

Fighting the food fight: Part II Montanans vs. MSTI

By Leesa Zalesky

Background: The group Concerned Citizens Montana (CCM) was born when Northwestern Energy (NWE) brought forth a proposal to construct, operate, and maintain the Mountain States Transmission Intertie (MSTI), a 500-kilovolt, 1,500-megawatt transmission line that is intended to deliver electricity from Montana to customers in the western U.S. The proposed 430-mile route begins at the Townsend Substation, to be constructed five miles south of Townsend, MT, and proceeds south to southeastern Idaho where it will connect with Idaho Power Company's existing Midpoint Substation, 10 miles north of Jerome, Idaho. The MSTI line right-of-way width will be 220 feet, and its towers will stand 125 to 140 feet high, depending on the terrain. NWE says that power carried on the MSTI line will be generated from renewable electric generating facilities in Montana and that the MSTI line will serve as a conduit to deliver electricity to the western U.S.

We discovered in last week's interview with Cam Cooper, a founding member of CCM, that NWE does not yet have a single customer to receive the power that MSTI will transport. When the Montana legislature passed HB 198, commonly called the "eminent domain bill" last year to facilitate construction of the Montana-Alberta Tie Line and MSTI, Montanans erupted in fury. A number of existing groups already opposed construction of the line, and other grassroots groups were formed over the issue. A common thread among the opposition emerged, and it surrounds the risk that a project of this magnitude brings to private property rights. A core group of individuals formed CCM to coordinate the multiple groups opposing MSTI and to provide a centralized spot for public information and education about the issue. They've taken on a job of mammoth proportions.

The battle over Montana's energy policy and its impact on private property rights is far from over, with legal challenges now underway. Perhaps the best way to bring readers up to date on things is to introduce the people who have voluntarily devoted their own time and resources to defending every citizen's unalienable right - private property - and to seeing that Montana's energy policy protects and benefits its citizens.

In this second installment, we introduce Marie Garrison, a founder of CCM and an executive committee member. Marie's roots run deep in Montana and the ranching industry. She grew up in Belgrade, Montana, on her family's farming and ranching operation, and she married Tim Garrison, a fourth-generation rancher. She taught school in Divide, Montana, for seven years before the couple decided to have two children of their own. The Garrisons run about 350 mother cows, and they raise and train their own horses for ranch work and arena events. Marie

and Tim are raising the fifth generation of Garrison ranchers; daughter Grace and son Luke are growing up to love the cowboy way of life, and Marie says she and her husband hope their children will have the same opportunities they had to carry on the family ranch. Tim and Marie are, of course, very concerned that MSTI threatens those opportunities.

When Marie and her neighbors started their group "Move MSTI," one of their goals was to try and unite everyone who would be affected by MSTI. Marie found that she was constantly trying to reach out to all the communities to find the landowners on whose land the MSTI routes were being considered for construction. It took a couple of years to connect with landowners in the five counties encompassed in the MSTI route, and residents in those counties began forming opposition groups similar to "Move MSTI." The groups decided that it would be advantageous to create an umbrella group to bring everyone together to coordinate the MSTI opposition movement, and Concerned Citizens Montana (CCM) was formed as that umbrella organization. Marie says the circumstances warranted unity. "In a situation where environmental groups, politicians, and money have a lot to say about the MSTI project, the landowners and citizens of Montana needed to unite to be heard."

Q. From a personal standpoint, why do you oppose MSTI?

Garrison: At the heart of my MSTI fight is my family. I would never willingly live by one of these power lines; I hold a huge fear about the health risks involved with a high-voltage transmission line. There is also uncertainty about what the electromagnetic fields can do to pregnant or breeding cattle. Just the construction of such a project has negative impacts on our ranching operation. They may try and mitigate those impacts, but it takes years to grow grass back and fight the noxious weeds. With the outbreak of murders in eastern Montana because of guys moving in to that area for work, the safety of many families could be jeopardized by the type of persons hired to build MSTI. The taking of our land to build such a project jeopardizes our ability to make a living raising cattle, and it compromises the future of our operation. The devaluation of our fourth-generation ranch has us worried, also. The MSTI route crosses our property for about six miles with potentially twenty-four 140-foot towers and an access road that will be 20 feet in width. Our ranch would lose 300 productive ag acres. The ability to make improvements such as fences, buildings, water tanks, and the like on our property is also reduced due to the construction of the line. The loss of land cuts us back by about 15 cow-calf pairs, and in today's cattle market, that's a significant yearly loss for us. We are not "willing" sellers in this process. HB 198, the eminent domain bill passed last year by the Montana legislature, paves the way for our land to be taken for MSTI construction.

