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PUBLIC HEARING - 25-89 & 25-88
WORTHINGTON - APRIL 6, 2026 - 6:00 P.M.
BEFORE THE COURT OF ADMINISTRATIVE HEARINGS
FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Joint Application of Summit Lake Solar, LLC, and Summit Lake Storage, LLC, for a Solar Generating System Site Permit and a Battery Energy Storage Site Permit for the up to 200 MW Summit Lake Solar Facility and the up to 200 MW Battery Summit Lake Energy Storage System in Nobles County, Minnesota

**MPUC DOCKET NOS: IP-7153/GS-25-89 &
IP-7153/ESS-25-88**

CAH DOCKET NO: 21-2500-41031

Worthington Event Center
1477 Prairie Drive
Worthington, Minnesota 56187

April 6, 2026

BEFORE: Judge Kimberly Middendorf

STENOGRAPHIC COURT REPORTER: Christine Simons, RMR, RPR

APPEARANCES:

**JEREMY DUEHR, Attorney at Law, Fredrikson
& Byron, P.A., jduehr@fredlaw.com, appeared on
behalf of the Applicants.**

PUC STAFF:

Craig Janezich

Sam Weaver

**WHEREUPON, the following proceedings were
duly had and entered of record, to wit:**

1	I N D E X	
2	SPEAKER	PAGE
3	Judge Middendorf	5
4	Craig Janezich	9
5	Alia Mohammad	12
6	Sam Weaver	25
7	Stacey Karels	33
8	Tony Wicken	34
9	Nathan Runke	35
10	Malory Fritz	36
11	Karsen Rumpf	39
12	Andrew Larson	40
13	Victoria Orchard	41
14	Amy Juarez	43
15	Dale Solt	50
16	Paulette Sjogren	59
17	Mary Wagner	61
18	Loretta Halbur	69
19	Dwayne Weinrank	73
20	Dennis Fultz	79
21	James D. Jones	81
22	Rod Sankey	86
23	Rodney Burkard	94
24	Anna Deitchler	101
25	Jill Cuperus	111

I N D E X C O N T I N U E D

SPEAKER	PAGE
P.J. Klein	115
Lance Rogers	120
Trey Davis	131
Elizabeth Slater	137

E X H I B I T S

NUMBER	PAGE
SLS 1 through 30	8
PUC 1 through 29	8
EIP 1 through 4	9
Hearing 1 - Submission from Dale Solt	5
Hearing 2 - Submission from Dale Solt	5
Hearing 3 - Photo from Malory Fritz	43

1 (Exhibits Hearing 1 & Hearing 2 marked.)

2 JUDGE MIDDENDORF: Good evening,
3 everyone. Thank you, everyone, for coming out
4 tonight. I'm Kimberly Middendorf. I'm the
5 Administrative Law Judge who is presiding over this
6 matter on behalf of the Public Utilities Commission.

7 So this is the first public hearing In
8 the Matter of the Joint Site Permit Application of
9 Summit Lake Solar for a Solar Energy Generating
10 System Site Permit and a Battery Energy Storage
11 System Site Permit for the up to 200-megawatt Summit
12 Lake Solar Facility and Battery Energy Storage
13 System in Nobles County. This is Docket
14 21-2500-41031; PUC Docket GS-25-89 and ESS-25-88.
15 Today is April 6th, 2026; it's just after 6:00 p.m.

16 So the Court of Administrative Hearings
17 is an independent executive branch court. It is not
18 affiliated with the Applicant, the Minnesota Public
19 Utilities Commission, or the parties to this matter.
20 I have been assigned to hold public hearings to
21 obtain public input on the Summit Lake solar and
22 Summit Lake storage projects.

23 So this is part of the process of
24 building a record containing all of the necessary
25 information, which I'll use to write a report to the

1 Public Utilities Commission, which includes
2 recommendations to approve or deny the applications
3 based on the information gathered through this
4 process, including all of the comments that are made
5 tonight.

6 The Public Utilities Commission makes the
7 final determination on the permit application after
8 reviewing your comments, my report, and all of the
9 evidence in the record, and that can be viewed on
10 eDockets. There is a slide towards the end that has
11 that information in case you are interested in
12 learning more.

13 So the purpose of our hearing this
14 evening is to give members of the public an
15 opportunity to provide their views and ask questions
16 of knowledgeable agency and project personnel, and
17 permit the Applicants the opportunity to explain
18 what they're proposing to do. This public hearing
19 is a part of the fact-gathering process to enable
20 the Public Utilities Commission to make an informed
21 decision on the projects.

22 So this evening, we're going to have a
23 number of presentations. I'm giving the opening
24 remarks, and then you'll hear from me after we've
25 heard from Mr. Janezich of the PUC, who will give

1 you a summary of the review process. We'll hear
2 from Summit Lake, and they'll give you a description
3 of the proposed project. And then we'll hear from
4 Sam Weaver from the PUC about the environmental
5 review process. At that point, I'm going to take it
6 back over, and we will take comments from everybody
7 who would like to speak who has come out tonight.

8 So if you haven't signed up and you want
9 to speak at any point, you can still do so. There
10 still should be a sign-up sheet out in the hallway,
11 so that is still an opportunity that's available to
12 everybody.

13 And then before I turn it over, I'll just
14 let you know that for those of you who are not very
15 comfortable public speaking, the written comment
16 period is open until April 20th, 2026. You can mail
17 those comments, you can file them on eDockets, I
18 believe you can email the PUC as well.

19 I read every comment that's put into the
20 record, and I know the Commission does as well. And
21 so I do encourage you to offer a written comment, or
22 if you -- even if you do speak tonight and you think
23 of something you wish you would have said, you still
24 have that opportunity.

25 All right. So just one bit of

1 housekeeping before we turn to presentations, does
2 the Applicant have exhibits that it wishes to offer
3 into the record?

4 MR. JEREMY DUEHR: Good evening, Your
5 Honor. Jeremy Duehr, on behalf of the Applicants.
6 The Applicants have exhibits marked SLS 1 through 30
7 that they would like to offer into the record.

8 JUDGE MIDDENDORF: Thank you. Those
9 exhibits are received.

10 (Exhibits SLS 1 through 30 offered and
11 received.)

12 JUDGE MIDDENDORF: And then,
13 Mr. Janezich, does the Commission have Exhibits 1
14 through 29?

15 MR. CRAIG JANEZICH: Yes, Your Honor.

16 JUDGE MIDDENDORF: And do you wish to
17 offer those at this time?

18 MR. CRAIG JANEZICH: Yes, please, Your
19 Honor.

20 (Exhibits PUC 1 through 29 offered and
21 received.)

22 JUDGE MIDDENDORF: And then Energy
23 Infrastructure Permitting, Mr. Weaver, I have 1
24 through 4?

25 MR. SAM WEAVER: Yes, that is correct,

1 Your Honor.

2 JUDGE MIDDENDORF: And do you wish to
3 offer those into the record at this time?

4 MR. SAM WEAVER: Yes, I do.

5 JUDGE MIDDENDORF: All right. Then,
6 Energy Infrastructure Permitting's Exhibits 1
7 through 4 are also received.

8 (Exhibits EIP 1 through 4 offered and
9 received.)

10 JUDGE MIDDENDORF: All right. Then, with
11 that, I'm going to turn things over to Mr. Janezich
12 to explain the process.

13 MR. CRAIG JANEZICH: Good evening,
14 everybody. Can you hear me okay?

15 Yeah, okay. My name is Craig Janezich,
16 and I work with the Minnesota Public Utilities
17 Commission.

18 Next slide.

19 Typically when we make a decision on site
20 permits -- in this case, there'll be two permits --
21 there'll be a solar permit and a BESS permit.
22 That's what the Applicant has applied for. We look
23 at Rules 7850 and Chapter 216E when the Commission
24 makes a decision. That's, kind of, the prism
25 that -- which they use to make decisions.

1 General factors include: Conserve
2 resources and minimize environmental impacts;
3 minimize human settlement and other land-use
4 conflicts; and then ensure an efficient,
5 cost-effective, secure power supply for the State of
6 Minnesota.

7 I will say under 216E, there's probably
8 14 different factors, but if you're interested in
9 seeing them, please look at -- this is just a
10 highlight of those things.

11 This slide here is our review timeline
12 and what we expect the process will -- how it will
13 unravel. Tomorrow we'll have a virtual hearing,
14 that people that weren't able to participate today
15 or attend this meeting, they can attend the virtual
16 meeting if they'd like. We have the comment period
17 closing on April 20th, 2026. So in the event that
18 you don't want to speak or you have more to say even
19 after you speak, please get those comments in by
20 April 20th.

21 We anticipate the Administrative Law
22 Judge to file her report on June 19th, 2026, and
23 then there'll be exceptions to the ALJ report.
24 Exceptions would be in instances, maybe, that you
25 read the ALJ report and you think that there should

1 be another conclusion, maybe that -- that should
2 have been reached, that's your opportunity to submit
3 that. And then, tentatively, we expect the
4 Commission decision in August 2026.

5 This slide is the written comment period.
6 Just to emphasize it again, written comments are
7 accepted through April 20th, 2026, by 4:30 p.m.

8 My contact information is on there as
9 well; as well as Sam's, that you'll be hearing from
10 him next; and also the Applicant. There's some
11 questions there that we would ask you to focus on,
12 but you're free to talk about anything you want in
13 the comments you submit to us.

14 The additional information on the bottom,
15 there's a project mailing list if you're interested
16 in, like, key markers of what's going on with this
17 docket. You can go ahead and sign in with the email
18 address, just give -- giving your email address.
19 You're just going to want to put Dockets 25-88 and
20 25-89. You're also able to examine the full case
21 record. So anything anybody's ever submitted, you
22 can do that using the Public Utilities' website, and
23 in that case, you would again put in 25-88 and
24 25-89.

25 The last one is if you want to subscribe

1 to the docket. I'll just warn you that it may fill
2 up your inbox. Because anytime somebody submits a
3 comment, you'll be notified in your inbox, and that
4 might be great if that's what you prefer. But
5 that's another option so you can see what's going on
6 and you don't always have to check the website, you
7 know, to see what's going on. You'll get it right
8 in your email.

9 Now, I will go ahead and turn it over to
10 the Applicants to present on their project.

11 JUDGE MIDDENDORF: All right. So we'll
12 hear from Alia Mohammad from Geronimo Power.

13 MS. ALIA MOHAMMAD: Good evening,
14 everyone. Thank you for coming out tonight and for
15 taking the time to participate in the Summit Lake
16 solar and BESS public hearing. We appreciate the
17 opportunity to share information about the project
18 and to hear your questions and comments.

19 My name is Alia Mohammad, and I'm a
20 senior permitting specialist with Geronimo Power. I
21 help with permitting and regulatory compliance for
22 the project. Sitting with me up front tonight is
23 our broader project team: Victoria Orchard, project
24 delivery manager; Karsen Rumpf, senior project
25 developer; we have Andrew Larson, our battery energy

1 storage system engineer; and then Jeremy Duehr, our
2 attorney with Fredrikson & Byron. And we also have
3 representatives from ISG, our drainage consultant,
4 who can help answer questions related to drainage
5 and drain tile. We're all here to help answer your
6 questions and provide clarity where we can.

7 With that, I'll walk through the project
8 details, site characteristics, and environmental
9 considerations that have been evaluated as part of
10 the permitting process. Geronimo Power is the
11 project developer for Summit Lake solar and battery
12 storage. We're headquartered here in Bloomington,
13 Minnesota, and we have been developing renewable
14 energy projects across the country since 2004.

15 Our focus is on utility-scale solar,
16 wind, and energy storage projects that are
17 farmer-friendly, community-driven, and designed to
18 fit within rural landscapes. We work closely with
19 landowners, local governments, and state agencies to
20 ensure projects are thoughtfully sited and well
21 managed.

22 Nationally, Geronimo Power has over
23 2,800 megawatts either operating or under
24 construction, and we have a strong track record here
25 in Minnesota, specifically, that includes projects

1 like Louise Solar, Fillmore Solar, and our Nordic
2 Portfolio. With more than 165 megawatts of solar
3 currently operating in the state and over
4 1,000 megawatts developed in Minnesota to date,
5 we're very familiar with Minnesota's permitting
6 process and take compliance, environmental review,
7 and community engagement seriously.

8 Here's a high-level overview of the
9 Summit Lake solar and battery storage project. The
10 project includes a 200-megawatt utility-scale solar
11 facility and 200-megawatt battery energy storage
12 system, or BESS. The project is located in Nobles
13 County, and is sited on approximately 1,417 acres,
14 with a larger area under land control.

15 The facility will interconnect to the
16 existing Nobles substation through a short, roughly,
17 992-foot generation tie-line, which helps limit the
18 need for additional transmission infrastructure. In
19 terms of schedule, construction could begin as early
20 as 2027, with a targeted commercial operation date
21 in 2028.

22 A joint site permit application for both
23 the solar facility and the battery energy storage
24 system was submitted to the Minnesota Public
25 Utilities Commission in February of 2025. In

1 December 2025, we submitted a permit amendment to
2 reflect design updates and refinements based on
3 agency review, technical evaluation, and community
4 feedback.

5 The next few slides will walk through the
6 change between the original and amended layouts, and
7 how those changes address key siting, environmental,
8 and community considerations. This slide shows the
9 original project layout that was presented during
10 the environmental assessment and scoping meetings in
11 May of 2025.

12 At that time, this layout reflected our
13 initial site design, including the placement of
14 solar arrays/support infrastructure in the
15 preliminary location of the battery energy storage
16 system. It was developed using the best information
17 available at that stage of the project. It was
18 intended to start conversation and agency review.

19 Since that scoping meeting, we've
20 received feedback from the state agencies, local
21 officials, and members of the community, and we've
22 also completed additional technical and
23 environmental analysis. That work helped us better
24 understand site constraints related to setbacks,
25 drainage, proximity to residences, and overall

1 project layout.

2 As a result, we made several intentional
3 changes to this original design to address those
4 considerations. The next slide will show the
5 amended project footprint and walk through the
6 specific updates we've made since last year's
7 scoping meetings.

8 Based on community input and additional
9 analysis, we made several updates to the original
10 layout to improve siting and reduce potential
11 impacts. One of the most significant changes was
12 relocating the battery energy storage system farther
13 away from the village of Reading. We also increased
14 setbacks throughout the project. The amended layout
15 includes 150-foot setbacks from nonparticipating
16 property lines and 300-foot setbacks from all
17 existing residences to the solar arrays.

18 From a drainage standpoint, the amended
19 design ensures that no public drain tile will be
20 impacted by the BESS, and public drain tile located
21 northwest of the intersection of McCall Ave. and
22 190th Street will not be disturbed. These changes
23 were made in coordination with our drainage
24 consultants and reflect a more refined understanding
25 of site conditions.

1 In addition to what's shown on the slide,
2 we also added a 50-foot setback from the edge of the
3 public roads' right-of-way to the fence line of the
4 project. The adjustment was made specifically to
5 accommodate snow drifting and winter maintenance
6 concerns and to provide additional buffering along
7 roadways used by the public.

8 Overall, these changes represent a more
9 thoughtful and refined layout than what was
10 initially presented last year. The amended design
11 balances energy production with reduced visual,
12 drainage, and community impacts, and incorporates
13 what we heard through the scoping process.

14 This slide explains how the solar
15 facility and the battery storage system operate,
16 both independently and together, as part of the
17 overall project. The solar facility generates
18 electricity when the sun is shining. Solar panels
19 produce direct current, or DC power, which is a
20 standard characteristic of solar generation.

21 The battery energy storage system also
22 operates in DC, which allows electricity generated
23 by the solar facility to be stored efficiently when
24 production is high. Importantly, the battery system
25 does not generate power on its own. It simply

1 stores electricity and later releases it back to the
2 grid when needed.

3 While the solar and storage systems can
4 operate together, they are independently permitted
5 and independently controllable. That means the
6 battery can charge [sic], discharge, or remain idle
7 regardless of whether the solar facility is
8 producing power at that moment, depending on the
9 grid needs.

10 When electricity is ready to be delivered
11 to the grid, both the solar and battery systems pass
12 through inverters, which convert DC power to
13 alternating current, or AC power. AC power is what
14 the grid uses and what is delivered to homes and
15 businesses.

16 Here are the key infrastructure
17 components that make up the solar facility and the
18 battery storage system. The project includes access
19 and haul roads, which are used during construction
20 and then maintained for long-term operations and
21 emergency access.

22 The solar facility itself consists of the
23 racking system and solar panels which are mounted on
24 steel piles driven into the ground. This minimizes
25 grading and allows the project to follow existing

1 terrain as much as possible.

2 The battery energy storage system is
3 housed in enclosed battery units designed to meet
4 strict safety and performance standards. These
5 units are monitored continuously and maintained by
6 trained personnel.

