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PUBLIC INFORMATION MEETING - 13-258

FEBRUARY 6, 2018 - 6:00 P.M.

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

AND DEPARTMENT OF COMMERCE

In the Matter of the Site Permit Amendment Application  
for Repowering the Trimont Wind I Project in Martin and  
Jackson Counties

MPUC DOCKET NO. IP-6907/WS-13-258

Triumph Hall  
546 Main Street East  
Trimont, Minnesota

February 6, 2018

COURT REPORTER: Janet Shaddix Elling, RPR

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1 MS. TRICIA DEBLEECKERE: We're going to  
2 get started. It's just a little after 6:00. It's  
3 ten after 6:00.

4 So, good evening, everyone. Thank you  
5 for coming out in the snowy weather.

6 I am Tricia DeBleeckere with the  
7 Minnesota Public Utilities Commission. I'm the  
8 Commission staff on this project. We're here to  
9 talk to you today about the Trimont Repowering  
10 Project, which I think most of you are aware of.

11 So we're going to do a brief presentation  
12 on essentially the Commission process, we're going  
13 to -- I'll hand it over to Adam, who I believe you  
14 all know.

15 So then this is out of order, so I'll  
16 give a brief overview of the process that this  
17 project is going to go through. Second, Adam will  
18 go over the project, what they're proposing to do  
19 with the project. And then third, David Birkholz of  
20 the Department of Commerce will give you an overview  
21 of essentially the environmental review component  
22 that's going to go into the review of the site  
23 permit amendment.

24 When we get to the comment portion, this  
25 is Janet Shaddix, she is our court reporter, she's

1 taking down these notes for us to bring back to the  
2 office to remember what you all said. So when  
3 you're speaking, speak clearly, speak slowly, and if  
4 you can face her, otherwise you will be called out  
5 and asked to repeat what you said.

6 So I'm with the Public Utilities  
7 Commission and with me today is Charley Bruce, our  
8 public advisor, he's been on the job for one month,  
9 so right now he's just watching and seeing how this  
10 process goes.

11 And then last we're going to take your  
12 comments and get questions on the project. So  
13 anything we can answer for you or any comments you  
14 have on the proposal, the impacts you believe the  
15 project will have, if you have any proposed  
16 mitigation measures for any of those impacts, that's  
17 what we're looking for.

18 We permit wind projects that are greater  
19 than five megawatts at the Commission. Counties can  
20 elect to assume authority for projects between five  
21 and 25. Jackson County has done so. We can amend  
22 any of our existing site permits at any time.

23 Trimont was issued a site permit in 2004 and they've  
24 come in for a site permit amendment.

25 Go ahead to the next one.

1           And so the proposal before the Commission  
2 now is Trimont is looking to retrofit existing  
3 turbines, replacing cell equipment, refurbish  
4 generators to increase the megawatt capacity,  
5 replace the rotor, updating electronic controls and  
6 some modified wind access buffer setbacks. So those  
7 are really the issues that we're looking for your  
8 comment on today, about whether those are reasonable  
9 changes, what do you think about them, whether we  
10 should allow them, and if there are other  
11 considerations or conditions we should put on the  
12 site permit to allow for any of these modifications.

13           So we'll seek your comments today  
14 verbally through this meeting. We will accept  
15 written comments until, really February 21st is your  
16 key deadline, February 28th will be a response  
17 period, but really we want your initial comments and  
18 your initial feedback by February 21st.

19           And the three things I mentioned we're  
20 looking at are the requested site permit amendment  
21 relating to is the change acceptable, should the  
22 Commission approve the modified setbacks, and third,  
23 are there any other issues or concerns related to  
24 this site permit amendment.

25           So when we consider permitting projects,

1 we look at effects on land, water, air, public  
2 health and welfare, the whole list of items here.  
3 There are four buckets of considerations that we  
4 really focus on when reviewing these site permit  
5 amendments or changes to projects. And those are  
6 new information that would substantially change the  
7 findings accompanying the Commission's original  
8 permit decision, so what has actually changed from  
9 the original permit issuance. So it's not just  
10 what's changing in the project, but what findings  
11 did the Commission make that are different now with  
12 the new proposal.

13 Second is compliance with existing site  
14 permit terms and conditions. So essentially has  
15 Trimont Wind followed the permit to date and have  
16 they done what they're supposed to be doing. Are  
17 their compliance filings in, are they up to date.

