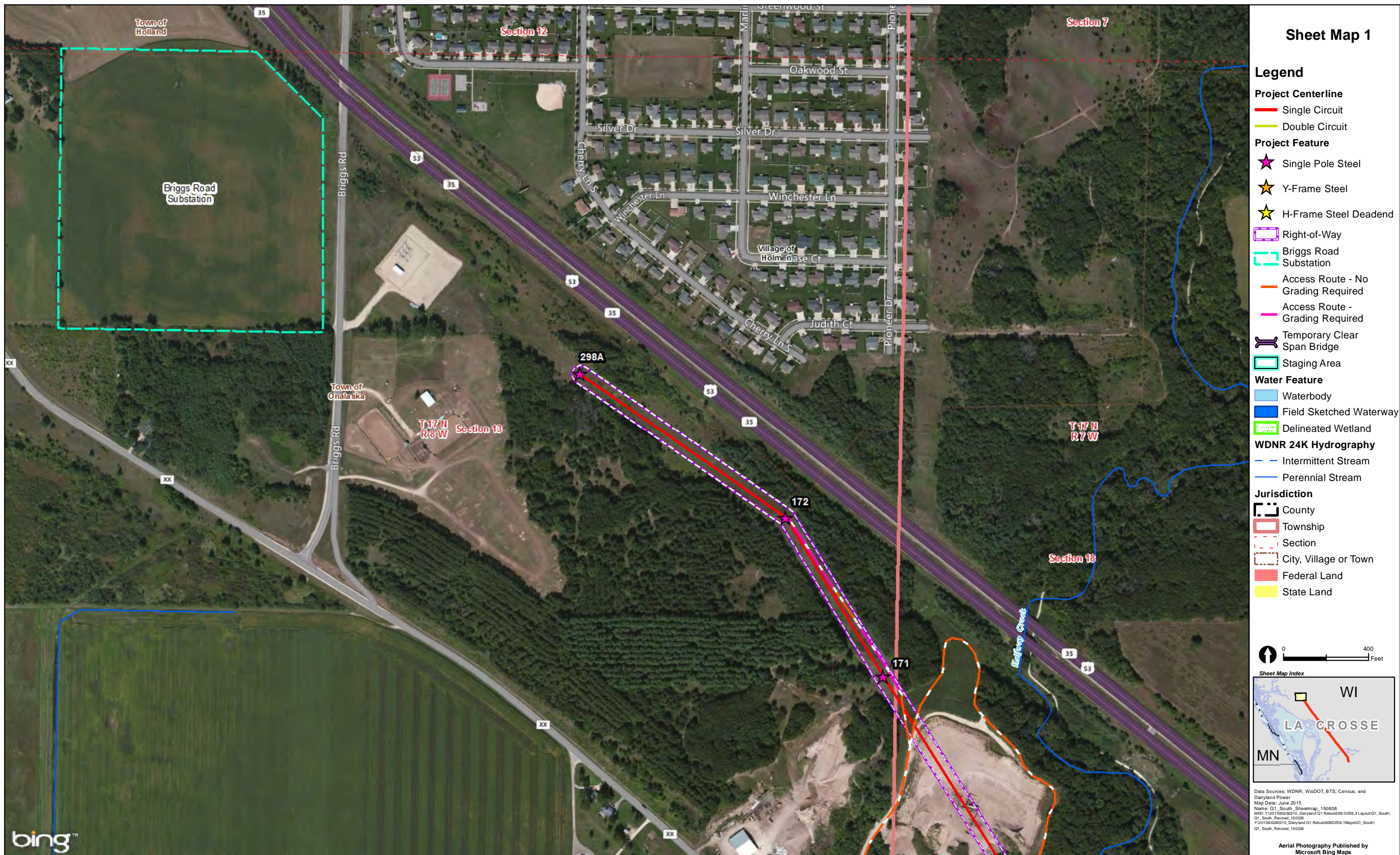
A handwritten signature in cursive script, reading "Carol A. Overland".

Carol A. Overland
Attorney at Law

Enclosure: Dairyland Q-1 route map

cc: Chris Hubbuch, La Crosse Times







Sheet Map 2

Legend

Project Centerline

- Single Circuit
- Double Circuit

Project Feature

- Single Pole Steel
- Y-Frame Steel
- H-Frame Steel Deadend
- Right-of-Way
- Briggs Road Substation
- Access Route - No Grading Required
- Access Route - Grading Required
- Temporary Clear Span Bridge
- Staging Area

Water Feature

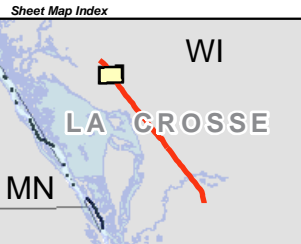
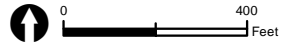
- Waterbody
- Field Sketched Waterway
- Delineated Wetland

WDNR 24K Hydrography

- Intermittent Stream
- Perennial Stream

Jurisdiction

- County
- Township
- Section
- City, Village or Town
- Federal Land
- State Land



