

**ILLINOIS COMMERCE COMMISSION**

**DOCKET NO. 07-\_\_\_\_\_**

**DIRECT TESTIMONY**

**OF**

**THOMAS W. GIRMAN**

**SUBMITTED ON BEHALF**

**OF**

**CENTRAL ILLINOIS PUBLIC SERVICE COMPANY d/b/a AmerenCIPS**

**OCTOBER 2007**

<u>EXHIBIT NO.</u>	<u>TABLE OF CONTENTS</u>	<u>PAGE NO.</u>
5.0	DIRECT TESTIMONY OF THOMAS W. GIRMAN	1 - 9
	I. INTRODUCTION AND WITNESS QUALIFICATIONS	1 - 2
	II. PURPOSE AND SCOPE	2
	III. ENVIRONMENTAL ACTIVITIES	2 - 9
5.1	ENVIRONMENTAL FEATURES MAP	

**ILLINOIS COMMERCE COMMISSION**

**DOCKET NO. 07-\_\_\_\_\_**

**DIRECT TESTIMONY OF THOMAS GIRMAN**

1           **I.     INTRODUCTION AND WITNESS QUALIFICATIONS**

2   **Q1.   Please state your name, business address and present position.**

3   A.    Thomas W. Girman, 119 South Main Street, Cottage Grove, WI, 53527. I am  
4       employed by Natural Resources Consulting, Inc. ("NRC") as a Senior  
5       Environmental Scientist. NRC provides clients technical, regulatory, and  
6       scientific expertise and consulting services in the wetland, soils, ecology, and  
7       restoration fields.

8   **Q2.   Please summarize your educational background and professional experience.**

9   A.    I received a Bachelor of Science degree in Geography, with emphasis in Land Use  
10       and the Environment, from the University of Wisconsin-Eau Claire in 1982. I  
11       began my employment with NRC in 2004. Prior to NRC, I worked as an  
12       Environmental Scientist with Tetra Tech, Inc., beginning in 1991.

13   **Q3.   What are your duties and responsibilities in your present position?**

14   A.    My duties primarily include project management, project development, and a  
15       variety of natural resource based consulting activities, including environmental  
16       permitting and compliance. I am involved in projects that often include  
17       multidisciplinary planning and environmental analysis of potential benefits and  
18       impacts of development. I also provide assistance in the identification and  
19       resolution of environmental issues, the development of environmental mitigation  
20       measures and alternatives to minimize environmental impact, the coordination

21 with regulatory agency personnel, and the preparation of corresponding  
22 documentation.

23 **II. PURPOSE AND SCOPE**

24 **Q4. Are you familiar with the Petition filed by AmerenCIPS in this proceeding?**

25 A. Yes. It is my understanding that the project proposed by AmerenCIPS  
26 ("Petitioner") in the Petition, including the construction and routing of the  
27 Transmission Lines, may involve potential impacts to the environment.

28 **Q5. What is the purpose of your testimony in support of this Petition?**

29 A. AmerenCIPS has retained NRC to provide technical support and analysis for the  
30 review of environmental considerations in route selection and coordination with  
31 regulatory agencies. The purpose of my testimony is to provide appropriate  
32 information and documentation regarding applicable environmental impacts and  
33 regulatory requirements associated with this project.

34 **Q6. In addition to your testimony, are you sponsoring any other exhibits?**

35 A. Yes. AmerenIP Exhibit 5.1 is an aerial photograph depicting the proposed routes  
36 and existing environmental features.

37 **III. ENVIRONMENTAL ACTIVITIES**

38 **Q7. What responsibilities does NRC have in connection with locating a new  
39 transmission line like this one?**

40 A. NRC's role involves providing technical support to help develop and evaluate  
41 alternative routes for the proposed project. NRC is assisting in evaluating  
42 potential environmental impact(s) and environmental permitting issues that may  
43 be associated with the alternative routes. NRC's tasks include conducting field  
44 surveys along the chosen route to identify, delineate, and characterize wetlands

45 and waterways; preparing and submitting a Joint Application Packet to the U.S.  
 46 Army Corps of Engineers ("USACE") and Illinois Department of Natural  
 47 Resources ("IDNR"); conducting a general threatened and endangered species  
 48 habitat assessment along the chosen route; and providing preliminary  
 49 coordination with Illinois Historical Preservation Agency ("IHPA").