18 Third, consistency with Commission  
19 standards. And so we update our site permit  
20 conditions from time to time on a case-by-case basis  
21 as we see the industry developing or changes  
22 occurring. And so when we have older projects that  
23 were permitted some time ago, sometimes ten years  
24 ago, we look to see what conditions the Commission  
25 has placed in more recent permits and how they are

1 applicable to the new project.

2 Fourth, we look at permit distribution  
3 and landowner notification requirements. The more  
4 we get familiar with wind, it's been about ten years  
5 since we started permitting these projects, we're  
6 really looking to make sure that landowners in the  
7 area were properly noticed. And if we amend a  
8 permit we want to make sure that they get  
9 renotification both of the amendment that's come in  
10 and any future site permit changes if they're  
11 approved.

12 So right now we've got four ways to  
13 submit comments. Verbal comments today at this  
14 meeting. You can go online to our Speak Up! system,  
15 that's an easier entry form for you to submit  
16 comments. We accept U.S. mail. And then there's a  
17 more formal approach, which you can file through our  
18 Commission's docket record. If you efile, that's  
19 the easiest way to file comments with attachments or  
20 with a letterhead. And so you have to go through a  
21 few steps to get there, but it's a more formal  
22 approach to submitting comments. So all four of  
23 these options are equally valid and have equal  
24 weight. So if you have comments today versus  
25 submitting comments later, we receive them all the

1 same.

2 All of these options are available in the  
3 public meeting notice and you should have received a  
4 copy of that notice, I assume that's why you're all  
5 here. There are some copies on the back table if  
6 you want to take those to figure out where you can  
7 submit comments.

8 So that's all I have right now, so I'll  
9 pass it over to Adam Sokolski of Trimont Wind to  
10 give an overview of the site permit amendment  
11 application.

12 MR. ADAM SOKOLSKI: Great.

13 Good evening, everybody. I'm Adam  
14 Sokolski, I work with Avangrid Renewables. I live  
15 and work out of Minneapolis, but I've been involved  
16 with a lot of projects down here over the years and  
17 others across the country.

18 There we go. Go to the next slide.

19 I wanted to give a couple things prior to  
20 getting to the meat and potatoes of our project  
21 proposal. Avangrid Renewables might be a newer name  
22 to some of you, it used to be called Iberdrola  
23 Renewables up until about two years ago. We've had  
24 a name change that reflects kind of the way we've  
25 structured the company here in the United States.

1 And a little bit more background about the company.  
2 About 6,000 megawatts, a little more than 6,000  
3 megawatts of wind scattered throughout the United  
4 States from Oregon to Vermont and New Hampshire down  
5 to Texas.

6 We've got about \$10 billion of U.S.  
7 assets. I believe about 750 employees. Most of our  
8 business is wind, but we also own some solar plants  
9 and some biomass assets, as well as a relatively  
10 large natural gas-fired power plant kind of on the  
11 border of Oregon and California.

12 You can go to the next slide.

13 And just to give you a little bit of  
14 flavor of where we own a wind farm and solar plant  
15 operations across the United States. As you can see  
16 here in the Upper Midwest, Minnesota, Dakotas, and  
17 Iowa, we've got a large concentration here of about  
18 14, 15 wind farms representing I think around 1,450  
19 megawatts, so quite a distribution here in the Upper  
20 Midwest.

21 Go ahead.

22 So as Tricia had mentioned, Trimont has  
23 been around for awhile. Trimont projects, for those  
24 of you who are landowners may remember, the  
25 landowners put this project together with a project

1 development company that now Neal Von Ohlen here in  
2 our audience and Corey Ebeling are a couple, Trimont  
3 Area Wind Farm, LLC. It was a community partnership  
4 between the landowner and company, and Avangrid  
5 Renewables are the owner of the wind farm itself.

6 What's unique there is that first wind  
7 farm, that was the first one in this region, within  
8 50 or 60 miles. It was initially developed by  
9 landowners and now, because of that unique  
10 partnership, the landownership company as part of  
11 the development model receives a share of the  
12 project's gross revenues, in addition to land leases  
13 and turbine payments that would normally come with a  
14 wind farm development.

15 The project was built in 2005 by our  
16 company and is now owned and operated by us as well.  
17 The project capacity, there are 67 turbines, each  
18 1.5 megawatts in electrical capacity, creating 100.5  
19 megawatts of electricity. Right now those turbines  
20 have what we call 77 meter rotor diameter, or a  
21 diameter of the blades is 77 meters or 252 feet  
22 across. And the center of that hub, the center of  
23 that rotor is about 262 feet off the ground.