Data Sources: WDNR, WisDOT, BTS, Census, and Dairyland Power
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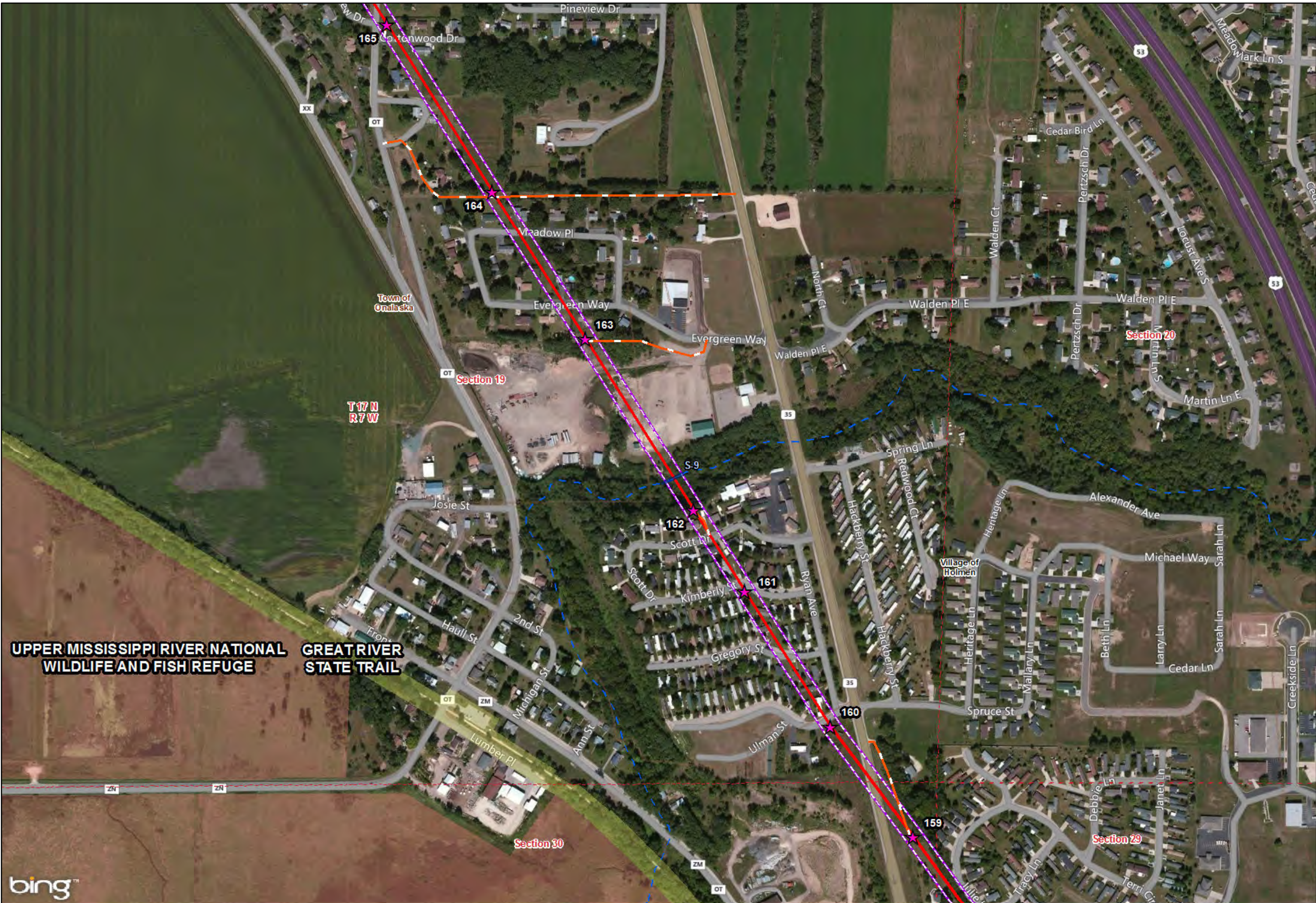
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bing



Briggs Road Substation to La Crosse Tap 161 kV
Transmission Line (Q-1D South) Rebuild Project (RUS #1060)
La Crosse County, Wisconsin

Appendix A
Q-1D South Rebuild Project Mapbook
June 2015



Sheet Map 3

- Legend**
- Project Centerline**
- Single Circuit
 - Double Circuit
- Project Feature**
- Single Pole Steel
 - Y-Frame Steel
 - H-Frame Steel Deadend
 - Right-of-Way
 - Briggs Road Substation
 - Access Route - No Grading Required
 - Access Route - Grading Required
 - Temporary Clear Span Bridge
 - Staging Area
- Water Feature**
- Waterbody
 - Field Sketched Waterway
 - Delineated Wetland
- WDNR 24K Hydrography**
- Intermittent Stream
 - Perennial Stream
- Jurisdiction**
- County
 - Township
 - Section
 - City, Village or Town
 - Federal Land
 - State Land

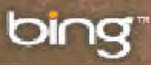
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Sheet Map Index

