

April 8, 2013

JAM
ILLINOIS COMMERCE
COMMISSION

2013 APR 12 A 11: 05

CHIEF CLERK'S OFFICE

Chief Clerks Office
Illinois Commerce Commission
527 East Capitol Ave
Springfield, IL 62701

Regarding:

AMEREN TRANSMISSION COMPANY OF ILLINOIS)

Petition for a Certificate of Public Convenience and)
Necessity, pursuant to Section 8-406.1 of the Illinois)
Public Utilities Act, and an Order pursuant to Section 8-)
503 of the Public Utilities Act, to Construct, Operate and)
Maintain a New High Voltage Electric Service Line and)
Related Facilities in the Counties of Adams, Brown,)
Cass, Champaign, Christian, Clark, Coles, Edgar, Fulton,)
Macon, Montgomery, Morgan, Moultrie, Pike,)
Sangamon, Schuyler, Scott and Shelby, Illinois.

Docket No. 12-0598

Direct Testimony of Donna Allen

Dear Sir or Madam:

I am respectfully resubmitting my Direct Testimony. I called today and talked to Stephanie in the ICC Clerks Office and discovered that I had failed to correctly submit the document through the electronic system. I have enclosed a hard copy of my Testimony with the hope that you will accept it into evidence.

Respectfully submitted,



DONNA M. ALLEN
221 Bay Colony Drive
Naperville IL, 60565
630-357-1387
canuplay40@gmail.com

9 Q1. Please state your name, home address and occupation for the record.

10 **Donna Mae Allen**
11 **221 Bay Colony Dr**
12 **Naperville IL 60565**

13
14 **Property Manager / Homemaker**

15
16 Q2. Do you have land that is located on a primary or alternate route?

17 **Yes, we have land that is located on the alternate route south of Kansas**
18 **IL.**

19
20 Q3. Please provide the location of the affected property.

21 **22864 N Cleone Road, Kansas IL 61933**

22
23 **Property ID#**

24 **14-01-24-00-200-002 (S24, T12, R14 – PT SW NE & PT E ½ W ½ NE)**

25 **14-01-24-00-200-003 (S24, T12, R14 – E ½ NE; SW COR NW NE & PT E ½ W ½ NE)**

26 **05-02-19-00-100-002 (S19, T12, R13)**

27
28 **Also refer to Donna Allen Testimony Exhibits 1 and 2 for detailed maps.**
29 **Our property is outlined in purple and labeled “A” on exhibit 2.**

30
31 Q4. Are you representing anyone else in your petition to intervene?

32 **I am petitioning on behalf of myself, my husband, our two boys, the Allen**
33 **family and the Dawson Family. This land has been in the family for at**
34 **least four generations. It has been cared for and preserved for future**
35 **generations to come. One day my oldest son would like to live on and**
36 **farm the tillable acres on the property and continue our conservation**
37 **efforts in the timber.**

38
39 Q5. What interest do you have in the pending litigation, I.C.C. docket number
40 12-0598?

41 **The proposed alternate route is planned along the county line of Clark**
42 **and Edgar Counties, which borders the north edge of our property. In**
43 **recent years we have developed the woodlands into our own private**

44 nature preserve. In 2003 we had the local Illinois State Forester (Robert
45 Wagoner) out to the property to develop a forestry plan, he mentioned



46 that there were a few trees on our land that might qualify as State Record
47 size trees. At that time we received and implemented a forestry
48 management plan. He talked about coming back out to measure them in
49 a few years. Unfortunately, he has retired from his position. There are
50 extensive trails throughout the area, and it is used for several recreational
51 activities.

52
53 Q6. Can you please describe the terrain and or topographic conditions of your
54 lands?

55 Along the North end of our property, where the Alternate route is
56 proposed, it is heavily wooded old growth timber. This area is highly
57 erodible with deep creeks and valleys zigzagging throughout. For as long
58 as the family can recall, it has been in timber.

59 Q7. What potential impacts to you and your property do you foresee the
60 transmission line to have if it is installed according to the alternate route?

61 **1) Removal of Critical Wildlife Habitat:**

62 **Indiana Brown Bats:** Every evening at dusk during the warmer months
63 the bats come out to eat. They soar and swoop around catching
64 mosquitoes and other bugs for a meal. They are very hard to track, but
65 we have seen them resting and hanging in trees on our property. One
66 enterprising bat even found his way into the house.