24 We currently have a power sales  
25 agreement, Power Purchase Agreement, with Great

1 River Energy. They're a wholesale transmission and  
2 generation cooperative that serves the local rural  
3 energy cooperatives in the area and across the state  
4 of Minnesota. That power sales agreement ends in  
5 the end of 2020. We're working on a new power sales  
6 agreement.

7 Currently we operate that project, when  
8 you think about what we call capacity factor, it's a  
9 measurement of our efficiency in creating  
10 electricity out of wind, think about on your farms,  
11 if you farm, think about it as your yield. We  
12 operate that at about 37 and a half capacity factor,  
13 it's a decent wind project. And the project that  
14 we're proposing will have an effect on that.

15 We have about eight local jobs at the  
16 site. The Trimont and Elm Creek Wind Farm operation  
17 center, about half the people there work on the  
18 Trimont, or work on all the turbines, but there is  
19 probably eight FTEs associated with the Trimont  
20 project. And we currently pay a wind production tax  
21 that goes to the counties and the townships of about  
22 \$400,000 a year. 80 percent to the county, 20  
23 percent to the township, all based on electrical  
24 production on an annual basis.

25 Next slide, please. Here we go.

1           So this wind farm is only at this point a  
2 little bit more than ten years old and why are we  
3 talking about retrofitting? First of all, a  
4 retrofit increases the reliability, the efficiency,  
5 and prolongs the life, the useful life of the  
6 facility. These turbines are about 15 years old,  
7 they were well built and well maintained, but we  
8 have an opportunity here to make an improvement.

9           So what we're proposing to do here is use  
10 a General Electric certified and manufactured and  
11 delivered product that increases the rotor diameter  
12 of the turbines. So we'll take down the existing  
13 blades and rotor and replace it with a larger rotor  
14 set. That new rotor set will be 91 meters across or  
15 298 feet. We'll also replace many of the components  
16 within what's called the nacelle, the big square box  
17 at the top of the tower. That'll include the  
18 gearbox or the transmission. Oil cooler, drive  
19 shaft, pitch drive, et cetera. A number of  
20 components there get switched out.

21           We're going to refurbish the electrical  
22 generator that sits on top, and that will be taken  
23 down, trucked off-site but nearby and rebuilt,  
24 refurbished, so it's like brand new and put back  
25 into the wind turbine. The sum of those changes

1 will increase the turbine's potential to generate  
2 electricity from 1.5 megawatts to 1.6 megawatts, so  
3 a slight increase in electric capacity. Finally,  
4 we'll put a new software package into the machines  
5 and into the system that'll help enhance the  
6 controls and help us increase the yield or the  
7 capacity factor of the project.

8 So we're talking about an overall  
9 increase if this project is installed of about 15  
10 percent more megawatt-hours of production on an  
11 annual basis. That means more electricity, think of  
12 that as more corn or beans coming off the same  
13 field. With that, it means additional taxes we'll  
14 pay to the local units of government of about 15  
15 percent more because we're taxed on each  
16 megawatt-hour of production.

17 This retrofit should increase the useful  
18 life of the project to about 2045, so we have a long  
19 life extension with this. There will still be  
20 maintenance to be done, no question about it. But  
21 when we think of useful life it pushes it out  
22 another 25 years. And should we get permission to  
23 install we would do it in either 2019 or 2020.

24 So, again, just thinking about the layout  
25 here. What would change? No turbine sites are

1 changing. We're reusing -- excuse me. We're  
2 reusing the existing foundation, access roads,  
3 underground electrical systems. Above ground we're  
4 using the wind turbine tower and the shell of the  
5 nacelle, or the box at the top. There will be some  
6 additional internal components that will be reused,  
7 but we're able to essentially put a bigger sail on  
8 the sailboat here. By changing from 77 to 91 meters  
9 in rotor diameter, we've got a 40 percent larger  
10 rotor sweep area which helps increase our  
11 production. The hub height where the nacelle sits  
12 for the center of that hub, that will not get any  
13 taller. We're staying the same. So the turbines  
14 don't get any taller, except for the blades get  
15 wider. And so that tip height, so if you think of  
16 one of the blades at the 12:00 position, the  
17 measurement from the top of that tip of the blade  
18 will increase to about 412 feet, which is a 23-foot  
19 increase from the existing condition.

20 Next slide, please.

21 Construction process. As I said, the  
22 turbines will not move, they'll remain in the same  
23 location. We want to reuse the existing underground  
24 infrastructure, reuse the existing roads. However,  
25 we will need to improve some of the wind farm roads.