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LA CROSSE
MN

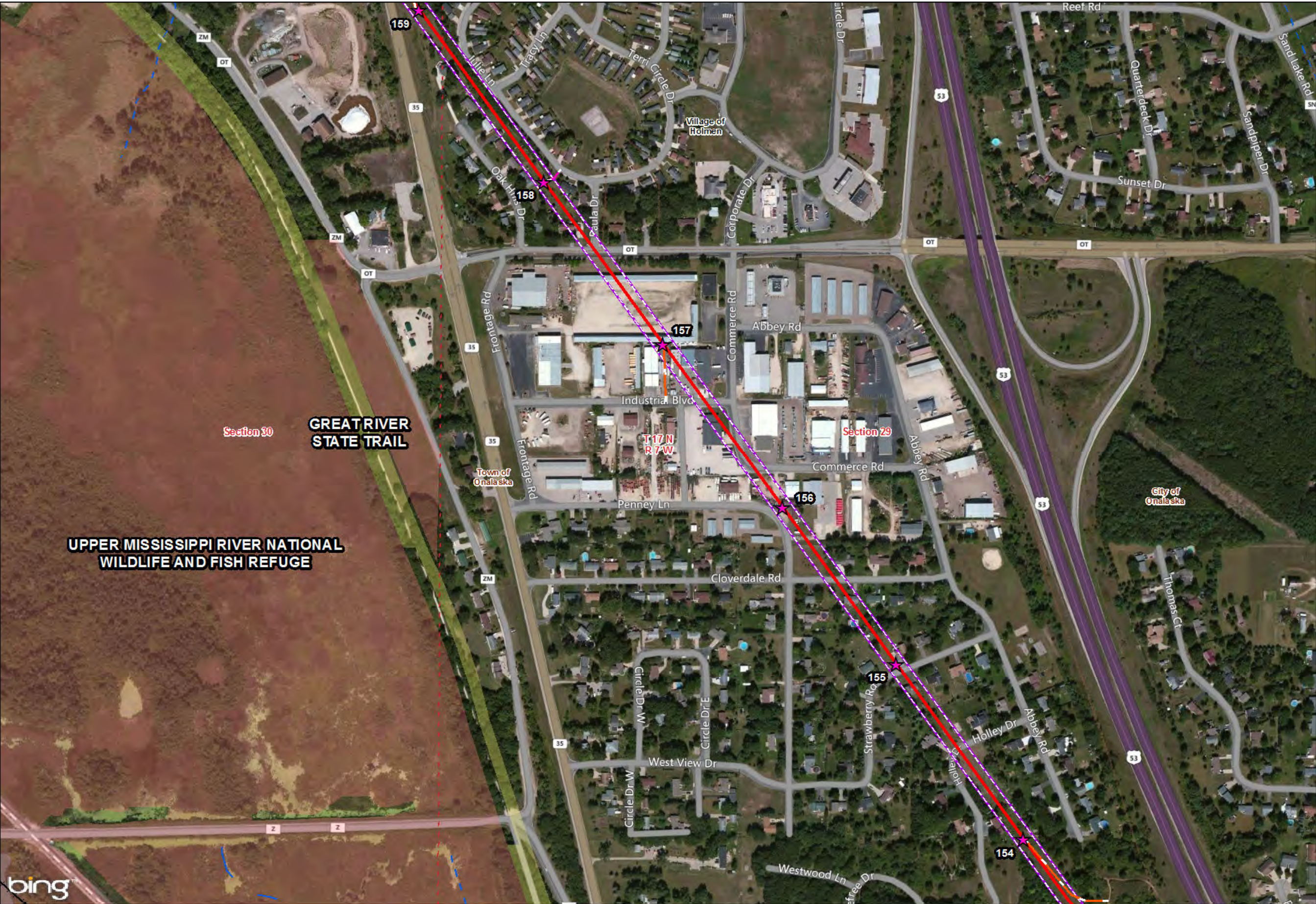
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Briggs Road Substation to La Crosse Tap 161 kV
Transmission Line (Q-1D South) Rebuild Project (RUS #1060)
La Crosse County, Wisconsin

Appendix A
Q-1D South Rebuild Project Mapbook
June 2015



Sheet Map 4

Legend

Project Centerline

Single Circuit

Double Circuit

Project Feature

Single Pole Steel

Y-Frame Steel

H-Frame Steel Deadend

Right-of-Way

Briggs Road Substation

Access Route - No Grading Required

Access Route - Grading Required

Temporary Clear Span Bridge

Staging Area

Water Feature

Waterbody

Field Sketched Waterway

Delineated Wetland

WDNR 24K Hydrography

Intermittent Stream

Perennial Stream

Jurisdiction

County

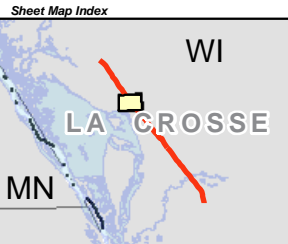
Township

Section

City, Village or Town

Federal Land

State Land



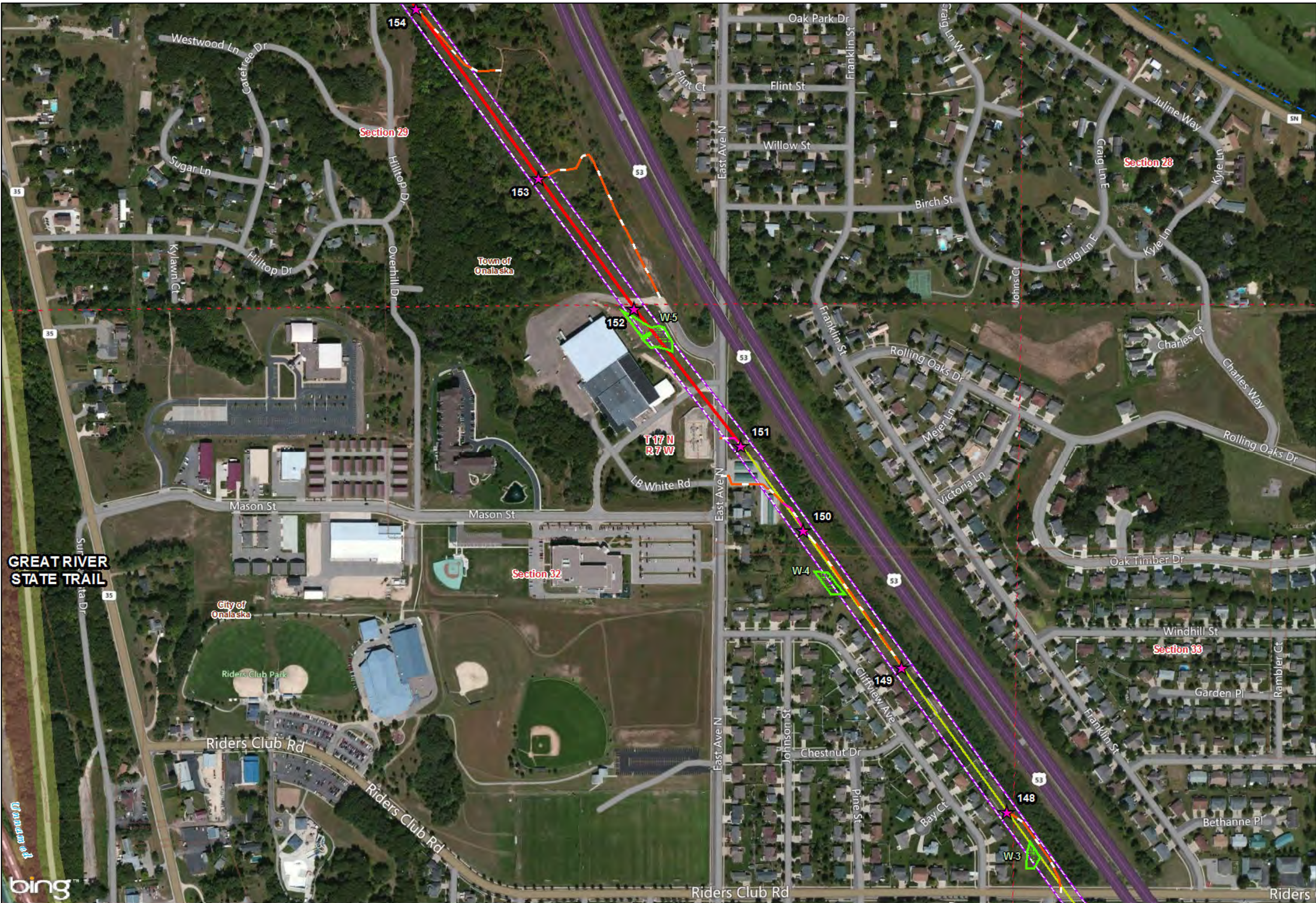
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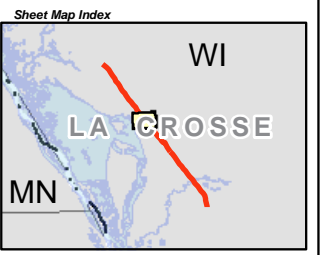
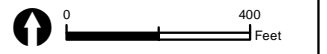
Briggs Road Substation to La Crosse Tap 161 kV
Transmission Line (Q-1D South) Rebuild Project (RUS #1060)
La Crosse County, Wisconsin

