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From: Mike Gould [mailto:mike@mlgould.com]

Sent: Thursday, January 20, 2005 2:09 PM

To: deborah.hadcock@rcgov.org; gary.brown@rcgov.org;

ida.fastwolf@rcgov.org; karen.olson@rcgov.org

Cc: Marcia Elkins; Vicki Fisher; Mayor Jim Shaw; Duane and Jackie Miller

Subject: The 11-6-19 Review of AC-DC-AC Asynchronous Tie Inter-Connector for the East-West Power Grid

Dear Planning Commissioners,

Thank you for coming out last Friday on that very frigid day.

The Millers, my tenants and myself have patiently attended numerous meetings at both the County and City for over a year. We have asked the County and the City to address the problems we have from this installation which are noise, vibrations, stray energization and unknown health effects. Additionally, we feel that this facility was misrepresented to us as it was described to us as a sub-station before this industrial electrical installation was constructed. We were never told that it was a proto type AC-DC-AC Asynchronous Tie Connector, one of six such facilities in the North American continent. Given the limited disclosure and notification required of a Utility under SDCL 49-41B-15 , we doubt that the City or County knew what was being built within one mile of the City. We as landowners were not served notice. The statute which allowed this very limited disclosure reads as follows:

49-41B-15. Procedure followed by commission following receipt of application for permit. Within thirty days following receipt of an application for a permit, the Public Utilities Commission shall:

- (1) Schedule a public hearing;
- (2) Notify the applicant of the hearing;
- (3) **Serve notice of the application and hearing only** upon the governing bodies of the counties and municipalities totally or partially within the

area of the proposed facility;

(4) Publish a notice of the time, place, and purpose of the public hearing in at least one newspaper of general circulation in counties totally or partially within the area of the proposed facility; and

(5) File a copy of the application with the auditor of the county or counties in which the proposed facility will be constructed.

The City and County were also told that the utilities were building a Sub-Station. I don't think anybody had any idea that this huge facility was being built right on the doorstep of our community. Unfortunately, it was put on line over a year ago and we have been complaining ever since. It still wakes up the Millers and the tenants to my three rentals. It still hums and vibrates, it still causes stray energization to anything under the line. A fluorescent tube held by hand, lights up at night when held underneath the line. A barb wire fence running parallel to the transmission line has to be grounded with special stakes so it doesn't become an electrical fence.

Interestingly we have laws on the books to protect us but they just seem to be over looked in the case of a utility. SDCL 49-41B-22 regarding application made by utilities states:

Applicant burden of proof...

(2) The facility will not **pose a threat of serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants** in the siting area;

(3) The facility **will not substantially impair the health, safety or welfare of the inhabitants**

(4) The facility will not **unduly interfere with the orderly development** of the region with due consideration having been given the views of governing bodies of affected local units of government.

Why were these laws not followed? I believe part of the answer is that we were just not honestly informed, much less notified that this was not going to be a Sub Station. Additionally, the utilities glossed over the potential adverse health effects. The utility's application to the PUC in October of 2001 doesn't mention

any health problems, much less the noise that continues after their efforts at abatement. The negative health effects from continued exposure to vibrations, noise and resulting sleep deprivation are well documented, but what about the other health and safety issues? Specifically, I am referring to stray energization and long term exposure to Electric, Magnetic and Electromagnetic Fields, (EMF).

The following are articles on health risks associated with Electric, Magnetic and Electromagnetic Fields. The first article came off of the Midwest Rural Energy Council, (MREC) web page. MREC is an organization formed of utilities in Minnesota and Wisconsin.

The first article is an Australian Government study on Electric and Magnetic Fields from Transmission Lines:

http://www.aprons.go.au/is_50hz.him

Refer to Human Studies Section in the Australian Government study. These studies have reported that children living near high current transmission and distribution lines had a higher cancer incidence than other children (high currents produce strong magnetic fields). One study has reported that adults living near high current transmission and distribution lines had a higher cancer incidence than other adults.

Indeed even if you do not agree with the study, the fact remains that the facility **does pose a threat**, real or perceived, and "**The facility will unduly interfere with the orderly development of the region**" which Paragraph 4 of 49-41B-22 states it shall not do.

You can review additional studies on Exposure to Electric, Magnetic and Electromagnetic Fields at:

<http://www.icnirp.de/pubEMF.htm>

This is a 29 page compilation of over 200 studies from around the world. This compilation report was created by INCUR, the International Commission on Non-ionizing Radiation Protection. The studies range from leukemia in children, mammary tumors, effects on reproduction, incidence of mortality and brain tumors in electronics industry workers to elevated rates of mortality from cancer

in adults. In light of the most recent news announcement from the American Public Health Association that cancer is the number one cause of death and now surpasses heart disease, this is timely information. Although many of these studies come back inconclusive, the underlying theme is avoid EMF, if you can.

As I said before the commission, it isn't the number of houses out there that are affected it is the number of houses that will never be out there that will be effected. The economic impact of the \$70 million AC-DC-AC Asynchronous Tie Connector for the East-West Power Grid on this community is extremely negative. It is located on the community's doorstep well within the three mile strategic planning area of Rapid City. What will this cost our community? According to Pennington County Director of Equalization, Rob Miller, the average cost of a newly constructed home in the Rapid City community is \$150,000 and generates approximately \$3,000 property taxes per annum. If we use a low density of 4 homes per acre the taxes generated are \$12,000 per acre. If we take a modest 1 mile radius or "no mans land" around this facility you affect over 2500 acres in the future growth corridor of Rapid City. 2500 acres of residential development would generate approximately \$30 million dollars of annual property tax revenue per annum. This is the economic impact of allowing this property to operate at its present location. It must be taken off line and relocated. This community can not afford such a short sighted vision. Rapid City and the precious Black Hills deserve a vision of preservation and stewardship not a nightmare of industrial encroachment.

The argument has been made by the utility that the 11-6-19 Review only pertains to the Switch Station, a small part of the entire project. They argue for your approval, in as much as this Switch Station itself is seemingly benign. . I submit that the Switch Station can not be separated from the whole of its parts which is the rest of the Power Line and the Converter. Indeed if the rest of this project didn't exist, the new Switch Station wouldn't have been necessary.

SDCL 11-6-19 states: that the "Planning commission approval required for construction in area covered by comprehensive plan. Whenever any such municipal council shall have adopted the comprehensive plan of the municipality or any part thereof, then and thenceforth, no street, park, or other public way, ground, place, space, no public building or structure, no public utility, whether publicly or privately owned, if covered by the comprehensive plan or any adopted part thereof, shall be constructed or authorized in the municipality or within its

subdivision jurisdiction as defined in § 11- 6-26, **until and unless the location and extent thereof shall have been submitted to and approved by the planning commission.**"

It is obvious that this utility has problems. These problems shouldn't become the problems of the City of Rapid City nor should it impair our orderly growth. Protecting and enhancing our quality of life while ensuring sensible growth must remain our goal.

Now that you have seen the extent and proximity of this facility to the future growth of Rapid City, please deny the 11-6-19.

Please call me if you have any questions on this situation and thank you once again for coming out.

Mike

Michael L. Gould
P.O. Box 8048
Rapid City, SD 57709
Tel: 605 341 1221
Cell: 605 390 8888
email: mike@mlgould.com
Fax: 605 341 2048