1 Some of them are getting older, some of them need  
2 some gravel put back on them to ensure that we build  
3 up the project so we don't do any damage. We'll  
4 also need a temporary wide-turning radius at the  
5 intersection of the project roads and the public  
6 roads that will allow for, when we bring in a  
7 turbine blade truck, allow for them to make that  
8 wide turn with a long truck.

9 Finally, we'll need -- additionally,  
10 we'll need a temporary construction and laydown area  
11 around each wind turbine. So those of you who are  
12 landowners, think about a 400 by 400 foot square  
13 somewhere around that wind turbine. We need to park  
14 a crane, we need to park some vehicles to rebuild  
15 the nacelle, to rebuild the rotor, and that'll take  
16 up some temporary ground.

17 We'll use a large crane to lower the  
18 rotor and nacelle to the ground. The components  
19 will be removed. Some will be disposed of, such as  
20 the blades, which will be cut up on site and trucked  
21 off site and ground up and recycled. The generator  
22 will be shipped off site to a location nearby to be  
23 determined, where GE will have contractors and  
24 employees working to refurbish that electrical  
25 generator.

1           We'll truck in the new blades, the hub,  
2           the nacelle-based equipment and the refurbished  
3           generator, which will all be assembled on site and  
4           lifted back up on top of the tower.

5           Finally, we'll test out each turbine  
6           individually and go through a condition process.  
7           We'll start pulling out the turning radius at the  
8           public road entrances because they are temporary,  
9           and clean up and restore the site.

10          Overall, we anticipate it taking, you  
11          know, the better part of the season to do that, so  
12          similar to a new build. We'll start in the spring,  
13          end in the fall. We haven't determined exactly what  
14          kind of construction schedule will be used at this  
15          point.

16          I think I've said it before, but turbine  
17          locations won't change. We know that's going to be  
18          a common question people have. We have had outside  
19          engineers look at our underground electric  
20          collection system and they find that that  
21          underground electric collection system is sufficient  
22          to accommodate the new turbines -- not new turbines,  
23          the retrofitted turbines, and so we don't anticipate  
24          any new underground trenching.

25          We have a wind farm here, we could always

1 have a problem with the electrical conductor and it  
2 would need to be removed and replaced, that's always  
3 a risk with a wind farm, but we don't anticipate  
4 trenching any new electrical for the project.

5 The existing wind turbine towers, the  
6 nacelles and the foundations will be reused. We've  
7 had outside engineers already in to take a look at  
8 the design and the construction of those existing  
9 wind turbine foundations. The engineers have found  
10 that those are sufficient to support the new  
11 equipment.

12 We'll have some additional testing and  
13 inspection prior to construction to make sure there  
14 has been no deterioration or degradation that has  
15 been unexpected, to ensure that the foundations  
16 remain safe and secure for the new product.

17 Finally, if we do find problems with the  
18 foundation, and that's true if we retrofit or not,  
19 of course we're going to go in and make the  
20 modifications necessary to make sure that the  
21 foundations and towers are safe and reliable for not  
22 only our workers, for ensuring the plant continues  
23 to operate safely, and also for the safety of the  
24 general public and landowners.

25 Next slide.

1           Crop damage. We'll have some crop  
2 damage. There's no question about it. That happens  
3 with any wind farm construction project. However,  
4 as we always do, we'll work to avoid having any crop  
5 damage by working in advance with landowners to try  
6 to either not plant in an area or early harvest in  
7 an area as an alternative to damaging crops. Of  
8 course, we're always going to compensate landowners  
9 for damage to crops. We break it, we pay for it.  
10 That's just been a long-term promise we have with  
11 the landowners to ensure that we're not infringing  
12 on someone else's income.

13           Drain tile damage. We've had drain tile  
14 damage on these sites. There's no question about  
15 it. There is a lot of drain tile here in the local  
16 area. And we're committed, if we have a drain tile  
17 problem, we're committed to having it repaired and  
18 fixed properly. So just as we've always had, if you  
19 have a drain tile problem, let us know, and we're  
20 going to make sure that it gets fixed if it's been  
21 associated with the project. I know Bill Swan from  
22 this project site here and his team have been really  
23 great about that over the years.

24           I think that's it. Here's my contact  
25 information. I've got business cards. I'm going to

1 stick around after as well to talk to folks and  
2 answer any questions.