7 Electricity moves through the electrical
8 collection system connecting the solar arrays and
9 battery system to inverters and, ultimately, to the
10 project substation. From there, power is safely
11 delivered to the grid.

12 Once construction is complete, the site
13 transitions into operations and maintenance mode,
14 which involves limited on-site traffic, periodic
15 inspections, and routine upkeep.

16 If and when the project reaches the end
17 of its life, the site will be restored in accordance
18 with the approved decommissioning plan.

19 Here is the focus on how the project is
20 constructed on the ground and how we ensure
21 compliance through construction. Access road
22 construction is one of the first steps. These roads
23 are designed to safely accommodate construction
24 vehicles, while minimizing disruption to surrounding
25 land and existing roads. They also remain in place

1 for long-term operations and emergency access.

2 Construction components and equipment are
3 delivered in a controlled and temporary manner,
4 following road use plans. We coordinate closely
5 with local officials to ensure deliveries are
6 efficient and minimize impacts to nearby residences
7 and roadways.

8 The solar racking system is called -- is
9 installed using pier, or pile, installation, which
10 allows the panels to be mounted without extensive
11 grading. This approach helps preserve existing
12 drainage patterns and soil structure whenever
13 possible.

14 Throughout construction, the project is
15 required to comply with all permit conditions,
16 environmental requirements, and approved plans.
17 Compliance is monitored through inspections and
18 ongoing coordination with state agencies. Overall,
19 the construction process is designed to be
20 temporary, carefully managed, and consistent with
21 the commitments made through the permitting process.

22 This slide shows how electricity is
23 collected across the site and moves to the
24 substation when it's -- once it's generated or
25 discharged from the battery storage system. The

1 project's electrical collection system may be
2 installed below-ground, aboveground, or as a hybrid
3 of both, depending on location, specific conditions
4 such as drainage, environmental constraints, and
5 engineering design.

6 Here is an example of how stormwater
7 controls are incorporated into the project design,
8 including the basin shown within the fenced area.
9 These basins are used for stormwater management,
10 helping slow, collect, and manage runoff during and
11 after rain events to protect surrounding properties
12 and downstream resources.

13 The basin area is intentionally located
14 within the fence footprint of the project. This
15 allows us to properly maintain the feature over
16 time, and ensures safe and controlled access for
17 vegetation management and inspections, while keeping
18 the area secure.

19 Unlike these pictures shown, which is a
20 chain-link fencing, our project will use an
21 agricultural woven fence, approximately seven feet
22 in height with an additional one-foot at the top
23 consisting of three to four strands of smooth wire.
24 This fencing is commonly used in agricultural
25 settings and is designed to clearly define the

1 project boundary, while remaining compatible with
2 the surrounding land use.

3 Vegetation within the area, including
4 around stormwater features, will be actively managed
5 to maintain proper drainage, control erosion, and
6 ensure long-term performance. This includes routine
7 mowing and monitoring as part of normal operations
8 and maintenance activities.

9 This slide shows examples of how
10 vegetation establishes over time, in year 1, year 3,
11 and year 7, including what it looks like underneath
12 the solar panels as the site matures. You can see
13 that over time, stable and manageable ground cover
14 develops, which supports erosion control, drainage,
15 and long-term site maintenance.

16 I do want to note that the panels shown
17 in these images are fixed-tilt panels which reflects
18 an older technology. For this project, we will be
19 using single-axis tracking panels, which rotate
20 throughout the day to focus on the sun. This
21 movement allows for better light penetration, helps
22 vegetation grow more evenly underneath the panels,
23 and improves overall energy production.

24 In this slide, we show a visual rendering
25 from Highway 266 comparing existing conditions with

1 what the site is expected to look like after
2 construction. The picture on the left includes the
3 current existing conditions, and the picture on the
4 right is what the view would look like after.

5 Vegetative screening: This slide shows
6 the vegetative screening we're proposing around the
7 project, particularly along roadways and the areas
8 where the project may be visible from public
9 viewpoints or neighboring properties. We've also
10 added vegetative screening to mitigate any snow
11 drifting that may occur.

12 Here's another visual rendering example
13 for vegetative screening around the O&M building --
14 operations and maintenance -- and substation site
15 from the roadway. The top is before, and then the
16 bottom picture is after.

17 This slide summarizes the environmental
18 review and agency coordination that has already
19 taken place for the project. We've completed
20 wetland delineations in accordance with the U.S.
21 Army Corps of Engineers, as well as cultural
22 resource surveys in coordination with the State
23 Historic Preservation Office. Reviews related to
24 threatened and endangered species have also been
25 completed.

1 In addition, the project received a
2 determination of No Hazard from the FAA, and is --
3 and an agricultural mitigation plan was developed in
4 coordination with the Minnesota Department of
5 Agriculture. All of this coordination informed the
6 site design and the environmental assessment, and
7 reflects ongoing collaboration with state and
8 federal agencies as part of the permitting process.

9 Here's an outline of the economic and
10 community benefits associated with the project.
11 Summit Lake provides direct benefits to
12 participating landowners, local townships, and
13 Nobles County through a combination of lease
14 payments, property and production tax revenue, and
15 construction-related spending.

16 During construction, the project is
17 expected to support up to 250 jobs at its peak, with
18 an average of about 175 jobs throughout the
19 construction period. Once operational, the project
20 will support several full-time positions for ongoing
21 operations and maintenance.

22 On an annual basis, the project is
23 estimated to contribute hundreds of thousands of
24 dollars in tax revenue to local governments,
25 including both townships and the county, which help

1 support local services and infrastructure.

2 In addition to these direct impacts,
3 construction activity generates indirect economic
4 benefits for local businesses, such as lodging,
5 materials, and services. Overall, these benefits
6 remain local and continue over the life of the
7 project.

8 Again, we appreciate everyone taking the
9 time to attend tonight and to participate in this
10 public hearing. Your questions and comments are an
11 important part of the review process, and are part
12 of the official record of the Commission's
13 consideration.

14 If you have any additional questions or
15 would like to follow up directly, our contact
16 information is provided here. We're both happy to
17 help address your questions as the process moves
18 forward. Thank you, again, for your time.

19 JUDGE MIDDENDORF: Thank you,
20 Ms. Mohammad. Thank you so much.

21 All right. Now, we will hear from
22 Sam Weaver, environmental review manager at the
23 Public Utilities Commission.

24 MR. SAM WEAVER: Thank you, Your Honor.
25 So my name is Sam. I am the

1 environmental review manager for this project, and I
2 thought I would share an update on what I've been up
3 to since the last time we met here, and I'll try to
4 keep it brief so we can get to everybody's comments.

5 So we were with the Department of
6 Commerce before, we were moved to the Public
7 Utilities Commission, and I have prepared an
8 environmental assessment for both the solar and
9 storage projects. This environmental assessment
10 serves as the environmental review document for the
11 project. It looks at the human and environmental
12 impacts of the project, and the Commissioners will
13 use this document when it comes time to make their
14 decision about whether or not to issue site permits
15 for the project.

16 And during that public scoping meeting
17 that we had, there were quite a few themes that
18 emerged that people were clearly concerned about.
19 And as part of the environmental assessment, we
20 issue a sample permit, or a draft permit, where we
21 can impose conditions, kind of, beyond -- above and
22 beyond what we would usually require. And I just
23 wanted to go over a few of the things that I have
24 proposed. And there's no guarantee that the
25 Commissioners will adopt these special conditions,

1 but these are the things that we have proposed in
2 order to mitigate those big issues that everyone
3 here voiced during that scoping period.

4 So noise was a big concern from people,
5 especially with where the BESS was previously
6 located. Relocating the BESS will help with that a
7 little bit, but we are still requiring noise
8 modeling preconstruction to make sure, so they'll --
9 right, do some science-ing to make sure.

10 It doesn't look like noise standards are
11 going to be violated, but in addition to that,
12 they're going to have to come back after the project
13 is constructed and do some monitoring at adjacent
14 residences and other noise receptors to make sure
15 that they are compliant with MPCA noise standards.

16 We are also requiring that they submit
17 written notifications to adjacent landowners, and
18 maintain a dedicated website to alert all adjacent
19 landowners of any construction noise, especially
20 pile driving activities, because that's pretty loud
21 and pretty, just, quite disturbing to the native
22 community.

23 The visual screening plan that Alia
24 talked a little bit about is a requirement. So we
25 are requiring coordination between the Applicant and

1 all adjacent landowners. They have to show us that
2 they have at least reached out to all the adjacent
3 landowners and tried to work with them to get input
4 on what they want the vegetation screening and
5 visual screening to look like for this project. So
6 they will have to file that with their permit
7 application.

8 And then, finally, we have some specific
9 wildlife protections that the DNR has proposed for
10 wildlife-friendly lighting, erosion control, and
11 dust control.

12 Drain tile was a really big issue of
13 concern, and I'm not a drain tile expert, but
14 luckily we have folks in Nobles County who are. So
15 I, kind of, worked with them, and they were really
16 great in helping word this special condition.

17 So before construction, they're going to
18 have to do a survey using methods that are approved
19 by the Nobles County Drainage Authority, and then
20 they will also -- if they find any private drain
21 tile that is attached to any county drain tile
22 that's going to be moved, if that is disconnected,
23 it's going to have to be reconnected. Any damage
24 done to drain tile is going to be repaired
25 immediately by a contractor chosen by the Nobles

1 County Drainage Authority Board that is located in
2 Nobles County to make sure that that work stays
3 local. It's someone who knows the land, and it's
4 someone that's approved of by people who know what's
5 going on out here. So that plan needs to be
6 approved by the drainage board as part of this
7 process.

8 I've also proposed a community impact
9 mitigation agreement. Which, basically, I
10 discussed, kind of, a few ways that that could look
11 in the environmental assessment. But, essentially,
12 another form of payment to mitigate the cumulative
13 impacts that are going on around the community of
14 Reading, right? It's a big change to the cultural
15 landscape, this is one way to, kind of, offset that.

16 BESS safety was a big topic of concern,
17 so we've got a couple of special conditions about
18 that. We are requiring that Summit Lake do -- and
19 then distribute -- a hazard mitigation analysis,
20 just looking at the equipment that they're going to
21 use, any of the risks associated with that
22 technology to emergency responders that could
23 potentially be involved in any incidents.

24 They also have to provide regular
25 training on the technology used for the project for

1 local firefighting crews and other emergency
2 personnel. And if they need to get new equipment or
3 if they need to do training, right, it's time
4 intensive, that cost is not going to be borne by
5 local emergency responders. That cost will be borne
6 by the Applicant, not those local associations.

7 And, again, all of this stuff is
8 addressed in the environmental assessment. You can
9 look at that draft permit if you want to see the
10 exact language, and you can find that assessment on
11 our EIP website. You can go to the project webpage,
12 you can go on eDockets, which Craig talked about
13 earlier. That is filed in that docket as the
14 environmental assessment. I dropped off a print
15 copy at the Worthington Library, and then I have a
16 few copies with me tonight, if you're interested in
17 some light reading while we get to comments. So if
18 you want one of those, let me know.

19 I also -- we also wanted to address,
20 right, there is a data center being proposed pretty
21 much right next to where the proposed Summit Lake
22 project is. I have been getting calls from people
23 who are pretty confused about whether or not this is
24 associated with this project, and so I just wanted
25 to address that tonight.

1 We did briefly discuss the cumulative
2 impacts of the data center combined with this
3 project and another proposed project in the area in
4 the cumulative impact section of the environmental
5 assessment. But discussion of that data center's
6 environmental and human impacts is outside the scope
7 of what I wrote for the EA, and it is outside the
8 scope of, kind of, this meeting tonight, right?

9 The meeting tonight is about the solar
10 and the BESS, and that's because the Commission does
11 not permit data centers. We do not regulate them,
12 unless they include backup generation over
13 50 megawatts, which I don't believe the proposed
14 data center does.

15 Nobles County is actually the regulating
16 authority for that data center. So if you have
17 questions/concerns about that project, you want to
18 direct those to Nobles County. There's actually a
19 completely separate environmental review process for
20 the data center project.

21 You can find that environmental review
22 document -- it's called the AUAR. It's a different
23 process than what we do. You can find it at the
24 link I have included here. And, again, we are not
25 the ones who are permitting that project, that is

1 outside the scope of the environmental assessment.

2 I completely understand that people are
3 confused given, like, the proximity and the same
4 developer, but the data center is not what we're
5 here to talk about tonight. And, again, you can
6 find that review and the people to contact at that
7 link.

8 And that's it for me.

9 JUDGE MIDDENDORF: Thank you so much,
10 Mr. Weaver.

11 All right. So now we are back to me, and
12 more importantly, you.

13 And so if we could skip ahead to the next
14 slide, please.

15 All right. These are the guidelines for
16 commenting tonight. It's very important that you
17 state and spell your name so that our court reporter
18 gets that right. Speak loudly and clearly, and try
19 not to speak too fast, especially if you've got a
20 prepared statement that you're going to read.

21 And try not to speak over each other if
22 you have a question or something. The court
23 reporter can't take down competing statements, and,
24 again, I want to make sure that we capture
25 everything here tonight and have that available for

1 the Commission's consideration.

2 I'm going to ask that folks limit their
3 initial comments to about five minutes, and that is
4 to make sure that everyone who would like to speak
5 gets a chance. And then if there is additional
6 time, we can do another round if anyone is
7 interested in doing so.

8 All right. With that, then I will call
9 on our first commenter, Stacey Karels.

10 MR. STACEY KARELS: Is this -- okay, good
11 evening, Judge; and good evening, Team.

12 My name is Stacey Karels, S-T-A-C-E-Y,
13 K-A-R-E-L-S. I'm a building trades representative
14 for the Mankato Minnesota Valley Building
15 Construction Trades Council, who represents over 15
16 union trades in Southwest Minnesota. Our area
17 covers, basically, 20 counties down here. We do --
18 we represent all the union members on all these big
19 projects that are going up with renewables and any
20 power generation stuff or transmission lines that
21 come through the area.

22 We are in support of these projects.
23 They help the local economy. They give residents
24 that live down here an opportunity to join and
25 become a union member and make a career out of it,

1 and ensure that their families and their retirements
2 are secure when they get to that age, so they're not
3 worrying about going back on assistance, if needed.

4 These are good projects that pay good
5 union wages and help the local economy with tax
6 bases, and help out the local schools and churches
7 and everything else in these local communities. So
8 we are in support of these projects. Thank you.

9 JUDGE MIDDENDORF: Thank you, Mr. Karels.
10 All right. Next up, Tony Wicken.

11 MR. TONY WICKEN: Good evening. I'd like
12 to thank the State and Geronimo for holding this
13 hearing, and hearing public comments. My name is
14 Tony Wicken, T-O-N-Y, W-I-C-K-E-N.

15 I've spent the last 35 years of my life
16 working in construction, and the last 27 years
17 working for LIUNA, which is the Laborers'
18 International Union of North America. In that role,
19 I've been anywhere from a general laborer, foreman,
20 superintendent, and up the ladder from there.

21 These projects, like Stacey said, provide
22 local jobs for local hire. Geronimo has done a very
23 good job in that. They did the Louise Solar farm,
24 and that was 90 percent local jobs for local hire.
25 So hopefully they can do that here on the next

1 project.

2 Also, with these local people, it keeps
3 some money in these communities. It's not going
4 back to other states, things like that, so supplies,
5 groceries, mom and pop gas stations, and many things
6 like that.

7 And these young people that are doing
8 these jobs, it keeps them at home. They get to see
9 their families every day, their kids. They're not
10 traveling to the Metro or other areas in the state.
11 So please take that into consideration, and thank
12 you for your time.

13 JUDGE MIDDENDORF: Thank you, Mr. Wicken.

14 Okay. Our next speaker is Nathan Runke.

15 MR. NATHAN RUNKE: Hi. I'm Nathan Runke,
16 that's N-A-T-H-A-N, R-U-N-K-E. I'm with the
17 International Union of Operating Engineers,
18 Local 49. We have over 15,000 members across
19 Minnesota, South Dakota, and North Dakota.

20 I'll keep my comments brief. Mainly, we
21 support a lot of the comments just made by the last
22 two commenters. These projects like this, they get
23 viewed as transitory. You know, oh, it's only going
24 to last a little bit. The only way a construction
25 person can build a career is to have a project, and

1 then move on to another project and then the next.

2 So for our members and their work, we
3 support these projects and ask that it get approved.
4 Thank you.

5 JUDGE MIDDENDORF: Thank you.

6 Next, let's hear from Malory Fritz.

7 MS. MALORY FRITZ: Hi. My name is Malory
8 Fritz, M-A-L-O-R-Y, F-R-I-T-Z. I am a
9 nonparticipating landowner immediately adjacent to
10 this project, and I just have a couple questions.
11 And I'm sure they've been addressed at some point in
12 time, but it's been a while, so I'm just refreshing
13 my memory.

