



John E. Drawz

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Services

Energy & Natural Resources

Energy Litigation

Energy Regulation & Permitting

Condemnation & Eminent Domain

Environmental Law

Real Estate Litigation

Renewable Energy

John brings 55 years of experience in regulatory permitting, administrative law and related litigation to Fredrikson. His work is focused on the areas of energy law, administrative law and environmental litigation. He joined Fredrikson in 1991.

John has significant experience in energy-related projects involving regulatory law, condemnation, environmental law and litigation. Among his noteworthy cases, John successfully prosecuted a lawsuit in which the client recovered more than \$90 million in cash and water supply facilities, all damages arising from major environmental pollution emanating from a federal arsenal. In the 1970s and early 1980s, he was chief counsel in the "Powerline" cases, a \$1.3 billion (1973 dollars) electric generation and transmission project. The late Senator Paul Wellstone co-authored a book on the project entitled, "Powerline: The First Battle of America's Energy War" (*The University of Massachusetts Press*, 1981). John represents the city of New Brighton as its Special Environmental Litigation Counsel.

John represents Enbridge Pipeline, L.P. in the Minnesota regulatory permitting and administrative law proceedings for the company's \$2.6 billion Line 3 Replacement Project. John also represents Enbridge Inc. as Senior Lead Counsel for the \$1.5 billion Alliance Capacity Expansion Project. He represented North Dakota Pipeline Company's (NDPC) \$2.6 billion Sandpiper Pipeline project, a crude oil pipeline project proposed from North Dakota's Williston Basin to Superior, Wisconsin. John has been a member of Fredrikson's CapX2020 Land Rights Counsel Team since its inception in 2010. On January 15, 2009, the Minnesota PUC granted a Certificate of Need for the Big Stone II high voltage transmission line; John represented the state of South Dakota in that proceeding. John has obtained a Certificate of Need for a 100 MW wind energy project and completed work on a 305 mile crude oil pipeline project for the Minnesota Pipe Line Company's "MinnCan Pipeline". Starting in 1997, John represented the Alliance Pipeline Project in Minnesota, a \$3 billion high-pressure natural gas pipeline project stretching from British Columbia to Chicago. From 1988 to 1992, he represented the city of Bloomington in the Mall of America condemnation cases.

As a continuing legal education lecturer, John has spoken on topics including laws affecting the siting and construction of large energy facilities, strategic alliances, eminent domain, special assessment law, and environmental law. He is a member of national, state and local bar associations.

John chaired the Litigation Department at Messerli & Kramer from 1989 to 1991, and was a shareholder and head of the Litigation Group at LeFevre, Lefler, Kennedy, O'Brien & Drawz, P.A., from 1970-1989.