3 I'll turn it back over to David.

4 MR. DAVID BIRKHOLZ: Good evening. My  
5 name is David Birkholz, I'm with the Minnesota  
6 Department of Commerce. I'm the old-timer in the  
7 group here because I was out here talking with  
8 several of you in 2004. I'm still around. But we  
9 work with the Department of Commerce, then we were  
10 in the Environmental Quality Board.

11 And in the initial project we did two  
12 things. There was a certificate of need, if you'll  
13 recall, and we did an environmental review in my  
14 office on the certificate of need, which the PUC  
15 made the decision on. And then the other  
16 environmental review that takes place on a wind farm  
17 is actually the research and the surveys and the  
18 application. And that permit went through the  
19 Environmental Quality Board and we were out here for  
20 meetings on that as well. So that's 14 years ago.

21 So we're talking about changing the  
22 project, but it's also important to understand  
23 what's changed out here as well so we're not just  
24 assuming that everything is the same.

25 So there's a lot of interest -- well, in

1 the first place, now all the decisions, as Tricia  
2 has pointed out, have been transferred by the  
3 legislature over to the Public Utilities Commission.  
4 And then my group from the Environmental Quality  
5 Board was transferred over to Commerce, but we're  
6 still working together on the same project and we're  
7 still doing the same things.

8 At this stage, we don't have to do  
9 another certificate of need. But we do have to look  
10 at what is going to be the environmental impact of  
11 making a change of this magnitude.

12 We've been looking, over the past couple  
13 years between the Commission and the Department and  
14 several developers, including Avangrid, and talking  
15 about exactly this idea. Minnesota has been  
16 permitting wind turbines for 20 years now, which is  
17 really an amazing thing to think about back then  
18 because it was all so bright and shiny and new at  
19 the time. But there are a couple from that period  
20 on Buffalo Ridge that are looking to do fairly  
21 similar projects of doing this. And it's all new,  
22 to decide what needs to be done, what needs to be  
23 looked at.

24 So for this project we all sat down and  
25 went through, as noted in the old permit that they

1 have, and you may want to go online and see that,  
2 and the new permits that Tricia talked about that  
3 have changed over the last 20 years. And there are  
4 a lot of different things that the state of  
5 Minnesota and the industry have learned about the  
6 environmental impact of wind energy and wind farming  
7 and a lot of information about the things that need  
8 to be looked at.

9 The important thing here is that we sat  
10 down together and we've gone back and we've gone  
11 over a lot of the same things that went into the  
12 application the first time we looked at it. Are  
13 there changes in the area? Are there changes in the  
14 environment locally? What kind of changes will take  
15 place based on these changes? What are the  
16 advantages of doing retrofitting over new projects?  
17 And what kind of review needs to take place? So  
18 those are a lot of questions that are being asked  
19 and a lot of new things that don't have answers yet  
20 because this is number one. This is the first  
21 retrofit project that we're looking at. So we're  
22 learning and doing it at the same time and that's  
23 why it's especially important to solicit a lot of  
24 information from landowners because that's, again,  
25 the final layer of impact, that's where it hits the

1 ground.

2           Some of you are participants, I'm sure,  
3 and other people in the area aren't, and there's a  
4 slightly -- there's a bit of difference in the  
5 impact view based on your perspective, I'm sure.  
6 But the things that we've asked the company to do  
7 and the company has offered to do, they've gone  
8 through and done many of the same surveys and  
9 modeling of the turbines and the noise, the noise  
10 modeling, the shadow flicker modeling, the types of  
11 things that are going to be impacts that will be a  
12 part of any wind farm. We've gone through and see  
13 if there's any environmental changes, has the land  
14 use changed, are there different -- are there  
15 different wetland implications? What's stayed the  
16 same? What's changed?

17           Anyway, the important thing at this point  
18 in time is that along with what we're doing, we're  
19 learning. The basic thing that I'm trying to say  
20 rather poorly is that we're trying to learn the  
21 right questions we're asking as we're asking the  
22 questions. We're trying to ask the questions and  
23 we're trying to learn what the right questions are  
24 to ask. And that will take -- and that's why we're  
25 out asking for a local opinion.

1           So one of the things that I would suggest  
2           is that we do have online the old permits that were  
3           in place from the beginning of the project. We have  
4           online on our site at the Department of Commerce, as  
5           well as at the PUC, the types of permits that are  
6           being issued now. And there are quite a few  
7           variations. And as Tricia said, we update. Every  
8           time projects have made amendments, we've updated  
9           them so that it's consistent across-the-board. So  
10          all projects are responsible to fulfill the same  
11          environmental responsibilities across-the-board.

