

APPLICATION OF ENBRIDGE ENERGY, LIMITED PARTNERSHIP

ILLINOIS COMMERCE COMMISSION

DOCKET NO. 13-0134

TESTIMONY OF

JOHN FORTMANN

**DEPUTY DIRECTOR, REGION 1 ENGINEER, DIVISION OF HIGHWAYS
OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS**

ON BEHALF OF

THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS

JUNE 20, 2013

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**DEPUTY DIRECTOR, REGION 1 ENGINEER, DIVISION OF HIGHWAYS
OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS**

1 **Q. PLEASE STATE YOUR FULL NAME AND PRESENT POSITION.**

2 A. My name is John Fortmann. I am the Deputy Director, Region One of the Division of
3 Highways of the Illinois Department of Transportation or “IDOT.”

4 **Q. HOW LONG HAVE YOU SERVED IN THAT POSITION?**

5 A. Since June, 2012.

6 **Q. PLEASE BRIEFLY DESCRIBE YOUR EDUCATIONAL BACKGROUND
7 AND PROFESSIONAL EXPERIENCE.**

8 A. I received a bachelor of science degree in civil engineering from Bradley University
9 and a masters of science degree in civil engineering from the Illinois Institute of
10 Technology. I am a licensed professional engineer in the State of Illinois.

11 I began working at IDOT in 1983 as an engineer technician and have held several
12 positions within IDOT’s Division of Highways since that time including D.A.T.E.
13 Engineer, Drainage Specialist, Structures Engineer, Condemnation Engineer, Acting
14 Consultant Services Engineer, Project Support Engineer, Bureau Chief of Design,
15 Acting Bureau Chief of Land Acquisition, Engineer of Program Development, and
16 Region One Engineer. A copy of my current resume is attached to my written
17 testimony as Exhibit A.

18 **Q. WHAT ARE YOUR GENERAL RESPONSIBILITIES IN YOUR CURRENT**
19 **POSITION?**

20 A. I am responsible for the oversight and management of all Region One Division of
21 Highways maintenance operations, program development, and project
22 implementation. One of the projects that I am responsible for is the Illiana
23 Expressway project.

24 **Q. PLEASE BRIEFLY DESCRIBE THE ILLIANA EXPRESSWAY PROJECT.**

25 A. The Illiana Expressway project is a project for the construction of a new east-west
26 interstate expressway connecting I-65 in Indiana to I-55 in Illinois. This project is
27 being conducted jointly by IDOT and the Indiana Department of Transportation, or
28 “INDOT.” When built, the Illiana Expressway will reduce the strain of truck traffic
29 on local roads to improve safety, cut commuting times, reduce congestion, and
30 improve accessibility to jobs. The Illiana Expressway will also reduce environmental
31 degradation, including air pollution from exhaust emissions, by decreasing the
32 number of travel hours and fuel expended due to congestion. Information about the
33 Illiana project is available at: <http://www.illianacorridor.org/>.

34 **Q. WHAT ARE YOUR RESPONSIBILITIES IN RELATION TO THE ILLIANA**
35 **EXPRESSWAY PROJECT?**

36 A. I am responsible for managing and overseeing the Illiana project on behalf of IDOT.
37 IDOT and INDOT are jointly participating in this process with the Federal Highway
38 Administration, or “FHWA.” IDOT is responsible for the overall study and

39 consulting contracts, while INDOT is participating financially in the project and
40 providing leadership for the Indiana portion of the planning area.

41 **Q. HAVE THE BOUNDARIES OF THE ILLIANA EXPRESSWAY BEEN**
42 **ESTABLISHED?**

43 A. The boundaries of a 2,000-foot-wide planning corridor for the Illiana Expressway are
44 established, and the exact right-of-way boundaries within that planning corridor are
45 currently being refined. On January 17, 2013, the FHWA issued a Record of
46 Decision identifying a single preferred planning corridor for the development and
47 construction of the Illiana Expressway. This Record of Decision is an official
48 decision by the FHWA that concludes the first tier of the Illiana project. In my
49 testimony, I may refer to the January 17, 2013 FHWA Record of Decisions as the
50 “Tier I ROD.” The full FHWA Tier I Final Environmental Impact Statement and
51 Record of Decision are available at:

52 http://www.illianacorridor.org/information_center/tier1_feis.aspx.

53 A map depicting the Illiana Expressway planning corridor identified by the Tier I
54 ROD is attached to my written testimony as Exhibit B. Exhibit B consists of 5 sheets
55 depicting the planning corridor (shaded in green) in segments moving from the
56 expressway’s western terminus at I-55 in Illinois to its eastern terminus at I-65 in
57 Indiana. I will refer to this planning corridor in my testimony as the “Illiana Planning
58 Corridor.”