50 **Q8. Can you characterize the environmental nature of the area through which**  
 51 **the proposed Transmission Lines run?**

52 A. Generally, the area that the proposed Transmission Lines primary and alternate  
 53 routes run through is highly disturbed and heavily industrialized and features a  
 54 number of refinery and refinery-related operations, as well as active agriculture.  
 55 Although there are some wetlands in the area, the land along the proposed  
 56 Transmission Lines' routes is highly disturbed.

57 **Q9. Has AmerenCIPS contacted the relevant state and federal agencies regarding**  
 58 **environmental and regulatory aspects of the project?**

59 A. Yes. On behalf of AmerenCIPS, NRC had contacted relevant public agencies,  
 60 including IDNR, IHPA, USFWS, USACE, U.S. Environmental Protection  
 61 Agency ("USEPA") Region 5, and Illinois Environmental Protection Agency  
 62 ("IEPA"). NRC has compiled information regarding environmental resources by  
 63 initiating consultation with the following state or federal agencies:

Agency	Issue of Interest
US Fish & Wildlife Service (USFWS)	Threatened & Endangered ("T&E") Species
Illinois Department of Natural Resources (IDNR)	State NHI data base, T&E species, Nature Preserves
Illinois Historical Preservation Agency (IHPA)	Cultural resources review
US Army Corps of Engineers (USACE)	Jurisdictional wetland/waterway issues
Illinois Environmental Protection Agency (IEPA)	Potential soil and groundwater contamination/wetland issues
US Environmental Protection Agency (USEPA)	Potential soil and groundwater contamination

64 **Q10. Please describe the status of agency contacts with respect to threatened and**  
65 **endangered species.**

66 A. The USFW contact has been conducted through their website as a search for  
67 federally threatened and endangered ("T&E") species within Madison County.  
68 IDNR representatives also have provided Natural Heritage Database information  
69 regarding state-listed species. NRC will use this federal and state data regarding  
70 potential presence of endangered resources in the vicinity of the project area to  
71 conduct an evaluation of the selected routes' potential impact on these species. In  
72 addition, coordination with IDNR and USFWS will be ongoing, as necessary,  
73 regarding threatened and/or endangered species on alternative routes for the  
74 project.

75 **Q11. Based on the information on T&E species that you have reviewed to date, do**  
76 **you believe the presence of T&E species would prevent AmerenCIPS'**  
77 **proposed primary routes for the Transmission Lines from being**  
78 **constructed?**

79 A. Based on the information presently available, I do not believe so. There are no  
80 recorded observations of T&E species within any of the proposed route ROWs.  
81 Although NRC has only reviewed preliminary information, that information  
82 indicates that there appears to be no T&E species whose presence in the project  
83 area would preclude the primary routes from being constructed. The general area  
84 has undergone significant land disturbance over a substantial amount of time,  
85 altering potential suitable T&E species habitat.

86                   Several endangered animals listed in Madison County (Indiana bat, Gray  
87 bat, Pallid sturgeon) lack potential suitable habitat in and near the project area.  
88                   The State of Illinois lists a recorded observation of a state-threatened animal  
89 (Lined snake) northwest of project area, within 1,000 feet of two of the alternative  
90 routes. This observation is separated from the project area by a major roadway  
91 and additional information regarding the likely presence/absence of suitable  
92 habitat is currently being evaluated.

93                   Three listed plant species (Eastern prairie fringed orchid, Prairie bush  
94 clover, and Decurrent false aster) have no recorded observations in Madison  
95 County and are unlikely to be present due to historical land disturbances.

96 **Q12. Please describe the status of agency contacts with respect to wetlands.**

97 A.       NRC has contacted a USACE representative regarding the St. Louis District’s  
98 requirements for acceptable wetland delineation methods and permitting in the  
99 project area. Based on this contact, NRC anticipates conducting field surveys  
100 within project right-of-way (“ROW”) once a final route has been chosen, and  
101 submitting a Joint Application Packet to USACE St. Louis District and IDNR for  
102 permitting under Nationwide Permit #12, Utility Line Activities.