Q. In last week's interview with Cam Cooper, we learned that NWE does not yet have a single customer to receive the power the MSTI will transport. Do you think that's something that most Montanans most likely do not know?

Garrison: If they don't know about it, they certainly should. They should also know that NWE does NOT yet have a confirmed power source, and there are NO lines to transport MSTI's power out of the Midpoint Substation. NWE would have to rely on another power company to build other lines to transport the power.

Q. Will the electricity carried on the MSTI line service the people of Montana, or is the line intended to export electricity to other states?

Garrison: MSTI is a merchant transmission line, meaning the electricity carried on the line will NOT service the people in Montana. MSTI is an export line only that is trying to reach a

population that will pay much more for electricity than folks in Montana. Northwestern Energy is trying to reach the markets where they can charge a lot more for their power and make a lot of money.

Q. The passage of HB198 by the Montana legislature was something you opposed vigorously. Why?

Garrison: I opposed HB198 because it opens the door for more than just public-need projects to gain access to eminent domain. I do not trust the politically-motivated state and federal departments to make a decision about public need. We heard a lot about how HB198 was necessary to provide jobs for Montanans. How crazy is that thinking? That companies need to take private property in order to create jobs? A question we often ask is this: "Why is NWE's business more important than our business?"

MSTI is a merchant transmission line, meaning the electricity on it is "for sale" for NWE's profit... not for their regulated customer distribution. Sadly, it became all too clear that our legislature, for the most part, is comprised of a group of people stimulated by money, power, and their own egos. Last year was the first time I had ever visited the capitol during the legislative session, and I tried to have input into the process. I was appalled at the lack of respect that legislators have for the citizens that put them to work. The lobbyists were downright rude and arrogant. I think the Legislature acted in the best interest of the "voice" they heard the loudest, and unfortunately that was NOT the voice of Montana landowners or the voice of reason. What they listened to was the voice of big money and power. I'm not opposed to Montanans developing our natural resources, but certainly I don't think it should be done to the detriment of the land that supports Montana's number one industry - farming and ranching.

Q. There have been successes and disappointments for those who oppose MSTI. Tell readers about those.

Garrison: After the legislative session last year and the passage of HB 198, a group of citizens got together to form Real Montanans for Fair Land Use. An attempt was made by volunteers to put HB 198 on the November 2012 ballot to allow the voters of Montana to decide if this new eminent domain law was acceptable. The effort was not successful.

The landowners involved in the MATL project filed a lawsuit against HB 198 on the basis that it is unconstitutional. However, Judge Swandal ruled against the landowners. Concerned Citizens Montana is now preparing for the release of the Draft Environmental Impact Statement for the MSTI project. We expect that to be released in June of this year. We have been working closely with our legal team to prepare substantive comments and with local governments to help them assure a voice for Montana citizens in the Major Facility Siting Act process.

Q. Why do you believe all Montanans should be concerned?

Garrison: Anyone who owns property in Montana should be very concerned with the political atmosphere right now as it holds a lack of respect for private property rights and the opinions of the citizens. MSTI is not the only project in Montana or the United States that has acted with disregard for landowners. I've been in contact with several folks in Montana and other states who have gone through the same treatment. The companies planning and building major facilities make contact with environmental groups and elected officials to let them make a first-time determination as to where they feel these projects should be built. The process is all put into motion long before the landowner even knows about the project. Private property

becomes the target for development because the companies don't want years of litigation in the courts with environmental groups. Companies want their projects built and will take the easiest path to reach their goals. Too often, that path involves hard-working citizens who are trying to provide for their families.

Q. What can Montanans do to help the effort to oppose MSTI?

Garrison: Stay informed. Check out our website at www.concernedcitizensmontana.net

We are working to educate Montanans about MSTI and other energy projects. To help continue our work, tax deductible donations can be made at the website or by mail at PO Box 453, Dillon, MT 59725.

Get involved with the grassroots organizations. We have seen all too often that the lines and towers were coming through someone's property and they didn't know anything about it. Some folks don't want to be involved; they want somebody else to fight for them. Taking on projects like this takes an incredible amount of time and effort, because it drags on for years, which is what the power companies want; they want to wear you down so you will go away.



Tim and Marie Garrison with their children, Luke and Grace.