14 If you -- the slideshow that you guys
15 have, on page 13, the vegetation screen, that
16 picture was taken in my driveway. So my question
17 is, I've looked at everything you have, the types of
18 trees you're planting, there's nothing in there that
19 I can find -- maybe it is -- that state how long
20 these trees are going to take to get to the height
21 in that picture, and I guess, in my opinion, at
22 least seven feet tall to not have to see the fence.

23 Is there any sort of data? I know
24 everything is different everywhere, but is there a
25 set general idea?

1 JUDGE MIDDENDORF: Can someone from the
2 Applicant speak to that?

3 MS. ALIA MOHAMMAD: Yeah, I can speak to
4 that, Your Honor.

5 So, yeah, I -- so we like to plant the
6 vegetation at a lower height because we want the
7 trees to be able to mature and establish properly.
8 So, typically, we say around five years to reach a
9 mature height.

10 MS. MALORY FRITZ: Okay. And then if the
11 trees are to die or break off, be damaged, you know,
12 we get ice here quite frequently, will they be
13 replaced?

14 MS. ALIA MOHAMMAD: Yes, they will be.

15 MS. MALORY FRITZ: Next question, in your
16 amended layout, you guys have removed the solar
17 panel arrays directly to the west of my house.
18 There's now a whole new pod directly to the north of
19 my house. Are there going to be fences around that?

20 In the picture, it doesn't look like
21 there is, but I have a dog who is very into water.
22 And while she is good about staying in our yard, if
23 she sees a large body of water, she will go for a
24 swim. And I also have a four-month-old, who at some
25 point in time may decide to follow the dog into the

1 pond.

2 MS. ALIA MOHAMMAD: I can speak to that.
3 So the fence will definitely surround our solar
4 array facility.

5 MS. MALORY FRITZ: Um-hmm.

6 MS. ALIA MOHAMMAD: So whatever is within
7 our facility, we will make sure to fence around it
8 on our property.

9 MS. MALORY FRITZ: Okay. Next question,
10 the substation, from my understanding, that's right
11 off of McCall, is that correct, or did you move
12 that? It looks like it's right off McCall.

13 MS. ALIA MOHAMMAD: Correct.

14 MS. MALORY FRITZ: It's right next to the
15 current O&M building?

16 MS. ALIA MOHAMMAD: (Nods head.)

17 MS. MALORY FRITZ: What is the lighting
18 situation going to be at the substation? Because
19 the Xcel Energy substation just installed a lot of
20 lights, and this is what it looks like from my house
21 (indicating). It lights up my entire living room,
22 which that substation would also directly go right
23 into my living room window.

24 MS. ALIA MOHAMMAD: If you can speak to
25 that?

1 MR. KARSEN RUMPF: Yeah. I've seen that.
2 I'm curious if -- if they're utilizing that lighting
3 during just the construction phase and what the
4 permanent lighting will be, so --

5 MS. MALORY FRITZ: It used to get shut
6 off. It's no longer shut off at night, so...

7 MR. KARSEN RUMPF: So it's hard for me to
8 answer what Xcel's --

9 MS. MALORY FRITZ: Well, right.

10 MR. KARSEN RUMPF: -- plan is.

11 MS. MALORY FRITZ: Yeah. But I didn't
12 know, like, what your guys' plan is for lighting.
13 Is that -- is that normal? Because it never used to
14 be there. So I don't know if it is just for their
15 construction or if -- you know, if we're looking at
16 having lights like that permanently at the
17 substation.

18 MS. ALIA MOHAMMAD: Yeah. So I can speak
19 to when we did our first application and submitted
20 it to the PUC, we had the DNR actually come back
21 with some input and recommendations for lighting.
22 And so it's not just the wildlife, but I think it
23 also impacts humans as well.

24 MS. MALORY FRITZ: Um-hmm.

25 MS. ALIA MOHAMMAD: So I think it's going

1 to be like a low --

2 MR. JEREMY DUEHR: Minimizing blue hue.

3 MS. ALIA MOHAMMAD: Minimizing blue hue,
4 that's what it was. So we were agreeable to that,
5 that lighting type.

6 MS. MALORY FRITZ: Okay.

7 MR. ANDREW LARSON: This project will
8 also use a down-lit lighting, so that sky reflection
9 that you see in that image will be avoided.

10 MS. MALORY FRITZ: Right. And like,
11 granted, that picture was taken on a rainy day,
12 so -- but you can see that. I don't know if you
13 guys have driven around, but you can see that light
14 from at least St. Kilian, which is how many miles
15 from me?

16 You know, so it's not just -- it
17 literally looks like something is on fire at all
18 times, and it is right in my living room window.
19 And so will -- the new substation will be right in
20 my living room window.

21 And on the topic of lights, this kind of
22 goes into my next one, in the original proposal,
23 construction hours were from, like, some -- it was
24 like 10:00 p.m. So even though, yeah, it stays
25 light out until 10:00 p.m. in Minnesota, I'm

1 assuming some sort of portable lighting would be
2 necessary for construction at that time of day.

3 Is that -- is there actually going to be
4 construction at 10:00 p.m.? Because, again, I have
5 a four-month-old, he will probably -- depending on
6 when you start this -- be anywhere from a year to a
7 year and a half. I would like his bedtime to be
8 before 10:00 p.m., and I would -- the -- where they
9 are putting the panels next to our house is directly
10 out of his bedroom window.

11 MS. VICTORIA ORCHARD: Yeah, I can take
12 that one. As far as construction goes, we're going
13 to, obviously, limit the most noisome activities, as
14 much as we can, especially in the evening hours. We
15 understand that, although it allows us to go up
16 until 10:00 p.m., a lot of times that's not
17 practical.

18 Especially when we are committed to
19 safety on-site and not wanting to have our laborers
20 be out there for over extended hours. But I can
21 totally appreciate that nighttime and early morning
22 activities will be a particularly nuisome -- or
23 noisome activity.

24 So, you know, especially when it comes to
25 pile driving and those activities that are a little

1 bit louder in the community, we try to stay posted
2 on both our website, as well as the mailer that goes
3 out to the neighbors, letting you know when those
4 activities are going to happen during construction
5 and, kind of, what to expect from us. So, you know,
6 at least when those noises are happening, you're
7 aware of them.

8 And, of course, we'll give our contact
9 information and, you know, would be happy to talk to
10 you throughout construction if there's something
11 particularly bothersome to you at any point in time.

12 MS. MALORY FRITZ: Okay. I -- the only
13 reason, because I used to work for a company that
14 built windmills, and in order to avoid demurrage,
15 they worked 24/7. And I just -- that's not
16 something that I think anybody in this community
17 wants, and if -- you know, if that's something that
18 you're going to hold these construction companies
19 to, they're going to work 24/7, regardless of how
20 any of us feel about it.

21 MS. VICTORIA ORCHARD: Yeah, I can
22 definitely appreciate that and how construction
23 schedules can easily, kind of, spiral out of
24 control, especially when there's weather -- or
25 unintended weather events.

1 Fortunately, for us, you know, with this
2 project not intended to be fully commissioned and
3 turned on until the end of 2028, we've allowed for a
4 number of weather delays in our schedule, as well as
5 some extra time on the back half. So that in --
6 rather than, you know, needing to work late hours
7 and weekends to catch up, we can take those weather
8 delays and pick back up the following week or after
9 the weather has subsided. I can definitely
10 appreciate your concern there.

11 MS. MALORY FRITZ: That's all I've got.
12 Thank you.

13 JUDGE MIDDENDORF: Ms. Fritz, I noticed
14 you had a photograph. Did you want to put that into
15 the record?

16 MS. MALORY FRITZ: Sure.

17 JUDGE MIDDENDORF: Okay. Come on up.
18 All right. Thank you.

19 Let's mark this Hearing 3.

20 (Exhibit Hearing 3 marked.)

21 JUDGE MIDDENDORF: Okay. Our next
22 speaker is going to be Amy Juarez.

23 MS. AMY JUAREZ: Good evening, Your
24 Honor.

25 JUDGE MIDDENDORF: Good evening.

1 MS. AMY JUAREZ: She pointed out a lot of
2 good things, and I had a lot of the same -- oh,
3 sorry.

4 JUDGE MIDDENDORF: Can you state and
5 spell your name before you get into it?

6 MS. AMY JUAREZ: Yes. Amy Juarez, A-M-Y,
7 J-U-A-R-E-Z.

8 I had a lot of the same questions as her,
9 such as the lighting. We live on 198th Street,
10 right directly behind the substation. It is so
11 bright that we have had to black-out our windows.

12 The noise control already is ridiculous.
13 When it's windy, we -- it's almost like a tornado
14 siren. And with it being conjointed with this
15 battery, how much more noise are we going to have?
16 Because it's -- I mean, we shouldn't have to be
17 woken up by that in the evening.

18 MS. ALIA MOHAMMAD: Yeah, I can speak to
19 that. So Minnesota State has a regulation that
20 it -- at no time -- that the sound should be no
21 greater than 50 decibels at any time, and with our
22 facility, we are going to meet those standards.

23 MS. AMY JUAREZ: But you're going to be
24 connected to this current substation, correct, the
25 batteries are going to be?

1 MS. ALIA MOHAMMAD: Our facility will be
2 connected via a transmission line to the substation.

3 MS. AMY JUAREZ: Okay. So, then, there
4 will -- but will there be more noise?

5 MS. ALIA MOHAMMAD: Well, in our -- in
6 our assessment, we are meeting the 50 dBA.

7 MS. AMY JUAREZ: Okay.

8 MS. VICTORIA ORCHARD: I can add to that
9 just by saying that, you know, the solar panels, of
10 course, while they're following the sun and tracking
11 throughout the day, you're going to hear the noise
12 of them moving and adjusting ever so slightly. That
13 happens very slowly and throughout the day.

14 The most thing -- the most noisome parts
15 of the projects are going to be the inverters, the
16 boxes that carry the power from the panels to the
17 substation, and then the battery itself. One of the
18 things that we wanted to do when we were taking in
19 the feedback from the scoping meeting was adjust the
20 battery farther away from homes. Because we do
21 understand that the battery, being one of the things
22 that does produce power on the site -- or noise on
23 the site, the farther away it can be from homes, the
24 better.

25 So in addition to, you know, meeting the

1 requirement of 50 decibels, we are taking those more
2 noisome pieces of equipment -- inverters and
3 batteries -- and internalizing them as much as
4 possible to the middle of the site to stay away from
5 the outer edges where you can expect residences.

6 But again, yeah, that 50 decibels is
7 going to be at the point of receptor. So this is
8 considering, you know, where you might be, on your
9 front porch or at your property line, and what you
10 would hear from there. Which will be much, you
11 know, less than if the -- you know, you were
12 standing right next to one of the inverter boxes or
13 the battery itself, which will, again, be towards
14 the center of our project.

15 MS. AMY JUAREZ: It could be much less,
16 but at this very point in time, it's already so much
17 noise that it does wake my family up in the middle
18 of the evening, especially on those windy days. It
19 may be in compliance, but not something that I
20 bought my home outside of town to have to listen to
21 that at night and be woken up by bright shiny
22 lights.

23 And to me, Your Honor, I just feel like
24 this is not an acceptable situation. And I may be
25 looking at these diagrams wrong, but it -- to me, it

1 looks like they moved the battery boxes farther away
2 from the township, but closer to my home.

3 MR. ANDREW LARSON: Is your concern the
4 amount of noise from the current substation?

5 MS. AMY JUAREZ: Yeah, and then it's
6 going to be added -- there's going to be more noise
7 involved. They say, oh, it's like a vacuum. No,
8 that is a lot louder than a vacuum.

9 In my bedroom, we had to literally move
10 our bed from one end all the way to the other
11 because it's so loud. When I had my granddaughter
12 there, she gets woken up at night. I mean, it's not
13 acceptable. Do it somewhere else, do it farther
14 away from houses.

15 MR. ANDREW LARSON: So the energy in and
16 out of that substation via -- or from our power
17 plants will not impact the amount of noise from that
18 substation.

19 MS. AMY JUAREZ: Right, it will just add
20 on to it.

21 UNIDENTIFIED: But it's in addition to
22 it.

23 MS. AMY JUAREZ: Exactly. It's going to
24 be louder. It's not going to get quieter. It's
25 going to be louder. We live there, we sleep there

1 at night -- try to, anyways. This isn't okay.

2 I mean, we lived in Worthington for many
3 years and we purchased our home outside of town so
4 we could enjoy the quiet, the low lighting, and
5 enjoy our environment. This isn't going to be that.
6 You say that it's not going to affect it, but it is.
7 Because it's going to have some kind of additional
8 noise in the evening and the day.

9 Like, I had surgery the other day. I
10 came home and was trying to go to sleep, and it was
11 really windy. That would have been the 18th, I
12 believe -- 17th, and it did, it sounded like it was
13 a siren the whole night. None of you guys are
14 laying there in bed trying to sleep at that -- you
15 know, during these noises and getting woken up by
16 it. So, to you, it doesn't affect you because you
17 go there during the day, you see what you see, but
18 you're not being affected by it. I didn't purchase
19 my home or my land for that.

20 I'm requesting that it doesn't get
21 approved. Thank you for your time.

22 JUDGE MIDDENDORF: Thank you, Ms. Juarez.

23 MR. CRAIG JANEZICH: Judge Middendorf,
24 can I just -- I need to make a correction in one of
25 my slides.

1 Can you move it to the --

2 It's just a date. For some reason -- for
3 some reason, I wanted -- I wished away the summer on
4 accident. This slide here, if you see the written
5 comment will be accepted through August 20th, it
6 should be April. So I'm just correcting that. It
7 should be April. I apologize for that mistake.

8 And in relation to the -- what the
9 previous speaker had said, I'm not familiar off the
10 top of my head with that specific substation, but if
11 it is, in fact, something that the PUC does permit,
12 it falls under our permitting. We do have a
13 complaint process that you can go through, and we
14 can attempt to work with the company and yourself to
15 help mitigate that issue.

16 I'm not saying that it's going to be
17 sufficient for you or it's going to meet your
18 expectation, or I'm not even promising you a
19 resolution, but I think it's a process that, if we
20 do permit it, it's something you might want to look
21 at. I mean, usually they're fairly responsive to
22 us, if it is something that we've permitted, I'll
23 just put that caveat.

24 JUDGE MIDDENDORF: Thank you,
25 Mr. Janezich.

1 All right. Our next speaker is Dale
2 Solt.

3 MR. DALE SOLT: Hello, Dale Solt,
4 D-A-L-E, S-O-L-T. And I'm a resident north of
5 Reading. I live about a quarter of a mile -- on
6 County Road 9, or McCall Avenue, and we've lived
7 there 49 years. I am a retired teacher for District
8 518 at the high school.

9 I've taught there 50 years. I retired,
10 but I still substitute teach one or two days a week.
11 So I am in contact with students all the time and
12 people in Worthington, and I've learned to know many
13 people over the years and, also, my neighbors and
14 the residents.

15 When we came to town, there was only
16 three homes in Worthington. I had a student that
17 said, well, there's two acreages out by Reading. We
18 went and looked at them, and one of them we liked
19 and we purchased it. It's an acreage of about ten
20 acres. Some of it is highland, like, where our home
21 is and our pole barns; some of it is lowland.

22 When we first bought the acreage, the
23 lowland was pasture. The man that we bought it
24 for [sic] used it for sheep. When I bought the
25 acreage, he was buying it under contract for deed,

1 and the people wouldn't sell it unless I allowed
2 them to farm it for ten years. We wanted the
3 acreage, so we did that. So it was put into
4 tillable land for ten years.

5 You know, there's county tile going
6 through that lowland. They -- after that, we put it
7 into CRP. We dug a pond, and I call that, kind of,
8 my wildlife area. After a while, we took it out of
9 CRP, and it's just our land to do with -- sometimes
10 we cut it for hay. Surprisingly, there's a lot of
11 pheasants in there. Deer, there have been deer
12 harvested in there. Fox, there's even coyotes. In
13 fact, a couple months ago, a young man that I had as
14 a former student called me and said, Dale, Can we go
15 in there? We chased a coyote in there. And I don't
16 know if they got it or not, but sometimes, you know,
17 there's different ammunition they're using for
18 different species. So there is some hunting that
19 takes place, and I guess that's one thing that I
20 wanted to address. I was going to save that for
21 last, but it just kind of flowed into --

22 We've been honored to raise five
23 children. Our oldest daughter was born in 1972. I
24 didn't know about her for three days because I was
25 in Vietnam, and they had to track me down. You

1 never knew what day it was over there. But the way
2 my wife found out I was in Vietnam, had read about
3 it in the Mankato Free Press. Two days later, a
4 squadron from Iwakuni, Japan, was in there, and she
5 figured it out, VMFA 232.