59 **Q. YOU TESTIFIED THAT THE FIRST TIER OF THE ILLIANA PROJECT**
60 **WAS COMPLETED IN JANUARY 2013 WITH THE ISSUANCE OF THE**
61 **TIER I ROD. WHAT IS THE CURRENT STATUS OF THE PROJECT?**

62 The Illiana project is now proceeding in the second planning tier, which will lead to
63 the FHWA’s development of a Tier II Environmental Impact Statement and Record
64 of Decision. The second tier process includes more detailed planning and design for
65 the expressway and identification of a refined alignment of an approximately 400-
66 foot-wide right-of-way within the Illiana Planning Corridor. The second tier will also
67 continue to consider a “no-build” alternative. IDOT and INDOT are currently
68 conducting public meetings to develop and refine issues for the second tier planning
69 process, such as the exact expressway alignment, interchange types and locations,
70 local road connectivity, overpass and underpass locations, and environmental
71 protection issues.

72 **Q. HAS THE ILLINOIS GENERAL ASSEMBLY TAKEN ANY ACTION WITH**
73 **RESPECT TO THE ILLIANA EXPRESSWAY PROJECT?**

74 A. Yes. In 2010, the General Assembly enacted the Public Private Agreements for the
75 Illiana Expressway Act, 605 ILCS 130/1 *et seq.*, which affirms IDOT’s authorization
76 to carry out the planning and development of the Illiana Expressway and acquire land
77 for the project, as well as to enter into public-private partnership agreements to
78 develop, finance, construct, manage, or operate the Illiana Expressway in accordance
79 with the standards provided in the Act. The General Assembly amended the Act in
80 July 2012 pursuant to Public Act 97-808 to provide authorization for IDOT to acquire

81 land for the Illiana project by quick-take condemnation proceedings. The legislature
82 has passed appropriation legislation multiple times for the Illiana project.

83 **Q. ARE YOU FAMILIAR WITH THE APPLICATION FILED BY ENBRIDGE**
84 **ENERGY WITH THE ILLINOIS COMMERCE COMMISSION AS ICC**
85 **DOCKET NO. 13-0134?**

86 A. Yes, I am. I have been involved with reviewing the application and the route
87 proposed by Enbridge for construction of the new pipeline with IDOT staff in the
88 Division of Highways and our legal counsel.

89 **Q. BASED ON YOUR REVIEW OF THE APPLICATION, ARE YOU AWARE**
90 **OF ANY CONCERNS RELATING TO THE PROPOSED PIPELINE'S**
91 **IMPACT ON IDOT TRANSPORTATION PROJECTS?**

92 A. Yes. In reviewing the application, we determined that the proposed pipeline route
93 crosses through the Illiana Planning Corridor identified by the FHWA Tier I ROD.

94 **Q. WHAT ARE IDOT'S SPECIFIC CONCERNS RELATING TO THE**
95 **PROPOSED PIPELINE'S IMPACT ON THE ILLIANA PROJECT?**

96 A. We are concerned about potential conflicts between the proposed pipeline and the
97 Illiana Expressway, and the planned location of the pipeline and related facilities
98 should be adjusted to accommodate future expressway construction within the Illiana
99 Planning Corridor. Specifically, the route should be adjusted to cross the Illiana
100 Planning Corridor at a perpendicular angle, in order to reduce the length of pipeline
101 embedded under the proposed expressway right-of-way. Additionally, no above-

102 ground pipeline-related facilities should be located within the Illiana Planning
103 Corridor, and the pipeline should be constructed at a depth sufficient to accommodate
104 future expressway construction, operation, and maintenance anywhere within that
105 Corridor. If the pipeline is not laid out and constructed in this manner, it will very
106 likely require costly and burdensome modifications or relocation in the future to
107 accommodate the construction, operation, and maintenance of the Illiana Expressway.

108 **Q. DO YOU THINK THE PROPOSED PIPELINE AND THE ILLIANA**
109 **EXPRESSWAY CAN CO-EXIST?**

110 A. Yes, the pipeline and the Illiana Expressway can coexist if the pipeline is routed and
111 constructed as I described in my last answer. Therefore, I request on behalf of IDOT
112 that if the Commission grants Enbridge a certificate of good standing it be granted on
113 the condition that, with respect to the Illiana Planning Corridor depicted on Exhibit B,
114 the pipeline be: (i) routed to cross the Corridor at a perpendicular angle; (ii) routed
115 and designed so that no above-ground facilities are located in the Corridor; and (iii)
116 buried at a sufficient depth to accommodate the planned expressway.