Experience

Energy, Environmental, Condemnation

- **The “Powerline” Project (1972-1984):** Lead counsel for Cooperative Power Association’s CU Project: an 1100 MW steam electric generating power plant (Coal Creek Station, Underwood, ND); a 435 mile-long ±400 kV direct current high voltage transmission line; and associated 345 kV HVTLs. The Project involved 50 lawsuits and a dozen Minnesota Supreme Court matters. See *No Power Line, Inc., et al. vs. Minnesota Environmental Quality Council* (262 N.W.2d 312) (Minn. 1977).
- **Alliance Pipeline:** Lead counsel for Alliance Pipeline L.P.’s right-of-way acquisition in Minnesota. The 36-inch high pressure natural gas pipeline runs 1,900 miles from British Columbia to Chicago. The \$3.0 billion project was North America’s largest construction project in 1999. Fredrikson commenced condemnation actions in thirteen Minnesota counties, involving over 300 parcels and over 1,000 respondents. The firm was also responsible for obtaining permits and authorizations for each county, and found, engaged, coordinated, and presented appraisal experts and experts in agronomy, soils, engineering, pipeline safety, and crop disease.
- **MinnCan Pipeline:** Lead counsel for Minnesota Pipe Line Company, LLC’s 305-mile long crude oil “MinnCan” project.
- **Big Stone II HVTL:** Special Assistant Attorney General for the state of South Dakota for the Minnesota administrative law proceedings.
- **HVTL Projects:** Land rights counsel for Xcel Energy and the CapX 2020 utilities. The CapX 2020 Projects include: a 220-mile 345 kV transmission line from Fargo, ND, to Monticello, MN; a 250-mile 345 kV transmission line from Brooking, SD to Hampton, MN; a 125-mile 345 kV transmission line from Hampton, MN to LaCrosse, MN; and a 75-mile 230 kV transmission line from Bemidji, MN to Grand Rapids, MN. The Project has included scores of “Buy-the-Farm” cases (see Minn. Stat. § 216E.12, Subd. 4).
- **Landowner representation:** Lead trial counsel for Reichhold in *Minneapolis Community Development Agency v. Reichhold, Inc.* (2005). After three contested hearings on petition, the District Court denied the MCDA’s condemnation petition. Ultimately the District Court granted Reichhold its costs and attorneys’ fees.
- **MPUC** regulatory and administrative law proceedings for North Dakota Pipeline Company’s Sandpiper and Line 3 Replacement projects.

Corporate

- Corporate Counsel, Strategic Alliances, Administrative, Rule-Making

Appellate Cases

- *Great River Energy, et al. vs. Swedzinski, et al., and Tauer, et al.* (Minn. Ct. App. 2014)
- *Northern States Power Company, et al. vs. Spears, et al., and Aleckson, et al.* (831 N.W.2d 303) (Minn. 2013)
- *Columbus Concerned Citizens vs. Minnesota Racing Commission, et al.* (Minn. Ct. App. 2006)
- *Application of North Metro Harness, Inc.* (711 N.W.2d 129) (Minn. Ct. App. 2006)
- *Cooperative Power Association vs. M.G. Astleford* (386 N.W.2d 313) (Minn. Ct. App 1986)
- *Klapmeier vs. Town of Center of Crow Wing County* (346 N.W.2d 133) (Minn. 1984)
- *Cooperative Power Association vs. Aasand* (288 N.W.2d 697) (Minn. 1980)
- *Cooperative Power Association vs. Eaton* (284 N.W.2d 395) (1979)
- *Woida vs. United States of America* (446 F. Supp. 1377) (Minn. 1978)
- *No Power Line, Inc., et al. vs. Minnesota Environmental Quality Council* (262 N. W.2d 312) (Minn. 1977)
- *Joint Independent School District No. 287 vs. City of Brooklyn Park* (256 N.W.2d 512) (Minn. 1977)
- *No Power Line, Inc. vs. Minnesota Environmental Quality Council* (250 N.W.2d 158) (Minn. 1976)
- *Edward Kraemer & Sons, Inc. vs. Village of Burnsville* (245 N.W.2d 445) (Minn. 1976)
- *Gibson vs. Commissioner of Highways* (178 N.W.2d 727) (Minn. 1970)

Significant Environmental/Energy Litigation

- **Plymouth vs. Universal Circuit Board:** 1972 (Minnesota), environmental contamination of the City's sewer system.
- **The "Powerline" cases: 1973-82:** fifty lawsuits and twelve Supreme Court cases in Minnesota, North Dakota, and Washington, D.C., involving the construction of an 1,100 MW power plant in North Dakota, a 435 mile-long \pm 400 kV direct current HVTL, two 345 kV HVTLs, and associated facilities.
- **New Brighton vs. the United States of America:** 1982-2018 (U.S. District Court, District of Minnesota), Contamination of New Brighton's municipal water supply from the Twin Cities Army Ammunition Plant. The City has recovered more than \$90 million in cash and water treatment and supply facilities.