6 And if you ever get a chance to Google
7 them, the Smithsonian Institute, one of our planes
8 is in there. It's been redone. I believe it's the
9 only F-4 that is in the Smithsonian Institute, and
10 so I'm proud of that. I'm proud of what I did for
11 my country.

12 From Iwakuni, Japan, we were called.
13 18 hours later, we were in Da Nang, and, you know,
14 that's a whole different story. I was getting to be
15 a short-timer. I had a school cut approved when I
16 was in Japan. I was only there about three months.

17 Again, you didn't know what day it was if
18 you worked hard, and you felt sorry for the pilots.
19 You would get rocket attacks every night, and they
20 owned the nighttime and we certainly owned the
21 daytime.

22 Our squadron was going to Thailand. My
23 commanding officer called me in and said, We're
24 going to send you home because you have that school
25 cut. And so I did, and I was honored to come home

1 and get an education. I was an industrial arts
2 teacher. I was able to come to Worthington, and
3 I've been here, Reading/Worthington area, ever
4 since.

5 I just wanted to give you some
6 background. We do have, besides the five children,
7 we have a young Downs grandson that lives with us.
8 So we've never been without a child in our home,
9 and, you know, it's just part of life for me.

10 I have a couple issues to address if this
11 project goes through. Sometimes I've -- you know,
12 I'm not one that's -- I love certain technology.
13 Other technology, growing up without it, I leave
14 alone. I love it for keeping track of my bank
15 statement, I love it for finding out information.
16 You don't have to sit there and look it up in an
17 encyclopedia anymore as a youngster.

18 I've been doing a little bit of research.
19 We will be the closest residents to the BESS
20 project. It will be east of our house. On the
21 north side of our home will be the access road. On
22 the east side of the -- our driveway, right
23 kitty-corner will be the substation. The term has
24 been used by many people, including Geronimo people
25 and Xcel people: You are surrounded. I certainly

1 agree with that.

2 I believe it has a -- probably will
3 affect the property value. We live on a nice
4 blacktop road. I never knew what that was worth
5 when I was a young man, getting in and out of an
6 acreage. So it's been an honor to live there --
7 excuse me.

8 One of the things that I would address --
9 and I'm sure the panel knows all about it -- is the
10 Moss Landing fire that took place in California. So
11 if the audience people, you know, aren't aware of
12 that, they could Google that and read about it. You
13 could read about it for days.

14 The fire was a lithium fire. The units
15 were housed in a building. Thermal runaway, you
16 know, it got caught in that situation, produced
17 heat. Moss Landing was the biggest BESS unit in the
18 world -- if not the world, certainly in the United
19 States.

20 A lot of environmental damage: 1,200 to
21 1,500 people, I have read, had to be evacuated,
22 residents. It did a lot of damage as far as
23 contaminants. So, again, I'm not going to dwell on
24 that, but if I refer to that, you know what I'm
25 talking about.

1 I guess, the other thing is the high
2 line. It's owned by Xcel that goes on the south
3 side of our property. When we bought the property,
4 there was always a high line. It wasn't the high
5 line that's currently there. It was wooden poles.
6 At one time, an ice storm came and broke the wooden
7 poles. All that structure was down, lines laying
8 across, and then Xcel did put new high line poles
9 in. They are up high. I guess, it's something that
10 we were not unfamiliar with.

11 I have watched Xcel, the way that they do
12 maintenance work on the high line with a helicopter.
13 They have a pilot, and then they have a cable with a
14 lineman that will come down and service the lines.
15 It's very interesting to watch.

16 Sometimes it brings back memories. I
17 guess, I talked to Xcel. A tremendous man, we
18 visited for a long time. I talked to him about the
19 servicing, about the easement underneath. It's
20 75 feet to the north and to the south of the
21 electrical poles or the high line poles.

22 After looking at things with the Moss
23 Landing fire, I was fearful of a helicopter crashing
24 and going into that BESS unit. A helicopter, just
25 like F-4s, are made up of aluminum. In order to

1 give the strength, they've got to have some
2 magnesium. If a plane or something like that
3 crashes, the magnesium is what burns very hot. You
4 have fuel and things like that.

5 One of the issues is the BESS layout.
6 The way that it's planned, approximately 20 acres is
7 right near that high line. If the helicopter lost
8 control -- you know, this helicopter is higher than
9 what the lines are. I'm not saying that a piece of
10 equipment couldn't go bad. Maybe a tail rotor, you
11 would get into a spinning action with a helicopter,
12 it could spin over and crash into the BESS unit,
13 causing a fire. I'm not saying it would destroy or
14 do as much damage as the Moss Landing fire, but it
15 certainly could be a real issue. When you're in the
16 service in a combat zone, sometimes you need to
17 expect the unexpected, okay, and those sorts of
18 things.

19 So I did Google about a helicopter
20 servicing a power line. And it was an Xcel line, it
21 was going over the Mississippi River between
22 Illinois and Missouri. The helicopter was putting
23 big marker balls on the high line where they could
24 be seen by other aircraft. They even had ones that
25 were lit so that it was at -- they would have to go

1 down -- and it was a different process.

2 I said that the servicing of the Xcel
3 lines, as they do by my house, they have a man
4 hanging down there. To do these balls, they --
5 excuse me -- had a platform, so it was a different
6 project. I realize that. The helicopter was so
7 much closer to the lines. I wouldn't have wanted to
8 have been that pilot, stabilizing that. They said
9 even wind could affect the performance. They would
10 have to get one half of the ball, attach it to the
11 line, go down, get another ball, and they would have
12 to do that many times.

13 I don't know if they can actually prove
14 what caused the accident. Two people were killed:
15 The pilot and the person mounting the balls.
16 Regardless, the plane crashed. It crashed onto a
17 barge. There was nobody in the barge, according to
18 the report. Again, you can read and read and read
19 on the Internet of these situations.

20 I worry, again, like I had said, about
21 that BESS unit being close to the high line. I have
22 talked to the people, maybe, about a no-fly zone; it
23 was so close. Just thinking and trying to be
24 realistic.

25 I think it would be best, if this project

1 goes through, that the BESS unit, the 20 acres,
2 would be moved away from that line. It would be
3 moved to the north for safety. You cannot protect
4 the pilot or the lineman with the Xcel maintenance
5 situation, but at least if that plane did crash, it
6 probably wouldn't crash into the BESS unit, so I'm
7 thinking about that.

8 So those are, kind of, my three issues
9 that I have. Again, I can sympathize, and I'm in
10 the same boat, as far as coming to Reading and
11 enjoying the company, and it's been great there. An
12 honor raising five children. A couple of my
13 children have employment -- jobs that have dealt
14 with living in the country, being involved in
15 livestock. I have a son that's a research director,
16 manager at Merck Intervet. Things like that, he
17 would have never had that experience or that job
18 without growing up in the country.

19 So I know there's some personal things
20 that I brought up, but I wanted to give you a
21 background. But those are the three things that I
22 have a real issue with. Thank you.

23 JUDGE MIDDENDORF: Thank you, Mr. Solt.

24 All right. Our next person who signed up
25 to comment is Paulette Sjogren. I know I pronounced

1 that wrong, so tell me how it's done.

2 MS. PAULETTE SJOGREN: Thank you. It's
3 Sjogren: Just "show a grin."

4 JUDGE MIDDENDORF: Thank you.

5 MS. PAULETTE SJOGREN: It's Paulette,
6 S-J-O-G-R-E-N.

7 Your Honor, I hope you realize that the
8 first three speakers were talking about union jobs,
9 and none of them were from here. So, again, that's
10 not local jobs. Yes, that gives them an
11 opportunity, but that -- those union jobs take them
12 away from here and they're not from here.

13 And my question is, you said "the life
14 expectancy," what is the life expectancy of this?

15 MS. ALIA MOHAMMAD: Approximately
16 30 years.

17 MS. PAULETTE SJOGREN: And then you say
18 "the decommissioning," what is decommissioning?

19 MS. ALIA MOHAMMAD: So decommissioning
20 means after the life of the project, after
21 approximately 30 years, that we would remove the
22 equipment, the solar panels, the cabling. We would
23 remove it, and then the land is restored back to its
24 natural state.

25 MS. PAULETTE SJOGREN: And so the

1 likelihood of that being good farmland is taken
2 away. Because good farmland is hard to find, and
3 you are taking good farmland away. As a farmer's
4 daughter, that is hard to see. And we keep taking
5 our farmland away, and we wonder why our prices go
6 up. Because we have to ship in our foods because we
7 aren't making it here; we're bringing it in from
8 somewhere else. So I would really like you to take
9 that into consideration, because good farmland is
10 hard -- we could put this anywhere.

11 And we don't have that much sun during
12 the winter, but yet we're going to put solar panels
13 up where we don't have a lot of sun during the
14 winter. Not common sense there.

15 And our homes, we should be lucky if we
16 get a dime out of a dollar when this comes in
17 because nobody's going to want our homes. I moved
18 out of the town of Worthington to have privacy, to
19 have quiet. I won't have that no more, and I won't
20 be able to sell my home either. So you're taking
21 everything away from me that I worked very hard for.
22 Thank you.

23 JUDGE MIDDENDORF: Thank you so much,
24 Ms. Sjogren.

25 All right. Mr. Janezich, did anybody

1 else sign up? Why don't you check.

2 All right. I've got a Mary Wagner with a
3 question mark. Ms. Wagner.

4 MS. MARY WAGNER: Hi. My name is Mary
5 Wagner, M-A-R-Y, W-A-G-N-E-R, and I really
6 appreciated Becky's comments. Most of them were
7 questions I already had about how long this was
8 going to go on and how it was going to affect our
9 land.

10 Do we know how it's going to affect our
11 land after 30 years? I don't live in Reading; I
12 live in Worthington. I have a daughter that lives
13 very close; I have a son who farms land very close.
14 I am concerned about feeding our country. That's
15 why my son and daughter farm.

16 We come from a strong farming background
17 that I'm very proud of. I'm a retired psych nurse,
18 and when I heard from the girls earlier that
19 couldn't be assured that their children were going
20 to be able to sleep, that really hurts my heart.
21 Because we know the best way to take care of
22 ourselves is to get good sleep and limit our stress.
23 I have heard more stress in these communities, and
24 it -- it really concerns me.

25 So the restoration that you talked about,

1 tell me more, help me understand. What are you
2 doing to restore this land?

3 MS. VICTORIA ORCHARD: Yeah, I can answer
4 that for you. You know, one thing we do upfront, to
5 consider, like, the already established farmland, we
6 want to make sure that the topsoil that exists on
7 those parcels maintains for the life of the project.
8 So that, you know, we're not distributing soil from
9 one parcel to another and disturbing the topsoil
10 that, you know, our landowners have worked on
11 cultivating over a number of years.

12 Once the project is operational, we work
13 really hard to establish the pollinator-friendly
14 habitat of grasses across the site. This is worked
15 out with our operations and maintenance team to both
16 make sure that there's good maintenance that can be
17 established, the number of times we have to mow
18 throughout the year, and, also, that we have
19 vegetation in the ground that will help maintain
20 water and not have ponding and issues like that
21 on-site throughout the life of the project.

22 The intention of those
23 pollinator-friendly habitats and grasses underneath
24 the panels is to give the land a rest. As we know,
25 with the farming operations, continual farming, you

1 have to continuously pour more nutrients into the
2 ground. This is meant to be a 30-year rest for this
3 land, just like CRP, just like some of those other
4 opportunities that you can stick land into.

5 And then, again, when talking about
6 decommissioning, right, the idea is that we're going
7 to pull all those piles and panels out of the
8 ground, return it to just farmland, and that, you
9 know, grasses that have been established will easily
10 be, you know, tilled and turned over. There won't
11 be anything, you know, preventing that land from
12 going back to agricultural purposes within a number
13 of years. So our intent is to really make sure that
14 that transition can happen quickly after we pull our
15 materials out of the ground.

16 MS. MARY WAGNER: And how did we get so
17 blessed for you to find us here in this area?

18 MS. VICTORIA ORCHARD: Yeah. What drew
19 us to this area -- most of the time, you know, when
20 we're looking for areas of opportunity to build
21 these projects, it's based on the transmission grid
22 and the capacity that exists on the lines and the
23 substations in this area.

24 Fortunately, they are well-built out and,
25 you know, it makes a good spot for a project like

1 this to continue delivering safe and reliable energy
2 to the grid in this area.

3 MS. MARY WAGNER: So if you were to build
4 these in Arizona or somewhere that, you know,
5 doesn't grow crops to feed our country, we couldn't
6 have any results from farther away? I mean, does it
7 have to be right here for us to get the positive
8 effects from it? I mean, I don't understand.

9 MS. VICTORIA ORCHARD: Yeah, I completely
10 hear your concern. I think one thing to keep in
11 mind is that when energy is produced, the farther it
12 has to go, the less efficiency there is. So if
13 we're transporting it from here far, far away to
14 other cities and states, you have losses the whole
15 way, which makes it less efficient.

16 The way the grid is set up is to deliver
17 power from the point it's being generated to its
18 nearest point of use. So whether that is the, you
19 know, Reading community, the Worthington community,
20 or the cities and communities around you, you know,
21 the -- the nearest point of use is where that power
22 is going to be delivered.

23 MS. MARY WAGNER: And there's nowhere in
24 this area -- Reading/Worthington -- that doesn't
25 produce crops that you could have picked for this

1 project? I don't --

2 MS. VICTORIA ORCHARD: Yeah. One of the
3 things that is unique about this industry is the
4 need for flat farmland. As you can imagine, the
5 more slopes we have, the more shading there is
6 between the panels. That, you know, causes them not
7 to produce power, as well as just challenges with
8 the construction process.

9 So, you know, while it is, you know, two
10 very, you know, unique uses of the land -- both
11 farming and solar -- they both really benefit from
12 having that flat layout. So we found that, you
13 know, agricultural land can very quickly be turned
14 into this type of site use and then be turned back
15 over. Oftentimes, you know, other areas with more
16 industrial setups, they just have too many safety
17 concerns as far as, you know, being too close to
18 other buildings and things like that.

19 But I do appreciate that, you know, it's
20 taking farmland out of production. I think, you
21 know, the important thing to remember here is that
22 the current calculations for the solar project are
23 about .4 percent of the farmland in Nobles County.

24 And while we appreciate that is a
25 significant portion, you know, the other 99 percent

1 remains in agriculture, and we are dedicated to
2 making sure that this community sees, you know, the
3 positive impacts of our tax dollars and our
4 charitable giving pouring back into those farming
5 communities.

6 MS. MARY WAGNER: My last comment
7 connects with Becky's. Again, when you're looking
8 for a place to set up, wouldn't you want a sunnier
9 place than Southwest Minnesota? I mean, we don't
10 see a lot of sun.

11 MS. VICTORIA ORCHARD: Yeah, I hear you.
12 You know, one of the things we do in our site due
13 diligence process leading up to us starting
14 construction on any site is install a meteorological
15 data station on the site. That remains on-site for
16 a full two-year period to measure the amount of
17 solar resource being received in the area and to
18 make sure that, you know, the amount of power we are
19 modeling that we will be able to produce throughout
20 operations is backed up with scientific data.

21 So, yes, you know, the sun doesn't
22 constantly shine, but, you know, when you go
23 outdoors on a cloudy day, you're still able to drive
24 without your headlights on. There's plenty of, you
25 know, sun around lighting things up.

1 So the panel technology has gotten very
2 advanced and can pick up, you know, just those
3 smaller cloudier days and continue to produce for
4 the grid.

5 MS. MARY WAGNER: And it doesn't make
6 sense to do that research project that you're doing,
7 two years after you're setup, to have that done that
8 before you build?

9 MS. VICTORIA ORCHARD: Yeah. So we do it
10 for two years before we build to make sure that
11 prior to ever putting panels in the ground, we know
12 that there's enough solar resource in this area for
13 the project to be beneficial and produce the power
14 that we're saying it's going to produce.

15 That being said, throughout the life of
16 the project, that meteorological data does stay on
17 the project and continues to monitor the amount of
18 solar resources we're getting. And that is also
19 monitored by our remote operations center, which is
20 a 24/7 operations and maintenance center, kind of
21 watching the, you know, weather patterns, how the
22 power is producing, and kind of the health of the
23 overall project. So that's something that they
24 continue to monitor so that we can adjust, you know,
25 any of those parameters we need to based on the

1 weather.

2 MS. MARY WAGNER: And my last concern is
3 the water that's in the drainage ditch. Did I
4 misunderstand that, is there water ditches? The
5 young lady that was concerned about her dog and her
6 child getting inside that area because there was
7 standing water, did I misunderstand that?