12          Avangrid has a series of projects that  
13          are newer and newer and newer, as we go, as you all  
14          know because they're down here, so they've followed  
15          that path as well as they've gone along the way.

16          The reason we're out here today is,  
17          again, before we would actually give -- before we,  
18          and it's not we, it's the Public Utilities  
19          Commission itself that makes the decision, but it's  
20          my office that does most of the environmental review  
21          and the checking to see that the surveys are done  
22          and that the impacts are done and that people have  
23          had the chance to have input on the project.

24          So the thing that we're out here for  
25          today is to collect, I want to encourage you to go

1 online and look at the differences and to see what  
2 might be missing. To go in and look at the  
3 application -- you probably have received a copy of  
4 the application. Have people received a copy at  
5 this point in time?

6 MR. ADAM SOKOLSKI: No.

7 MS. TRICIA DEBLEECKERE: They've received  
8 notice and a link where they can get the  
9 application.

10 MR. DAVID BIRKHOLZ: Right. So you have  
11 a chance to go over and look at that. So the point  
12 is, you're going to have input from your  
13 perspective, from, again, on the ground of what  
14 we're missing.

15 The application looks at everything we've  
16 asked them to look at. We've talked it back and  
17 forth and we've come back. And the step of the  
18 project now, before it goes before the Commission,  
19 is for you and your neighbors to step up and say  
20 what needs to be reviewed to be able to do this.  
21 And so what needs to be reviewed, what's already  
22 been taken care of, what is positive, what is  
23 negative. What is positive, even. This is not just  
24 a look to see what's wrong, this is a look to see  
25 let's do this the right way and retrofitting and

1 making the best use of the resource, again, as  
2 possible.

3 So before I stand up here and just start  
4 redundantly working myself back out of a corner that  
5 I've talked myself into, I'll sit down and just say  
6 that we really sincerely are looking for the input  
7 of all of you who are out here. And helping us to  
8 learn as we go into this new process of retrofitting  
9 and relooking at another new way to look at wind  
10 energy in Minnesota and the way to do it best and  
11 the way to do it most efficiently and we appreciate  
12 your help.

13 So tonight we're going to go ahead and  
14 have you come up here and speak. And Tricia can  
15 explain that. But you're also going to be able to,  
16 as I said, look at all the materials that you have  
17 and look at all the materials that you want to, and  
18 there will be a time period so that you can put in  
19 written comments as well, and so you're not just  
20 based off the top of your head, you can be able to  
21 review what's on the table.

22 So thank you for coming out to do this  
23 and we look forward to your comments and I'll let  
24 Tricia continue.

25 MS. TRICIA DEBLEECKERE: Thanks, David.

1           So right now we're at the public comment  
2           portion where we're here to answer any questions you  
3           might have or whatever input you have.

4           So would anybody like to start?

5           All right. And you could -- actually,  
6           could you come up to the front so Janet can hear  
7           both your first and last name?

8           MR. TIM STAHL: My name is Tim Stahl, I'm  
9           the Jackson County engineer.

10          COURT REPORTER: And the spelling,  
11          please.

12          MR. TIM STAHL: S-T-A-H-L. I don't need  
13          to spell Jackson, do I?

14          COURT REPORTER: No, I think I have that  
15          one. Thank you.

16          MR. TIM STAHL: All right. As I'm  
17          perusing the document here, with all the wind  
18          production or wind farms in Jackson County, we've  
19          had a development agreement. From the highway  
20          engineer's perspective we are watching out for the  
21          condition of the roads. That the roads' condition  
22          prior to construction is similar to the post  
23          construction activities.

24          At this time in this document and in  
25          previous documents that was addressed, that

1 necessary permits will have to be acquired through  
2 the road authorities. So I would like to make sure  
3 that that goes on record, that that is something I  
4 need to see. The reason being is that there will  
5 still be traffic. I found out today that the  
6 nacelle comes off and goes to another location, that  
7 is a very heavy load, which may exceed the capacity  
8 of an existing road, be it a township or a county  
9 road.

10 So I just want to make sure that that  
11 development agreement, which includes a road use  
12 agreement and a public drainage agreement is adhered  
13 to in a retro project.