103 **Q13. Will any of the primary routes cross wetlands?**

104 A.       Yes. Wetlands have been preliminarily identified using National Wetland  
105 Inventory (“NWI”) data and, based on coordination with the USACE, will need to  
106 be field delineated. As shown on AmerenCIPS Exhibit 5.1, the primary COP Sub  
107 Tap 1 route will cross NWI-identified wetlands. Should the USACE determine  
108 the wetlands to be jurisdictional, permitting actions will be initiated through the

109 USACE St. Louis Regulatory District Office. For any required construction in  
110 wetlands, I understand the Petitioner will comply with any obligatory mitigation  
111 measures, and will seek to avoid and minimize actual impacts of construction in  
112 wetlands throughout the design and construction process.

113 **Q14. Will the presence of wetlands along the COP Sub Tap 1 primary route**  
114 **prevent that route from being constructed?**

115 A. No. As described above, Petitioner will comply with all permit and mitigation  
116 requirements, and seek to avoid and minimize impacts relating to wetlands. Thus,  
117 the presence of wetlands would not prevent the COP Sub Tap 1 primary route  
118 from being constructed.

119 **Q15. Please describe contacts with IEPA and USEPA regarding potential**  
120 **contaminated areas.**

121 A. Because of the area's history of refinery operations and other heavy industry,  
122 NRC has had telephone contact with IEPA and USEPA representatives to discuss  
123 potential alternative routes and any known areas contaminated with constituents  
124 of concern. Information received from IEPA and USEPA regarding known areas  
125 of contamination has been presented to project team members to assist in project  
126 planning. IEPA and USEPA representatives will provide assistance and help to  
127 further coordinate activities, if necessary, should there be an impact involving  
128 contaminated areas.

129 **Q16. Has AmerenCIPS addressed the potential cultural habitat or historic**  
130 **preservation impacts of this project?**

131 A. On AmerenCIPS' behalf, NRC requested IHPA to review the project area  
132 concerning potential effects on cultural and historic resources. The IHPA  
133 response indicated that a Phase I archaeological reconnaissance survey will be  
134 required. An archaeological firm familiar with the area, American Resources  
135 Group, Ltd. ("ARG"), has been retained to conduct the Phase I survey and, as  
136 necessary, any additional archaeological field surveys. At this point, ARG has  
137 completed the file search aspect of the Phase I survey, as required by IHPA  
138 guidelines, and will conduct additional survey activities once final routes have  
139 been determined.

140 **Q17. Based on the information on cultural habitat or historic preservation impacts**  
141 **that you have reviewed to date, do you believe the presence of cultural**  
142 **habitat or historic preservation areas would prevent AmerenCIPS' proposed**  
143 **primary routes for the Transmission Lines from being constructed?**

144 A. Due to previous land disturbance activities associated with the area's agricultural,  
145 residential, industrial, and transportation development, it appears unlikely that the  
146 primary routes would impact cultural and historical sites in such a manner as to  
147 preclude the routes from being constructed. However, Madison County is  
148 relatively rich in archaeological resources and the Phase I archaeological  
149 reconnaissance survey file search identified a number of known archaeological  
150 sites within or near the project area, primarily toward the southeast portion of the  
151 project area. A number of these sites have been recorded prior to regulatory

152 status protection and may have been disturbed by previous development.  
153 Additionally, due to archaeological site mapping inaccuracies, a number of the  
154 sites may be unaffected by transmission line construction. Based on the  
155 information reviewed to date, recorded archaeological sites would not appear to  
156 preclude construction of the primary routes. Following Commission approval of a  
157 final route, ARG will evaluate the need for further investigation and field surveys  
158 per IHPA regulations and guidelines and any other relevant project activity will  
159 proceed accordingly.

160 **Q18. Are there other environmental considerations requiring agency coordination**  
161 **at this time?**

162 A. I am not aware of any other environmental considerations requiring agency  
163 coordination at present. However, should it be determined to be necessary,  
164 coordination with other regulatory agencies will be ongoing, as appropriate.

165 **Q19. Please summarize your position with regard to environmental considerations**  
166 **impacting the proposed primary routes.**

167 A. Based on the information collected and reviewed to date, there do not appear to be  
168 significant environmental considerations that would preclude the primary  
169 proposed routes from being constructed, or from being selected as the preferred  
170 route. There also do not appear to be any environmental factors that would lead  
171 me to conclude that some other route option is superior to the AmerenCIPS  
172 primary routes. As discussed by Mr. Neal Chapman, there are a number of other,  
173 non-environmental factors, that support the selection of AmerenCIPS' proposed  
174 primary routes.

175 **Q20. Does this conclude your prepared direct testimony?**

176 A. Yes, it does.