Appendix A
Q-1D South Rebuild Project Mapbook
June 2015



Sheet Map 5

- Legend**
- Project Centerline**
- Single Circuit
 - Double Circuit
- Project Feature**
- Single Pole Steel
 - Y-Frame Steel
 - H-Frame Steel Deadend
 - Right-of-Way
 - Briggs Road Substation
 - Access Route - No Grading Required
 - Access Route - Grading Required
 - Temporary Clear Span Bridge
 - Staging Area
- Water Feature**
- Waterbody
 - Field Sketched Waterway
 - Delineated Wetland
- WDNR 24K Hydrography**
- Intermittent Stream
 - Perennial Stream
- Jurisdiction**
- County
 - Township
 - Section
 - City, Village or Town
 - Federal Land
 - State Land



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Briggs Road Substation to La Crosse Tap 161 kV
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Appendix A
Q-1D South Rebuild Project Mapbook
June 2015

- Legend**
- Project Centerline**
- Single Circuit
 - Double Circuit
- Project Feature**
- Single Pole Steel
 - Y-Frame Steel
 - H-Frame Steel Deadend
 - Right-of-Way
 - Briggs Road Substation
 - Access Route - No Grading Required
 - Access Route - Grading Required
 - Temporary Clear Span Bridge
 - Staging Area
- Water Feature**
- Waterbody
 - Field Sketched Waterway
 - Delineated Wetland
- WDNR 24K Hydrography**
- Intermittent Stream
 - Perennial Stream
- Jurisdiction**
- County
 - Township
 - Section
 - City, Village or Town
 - Federal Land
 - State Land