67
68 *“The Indiana bat, an endangered species, was listed in 1967 due to*
69 *episodes of people disturbing hibernating bats in caves during winter and*
70 *killing large numbers of bats. Indiana bats are vulnerable to disturbance*
71 *because they hibernate in large numbers in only a few caves... Other*
72 *threats that have contributed to the Indiana bat's decline include... loss of*
73 *summer habitat...”*

74 <http://www.fws.gov/midwest/endangered/mammals/inba/index.html>

75
76 **Alligator Snapping Turtles:** We have come across baby turtles in and
77 around the creeks and ponds on our land that we attempted to identify
78 with field guidebooks and use of the Internet. One that we found this
79 past year was different and had features that are associated with the
80 Alligator Snapping Turtle. Being stewards of the land and wildlife, we
81 returned the turtle to where we found it. Although I believe we took
82 some pictures, I am unable to find them before your deadline.

83
84 Please refer to the *“Checklist of Endangered and Threatened Animals and*
85 *Plants of Illinois”* at:

86 <http://www.dnr.illinois.gov/ESPB/Documents/ETChecklist2011.pdf>

87
88 **Pileated Woodpeckers:** The “drumming” of a Pileated Woodpecker is
89 very distinctive and very loud. We often hear them throughout our
90 woods, and have even seen them in the canopy above us. The evidence
91 of their existence is shown on many of the old growth trees in our woods
92 where you can see the huge excavations that are characteristic of that
93 species of woodpecker.

94

95 **Pileated woodpeckers have a large range and large population size, so**
96 **they are not considered threatened or endangered. However, they are**
97 **protected by the U.S. Migratory Bird Act.**

98 http://eol.org/data_objects/18648888

99

100 ***“Forests commonly referred to as "old growth" are in very short supply in***
101 ***Illinois. This type of forest is characterized by a diversity of age classes,***
102 ***including a canopy of very old trees, 125 to 300 years old. To be***
103 ***considered old growth, a forest would have been relatively undisturbed by***
104 ***logging or grazing for one hundred years or longer, with the exception of***
105 ***an occasional tree cut for firewood or perhaps lumber. Large-diameter***
106 ***trees are important to the survival of some wildlife species, such as the***
107 ***pileated woodpecker. The Illinois Natural Areas Inventory found only***
108 ***11,600 of the state's existing 4.3 million forested acres to be older,***
109 ***relatively undisturbed forest... It can take centuries to develop a truly***
110 ***mature, full functioning forest ecosystem. The multiple layers that***
111 ***develop support a diversity of wildlife. Yet a sizeable forest ecosystem can***
112 ***be eliminated in a matter of days! Because it is the slowest of all habitat***
113 ***types to recreate, think carefully before converting forest to another***
114 ***habitat type. Remind yourself how long it takes a tree to grow when***
115 ***you're cutting one down.”***

116 <http://dnr.state.il.us/orep/pfc/guide/habitats/woodlands/issues.htm>

Although old growth areas have particular characteristics, there may still be debates as to when an area can actually be classified as old growth. Using 'indicator' species such as the Pileated Woodpecker is a good way of solving such problems, seeing as how it requires such habitats to thrive; in other words, if the birds are there, then it is likely to be an old growth forest. This means that there are probably many (other) reasons to consider conserving the area at risk. Specific things that should be preserved (in large, continuous portions) include snags (standing dead trees) and those large enough to be used as nesting trees. Since they often go to riparian areas to forage, and since some waterways may also be used as migration corridors between fragments of habitat, there should be an emphasis on conserving riparian landscapes as well.

117

118 http://www.northwestwildlife.com/downloads/Pileated_Woodpecker.pdf

119

120 **Wild Turkey:** After years of Illinois Conservation efforts, the Wild Turkeys
121 have begun to reappear in our area. Just within the past 3 years we have
122 found them roosting in our woodlands. It is a site to see when you look
123 up to find a dozen large turkeys in the branches above.

124
125 **Deer:** White Tailed Deer are prevalent in our woods and farmland. So
126 much so that usually at least two deer have been harvested each year
127 during Deer Season for the past 15 years.

128
129 **Quail:** The Bob-White Quail has a unique call that sounds very much like
130 the words "bob white". We frequently hear their calls throughout our
131 property.