8 MS. VICTORIA ORCHARD: Are you referring
9 to stormwater ponds, like the basins near --

10 MS. MARY WAGNER: Um-hmm.

11 MS. VICTORIA ORCHARD: So, yeah, you
12 know, part of, you know, the permitting is called
13 the stormwater and prevention [sic], you know,
14 permit. Dealing with the amount of water that is
15 expected to fall on-site in extreme rain events, we
16 have ponds and basins set up across the site that
17 will control the flow of water, making sure that we
18 don't have large areas of the site where there's
19 panels and then a bunch of ponding underneath the
20 panels.

21 These basins are intended to drain, have
22 that water, kind of, sit there until it evaporates.
23 And making sure that, again, we're not having crop
24 loss or damage to the habitats we're establishing
25 across the site. But, again, those ponds are going

1 to be inside our fence and maintained, and, again,
2 just one of the permit conditions as to how to
3 manage stormwater on the project.

4 MS. MARY WAGNER: Thank you.

5 JUDGE MIDDENDORF: Thank you.

6 All right. Next on the list is Loretta
7 Halbur; did you want to speak?

8 MS. LORETTA HALBUR: Hi. I'm Loretta
9 Halbur. I am the Nobles County drainage
10 coordinator. My name is L-O-R-E-T-T-A, H-A-L-B-U-R.

11 As the Nobles County drainage
12 coordinator, I've been working with Geronimo Power
13 for the last 18 months trying to address the drain
14 tile -- the county drain tile within the project
15 area.

16 There's three drainage systems that are
17 going to be affected by this project, including
18 County Ditch 11, which was established in 1912. It
19 encompasses about 1,400 acres, and it's valued at
20 \$1.1 million.

21 This outlets into Judicial Ditch 11B.
22 This was established in 1919, and it benefits
23 roughly 12,000 acres. It's valued at \$19.2 million,
24 and this all flows into the Missouri River
25 Watershed. And then the Judicial Ditch 8 system was

1 established around 1921, also encompasses about
2 11,600 acres, and it's valued at \$19.7 million.

3 So two of the things that I -- as I
4 worked through the amended site application and
5 things like that, a lot of my concerns were
6 addressed throughout the process, throughout the
7 conversations, and within these documents. But
8 there were two things that I still wanted to address
9 here tonight, especially given the -- the comments
10 earlier.

11 One of those is the impact to the
12 drainage benefits and the property values. So this
13 project is located on the upper part of each of
14 these drainage systems. CD 11 will have about
15 131 acres affected by the project; the benefits
16 affected by the solar project will be about
17 \$135,000. Judicial Ditch 11B has about 600 acres
18 affected by the project, and this is about \$890,000
19 that will be impacted. Judicial Ditch 8 has about
20 110 acres impacted, which is about \$103,000.

21 All in all, there's about 831 acres of
22 drainage system that will be impacted by this, and
23 it comes out to about \$1.12 million of property
24 value that will be impacted by the solar project.

25 So drainage benefits are based on a

1 comparison of conditions prior to the installation
2 of a drainage system with the conditions that exist
3 after the construction of the system. Special
4 appraisers called "viewers" use a variety of
5 technology and tools to determine the increase in
6 market value for a piece of land within a drainage
7 system. With this understanding, the Summit Lake
8 solar project will have an impact to agricultural
9 ground that has an increased property value of
10 \$1.12 million.

11 Now, when it comes to changing land from
12 agricultural production to something else -- whether
13 that's residential, developed, industrial -- this is
14 when we typically see a reduction in benefits.
15 Usually residential is valued at a lower rate;
16 industrial is usually just slightly higher than
17 that.

18 This number is really important when we
19 consider repairs and maintenance under Minnesota
20 Statute 103E because this becomes our budget for the
21 system in order to do major repairs. If we're
22 missing out on \$890,000, that might reduce what we
23 might be able to do in order to repair and maintain
24 those systems in the future.

25 Those -- again, those -- the benefits

1 become the budget, and if that budget gets reduced,
2 it makes it harder for us to fix this tile in the
3 future and puts more of the burden back onto the
4 landowners.

5 The second thing I wanted to address was
6 the vegetation management plan. There were a --
7 it's a very ambitious management plan. I enjoyed
8 reading through it, and everything that they want to
9 do with pollinators and native grasses and trees and
10 things like that.

11 However, the potential for many
12 infiltration basins where some would require a wet
13 seed mix had me a little concerned. Recent weather
14 patterns show that our area can experience long dry
15 spells that could negatively affect the
16 establishment and success of a wet seed mix.
17 Alternatively, a dryer area, if it's cool and wet,
18 it might not establish as well.

19 The VMP does not describe the mitigation
20 strategies should the project area experience
21 weather that's too wet or too dry during the
22 establishment period. But given their responses
23 about the vegetation screening plan and how they
24 would replace trees and stuff, I would hope that if
25 something isn't established that they would probably

1 go back out there and reestablish it. I worry about
2 that because I don't want to see any erosion or
3 sedimentation entering that drain tile.

4 So those are my concerns tonight. I'm
5 always happy to talk to landowners within Nobles
6 County about the drain tile, since after this
7 permitting process with the PUC, Geronimo Power will
8 have to do a petition for reroute and abandonment in
9 order to change or modify any of the county tile.
10 Thank you.

11 JUDGE MIDDENDORF: Thank you.

12 All right. Next on the list, Dwayne
13 Weinrank.

14 MR. DWAYNE WEINRANK: Dwayne Weinrank,
15 D-W-A-Y-N-E, W-E-I-N-R-A-N-K.

16 Some of these questions people had just
17 recently, they addressed part of my questions. But
18 the 30-year lifetime expectancy, I don't know, did
19 you say that you were going to pull out the pylons
20 [sic], too? Everything is going to be pulled out?

21 MS. VICTORIA ORCHARD: Yes, part of the
22 decommissioning requires us to pull the piles out.

23 MR. DWAYNE WEINRANK: Okay. So then what
24 about the damaged drainage tile underneath that, if
25 you hit any of them?

1 MS. VICTORIA ORCHARD: Yeah. So
2 throughout construction, while we are constructing
3 the project, we're committed to repairing and
4 replacing the tile. And then, as you know, more
5 things pop up throughout construction. Of course,
6 sometimes with tile, you don't notice that there's
7 any issue until the following year. We are
8 100 percent responsible for replacing and repairing
9 any damages.

10 MR. DWAYNE WEINRANK: And I've dealt with
11 that before with Rural Water. They cut right
12 through tile, they had tile on top of the ground.
13 They did no repairs. I had to sue them so they
14 could go ahead and -- and we could get the repairs
15 done. So it wouldn't be any different here either.
16 You'll walk away from this thing. Is Geronimo going
17 to own this thing for the lifetime of this project?

18 MS. VICTORIA ORCHARD: Yes, we intend to
19 own and operate the project for the lifetime.

20 MR. DWAYNE WEINRANK: But then there'll
21 be different people running Geronimo, and the laws
22 will change, because that's what -- that's what
23 companies do. They have a way of getting around
24 these things, and they -- they don't honor what they
25 say, you know.

1 And, you know, it says in here that you
2 were going to have a half -- over half a million
3 dollars tax revenue. Is that a guaranteed deal
4 that's never going to drop below that, or maybe go
5 higher even?

6 MS. VICTORIA ORCHARD: Did you want to
7 respond to the drain tile?

8 MS. ALIA MOHAMMAD: Yeah, I can go back
9 to the drainage question and decommissioning. So I
10 can also reassure you that with decommissioning, we
11 have to put up a surety bond, too. So no matter
12 what, that bond will -- or a letter of credit, will
13 be able to fund the restoration and the
14 decommissioning of the project after the operational
15 life.

16 And, then, we also -- if we want to
17 address drain tile more, we've also mapped out both
18 public and private drain tile tie-ins to our public
19 tile -- the public tile in the project area so we
20 can mitigate and avoid the tile where possible.

21 MR. DWAYNE WEINRANK: Well, I think
22 that since -- I was here last fall for a meeting and
23 really nothing has changed. Your particular agency,
24 or whatever you want to call this, you're going
25 forward according to the -- the legal avenues allow

1 you to, and that's what you're doing, you're using
2 the legal avenues.

3 But in the meantime, you're pushing over
4 people and running over people as fast as you can,
5 and you're really not telling the whole story. I
6 asked a question, you know, about dollars that
7 you're paying for this land that these people sold.
8 You know, if it wouldn't be for these people that
9 wanted to sell their land for that high-dollar fare,
10 which is probably double of a normal farmland, you
11 wouldn't have anything.

12 But they -- you dangled that carrot in
13 front of them, and you got them to go ahead and bite
14 on it. I wouldn't have bought on it, I could tell
15 you that. If I had land there, there's no way I
16 would let you in because this is ag land. This is
17 not zoned for any industrial buildings.

18 And you're going to bring in some
19 problems. The one person addressed, you know,
20 fires. It's a possibility. You're going to drive
21 people right out of that area. You know, and it
22 almost looks to me like you're trying to start a
23 revolutionary war with the local people, and we can
24 fight, too, you know.

25 I'm 100 percent against something like

1 this here. I know they have these things in China,
2 and China's supposed to be our enemy, but they put
3 them out in the desert where it doesn't affect
4 people. There's no way China would go ahead and put
5 up a facility like this on good ag land. It
6 wouldn't happen.

7 They use common sense in some of these
8 other countries, but we have a free enterprise
9 system. And our free enterprise system says, if you
10 can get away with it, if you can run people over,
11 it's okay. If you put -- I bet you wouldn't be able
12 to put this thing up right by the White House. I
13 mean, they would take that thing down. I can
14 guarantee you that.

15 So this shouldn't be here either. You
16 should -- it shouldn't have even come to this point
17 where you've got to have these meetings. It should
18 be -- it should have been never even questioned that
19 you should have it here. It should be someplace
20 else in an isolated area where you don't have to be
21 running over people and causing -- like the one
22 person said -- stress. That's all you're doing is
23 causing stress.

24 Everybody's going through this thing, and
25 we don't need any more stress in the world. You're

1 going to cause some real problems here if you keep
2 this stuff up, because there's plenty of people
3 pissed off about this thing because you don't
4 listen. We come to these meetings and tell you
5 that, but you just keep plugging along.

6 I said, when I was at Reading one time, I
7 think you need to -- we need to get into the octagon
8 ring, finish this off, get you people out of here.
9 So I've got no time for a deal like this. There's
10 no excuse for this. So that's -- I'll just quit at
11 that.

12 MR. SAM WEAVER: So, Your Honor, if I
13 could just, kind of, chime in. So I know that --
14 and this came up at the last scoping meeting, right,
15 there are bad actors out there. There are people
16 who, you know, go through drain tile, don't report
17 it, people have their land flooded, it's not
18 draining right.

19 And, obviously, right, we can't be out
20 here, we can't enforce -- we can put all these
21 conditions in saying, like, you can't violate noise
22 standards, you can't -- you have to immediately
23 repair drain tile. I can write in all this stuff I
24 want, but I can't be out here making sure that all
25 this happens.

1 And that's why -- like, obviously, right,
2 a lot of people here are opposed to this project,
3 and if you see something going on, that's what our
4 complaint process is for. Because we can take that
5 permit away from them, we can make it so it goes
6 away if they are violating the things that we write
7 into this permit that are trying to make this happen
8 as responsibly as it can.

9 So all I'm saying is that if you see
10 something, report it to us. Because we want to be
11 on top of it, and we're doing, right, what we can to
12 put in a permit that tries to make it happen as
13 responsibly as possible, but we can't watch them
14 while they're constructing things.

15 So that's -- I hope that if you all see
16 something like this and you see them violating
17 what's in the permit, that you let us know.

18 JUDGE MIDDENDORF: Thank you, Mr. Weaver.

19 All right. Dennis Fultz is next.

20 MR. DENNIS FULTZ: Dennis; last name is
21 Fultz, F-U-L-T-Z.

22 Yes, I'm a Murray County resident. I
23 have farmland in Murray County. I'm a just about
24 retired farmer.

25 My just one comment was , some people are

1 really concerned about good ag land being taken out
2 of production, but a solar farm, you're projecting
3 it to be about 30 years. And, really, after those
4 30 years of the land being dormant or just having
5 grass on it, I really feel that the land probably
6 will be in a better productive state once the
7 project is decommissioned.

8 The question about, oh, but we're taking
9 so much land out of production for these big huge
10 solar things, but when you look at the, maybe, two
11 sections of land -- or maybe three -- that are taken
12 up with this whole project, that is so insignificant
13 relative to our ability to produce crops and food
14 for people. It's very insignificant, and it's just
15 for a 30-year period when there won't be crops
16 growing there.

17 But, really, a crop is harvesting the
18 sunlight through green leaves and chlorophyll. It's
19 just collecting sunlight energy. The solar field is
20 doing the same thing. It's taking the sunlight that
21 falls on it and converting it directly to
22 electricity, which we all use in our daily lives.

23 So I -- although I'm not a local -- I'll
24 admit that -- but I just think that the solar farms
25 themselves are good for us in the short run and

1 won't do damage to the soil in the long run. Thank
2 you.

3 JUDGE MIDDENDORF: Thank you.

4 All right. That is the end of my list.
5 Was there anyone who didn't sign up who would like
6 to speak?

7 MR. JAMES D. JONES: Yes, I would, Your
8 Honor.

9 JUDGE MIDDENDORF: All right.

10 MR. JAMES D. JONES: I didn't think I was
11 going to talk, but I guess I'm going to.

12 JUDGE MIDDENDORF: Don't forget to state
13 and spell your name.

14 MR. JAMES D. JONES: My name is James D.
15 Jones. I'm the Bloom Township Supervisor.

16 Okay. We were at a Nobles County
17 association meeting last week. Geronimo got up and
18 said we were living on a gold mine down here. We
19 are gold mine for energy out here. Yet, they're
20 offering us peanuts, and I'm not a damn peanut
21 farmer.

22 Your Honor, I don't want to offend you,
23 but I don't know why you're here. We don't get a
24 say. We get to talk, but we don't get a say.
25 There's been so many lies, so many secret deals.

1 There is no need. Right now, they had to shut the
2 power -- the windmills off yesterday because they
3 had more power than they needed, so why are we
4 adding more power? We can't own it; we don't own
5 it. If we want it, we've got to pay ten times the
6 rate for it.

7 We have given up too much of our raw
8 energy out here, our natural resources to this kind
9 of stuff, and not getting anything in return.
10 Nobody in Nobles County is getting anything in
11 return. We should have free energy here for all the
12 energy that we have given up to all these projects
13 to the wind over the years.

14 If you have ever seen a wind contract, it
15 will be just like their contracts. They'll be
16 broken; they'll be turned over to somebody else.
17 They say they won't, but they will, and suddenly we
18 get half of what they offered.

19 If anything is done on this, Your Honor,
20 we need to own part of this energy and it must stay
21 here. We must have free access to it at a fair
22 rate -- fair price. No more \$400 a unit when we pay
23 \$35 a unit [sic], because we can't get it. We have
24 energy alerts.

25 The guy from Murray County is here.

1 Guess where Nobles County Cooperative Electric
2 moved? They moved out of Nobles County. They knew
3 this was coming; they didn't want to be here. I'm a
4 farmer. God gave us this land to raise crops, not
5 raise solar panels.

6 I'm not sure -- and I can't find out for
7 sure if these lands are leased, purchased, or they
8 are an energy contract; do you know?

9 MS. VICTORIA ORCHARD: When we're signing
10 up land for the project, we offer both lease and
11 purchase, whatever the landowner is in preference
12 of.

13 MR. JAMES D. JONES: Okay. So how are we
14 supposed to know this is going to be a good deal for
15 us? I mean, you sprinkle a few dollars in front of
16 a few landowners, and they will -- I don't blame
17 them. It's a lot of money they could get if they
18 possibly sold it. If it's a -- if it's like the
19 wind energy where they bought up our wind rights and
20 then all of a sudden, they sold their company to
21 another company. And guess what? They got good
22 attorneys, and we can't fight it.

23 And this guy over here says, oh, we can
24 complain to him and he's going to do something.
25 Bullshit. That's not going to happen. It

1 doesn't -- I'm telling you, we're out here on our
2 own. It's a joke.

3 So we sit on a gold mine. Your Honor, if
4 anything happens here, we have to start getting part
5 of the energy to stay in Nobles County for us to
6 use, period. We cannot be getting energy alerts
7 every -- 4:00 in the afternoon, we can't be told to
8 put generators on all our acres for our own
9 electrical use, because we can't afford it. This is
10 happening. I don't know if you know that, but it's
11 happening now.

12 Everybody -- REA come out to put a
13 \$12,000 generator on my property so they can run it.
14 So when energy gets too high, Noble Co-op Electric,
15 they can flip it on for me. We're being starved to
16 death out here on energy while they get rich.

17 My question on ownership is liability;
18 who has the liability? I have sons on the fire
19 department right now that were told by the Minnesota
20 Fire Association they cannot enter into a solar
21 accident because they're not qualified for it. They
22 started out talking to us about -- the fire
23 departments about stuff, and then they completely
24 dropped it, and we're supposed to trust them.