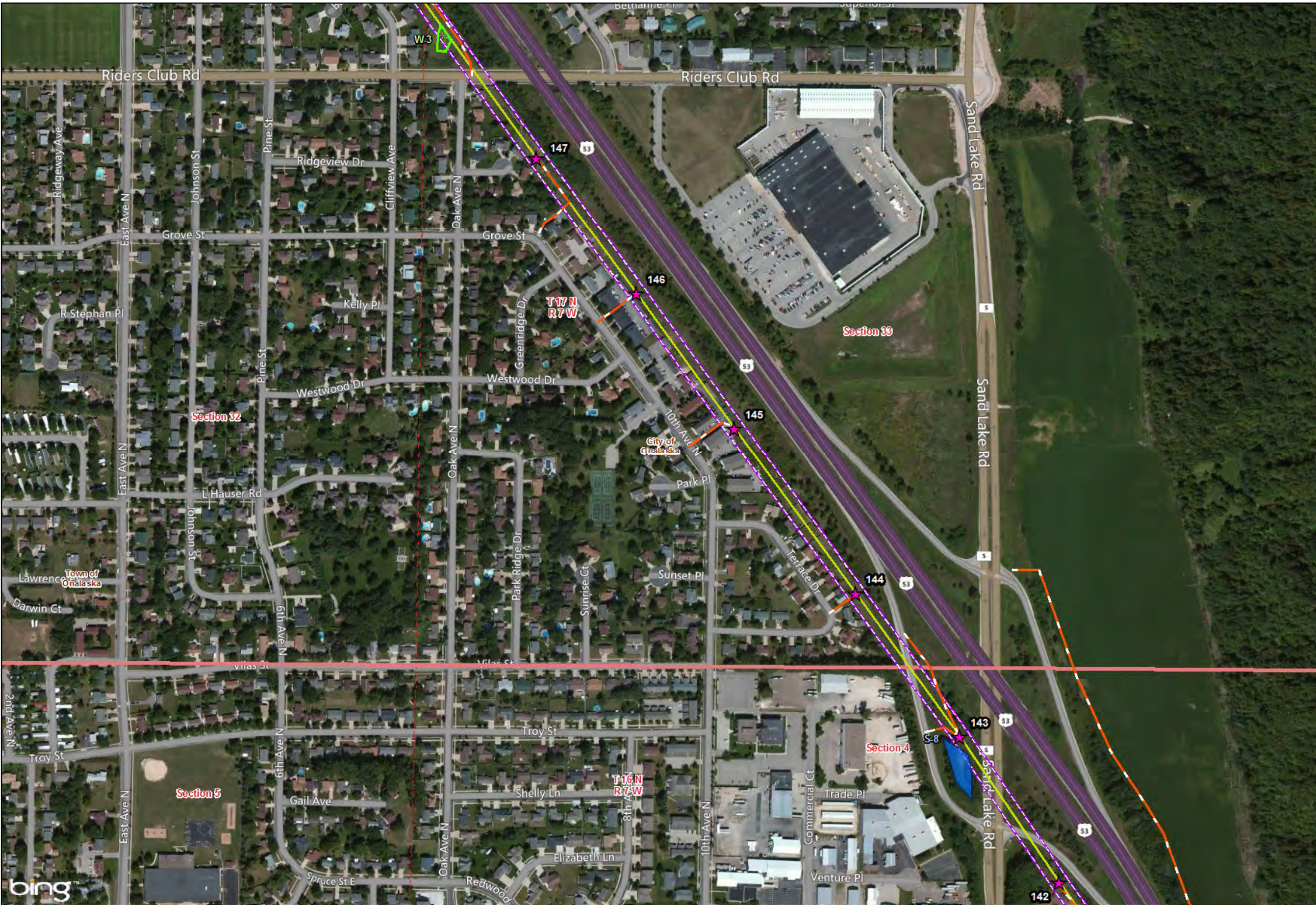
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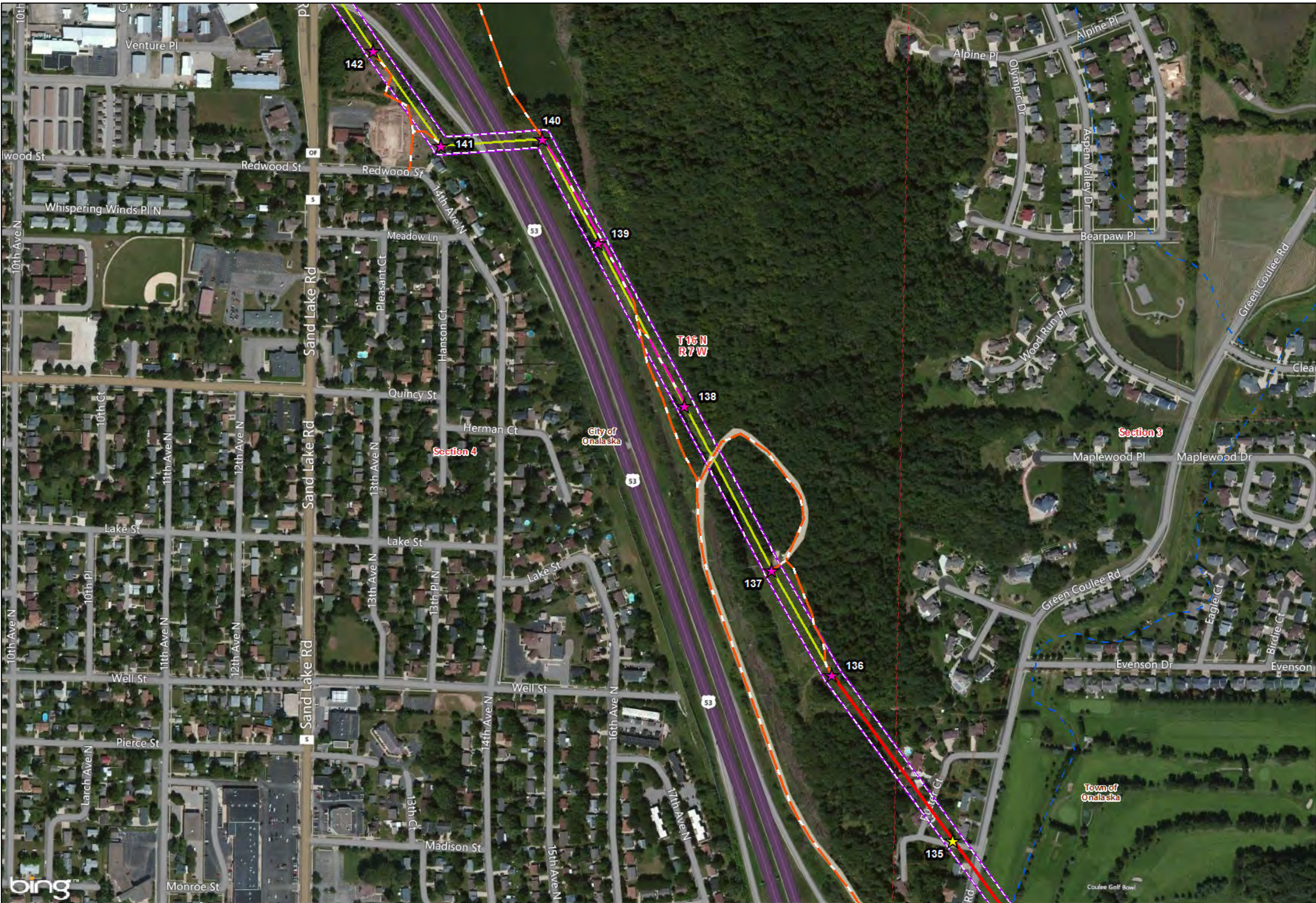
Sheet Map Index