Credentials

Education

- University of Minnesota Law School, J.D., 1967
- Macalester College, B.A., Political Science, 1964

Admissions

- Minnesota, 1967
- U.S. District Court for the District of Minnesota, 1969
- U.S. District Court for the District of North Dakota, 1994
- U.S. Supreme Court, 1995

Recognition

- Lawyer of the Year in Minneapolis—Eminent Domain and Condemnation Law, *Best Lawyers*, 2017
- *The Best Lawyers in America*, Eminent Domain and Condemnation Law, 2007-present
- *Martindale-Hubbell*, AV Preeminent Peer Review Rated
- Super Lawyer—Eminent Domain and Condemnation Law, *Minnesota Super Lawyers*

Civic & Professional

Professional Activities

- American Bar Association, Environment, Energy and Resources Section; Litigation Section; Real Estate Litigation and Condemnation Committee
- Minnesota Bar Association, Public Utilities Section; Member, CIVJIG Eminent Domain Committee
- Hennepin County Bar Association, Eminent Domain Committee, Former Chair
- Minnesota Public Utilities Commission, Advisory Committee Member on Rulemaking for Certificates of Need and Site and Route Permits for Large Electric Power Plant and High Voltage Transmission Lines
- Special Assistant Attorney General for the state of Minnesota, 1967-70
- Special Assistant Attorney General for the state of South Dakota, 2006-2009
- Former General Counsel for Cooperative Power Association, GEN~SYS ENERGY, and Great River Energy

- Special Environmental Litigation Counsel for the city of New Brighton, 1982-present
- Navigator (1st Lt.), Minnesota Air National Guard, 1966-1972 (C-97 Boeing Stratofreighter)

Publications & Presentations

Panelist, *A Discussion of the Latest Developments in Minnesota Condemnation Law: CapX Cases: The Pending Powerline Cases, Particular Issues: The 'Buy-the-Farm' Law, Minimum Compensation, and Damages*, June 29, 2012

Lecturer, *Wind Farms*, The 24th Annual Real Estate Institute, Minnesota State Bar Association, November 17, 2006, St. Paul, Minnesota

Lecturer, *Strategic Alliances: Cooperative Power Association and United Power Association form Great River Energy*, NRECA G&T Legal Seminar, Duck Key, Florida, November 6, 1998

Lecturer, *Legal Issues in the Cooperative Power Association/ Dairyland Power Cooperative Generation Alliance*, NRECA Generation and Transmission Legal Seminar, Santa Fe, New Mexico, November 10, 1995

Lecturer, *Acquisition Problems, Solutions, and Negotiations in Connection with the Met Center - Mall of America Roadway Improvements*, Hennepin County Bar Association Committees of Local Government Law and Eminent Domain, April 1992

Organizer/Moderator, *Legal and Engineering Issues Associated with the Use of Granular Activated Carbon to Treat Contaminated Groundwater*, June, 1991

Lecturer, *The Condemnor: Commencing the Action*, Minnesota Institute of Legal Education, 1986, 1988

Lecturer, *Environmental Considerations in Siting and Constructing a Generating Plant and Related Transmission*, NRECA Generation and Transmission Legal Seminar, 1979

Lecturer, *Recent Developments in Special Assessment Law*, Hennepin County Bar Association Local Government Law Committee, 1979

Lecturer, *Recent Legislative Proposals in the Field of Eminent Domain*, Minnesota Association of City Attorneys, 1979

Lecturer, *The Impact of Kraemer v. Burnsville on the Law of Special Assessments*, Minnesota State Bar Association Local Government Section, 1979

Lecturer, *Examination of the Effect of the Energy Agency Act, the Power Plant Siting Act, the Environmental Policy Act, and the Minnesota Environmental Rights Act on Minnesota Condemnation Law*, Hamline University School of Law, 1978, 1979,

1980, 1983; Snowbird Lodge, N.W.T., Canada, 1982

Lecturer, *The Role of the Expert Witness in Administrative Law Proceedings*, Gilbert/
Commonwealth, Jackson, MI, 1977