25 The plant at Reading, you can see it for

1 ten miles. They never shut the lights off. They've
2 got more power than the rest of us. Them lights go
3 all the time, and don't lie to us that they shut
4 them off. They don't shut them off. I've never
5 seen them shut off.

6 The city of Reading and the village of
7 Reading don't need your lights. They don't need
8 lights. That thing glows like there's no tomorrow.
9 They're only here because this is convenient for
10 them. That substation is there, and it's growing
11 every day.

12 They ruin our roads. The other thing you
13 haven't addressed is -- I'm a township supervisor.
14 The hell if I'm going to let you drive down my damn
15 road. Why should I? We don't have stop signs, we
16 don't have road speeds, but we have people that live
17 on these roads. And I'm responsible to maintain
18 them roads, and I'm responsible to people who live
19 in my township, just like Summit Lake and some of
20 the other townships here that will be really
21 affected by this.

22 The little bit of money you're going to
23 dribble out is not enough, even if you're giving us
24 25, 30 million a year -- and guarantee it, write the
25 damn check. Write the damn check so I don't have to

1 come looking for you next year when you get this
2 done -- or two years from now -- and say, Oh, yeah,
3 it didn't quite work out that way. You're only
4 going to get a couple million dollars.

5 We're having a hard time here. If we had
6 a say out here, this would never happen, but we
7 don't. The State has allowed you and him
8 (indicating) to have the say. Don't rubber stamp
9 something out here. This is not what we want.
10 Thank you.

11 JUDGE MIDDENDORF: All right. Okay. I
12 see a number of hands. Mr. Janezich, would you send
13 the sign-up sheet around again?

14 MR. CRAIG JANEZICH: Oh, sure.

15 JUDGE MIDDENDORF: All right.

16 All right. You, sir (indicating).

17 MR. ROD SANKEY: Thank you, Your Honor.
18 Rod Sankey, R-O-D, S-A-N-K-E-Y.

19 I was jotting down a few notes to
20 question. First of all, do you have any idea what a
21 200 million -- 200-megawatt facility costs to build,
22 to complete, any idea? There's never been anything
23 mentioned about cost and who is going to pay for it.

24 MS. VICTORIA ORCHARD: Yeah. So the cost
25 of the solar project is, you know, maintained and

1 operated by us, so we incur all the costs throughout
2 the building cycle.

3 MR. ROD SANKEY: So, really your interest
4 is building the -- are there going to be wind towers
5 or just solar panels?

6 MS. VICTORIA ORCHARD: So this project
7 will just be solar and battery energy storage.

8 MR. ROD SANKEY: Right. And you don't
9 have an end-user for the, quote, data center; do
10 you?

11 MS. VICTORIA ORCHARD: So we'll be
12 focused on the solar project and the battery project
13 for tonight's line of questioning.

14 MR. ROD SANKEY: But the advertisement
15 is: Data center. So all you're really interested
16 in is putting up solar panels and windmills; is that
17 correct?

18 MS. VICTORIA ORCHARD: So I will just
19 continue to maintain that we're not, you know, here
20 to discuss the data center tonight, but we do have
21 team members, you know, situated outside who are
22 happy to answer questions about the data center.

23 That being said, the solar project and
24 the battery project are two entirely separate
25 projects from the data center. We've been working

1 with the landowners in this community, the
2 interconnection queue, and the state permitting for
3 a number of years, and continue to, you know,
4 develop this project both, you know, in the
5 portfolio of the projects our company is considering
6 and as a standalone project. The solar and the
7 battery project can stand on their own.

8 MR. ROD SANKEY: So because you don't
9 have an end-user, that means you're going to build
10 the panels -- the solar panels and benefit from
11 that, and there may never be an end-user?

12 MS. VICTORIA ORCHARD: So our intention
13 with building these projects is to sell the power we
14 generate onto the grid --

15 MR. ROD SANKEY: Exactly, that's my
16 point. That's all you're interested in. You're not
17 building the data center, you're building a wind
18 energy -- I mean, solar panel energy is your only
19 interest?

20 MS. VICTORIA ORCHARD: Yes, we would like
21 to build a solar project and a battery project.

22 MR. ROD SANKEY: Right. And you said
23 it's a 50-year project, and what's the life
24 expectancy of this solar panel?

25 MS. VICTORIA ORCHARD: Yeah. So the

1 expected project life of this project is 30 years.
2 But the nice thing about panels is that they're
3 built to be outside during all weather conditions,
4 both -- rainstorms, you know, tornadoes, all those
5 things. That's why we spent a lot of time doing
6 geotechnical studies to try and figure out what kind
7 of bedrock we have and how far we need to drill the
8 piles into the ground to make sure that the panels
9 are stable.

10 You know, the panels are built to last,
11 so they could continue producing energy well after
12 we decommission the project --

13 (Indiscernible cross-talking.)

14 THE REPORTER: Oh, oh, I'm sorry to
15 interrupt --

16 JUDGE MIDDENDORF: Wait, I need you to
17 not talk over one another. So wait until she's
18 finished and then go ahead.

19 MS. VICTORIA ORCHARD: The panels could
20 continue to produce power well after 50 years, even
21 though the project is intended to be there for 30.

22 MR. ROD SANKEY: The life expectancy is
23 50 years?

24 MS. VICTORIA ORCHARD: Our panels are
25 built to last and run for a very long time, yes,

1 sir.

2 MR. ROD SANKEY: How about 15 to 19? So
3 that means you'd have to replace them three times in
4 a 50-year period.

5 MS. VICTORIA ORCHARD: You know, in the
6 past, as solar projects became more and more
7 prevalent, you did see developers going out and
8 re- -- you know -- -configuring their projects with
9 newer updated panels. A lot of that was driven
10 by -- excuse me, a lot of that was driven by the
11 technological advances of the panels and them
12 getting so much more efficient so much faster.

13 Across the industry, we're starting to
14 see that plateau out, where, you know, we've hit and
15 capitalized on a lot of the efficiencies that can be
16 had with this technology. So while we don't expect
17 to go and reconfigure this project with new panels
18 in the future, you know, that is always an option.
19 We want to make sure that we're producing safe and
20 reliable power as efficiently as possible.

21 MR. ROD SANKEY: And why is this only a
22 50-year project? We're going to -- we won't need
23 electricity after 50 years?

24 MS. VICTORIA ORCHARD: So this project is
25 currently set up to be a 30-year project. We only

1 tell -- or work on these projects for 25 to 30 years
2 because that's all we can commit to given what we
3 know today. Just like you, it's unsure, you know,
4 if ten years or 20 years down the line solar will
5 still be a cost-effective way to produce power. And
6 so we want to be able to, you know, remain flexible
7 if and when solar becomes, you know, a
8 non-cost-effective way to produce power. You know,
9 25 to 30 years is the standard project length that
10 we intend to operate.

11 MR. ROD SANKEY: So we'll get back to the
12 other problem we have. You do not have an end-user.
13 So what's the purpose of you even being here if we
14 don't have a need for that electricity production?
15 You don't have an end-user. We've got plenty of
16 energy now. And just because of this data center,
17 we're probably still seven to 15 years out before
18 the -- I forgot the word I was -- for these super
19 giant computers.

20 So why do we have to build more? Your
21 wind towers out here now don't operate 24/7, so why
22 would you have to need more? The wind -- the solar
23 panels -- let me put a line under there so I can
24 find it. So why would you need more solar panels
25 now when you don't use 100 percent of your wind

1 power already -- already in the ground?

2 MS. ALIA MOHAMMAD: Yeah, I can speak to
3 that. So the infrastructure currently, I wouldn't
4 say it's failing, but we need to put more production
5 of electricity onto the grid to support the amount
6 of people and population within the region. And
7 solar generation helps with that, as well as the
8 battery storage system.

9 And they can work independently from each
10 other. So let's say if there's -- there's
11 production of energy one day, and then the next day,
12 that will be stored on the battery storage system
13 and it can be put back onto the grid when it's
14 needed again.

15 MR. ROD SANKEY: What has our population
16 growth been in the last ten years versus the next
17 ten years that needed the electricity? I'm not --
18 we're not short of electricity around here. We may
19 someday, but why don't you wait until that point
20 comes up where it's a need and not just your
21 project?

22 I don't -- how big is Geronimo? What's
23 the net worth of Geronimo? Is it a \$4 billion
24 company, 1 billion, 100 million? You guys, you're
25 looking for a deal. Just like the other gentleman

1 said, you're only in it for yourself. You're not in
2 it to produce electricity for the good of the
3 company -- or country.

4 So I did read where you guys guaranteed
5 to give X number of dollars to the school district,
6 but you're not going to pay property tax. I don't
7 find that a very useful idea. Why should I pay
8 higher property taxes so you can get it for free?
9 And you're going to give X number of dollars to the
10 school district, which we already pay taxes to the
11 school district, and we build new schools when we
12 need them.

13 Everything's fine. Our school district
14 just bought 60 or 80 or 120 -- I don't know the
15 exact number -- of farmland that farmers could use
16 to earn income. But, no, the school district jumped
17 in -- and off our tax dollars -- to buy the
18 property. For what? So they can teach ag
19 problems -- or ag -- you know, create new farmers.
20 Listen, people that run farms came off the farm.
21 They already know how to operate them.

22 So I don't understand why we need more
23 electricity. We have no -- you have nothing going
24 for you, you do not have an end-user, and you
25 cannot -- I'll tell you what, why don't you just

1 build a new hockey arena for the city of -- for the
2 county of Nobles County. And if you guys want to do
3 good for the community, we could use that. A
4 nice -- two sheets, a hockey arena. We've been
5 trying to get that passed -- or people are trying.
6 That costs dollars. The more dollars I pay in taxes
7 is less dollars I've got to spend on the children.

8 JUDGE MIDDENDORF: All right. I'm going
9 to ask you to wrap up your comments because we've
10 got more people who want to speak.

11 MR. ROD SANKEY: One second.

12 All right. Thank you for your time.

13 JUDGE MIDDENDORF: Thank you.

14 All right. Next, Rod Burkard.

15 MR. RODNEY BURKARD: Rodney Burkard,
16 R-O-D-N-E-Y, B-U-R-K-A-R-D. And thank you for
17 giving me the opportunity to speak here this
18 evening. I'm not a very good speaker, and I don't
19 speak well in front of big crowds, so please bear
20 with me.

21 The first question I have really doesn't
22 pertain to any of the mechanics of the solar system,
23 is how -- wind-worthy landowners and these lease
24 agreements or purchase agreements were first made,
25 how many years ago has it been?

1 MR. KARSEN RUMPF: 2016, I believe, was
2 the first lease option agreement.

3 MR. RODNEY BURKARD: Okay. Why wasn't
4 the local -- any of the local residents notified at
5 that time of what was going on?

6 MR. KARSEN RUMPF: Well, before you
7 really know if you have a project that can go to the
8 next level to go through this type of permit
9 process, we really have to work through that
10 interconnection utility process, which is very
11 backlogged. It takes four or five years to get
12 through your first or second phase of studies to
13 determine if the cost of upgrading the system is
14 worth it economically, that we can -- we can finance
15 the project.

16 So we don't know those details until we
17 get through studies that give us this information
18 that we need.

19 MR. RODNEY BURKARD: The local area was
20 kept completely in the dark up until, maybe, spring
21 of last year. We could be avoiding many of these
22 questions and problems we have tonight had something
23 been mentioned to the residents years ago. We could
24 have started working on some of these subjects.
25 Geronimo likes to say that they're open and

1 transparent, but so far it's been just the opposite.
2 We've been having to fight and pry any kind of
3 information out of you guys.

4 MR. KARSEN RUMPF: Yeah, the additional
5 things, as opposed to just waiting for the
6 interconnection studies to come in, is we have to go
7 through the environmental permitting studies as
8 well. So we want to make sure that there aren't any
9 red flags that would alleviate us from submitting a
10 permit application to the PUC before we even move
11 forward with more public meetings.

12 MS. VICTORIA ORCHARD: I'll just add that
13 that's, again, what this project is intended for --
14 or this process is intended for. While we
15 understand, you know, there could always be more
16 information earlier, we really want to make sure
17 that our due diligence is done beforehand so we're
18 coming to the community with answers they can rely
19 on and not question marks.

20 And so this process and getting community
21 feedback, as well as having, you know, our team in
22 the community and addressing neighbors' concerns and
23 landowners' concerns is how we're trying to take in
24 that feedback. As well as, you know, allowing for
25 these open forums where the feedback is directly

1 added into the state's permitting process.

2 MR. RODNEY BURKARD: This is part of the
3 problem that the local residents have had with
4 Geronimo. Like I said, you guys try to brag and say
5 that you're open and transparent. We've been kept
6 in the dark for years and years, and nothing has
7 ever been said.

8 There's been acreages purchased, there's
9 been acreages sold, there's been remodeling and
10 stuff done on homes and stuff in the area that all
11 this would have changed and it would have been
12 different had we had a little bit of notification
13 and planning.

14 Nobody ever came out and asked any of the
15 nonparticipating landowners or residents what they
16 thought of the project and if we had any
17 suggestions. Which, like I say, had you guys been
18 working with everybody, we could avoid so many of
19 these problems.

20 So far this has been a terrible,
21 stressful thing for a lot of the residents. I know
22 that this has been going on for a year now, between
23 all the meetings and stuff everybody has had.
24 It's -- it's really to the point where, to be
25 truthful, I would say the majority of the people in

1 this room just wish you guys would go away. It
2 would eliminate a lot of problems. I seriously
3 don't have anything against solar. I do believe
4 solar has a future, and there's a place for it.

5 But my next question was -- going to be
6 was, the mention of 300 feet from area residences,
7 from the nonparticipating residents' homes, 300 feet
8 is simply not enough. I've talked to Karsen about
9 this in the past. I welcome anybody here to come
10 out to our place. I've got markers in the
11 neighboring field that you can see from our place.
12 300 feet is really an insult. It really is.

13 Not just myself, the other area
14 residents, we've worked for years and years and have
15 tried to make our homes enjoyable and pleasant. And
16 we enjoy seeing the neighbors farm in the fields
17 across the road, we enjoy seeing the wildlife, we
18 enjoy seeing the seasons. And if the project goes
19 through as it's being proposed right now, we are
20 stripped of all of those privileges. True, our view
21 and stuff isn't something that we own, but it
22 certainly is an asset that has a certain amount of
23 value, and 300 feet, you people are not giving us
24 any credit for anything.

25 Actually, the way your program is set up

1 is you guys are penalizing the nonparticipating
2 land- -- I mean, residents. You are encapsulating
3 them in a sea of black. Would any of you guys like
4 to live in areas like this? I mean, this is really
5 ridiculous.

6 Myself -- we've taken the time to do --
7 to do some measuring and views and stuff, and over
8 the -- over the last year, the setback that we think
9 should be for the panels from -- from an area of
10 residence -- I'm not talking about a property line,
11 I'm saying from the residence, a minimum of
12 750 feet; 1,000 feet would be more than -- should be
13 adequate.

14 I do realize that this would cut into
15 useable panel space and it would cut into Geronimo's
16 profits, but to be really honest with you, you guys
17 haven't been concerned about the value of our lives
18 and the value -- and the value of our acreages.
19 Right now, we don't really value your profits very
20 much.

21 So I strongly suggest that you look at
22 1,000 feet from area residences. If you don't want
23 to -- if you want to avoid a lot of pushback and
24 concern and complaints in the future, you certainly
25 need to increase that over 300 feet.

1 If all -- all across this country, I see
2 pushback from these solar -- solar farms, and it's
3 because of the views we see where they're
4 encapsulating all these acreages with solar panels.
5 And if you guys want to grow the solar panel
6 industry, you're going to have to be a whole lot
7 more neighbor friendly.

8 If you would leave 1,000 feet around
9 these acreages of this project, passing motorists
10 would see -- would be able to see the clearing and
11 stuff, and would be more than likely to comment, I
12 believe these guys really do give a damn. They give
13 these residents some of their space back.

14 If you want to ruin the industry and keep
15 everybody mad at -- at the way things are going,
16 you're doing a very good job of it, if you continue
17 to build these -- the system like -- like it's
18 proposed.

19 I know I could -- could probably think of
20 more right now, but I guess until some of these
21 problems are remedied, I would really recommend that
22 the PUC deny any -- any application of building this
23 project until Geronimo has a chance to try to work
24 with the nonparticipating residents a little bit.
25 This -- this needs to be cleared up before -- before

1 this project ever -- ever begins.

2 I guess, I'm probably done. Thank you
3 very much for your time.

4 JUDGE MIDDENDORF: Thank you.

5 Okay. Our next speaker is Anna
6 Deitchler. I can tell from your expression I
7 mispronounced your name.

8 MS. ANNA DEITCHLER: That's okay,
9 everybody does. Anna Deitchler, A-N-N-A,
10 D-E-I-T-C-H-L-E-R. I was not planning on speaking,
11 but I had a lot of questions that came up, and so I
12 am hoping they are pertinent and help with answers
13 that we get.