132

133 **2) Destruction of Rare Woodland Vegetation:**

134
135 **Most residents in the area are farmers and their primary concern is for**
136 **the agricultural land. In contrast, we are conservationists. We have a**
137 **forestry plan in place for the woodlands on our property. There are**
138 **several types of rare woodland vegetation: Ginseng, Trillium, mushrooms**
139 **to name a few. Fortunately, our neighbors to the North (Kent and Janet**
140 **Stark) share our concern to maintain as much woodland habitat as**
141 **possible.**

142
143 **If it were the right season I would take pictures to support my position. I**
144 **am afraid that you will have to take my word that these plants exist. I**
145 **also welcome you to make an appointment to visit the property in April to**
146 **see the spring woodlands.**

147
148 **The Illinois Ginseng Conservation Act (Public Act 83-680) became law**
149 **September 23, 1983, for the purpose of conserving wild American ginseng**
150 **in Illinois. To read more go to:**

151 <http://dnr.state.il.us/law3/ginseng%20regulations.htm>

152
153 ***"The native Red Trillium is a rare wildflower in Illinois, where it is state-***
154 ***listed as 'endangered.' It is restricted to a few counties in the northern***
155 ***section of the state (see Distribution Map). Habitats consist of rich***
156 ***deciduous woodlands that are more or less mesic and wooded slopes. In***
157 ***such woodlands, Sugar Maple (Acer saccharum), American Basswood***

158 ***(Tilia americana), or oaks (Quercus spp.) are often dominant canopy trees.***
159 ***Further to the east, where it is more common, Red Trillium is associated***
160 ***with woodlands that are dominated by Sugar Maple and American Beech***
161 ***(Fagus grandifolia)."***

162 http://www.illinoiswildflowers.info/woodland/plants/red_trillium.html

163
164 **Checklist of Endangered and Threatened Animals and Plants of Illinois:**

165 <http://www.dnr.illinois.gov/ESPB/Documents/ETChecklist2011.pdf>

166
167 **In regard to the mushrooms, an Illinois mushroom hunter never gives up**
168 **their secrets...**

169
170 **I would encourage any who would vote in favor of running the power**
171 **lines through our lands to come and see the habitat and wildlife in**
172 **person.**

173
174 **Q8. Will other landowners in the area described above be similarly impacted?**

175 **Yes. Our neighbors to the north, Kent and Janet Stark who have joined**
176 **the "Rural Clark and Edgar County Concerned Citizens (RCECCC)" group**
177 **share our conservation beliefs. The land has been in their family for at**
178 **least two generations, and they just built a new home on the property**
179 **very near to the county line where the Alternate route is proposed to run.**

180
181 **Q9. Are there other individuals who will be impacted if the transmission lines**
182 **are run through your property?**

183 **Our property is used by several individuals for recreational use. Two**
184 **families have written letters on our behalf. See Donna Allen Testimony**
185 **Exhibits 3 and 4.**

186
187 **Q10. Do you have any other concerns about the Illinois Rivers Project?**

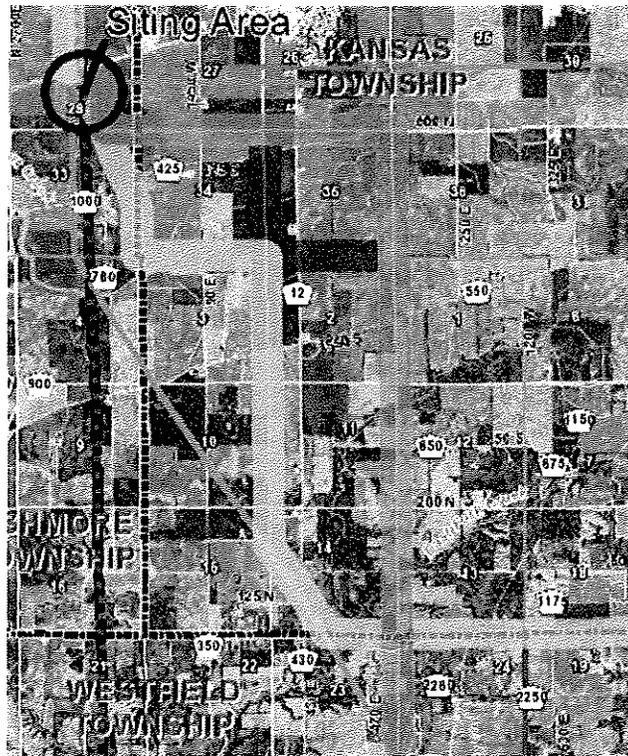
188 **1) I am concerned that Illinois is allowing private companies, whose**
189 **primary concern is profit, to plan the electrical grid in our state. To me**
190 **that is an infrastructure issue that would be best planned as a whole**
191 **project rather than piecemeal when an application is presented. Maybe**
192 **the state could institute an incentive program for the individual**
193 **companies to work together for the betterment of Illinois.**