WI
LA CROSSE
MN

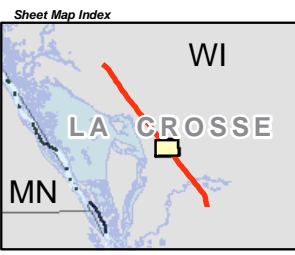
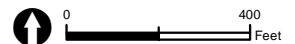
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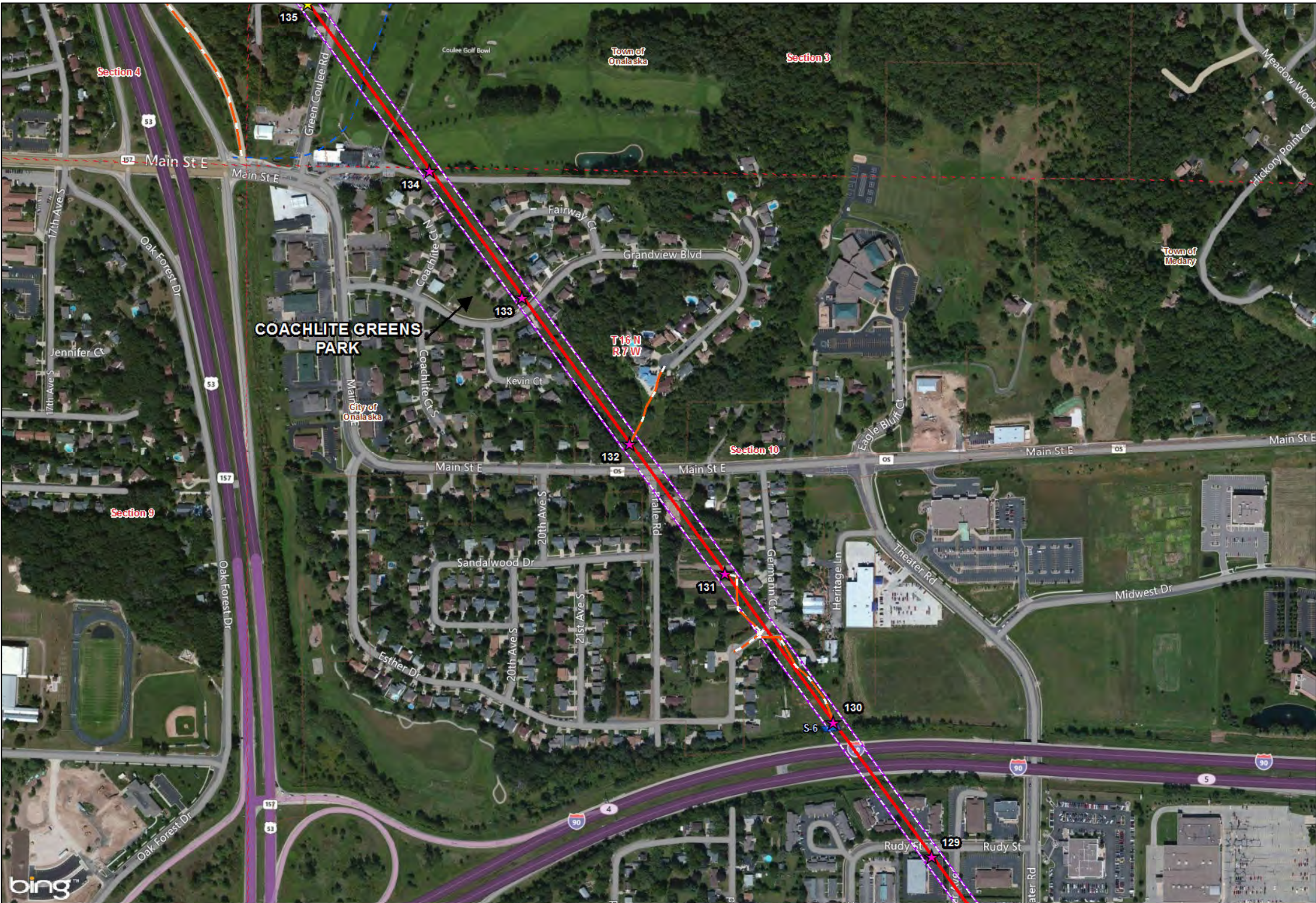
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- Single Circuit
 - Double Circuit
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- Single Pole Steel
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- Intermittent Stream
 - Perennial Stream
- Jurisdiction**
- County
 - Township
 - Section
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 - Federal Land
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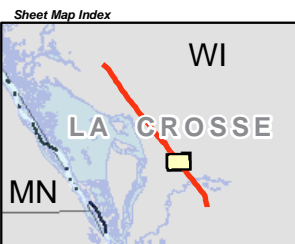
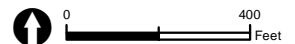