14 Thank you.

15 MS. TRICIA DEBLEECKERE: Thank you for  
16 your comments.

17 Who else? Anybody else? This will be a  
18 short meeting. There you go.

19 MR. NEAL VON OHLEN: Do I have to stand  
20 up there?

21 MS. TRICIA DEBLEECKERE: If you can say  
22 your name.

23 MR. NEAL VON OHLEN: Neal Von Ohlen.

24 COURT REPORTER: Spell it, please.

25 MR. NEAL VON OHLEN: N-E-A-L, V-0-N

1 O-H-L-E-N.

2 I'd just like to make a comment. So  
3 Corey and I helped the Trimont Wind Farm, LLC. So  
4 for Avangrid to justify this input they're putting  
5 into this project, this cash they're going to have  
6 to put into this project, when we originally signed  
7 back in 2005 we signed a 30-year lease. And to  
8 justify it, they wanted to add another ten years on  
9 to that lease to make it a 40-year lease.

10 And right now at this meeting there is --  
11 I'm one, and there's five other landowners behind  
12 me, and they don't -- they all live within the  
13 project, they're all -- they live, farm, work in the  
14 area. And so to add those extra ten years, I just  
15 wanted to stress that those were absentee  
16 landowners. But to justify to add those ten years,  
17 you basically had to go to 67 landowners and have  
18 them sign the necessary paperwork to add the ten  
19 years. And out of the 67 landowners, every single  
20 person signed that lease. So, I mean, if there was  
21 one person that was upset with noise, birds, visual,  
22 anything, why would they sign that lease? And there  
23 wasn't a single person that did not sign that lease.

24 So I think that right there tells you  
25 that the people that are in this project are very

1 happy. They do a great job with tile repair, they  
2 help out anyway they can with the landowners, and  
3 it's been a great cooperation between the landowners  
4 and the company and everyone is very happy.

5 MS. TRICIA DEBLEECKERE: Great. Thank  
6 you.

7 I'll stand up here for a little longer.

8 All right. Going once, going twice.

9 All right.

10 MR. STEVE FLOHRS: All right. I'm Steve  
11 Flohrs, Martin County Commissioner. F-L-O-H-R-S.

12 The only -- Adam and I talked about it a  
13 little bit earlier, I'm only worried about the  
14 setbacks, with the change in the rotor size and the  
15 setbacks. We were talking about it. Could you  
16 explain it all to me, how we get generally around  
17 that? Or how many sites are there that I actually  
18 have to worry about with the setbacks? None?

19 MR. ADAM SOKOLSKI: Commissioner Flohrs,  
20 I don't recall the number off the top of my head. I  
21 know Sarah and I worked on the analysis of that.

22 MR. DAVID BIRKHOLZ: I think it's on the  
23 order of 21.

24 MR. STEVE FLOHRS: 21 will be impacted?

25 MR. ADAM SOKOLSKI: That's my

1 recollection as well as at least the right ballpark.  
2 And the issue here is the question of what's called  
3 the wind access buffer setback that the state  
4 Utilities Commission imposes upon a large wind  
5 system like this. That setback is measured by  
6 multiplying the rotor diameter of the wind turbines  
7 times three, or times five, depending on the  
8 direction. The idea is the setback from the  
9 boundary of your leased land, either three rotor  
10 diameters on the east-west, or five rotor diameters  
11 on the north-south access, to make sure that there  
12 is a significant buffer between two different wind  
13 farms and two different wind rights holders. That's  
14 the largest setback in the country for a wind  
15 setback.

16 There are some noise setbacks in other  
17 states that rival that, but we're really looking at  
18 the largest setback that we have to deal with here  
19 in Minnesota and the largest setback that we have in  
20 the Upper Midwest region.

21 Commissioner Flohrs, you're correct,  
22 we're not going to move the turbines. Economically  
23 that doesn't work. So we've asked the Commission in  
24 our application for relief from the wind access  
25 buffer setback in the specific locations where --

1 because we're not moving the turbines, we need some  
2 relief to allow those turbine locations to have a  
3 larger rotor diameter placed upon them. And so  
4 we've asked that of the Commission.

5 Back in 2004, when we initially permitted  
6 the project, we asked for similar relief in cases  
7 where complying with the wind access buffer setback  
8 would have placed turbines in an undesirable  
9 location. I can't remember all the circumstances,  
10 but I think one had to do with that that placement  
11 would put it into a native prairie and the restored  
12 or original native parcel and we didn't want to do  
13 that. Another case was I believe it was going to  
14 get close to or into a wetland area that we didn't  
15 want to get into.

16 So we've asked for relief and the  
17 Commission has granted relief in some cases  
18 throughout the years to accommodate what's called  
19 efficient development of the wind resource. So  
20 that's what we're asking for here, in that case. We  
21 are not asking for any relief on any of the other  
22 setbacks or standards. The noise setback, the road  
23 setbacks, et cetera. We continue to comply with  
24 those fully . But in this case, the wind access  
25 buffer setback, it kind of boxes us in and so we've

1 chosen to ask for relief there.