14 On the piles, how far are those going to
15 be placed in the ground?

16 MS. VICTORIA ORCHARD: Our piles are
17 typically driven eight to 12 feet into the ground.

18 MS. ANNA DEITCHLER: At the point of
19 decommission, are those completely taken out of the
20 ground, or are they cut off at a certain point below
21 what would impact farming?

22 MS. VICTORIA ORCHARD: They are pulled
23 out entirely.

24 MS. ANNA DEITCHLER: Okay. When that
25 ground resettles and shuffles -- we've had a lot of

1 dirt work done at our house recently, and we're
2 having to backfill and backfill. What is the time
3 frame that you guys maintain and continue to
4 backfill until that is solid and able to be farmed?
5 Not, you drive over it and your tractor tire ruts in
6 and you've got problems.

7 MS. VICTORIA ORCHARD: Do you want to
8 address that?

9 MS. ALIA MOHAMMAD: Yeah. I would say
10 typically within 12 months.

11 MS. ANNA DEITCHLER: The curtailment that
12 is in place when the grid is overwhelmed by the wind
13 turbines, so they have some turbines shut off, how
14 would that affect you guys with your solar and your
15 BESS storage? Is it like a one-day storage that you
16 then are able to put back in the system, or how --
17 what are, kind of, some capacities -- I guess,
18 examples of capacity that help us understand how
19 much you're actually able to, like, save and hold in
20 that BESS and then put back in? Is it like a
21 two-day of no sun? Like, what does that look like?

22 MR. ANDREW LARSON: Yeah. So the energy
23 storage system will hold about four hours worth of
24 energy. So it can charge up for four hours of
25 curtailment, and then it releases that energy at a

1 later time.

2 JUDGE MIDDENDORF: Hang on a sec.

3 There's a lot of chatter in the audience,
4 and it's making it hard for me to hear. So, please,
5 if you need to talk to each other, please do that
6 out in the hallway.

7 MS. ANNA DEITCHLER: I have a question
8 that's probably not for them necessarily, but what
9 happens if the regulations that are put in place are
10 not met; are they given fines? Are there -- time to
11 fix it? Or is it just -- we've seen a lot of
12 examples of big tech, that it is easier to break the
13 law and just pay the fine.

14 JUDGE MIDDENDORF: Does somebody from the
15 Commission want to answer that?

16 MR. CRAIG JANEZICH: So, ultimately, the
17 Commission issues the permit, and the -- we have --
18 I mean, the Commission has control of the permit.
19 So if an applicant wasn't meeting conditions, that
20 sort of thing, we'd have the ability to take all
21 sorts of action, including, like, taking their
22 permit.

23 So we would be the ones that would be
24 responsible for making sure that they do what
25 they're supposed to be doing. Often we rely on

1 landowners to let us know if they see something that
2 shouldn't be occurring; we rely on landowners quite
3 a bit.

4 MS. ANNA DEITCHLER: Okay. You talked
5 about the stormwater catch areas. We have sheep
6 that we raise. So we live on 200th Street right
7 between the solar project and the data center. So
8 we have concerns that definitely impact both, and
9 stormwater and potential for standing water is an
10 impact to us.

11 Because we had a friend who also raises
12 sheep that lost 14 out of 19 of his lambs due to
13 mosquito-borne illness. So the moms were bitten by
14 mosquitos during their pregnancy, and they had lambs
15 that were mummified, lambs that were twisted from
16 Cache Valley Virus.

17 And he ended up losing a lot of the moms
18 or having to take them to the sale barn because the
19 process of pulling the lambs caused so much damage
20 that they would not be able to breed back. What
21 kind of precautions are you guys going to put in
22 place to reduce mosquito and insect load from tall
23 grasses and standing water?

24 MS. VICTORIA ORCHARD: I would ask --
25 honestly, say that we can do, you know, more digging

1 into that and get you a real succinct answer. But I
2 do remember you bringing this up, you know, at some
3 of the previous hearings, and we have been looking
4 into what kinds of sprays and mitigation efforts we
5 can do, both above and as it relates to our
6 stormwater basins to manage that.

7 Of course, we don't want to create any
8 nuisances to the surrounding environment. And, you
9 know, if you have specific ideas on how we can
10 manage those concerns for you, we'd be open to that
11 feedback.

12 MS. ANNA DEITCHLER: Something I've been
13 reading about with data centers and also with solar
14 is the release of heat or additional heat in areas
15 because of the black panels, creating things that
16 they're starting to call heat islands. What is the
17 potential impact for that?

18 We, with our sheep, try to keep their
19 body temperature low during the summers because it
20 increases their fertility and their breeding
21 percentages. We actually feed them special minerals
22 to keep that body temperature lower. And we put a
23 lot of money into making sure that our buck stays
24 fertile and that our sheep are prepared for the AI
25 that might be, you know, countered by new neighbors

1 on each side.

2 MS. ALIA MOHAMMAD: Yeah, I can talk to
3 the heat island effect. So a heat island is not
4 necessarily associated with solar farms. It's more
5 for urbanized areas with cement or blacktop
6 foundations. But the panels are elevated and
7 there's grass underneath, so it allows, you know,
8 air to pass above and below the panels.

9 Heat dissipates about one meter above and
10 it travels upwards. It does not go horizontally, so
11 it does not affect neighboring crops or animals
12 since it travels upwards and dissipates pretty
13 quickly.

14 MS. ANNA DEITCHLER: Okay. And speaking
15 of animals, you talked about the entire campus is
16 going to be fenced, very similar to the data center
17 that's going to be going nearby. I'm thinking about
18 animal thoroughfares and, you know, them being able
19 to go out and about.

20 It seems like it's a small portion when
21 you look at one project, and then when you start
22 adding all the additional projects that have to be
23 secured and have to be fenced, it's creating a
24 really large section that animals cannot go through,
25 your deer, your small -- I mean, if it's a

1 chain-link, if it's something like that. So that's
2 something that I would have some concern with.

3 I've got a whole list here. For the
4 solar panels, the reflection off of the panels, I
5 know they're, like, treated and coated to try to
6 minimize the reflection. How does that affect
7 migrating birds? I've read that they see those
8 reflections and think that it's a water source and
9 try to land on it.

10 If you've ever seen a flock of geese
11 coming in for a landing, they're not graceful. They
12 don't, like, adjust quickly to change and things.
13 What are the results -- or what are the testings on
14 that; how is that impacted?

15 MS. ALIA MOHAMMAD: Yeah. So like you
16 said, there's a nonreflective coating on the panels,
17 it -- and we want the panels to absorb the energy,
18 not necessarily reflect it. It makes the panels
19 more energy efficient, and there's also studies out
20 there stating that panels are actually less
21 reflective than windows would be.

22 MR. SAM WEAVER: I can also weigh in on
23 that. So I did write about that in the EA. I was
24 at a conference in the fall looking at the impacts
25 of, like, solar panels on birds, specifically, and

1 that heat island that you were talking about.

2 So there was -- most of the bird deaths
3 were from, like, those water birds, like you were
4 saying, were at a couple facilities in Arizona where
5 they use a focusing technology. Whereas, the
6 tracking panels don't seem to have any associations
7 with, like, bird fatalities. And they've set up
8 cameras at solar facilities where they document
9 every bird that flies in and out, and basically all
10 the fatalities at sites are due to the increased
11 presence of predators, avian predators, on solar
12 sites.

13 So that is a concern with older types of
14 solar technologies and technologies that you see out
15 west, but not necessarily the tracking arrays that
16 we have here.

17 MS. ANNA DEITCHLER: If there are any
18 large birds that are crashing into the panels, like,
19 how resilient are they or resistant to that? Does
20 it crack the panel? Does it damage the panel? Do
21 the innards of the panel then get into the ground?
22 What does that, kind of -- what's the strength
23 capacity?

24 MS. ALIA MOHAMMAD: Yeah. So panels --
25 our panels are, I will say, wind resistant up to

1 150 miles per hour, and they can also take up to
2 golf-ball sized hail weather wise. And when they
3 crack, it's almost like a windshield; they don't
4 necessarily just shatter.

5 And then if there's -- there's this
6 testing that the EPA does, and it's called TCLP
7 testing, toxicity leaching -- sorry, toxicity
8 characteristic leaching procedure, where the panels
9 are broken into smaller pieces. And what the EPA
10 has tested is that these have been nonhazardous if
11 they're to be recycled and then put into the soil.
12 So they're just nonhazardous materials.

13 MS. ANNA DEITCHLER: What kind of
14 materials would potentially leach? Our sheep are
15 really sensitive to copper, and since we're, kind
16 of, in close proximity and you're thinking of
17 groundwater and everything, that's just a curiosity.

18 MS. VICTORIA ORCHARD: Yeah. The
19 majority of the panel is made of silicon and glass.
20 The minor components outside of that make up a very
21 small portion. And, again, when we are looking at
22 how the panel breaks, those smaller components are
23 the most protected part of the panel. Typically you
24 don't see anything except for the silicon and glass.

25 MS. ANNA DEITCHLER: I do want to mention

1 that we've lived at our property for a year and a
2 half, and I know they had talked about working with
3 landowners and working with people nearby and
4 communicating changes and things. I had to find out
5 this from a different group. We haven't had any
6 kind of contact or any kind of information from
7 Geronimo. So maybe update your listing of affected
8 residents; we're really close.

9 And, then, I think the last question is,
10 since we're being open and honest, what kind of tax
11 exemptions or incentives do you guys anticipate
12 getting from the state that would affect, like, our
13 decision and stuff going on here?

14 MS. VICTORIA ORCHARD: Yeah, I can take
15 that. You know, it was mentioned earlier, kind of,
16 a question on property taxes. I feel like this is a
17 good time to correct the record on that. As well
18 as, you know, property taxes do increase when you
19 have that change in use, and our company is liable
20 and pays all of those increases in property taxes,
21 as well as, you know, state taxes on the production
22 of electricity, and sales and use tax.

23 You know, there are certain exemptions
24 afforded to electrical generation, both -- you know,
25 coal, gas, all of the power plants, and that has to

1 do with the specific materials in the project that
2 are used for producing electricity. A majority of
3 the site, you know, as far as the foundations, the
4 O&M building, the things that are not directly
5 related to producing power will be charged with
6 sales and use tax. But, again, all electrical
7 generation in Minnesota is exempt from sales and use
8 tax.

9 MS. ANNA DEITCHLER: Okay. I think
10 that's it. Thank you, Your Honor.

11 JUDGE MIDDENDORF: Okay. Thank you.
12 Next on the list, Jill Cuperus.

13 MS. JILL CUPERUS: Good evening. Jill
14 Cuperus, J-I-L-L, C-U-P-E-R-U-S. I'm trying to get
15 through this without choking up. This is a very
16 personal project.

17 I want to say to Geronimo, you're not
18 here to help us, you're here to make yourselves very
19 rich. We are not going to get much. You keep
20 throwing money at us, and I would be very certain
21 that most of us in this room are not interested in
22 your money. We are not interested in this project;
23 we would be much happier if you would just leave.

24 When you're -- in your marketing, you
25 continue to call us "neighbors." We're not your

1 neighbors. You can look at these people out here
2 (indicating), these are my neighbors, some of my
3 family. They are my neighbors, not you guys.

4 A good portion of our neighbors are not
5 here tonight because there is a corn and soybean
6 producers meeting. That is who we are. We are
7 farmers. Many of us are multigenerational residents
8 and farmers in this area. This land means something
9 to us; it is not just a dollar.

10 You keep talking about decommissioning
11 the soil and maybe the land will be better after
12 30 years. You don't think that we take care of the
13 soil? This land provides a life for us; we take
14 care of it. And can you imagine -- can any of these
15 farmers, can you guys imagine ripping through land
16 after 30 years of high traffic? Good luck.

17 You continually talk about the .2 percent
18 of the land in Nobles County that will be taken up
19 in this project like it's not a big deal. This is
20 where I live. This is where my neighbors live.
21 This is where my family lives. That .2 percent is a
22 hell of a big deal to me and a lot of the people in
23 this room , so quit downplaying it.

24 JUDGE MIDDENDORF: Please hold your
25 applause or we're not going to get through all our

1 speakers. Thank you.

2 MS. JILL CUPERUS: One of my least
3 favorite parts of this project is it feels like it's
4 strangers versus local, and now it is getting to be
5 local versus local. And why are you guys innocent
6 before you're proven guilty? We are the ones that
7 are fighting for this project to not happen, and you
8 guys are just able to push through stuff.

9 One of the biggest -- one of the other
10 bigger -- biggest things that I have a problem with
11 with this project is all of the farm ground that's
12 being taken away from the next generation. My
13 husband and I farm. I am a multigenerational
14 farmer, my husband is a multigenerational farmer,
15 and I have three children that would like to farm
16 and we live right by the solar project.

17 Have you ever driven behind a tractor?
18 Do you understand how slow they go? We don't like
19 to farm 15 miles away, 20 miles away. It doesn't
20 make sense. This land that you want to take away
21 from us is right next to the land that we farm
22 already. When I drive farther away, that cuts into
23 my profits. That's bull crap.

24 I want to -- I have one question: When
25 you approached the landowners, did they know the

1 scope of this project? Did they know it was going
2 to be 2,000 acres?

3 MS. VICTORIA ORCHARD: When we originally
4 sent land agreements, is the question?

5 MS. JILL CUPERUS: Did they understand
6 how large this project was going to be? Because I
7 guarantee they would not sign on if they knew how
8 big this was going to be. Do you know how many
9 families 2,000 acres supports? Do you understand
10 how large of a farm that is? It supports multiple
11 families. You are taking that out of production,
12 and you say, Hey, 30 years, you can have it back.
13 Guess what? My youngest son is going to be in his
14 40s. It's useless.

15 Did anybody understand the scope of it?

16 MS. VICTORIA ORCHARD: At the time -- at
17 the time of signing land, we always have an intended
18 size in mind based off of the studies, like Karsen
19 was saying, that are done on the interconnection
20 grid to understand how big of a project can go here.

21 When you're designing projects like this,
22 there's roughly an acreage per megawatt assumption
23 you can run off of, and so, you know, we continued
24 to keep the landowners informed with our latest
25 assumptions on project size throughout.

1 MS. JILL CUPERUS: Were there any NDAs
2 signed with landowners?

3 MS. VICTORIA ORCHARD: No.

4 MS. JILL CUPERUS: That's crap.
5 Thank you.

6 JUDGE MIDDENDORF: All right. P.J.
7 Klein.

8 MS. P.J. KLEIN: Good evening. My name
9 is P.J. Klein, P-J, K-L-E-I-N.

10 This is -- I want to say, maybe, the
11 guy -- you (indicating), yeah, in the glasses.
12 Batteries: So what if one of these batteries blows
13 up, what happens? Granted, we'll have the fire
14 department out there, there'll be trained according
15 to you guys. What happens to the chemicals in the
16 air, who is that going to affect?

17 MR. ANDREW LARSON: So your question is,
18 if one of the batteries were to experience --

19 MS. P.J. KLEIN: Starts on fire --
20 (Indiscernible cross-talking.)

21 THE REPORTER: Wait.

22 JUDGE MIDDENDORF: No talking over each
23 other. Let him finish, and then go. Otherwise,
24 it's hard on the court reporter.

25 MS. P.J. KLEIN: Sorry.

1 MR. ANDREW LARSON: If I understand
2 correctly, your question is, if there's a thermal
3 event inside one of the batteries, what will happen;
4 and what would happen to the smoke or other
5 particulate that comes out?

6 MS. P.J. KLEIN: Um-hmm.

7 MR. ANDREW LARSON: So in the event of a
8 thermal event or other hotspot inside the battery,
9 the system is monitoring all of that. Normally what
10 would happen is, nothing is visible from the
11 outside. These are much newer systems than any of
12 the systems previously mentioned.

13 They're an LFP chemistry, lithium ferro
14 phosphate. So in the event of -- in a thermal
15 event, usually nothing is visible on the outside of
16 the battery. We know that it's happening because of
17 the temperature sensors inside there.

18 The fire department would be called, and
19 usually they just wait until the all clear. And
20 then later, after the temperature's dropped, the
21 battery is opened by the manufacturer, and any parts
22 that can be replaced, are replaced, or the container
23 itself may be transported to another location for
24 recycling.

25 MS. P.J. KLEIN: So what if the fire goes

1 out of that container, what happens then? Is it
2 possible for that fire to go out of that container?

3 MR. ANDREW LARSON: The -- so the
4 batteries -- the modules themselves and the battery
5 container is a steel module inside of a steel
6 container. It's unlikely that the smoke would
7 escape. However, if it does, the smoke -- the fire
8 department is instructed to give a cooling mist and
9 stop the spread to any other equipment.