Sheet Map 8

Legend

- Project Centerline**
 - Single Circuit
 - Double Circuit
- Project Feature**
 - Single Pole Steel
 - Y-Frame Steel
 - H-Frame Steel Deadend
 - Right-of-Way
 - Briggs Road Substation
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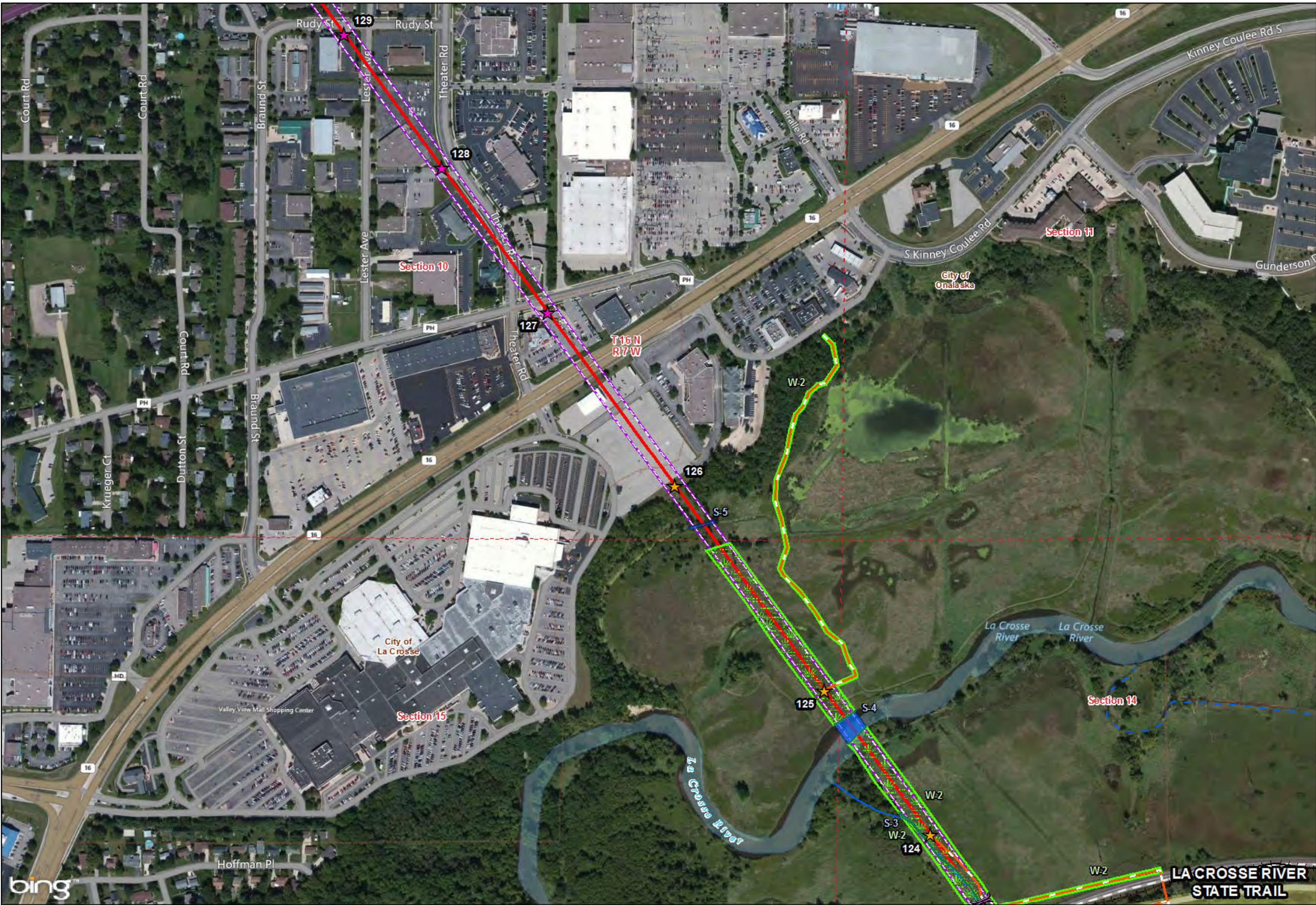
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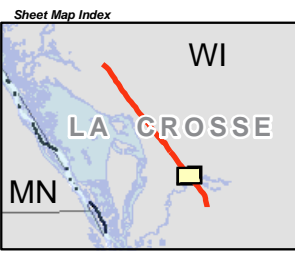
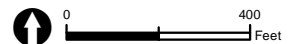
Briggs Road Substation to La Crosse Tap 161 kV
Transmission Line (Q-1D South) Rebuild Project (RUS #1060)
La Crosse County, Wisconsin

Appendix A
Q-1D South Rebuild Project Mapbook
June 2015



Sheet Map 9

- Legend**
- Project Centerline**
- Single Circuit
 - Double Circuit
- Project Feature**
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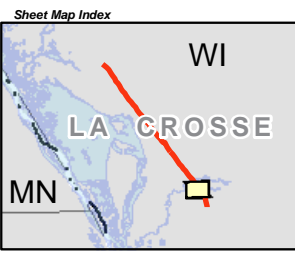
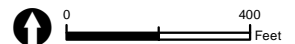


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Transmission Line (Q-1D South) Rebuild Project (RUS #1060)
La Crosse County, Wisconsin

