

## Wind Development & Land Use Workshop

April 26, 2010  
Redwood Falls, MN

**In Attendance:** Scott Riddlemoser (Citizen from Balaton), Mike Hanson (Cottonwood Co.), Marlene Smith (Cottonwood Co.), Mike Lamaack (Cottonwood Co.), John Oeltjenbruns (Cottonwood Co.), Michele Stindtman (Faribault Co.), Harold Grabousch (Faribault Co.), Pam Flitter (Martin Co.), Kristin Cote (Meeker Co.), Duane Henkelman (Meeker Co.), Ervin Hennen (Meeker Co.), Jean Christoffels (Murray Co.), Mandy Landkamer (Nicollet Co.), Rob Redding (Nicollet Co.), Kathy Henderschiedt (Nobles Co.), David Scheibel (Bird Island Norfolk Wind Energy), Marsha Bowman (Otter Tail Co.), Kyle Krier (Pipestone Co.), Glen Jacobsen (Renville Assistant Co. Attorney), Mark Erickson (Renville Co.), Vince Schaefer (Stearns Co.), Ron Mortensen (Meeker Co.), Phil Nelson (Lyon Co.), Deb Thooft (Lyon Co.), Rodney Stensrud (Lyon Co.), Carol Oakland (Lyon Co.), Tricia Zimmer (Lyon Co.), John Biren (Lyon Co.), Mike Buesing (Lyon Co.), Gordy Olson (Jackson Co.), Eric Hartman (Rock Co.), Phil Harder (Cottonwood Co.), Tim Stahl (Jackson Co Engineer), Bob Fox (Renville Co.), Julie Rath (RADC), Larry Hartman (DOC), Ingrid Bjorklund (DOC), Annette Bair (SRDC – SW CERT).

**Introduction and Overview:** Annette Bair, SW CERT Coordinator set the stage for the meeting by providing a brief overview of wind in general (small, community, and large projects), who regulates wind, installed capacities in MN from 1999 to 2009, a graphic from Windustry showing the scale of Wind – 3MW (492' tall) WECS down to a 10kW (112' tall), wind resource maps & locations of state and local permitted turbines in MN, the generator interconnection queue map, transmission line map – and compared the MISO queue map with the transmission line map, provided indicators of how you might know a project is looking to develop in your area, and a list of resources that may be useful. ppt

**State Energy Facility Permitting (1:15 – 2:45 pm)** Larry Hartman and Ingrid Bjorklund, Energy Facility Planning staff from the DOC Office of Energy and Security reviewed the Minnesota State permitting Process for Large Wind Energy Conversion Systems. ppt

### Local Panel

- Jon Biren, Lyon County Zoning Administrator; shared several of the land use and road issues that occurred during the construction of a wind development project in Lyon County. these included: dust control, cranes crossing the roads, shadow flicker, location of transmission lines (underground, in the ROW vs. out of the ROW), temporary road closures, keeping guy wires out of the road ROW, and suggests the largest area of legal challenge will be the 3RD x 5 RD project setbacks.
- Mandy Landkamer, Nicollet County Zoning Administrator – reviewed the process her county took in developing their wind development ordinance. The county imposed a moratorium in September 2008 and appointed a WECS committee to research and proposed a draft wind ordinance based on the research. The WECS committee did a significant amount of fact finding through: visiting various wind farms, had experts in various issues (noise, etc) speak with the committee, studied documentation of various issues and developed a draft ordinance based on their research. The new ordinance was adopted in July 2009 and is currently considered the most restrictive in setbacks. They have 3 categories of turbine: micro turbine 0-99' tall, non commercial 100-199' in height and commercial at 200' and over. A unique item for Nicollet County is they developed a wind rose specifically for the county.
- Jean M. Christoffels, Murray County Zoning Administrator reviewed some history of the Murray County WECS and Ordinance. There are 200+ towers in the county. The current ordinance is a stand alone ordinance so if it does need to be updated, the entire zoning ordinance is not opened for changes. The County decided to not have a moratorium on wind development as they developed an ordinance reflecting county delegation. In that time, a small wind developer applied for a permit – under the old ordinance setbacks and the county was challenged by an existing wind farm citing that the new development was too close and a wake study should be required. The new wind development withdrew their application and the lawsuit was

dropped. The current ordinance identifies >100kW as commercial and less than 100kW is non-commercial. Murray County is unique where they do not allow turbines in the shoreland district and they hold a preconstruction meeting where a list of several agencies is invited. In addition, only mono pole towers (not lattice) are allowed.

**Q & A / comments:**

- CUP fees – the fee structure ranged from \$300 plus the recording to \$600 + recording costs + \$750 per MW.
- Aviation warning was discussed. If a tower is less than 200' it does not need to be registered with the FAA. However there is a safety issue with crop dusting. Lighting and marking, as well as guy wires were discussed. There is some work to have the met tower locations reported to MnDOT Aviation.
- How long are site permits valid? The site is 2 years. The counties that responded said a CUP is void after 1 year, but they can apply for a one year extension.
- Setback boundaries: The state has a project boundary setback of 3 RD by 5 RD from all non participating property owners. This means if land lease rights have not been obtained within the overall project footprint; there are "islands" with a 3RD x 5RD setback from the islands; as well as the outer boundary. Internally, the turbines may be placed closer than 3 x 5 RD from each other.
- If a county has an ordinance for LWECs the state will consider the county setbacks if they are more restrictive. Discussion involved the more restrictive setbacks cannot be arbitrary– but needed rationale / documentation of why it is more restrictive.
- If a County becomes a delegated county, the state setbacks and standards are the minimum standards for LWECs. The county may adopt more restrictive standards. One of the speakers advised to prevent confusion, an ordinance should be reviewed to eliminate conflicts and inconsistencies.
- Who at the county receives the official draft wind site notice for comment? County Auditor's office. Bair indicated that often they auditor does not know the purpose of getting the document and it is not always passed to other county offices. In SW MN, when the RDC receives notice, we contact the Highway department and Zoning Administrator – and sometimes we contact adjacent counties to the project since the land use and highway activities may affect them also.
- Decommissioning. The state requires removal of the base to 48" below the surface.

**Next steps: What's been learned today.**

- Bair indicated that she would follow up with Hartman of the Shoreland Regulations that were referenced at today's meeting. There may be some misunderstanding of terms. *(follow up completed)*
- Counties not in the SW Region /SW CERT / or RMEB Counties are encouraged to contact their RDC to help watch for wind siting notices.
- The next workshop will be May 24 focusing on Wind Development and Roads and Bridges. Space will be limited to 50.

**Adjourn at 4:05 pm**