2 MS. TRICIA DEBLEECKERE: That's a good  
3 point. Because this is our first repowering  
4 project, that's a question that really hasn't been  
5 before the Commission before. And so when we look  
6 at variances from kind of our existing standards, we  
7 look on a case-by-case basis. However, I know that  
8 this specific instance and any future similar  
9 requests from the Commission like this will be a  
10 very difficult one for the Commission to answer.

11 When you are looking at easements that  
12 overlap either internally with the Trimont project,  
13 when you go externally and you start impacting the  
14 wind of neighbors without easement agreements,  
15 that's going to be a really hard decision for the  
16 commissioners to make and nobody has made that  
17 decision yet so that's forthcoming with this  
18 application. That's what we're really looking for  
19 for input from everybody on this project and the  
20 pros, the cons, and what we should do about it.

21 MR. DAVID BIRKHOLZ: I might just say, as  
22 Adam says, it's not just about the noise setbacks  
23 because that's a different setback, but it's a  
24 development setback. It's a best use of the  
25 resource setback. So internally for the company's

1 benefit and for the development of people who own  
2 land rights that aren't in the project, it's -- but  
3 what I think, the way I look at it, is the decision  
4 that the Commission is making is the same as it's  
5 always making, is what's the best use of the  
6 resource. And over the years that three by five  
7 setback, based on the prevailing wind, has been a  
8 very workable number. But it's not a number set in  
9 statute, or it's not a number set in rule, it's a  
10 number set in precedent and the fact that it's  
11 worked for basic projects.

12 So the real question the Commission will  
13 have to make, they have to establish if the other  
14 environmental conditions are met, and if this is a  
15 project that is really advancing the wind projects  
16 in Minnesota and the wind goals in Minnesota, is  
17 balancing that question. Is can we -- can they  
18 adjust that setback in consideration of making the  
19 best use of the wind resource and making the best  
20 and least impact on the environment while doing so.

21 MR. STEVE FLOHRS: Thank you.

22 MS. TRICIA DEBLEECKERE: Anybody else?

23 MR. DAVID BIRKHOLZ: It's an interesting  
24 question.

25 MR. NEAL VON OHLEN: I have a question.

1                   When Trimont was built, didn't we use a  
2                   five by five setback? Which has since been lessened  
3                   to a three by five?

4                   MR. ADAM SOKOLSKI: Right.

5                   MR. NEAL VON OHLEN: All right.

6                   MR. DAVID BIRKHOLZ: And of course the  
7                   difference in these are going to vary a bit  
8                   depending on where it is because, of course, this  
9                   project is not moving turbine bases, locations, or  
10                  towers. So if you're going to increase the wind  
11                  capacity, you're going to increase the rotor  
12                  diameter 77 to 91 meters, so it's a matter of how  
13                  much of that space, you know. 'Cause when you do  
14                  that, the rotor diameter expands, as Adam said  
15                  earlier, that three by 91 is going to be obviously  
16                  larger than three by 77. But, also, how far does  
17                  that go towards impacting another person's land  
18                  rights. Or not land rights, but wind rights.

19                  MS. TRICIA DEBLEECKERE: Any other  
20                  comments? Going once, going twice?

21                  We're going to be done before 7:00.

22                  MR. ADAM SOKOLSKI: May I fill in one  
23                  piece to help close the information with the  
24                  question that Commissioner Flohrs asked?

25                  Just looking at Table 7 of our

1 application, page 13, this table describes those  
2 cases where we're asking for relief of the wind  
3 access buffer for specific cases. It also describes  
4 the distances that we're asking for relief. And the  
5 greatest distance I can see here is about 225 feet.  
6 And that doesn't include the road right-of-way  
7 distances either. So that's 225 feet, the road  
8 right-of-ways within that 225. So you have a very  
9 small area in any of these parcels that's being  
10 affected or impacted. It's not like we're slopping  
11 over three rotor diameters onto an adjacent parcel,  
12 it's relatively small distances.

13 MS. TRICIA DEBLEECKERE: That's a really  
14 good table to look at if you want a better  
15 perspective of it.

16 Thank you. Thank you, everybody, for  
17 coming. Please submit written comments if you have  
18 anything else to add. Feel free to call myself or  
19 Charley or David if you have any questions.

20 Thanks for coming out.

21 (Meeting concluded at 6:55 p.m.)  
22  
23  
24  
25

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