117 **Q. DOES THAT CONCLUDE YOUR TESTIMONY?**

118 A. Yes, subject to the opportunity to reply or respond to any opposition to this testimony
119 and subject to any request by IDOT to submit rebuttal or supplemental testimony.

EXHIBIT A

JOHN FORTMANN
1234 Hunters Ridge East
Hoffman Estates, IL 60192
(847) 705-4118

OBJECTIVE:

Challenging position in Engineering Management.

PROFESSIONAL EXPERIENCE:

Illinois Department of Transportation, Schaumburg, IL

(06/12-Present) Region One Engineer

Position is accountable for Region One maintenance operations, program development and project implementation.

(01/08-5/12) Engineer of Program Development

Position is accountable for preparing and delivering the Annual and Multi Highway Improvement Programs for Region One. This position coordinates the function of programming, preliminary engineering; plan preparation, right of way, and public information to ensure projects meet established letting schedules.

(06/07-04/10) Acting Bureau Chief of Land Acquisition

Supervised Bureau of Land Acquisition staff in the preparation of plats, appraisals, negotiations, and condemnation. Responsibilities also include property management and signboards.

(11/05-11/08) Bureau Chief of Design

Responsible for the overall supervision Bureau of Design staff in the preparation of contract plans, specification, and necessary contract documents to meet the annual and multi year program in accordance with Department policies, design procedures.

(7/00-09/06) Project Support Engineer (CE VI), Bureau of Design

Direct and facilitate technical staff responsible for Railroad Unit, Agreements Unit, Utilities Unit, Structures Unit, and Economic Analysis Unit. Monitors work so as to ensure that all activities are completed in accordance with established letting schedules, applicable Department policies, design procedures, and sound engineering principles. District representative on Statewide Specifications Committee from September 2004 to June 2007.

(10/04-11/05) Acting Consultant Services Engineer (CE VI), Bureau of Design

Responsible for technical staff which duties include the review and evaluation of consultant activities in the preparation of contract plans, and specifications for transportation improvements to ensure plans are prepared in accordance with Department schedules, design policies, standards and sound engineering judgment.

(2/96-07/00) Condemnation Engineer, (CE V), Bureau of Land Acquisition

Coordinated the land acquisition efforts for District One with the Attorney General's Office. Provided expert engineering testimony on the behalf of IDOT in court proceedings and at Illinois Commerce Commission hearings. Responsibilities included oversight of the 100 Special Assistant Attorney Generals and appraisers to ensure acquisition schedules, ongoing communication with Bureaus of Design, Construction, Traffic, and Programming.

(12/91-2/96) Structures Engineer, (CE IV), Bureau of Design

Directed the Structures Unit, responsible for design and scheduling for structure work within the District. Prepared design plan details and specifications for bridge repair plans, box culverts, junction chambers, retaining walls, and other structures.

(8/89-12/91) Drainage Specialist, (CE III), Bureau of Programming

Worked in the Hydraulic Section's Consultant Unit. Responsible for preparing, reviewing, and monitoring the preparation of location drainage studies for highway improvements. Reviewed site development plans and calculations prepared by developers for State highway access permits.

(5/87-8/89) D.A.T.E. Engineer, (CE II, I) Bureaus of Programming, Construction, and Design
Responsibilities in Hydraulics/Hydrology Unit included data collection for hydraulic reports, location drainage studies and culvert analysis. Completed plan preparation, contract specifications, pavement design, geometrics, and quantity calculations. Participated in construction inspection, survey, layout, quantity calculations and documentation on various projects.

(8/83-8/86) Engineer Technician I (Co-operative Education), Bureaus of Construction and Design
Assisted in construction layout and inspection, plan preparation, storm sewer design, quantity calculations, geometrics, and various other aspects of construction and design.

EDUCATION

1992 Illinois Institute of Technology, Chicago, IL
Masters of Science, Civil Engineering
Graduated with High Honors

1987 Bradley University, Peoria, IL
Bachelor of Science, Civil Engineering
Graduated Magna cum Laude

PROFESSIONAL ACCOMPLISHMENTS

Licensed Professional Engineer, State of Illinois

Completed IDOT Professional Advancement of Career Engineers Program

Completed IDOT Executive leadership Development Series

American Society of Civil Engineers –Illinois Section Government Civil Engineer of the Year
2011

EXHIBIT B