194

195 2) I am troubled that a private company can apply for approval on a
196 project of this magnitude through an expedited procedure. This impacts
197 thousands of lives. ATXI had years to prepare their proposal, but we the
198 people only have a few months to defend ourselves.

199
200 3) According to the Environmental Citing Criteria
201 (<http://www.ilriverstransmission.com/process/siting-criteria>) that ATXI
202 used to help determine the Primary and Alternate routes. It clearly states
203 that existing Electrical or Utility Corridors and Roadways are
204 “Opportunities”. It also clearly states “Sensitivities”. Areas of Known
205 Protected Species, Existing Residential Use, Trees and Woodlots are just a
206 few of the items mentioned.

207
208 Yet, as shown in the map below, they are proposing several different
209 routes that pass through areas of “Sensitivities” rather than following the
210 thin neon green lines that indicate existing transmission lines
211 “Opportunities”. These existing routes should be used rather than
212 creating new easements. I understand that our power grid needs are
213 increasing and that new lines are needed to maintain reliability.
214 Regardless, an effort should be made to preserve as much natural acreage
215 as possible.



216 **4) If ATXI admits that Roadways are “Opportunities”, then lets use them.**
217 **The I-70 corridor is a perfect “Opportunity” that would avoid any**
218 **“Sensitivities” for a large portion of this Project. I have attached a copy of**
219 **email correspondence with the Federal Highway Authority regarding I-70**
220 **in which they clearly state that the use of the I-70 corridor may be in the**
221 **public interest. Please refer to Donna Allen Testimony Exhibit 5.**
222

223 Q11. Is there anything else you would like to add?

224 **In a community where fencerows are being removed each year to make**
225 **room for more crops, we are the minority. The proposed alternate route**
226 **would cut a swath directly through the approximately 200-year-old**
227 **woods that the Starks and we have tried to preserve. Please help us to**
228 **continue our conservation efforts by voting against the alternate route in**
229 **this area.**

230 Q11. Does this conclude your direct testimony?

231 **Yes it does. Thank you for your thoughtful consideration.**

232

233 Dated March 28, 2013

234

235

236

237

238

239

240

241

Respectfully submitted,



DONNA M. ALLEN
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Naperville IL, 60565
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canuplay40@gmail.com

Direct Testimony of Donna Allen

I, Donna M. Allen, have read the above and foregoing document, have knowledge of the facts stated therein; and herewith states that the matters set forth therein are true in substance and in fact.

X Donna M. Allen

SUBSCRIBED AND SWORN TO before me, a Notary Public, on this 28 day of March, 2013.

[Signature]
NOTARY PUBLIC

JONATHAN JAMES CHAMBERS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124070636
MY COMMISSION EXPIRES NOVEMBER 1, 2018

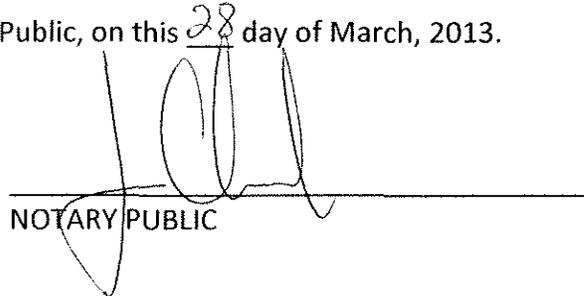
PROOF OF SERVICE

I, Donna M. Allen, herewith certify that I did on the 28 day of March, 2013, electronically serve a Petition for Leave to Intervene upon the persons identified on the Illinois Commerce Commission's official service list attached as Direct Testimony Exhibit 3.



Donna M Allen
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630-357-1387
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SUBSCRIBED AND SWORN TO before me, a Notary Public, on this 28 day of March, 2013.



NOTARY PUBLIC

JONATHAN JAMES CHAMBERS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124070636
MY COMMISSION EXPIRES NOVEMBER 1, 2016