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June 2015

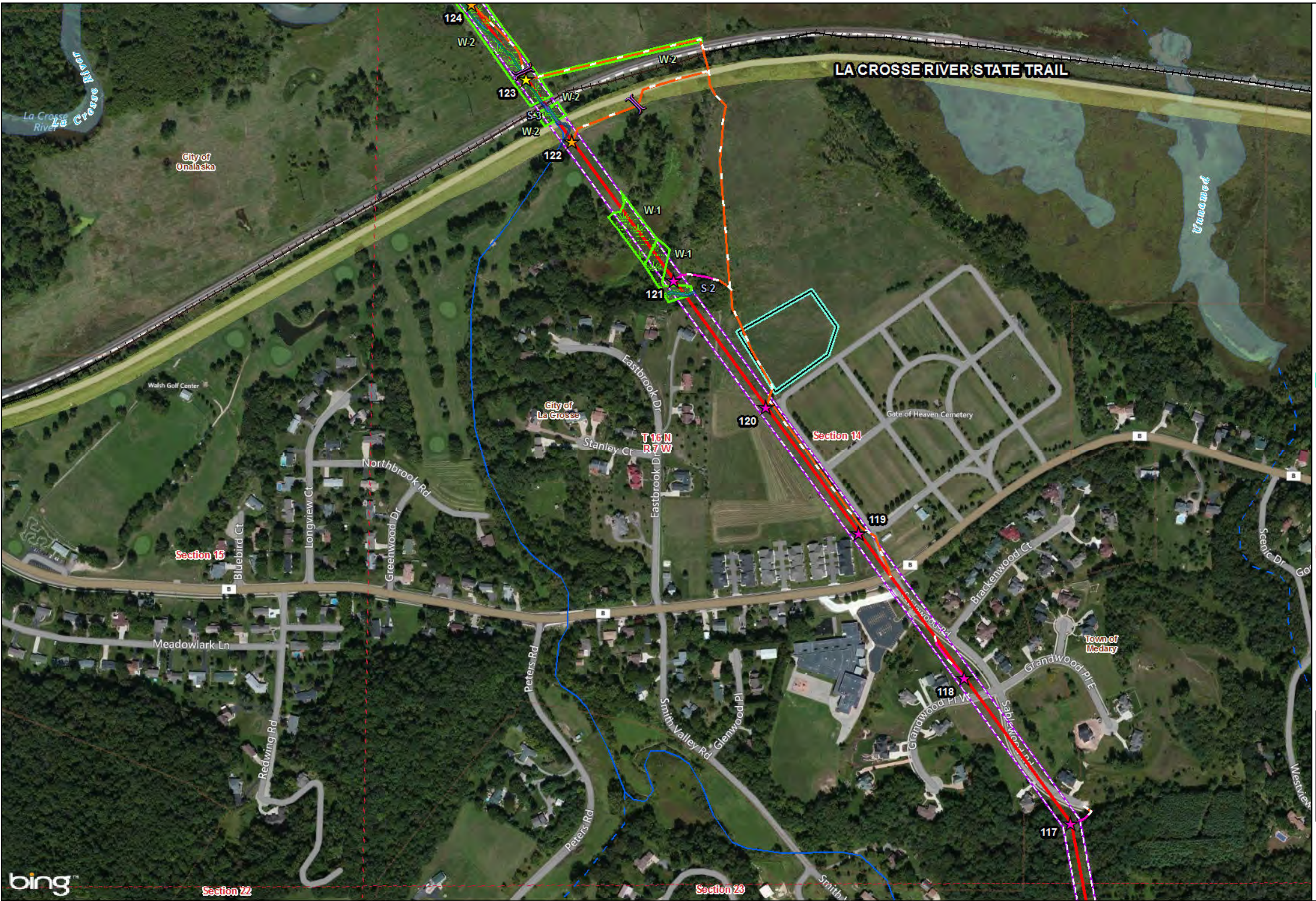
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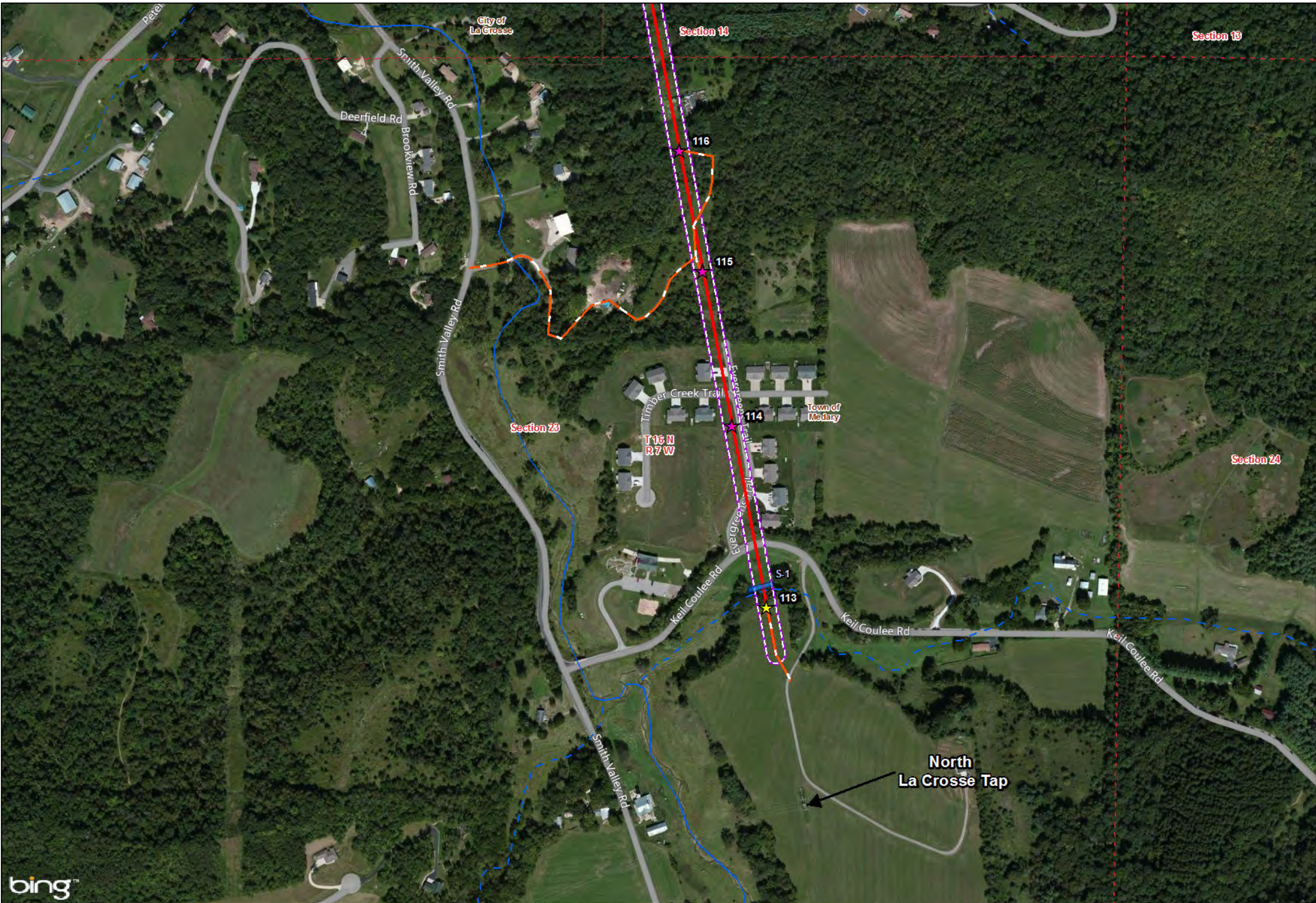
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La Crosse County, Wisconsin

Appendix A
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June 2015



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- Staging Area

Water Feature

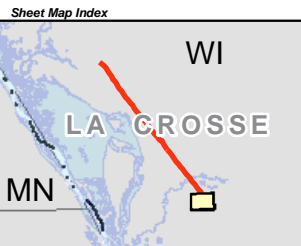
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- Delineated Wetland

WDNR 24K Hydrography

- Intermittent Stream
- Perennial Stream

Jurisdiction

- County
- Township
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