10 The smoke that comes out would be similar
11 in nature to a house fire. It would be unfortunate
12 and it would act very much like a house fire. It
13 would go up, and there would be very little that --
14 by the time it reaches the end of the project site,
15 the -- the toxicity is considered nonhazardous.

16 MS. P.J. KLEIN: How is that possible?

17 MR. ANDREW LARSON: How is it possible?

18 MS. P.J. KLEIN: That it's not toxic. If
19 it's in the air and you've got a family a quarter of
20 a mile away, how is that not toxic?

21 MR. ANDREW LARSON: By the time it's
22 reached the edge of the project, it would be
23 dispersed to the point of nontoxic.

24 MS. P.J. KLEIN: Okay. Amy, I don't
25 remember her last name, sitting right here

1 (indicating), was talking about the noise. I worked
2 in a kitchen for 20 years, and twice a year, I had
3 an inspector come in. And I felt for these people
4 that are living next to these. 50 decibels or,
5 whatever, less, is what you're saying that that
6 noise is? I worked in this kitchen for 20 years.
7 Guess what I have, people? I have ear damage. I
8 have damage to my ears.

9 Anybody that has to live around that
10 noise 24/7, it's ridiculous. Nobody should have to
11 live like that. When you're living out in the
12 country, there's a reason you're out there. We live
13 in the middle of the turbines right now. Do you
14 want to know what we hear every night? Every day --
15 and on a foggy day, we hear whoosh, whoosh, whoosh.
16 And when those suckers turn, you hear them turning.
17 Do you know what it's like to have that shadow in
18 your windows every night? Choo, choo, choo
19 (phonetic). Every night, every day -- we listen to
20 them every day and every night.

21 You guys -- I'm not sure where any of you
22 are from, but do any of you live in the country? Do
23 you all live in the Cities? Up in Mankato, up in
24 that area? Do you live in the Cities? Do you live
25 in town? No, you're not going to answer me.

1 Do you live in town (indicating)?

2 Do you live in town (indicating)?

3 Do you live in town (indicating)?

4 Do you live in town (indicating)?

5 None of you can answer us. Why don't you
6 take that data center and put it in your backyard.
7 Why don't you put it on Pheasants Forever property
8 and see what they have to say about it. Because I'm
9 going to tell you right now, they're going to cut
10 you guys down so fast. We're no different; we're
11 farmers. We're the second generation of this land,
12 and I hope to God -- I've got three kids, and out of
13 three kids, two of them farm. In 30 years, I'm
14 going to be 90-some years old. I'm going to be in a
15 nursing home or I'm going to be in the ground. My
16 grandkids are going to be 40, 50 years old. Are
17 they going to farm -- are they going to wait that
18 long to farm land because you guys are taking it
19 away? No.

20 You guys don't have a clue of what it's
21 like to be a farmer and to want to live the life
22 that we live. There's a reason we live -- and
23 everybody that farms out here will tell you, there's
24 a reason why we live and what -- we do what we do;
25 it's not to have a data center in. Because your

1 friends are going to be living right next to it. I
2 feel for them.

3 And the people that have the red dot on
4 your map between the solar systems and your data
5 center, they're that red dot in the middle, how'd
6 you like your grandkids to live here? How would you
7 like your daughter, your son to live right there?
8 Would you guys want them living right there, right
9 next to all that noise and all that BS? I don't
10 think so.

11 You really need to think about it. I
12 know you guys are in here to do your jobs; I get it.
13 But we as a community, all of us are here to do our
14 job, and that is to tell you guys we don't want it.
15 Move on, find somebody else.

16 JUDGE MIDDENDORF: Lance Rogers.

17 MR. LANCE ROGERS: Lance Rogers,
18 L-A-N-C-E, R-O-G-E-R-S.

19 A couple questions I have -- I've got
20 about ten of them. So, 150-foot setback for
21 nonparticipating; is that correct?

22 MS. ALIA MOHAMMAD: Correct, that is --

23 MR. LANCE ROGERS: 300 for participating?

24 MS. ALIA MOHAMMAD: No. So it's 300 from
25 all residences to the solar array.

1 MR. LANCE ROGERS: Okay. That isn't how
2 it said it. It said, Participating and
3 nonparticipating.

4 MS. ALIA MOHAMMAD: Yeah.

5 MR. LANCE ROGERS: So that's what I guess
6 is 80 feet (indicating), from that room to that
7 room. 150 isn't very far, is it?

8 Okay. What is the noise limit? What did
9 I -- how many decibels?

10 MS. ALIA MOHAMMAD: 50 decibels is the
11 noise limit.

12 MR. LANCE ROGERS: It's 50?

13 MS. ALIA MOHAMMAD: Yeah, correct.

14 MR. LANCE ROGERS: Have you been to a
15 Vikings game?

16 MS. ALIA MOHAMMAD: I have.

17 MR. LANCE ROGERS: Did you see what the
18 decibel limit is on that? 107, so that's half the
19 volume, and you want them to be living that close to
20 it?

21 MR. ANDREW LARSON: So the -- decibels is
22 a logarithmic scale. It's a nonlinear scale. So if
23 you doubled the number, that is more than double the
24 sound. So --

25 MR. LANCE ROGERS: Okay.

1 MR. ANDREW LARSON: -- while over 100 is
2 very loud; under 50 is quite. We can give -- we can
3 give some examples of -- you can look up examples
4 easily of how loud comparatively that sound would
5 be.

6 MR. LANCE ROGERS: Okay. So if you go
7 over 50 and they can prove it at the residency, are
8 you going to shut down?

9 MS. ALIA MOHAMMAD: So we will have a
10 noise study conducted afterwards as well.

11 MR. LANCE ROGERS: Okay, okay,
12 afterwards. But if it's over 50 and it's 70 at
13 somebody's house, are you going to shut it down?

14 MS. ALIA MOHAMMAD: Yeah. Then we would
15 not be compliant at that moment.

16 MR. LANCE ROGERS: Answer: Yes or no,
17 are you going to shut it down?

18 MS. VICTORIA ORCHARD: I think the clear
19 answer is if we're out of compliance with our permit
20 and made aware that we're out of compliance with our
21 permit, we will absolutely rectify that issue.
22 Meaning, we will do what is appropriate, getting
23 back within the right amount of sound and/or
24 shutting down, whichever is appropriate.

25 MS. ALIA MOHAMMAD: And there are several

1 mitigation measures that we can take to mitigate the
2 sound levels.

3 MR. LANCE ROGERS: Okay. Sounds like a
4 lot of BS. But anyway, how is this going to be a
5 direct benefit to the residents? The taxes are
6 gone, the way it sounds?

7 MS. VICTORIA ORCHARD: So the most direct
8 input or impact to nonparticipating residents is the
9 tax dollars given back to the community. Like was
10 presented earlier in the slide deck, you know,
11 there's 80 percent of the taxes that goes to the
12 county, and 20 percent that goes to the cities, or
13 in this case, the townships. Roughly about \$500,000
14 estimated annually that will be delivered back to
15 the county and the township based off of our
16 production, property, and sales and use tax.

17 MR. LANCE ROGERS: Okay. So the ground
18 that you've taken out of production, you'll be
19 paying taxes on it, but so you'll have -- if a
20 farmer is paying ground -- or rent -- or I shouldn't
21 say taxes on it. Would that cover what you're
22 taking out of production?

23 MS. VICTORIA ORCHARD: So typically the
24 tax on an agricultural use is less than a tax on an
25 industrial use, and any increase in taxes is covered

1 by our company.

2 MR. LANCE ROGERS: Okay. Now, we can do
3 homestead, which is 320 acres, or it's a dollar
4 amount now. You're taking out how many acres?

5 MS. VICTORIA ORCHARD: The project
6 currently has just over 1,900 acres signed.

7 MR. LANCE ROGERS: So you would -- and if
8 you're over the dollar amount, our tax base is
9 higher. So if I owned 600 acres of ground on -- I
10 think it was 450 -- \$1,000, I could claim a
11 homestead on it. After that, I've got to pay more
12 premium for the ground. It doesn't sound like
13 you're going to be hitting that by the dollar
14 amount.

15 MS. VICTORIA ORCHARD: I'm not exactly
16 sure of how the premium would apply to an industrial
17 use like this, but the local assessor will apply the
18 taxes how they see fit.

19 MR. LANCE ROGERS: Okay. All right. One
20 of the other things you were talking about, putting
21 the grass and stuff underneath these, who's going to
22 be determining if there's bull thistles, noxious
23 weeds like that out there; and who is going to take
24 care of them?

25 MS. ALIA MOHAMMAD: Yeah. So we have a

1 vegetation management plan in place that was also
2 reviewed by the Minnesota Department of Agriculture
3 as well, and they approved this plan's sufficient.
4 So if there are any weeds, we do spot spraying. We
5 do, also, mowing as well to make sure that the weeds
6 are low, the vegetation is low.

7 MR. LANCE ROGERS: Okay. The electricity
8 is going on that grid, right, right next to it?

9 MS. VICTORIA ORCHARD: Yes, the power is
10 delivered to the grid.

11 MR. LANCE ROGERS: Okay. How much
12 capacity is left on that grid? How many more units
13 can we add to it?

14 MS. VICTORIA ORCHARD: Unfortunately,
15 without owning the transmission system, we're not,
16 you know, privy to that information.

17 MR. LANCE ROGERS: So why are they
18 shutting down some wind towers at a time so they
19 don't overload the grid?

20 MS. VICTORIA ORCHARD: Unfortunately, I
21 don't have the answer, as that's not our project.

22 MR. LANCE ROGERS: But you're going to be
23 going onto that grid.

24 MS. VICTORIA ORCHARD: Exactly. We do
25 think that the battery will help some of the issues

1 you guys are seeing, especially with -- you know, if
2 there's an excess of power that's being produced,
3 the battery being able to store that and then
4 release it at a more opportune time.

5 MR. LANCE ROGERS: Okay.

6 MR. ANDREW LARSON: Also, the energy --
7 at any given time, the energy on the grid is a
8 balance between the amount of load and amount of
9 generation. There are different times where there's
10 an excess of generation and resources are shut down,
11 and there are times where there's an excess of load
12 and resources -- generating resources that are not
13 normally online are brought online to cover that
14 load. That is the major reason why the wind
15 turbines in the area come on and off.

16 MR. LANCE ROGERS: Okay. In this area
17 where you're at -- I'm over in Bloom Township. You
18 have less hail in Bloom Township than Summit Lake.
19 I've had hail that a football -- or I could throw a
20 football through a building [sic]. What happens if
21 you guys get hit by that or a tornado or a fire,
22 what's -- what's going to happen to all these
23 chemicals? Are they going to go in the groundwater?

24 MS. VICTORIA ORCHARD: Yeah. So as
25 mentioned before, when a panel breaks , you know,

1 there's no toxic leaching. There's a lot of studies
2 done to prove that, you know, when you take
3 individual components of a panel and you submerge
4 those in waters or recycle them in dirt, that proves
5 there's no leaching.

6 That being said, you know, these panels
7 again, are built to last, to withstand, you know,
8 hail and extremely high winds. The intent is that
9 they can stay out there and operate without having
10 breakage issues. Of course, if there are breakage
11 issues, we will, you know, quickly repair and
12 replace those panels.

13 MR. LANCE ROGERS: How come everybody's
14 talking about the panels, not about the batteries?
15 What happens if the battery gets disintegrated?

16 MR. ANDREW LARSON: The batteries are
17 able to handle any amount of hail. They're cased in
18 steel. The -- if there was an extreme impact to the
19 battery containers, the steel containers, it --
20 the -- similarly, the batteries would be repaired
21 and replaced.

22 MR. LANCE ROGERS: What about the water,
23 water coming out of the tank --

24 MR. ANDREW LARSON: Water coming out of
25 the --

1 MR. LANCE ROGERS: For the wells.

2 MR. ANDREW LARSON: So the -- the
3 electrolyte inside the lithium batteries is a gel
4 type. Even in an extreme situation with a full
5 puncture all the way to the cell, there's nothing
6 that runs out of them. If there was any amount of
7 leakage of that gel, it -- there's a containment
8 system inside the -- inside the steel container.

9 It's intended for the coolant. Like a
10 glycol is usually what's used, so the containment is
11 intended for the cooling, but it's sufficient to
12 contain any -- anything from the battery. And that
13 is totally inside the container, so it wouldn't --
14 it wouldn't leave the container.

15 MR. LANCE ROGERS: So if the wells do get
16 contaminated, are you willing to pay for everybody
17 to get Rural Water? I mean, just hypothetically, if
18 something goes wrong and the well water gets
19 contaminated, are you guys going to pick up the
20 liability on it?

21 MR. ANDREW LARSON: So your question is,
22 if something from the batteries were to --

23 MR. LANCE ROGERS: Anything
24 contaminated --

25 (Indiscernible cross-talking.)

1 THE REPORTER: Oh, oh, oh --

2 JUDGE MIDDENDORF: You cannot talk over
3 each other. One person at a time.

4 MR. LANCE ROGERS: Sorry.

5 MR. ANDREW LARSON: Go ahead and answer.

6 MR. LANCE ROGERS: If the wells -- the
7 wells have been inspected here, the water samples
8 have been taken?

9 MS. VICTORIA ORCHARD: So we're not, you
10 know, tapping directly into the groundwater. We
11 have, you know, asked our landowners if there's
12 wells on-site because there is a need for water
13 throughout construction, both to, you know, maintain
14 operations, as well as dust control and things like
15 that, where we'll work with the landowners to either
16 source water from their wells or bring it in from
17 off-site. But that's, again, for onsite usage.

18 If you're talking about, you know, water
19 that would be existing on-site, it's going to be
20 stormwater that's collected in those drainage
21 basins, and, again, all of the components of the
22 panels and the battery is maintained in the -- in
23 the individual unit itself. So we don't expect
24 there to be, you know, any component of anything
25 that could leach into your groundwater. If, of

1 course, it did, we would want to rectify that, yes.

2 MR. LANCE ROGERS: Judge, did you hear
3 that, they're going to rectify that if it
4 contaminates the groundwater?

5 JUDGE MIDDENDORF: I've got a court
6 reporter who is taking down every word being said.

7 MR. LANCE ROGERS: Okay. And you don't
8 think there's going to be any solar heat, you said
9 it dissipates after three feet?

10 MS. ALIA MOHAMMAD: Correct. Yeah, so
11 the heat from the solar panel would dissipate above,
12 because heat travels upwards, so it's about one
13 meter above.

14 MR. LANCE ROGERS: So what happens if
15 there's a crosswind, it goes up a foot and just gets
16 dissipated?

17 MS. ALIA MOHAMMAD: Correct, it
18 dissipates.

19 MR. LANCE ROGERS: It doesn't affect me
20 at all?

21 MS. ALIA MOHAMMAD: Correct, it doesn't
22 go horizontally.

23 MR. LANCE ROGERS: Okay. Have you ever
24 sat -- or stood on a tar road? When the heat comes
25 off the tar road, can you tell the difference? And

1 then if you're a foot off or a -- three-foot off it
2 on the gravel, it's still hot. So, I don't quite
3 buy that. Sorry.

4 All right. I really do not think you
5 guys should be in here. How many acres between the
6 two of them? You're taking just about a township
7 between the two projects, probably. Not quite,
8 maybe 1/4. That's a lot of ground. 30 years from
9 here, I won't be worried about it. I won't be
10 around; my son, my grandsons might be. But, yeah,
11 please stay out of here. Thank you.

12 JUDGE MIDDENDORF: Thank you.

13 Okay. I'm going to do my best with the
14 handwriting, which is very nice, but I'm just having
15 a hard time with it: Troy David, Davis?

16 MR. TREY DAVIS: It's Trey Davis.

17 JUDGE MIDDENDORF: I got the initials
18 right.

19 MR. TREY DAVIS: Close. Sorry, I know my
20 handwriting's a little messy. T-R-E-Y, D-A-V-I-S.

21 I guess I've got a little thing about
22 Geronimo here bringing in people from outside of our
23 area to say how good it is. About if we have this
24 project here, how much it's going to make our area
25 better.

1 Unlike, Mr. Fultz here, you live on Lake
2 Shetek?

3 JUDGE MIDDENDORF: I'm sorry, no.

4 MS. ANNA DEITCHLER: Okay.

5 JUDGE MIDDENDORF: -- you need --

6 MR. TREY DAVIS: Okay. I just -- I
7 just --

8 JUDGE MIDDENDORF: You need to make
9 comments to me --

10 MR. TREY DAVIS: I'm making comments.

11 JUDGE MIDDENDORF: I'm talking. You need
12 to make comments to me or ask questions of the
13 Applicants.

14 MR. TREY DAVIS: Okay.

15 JUDGE MIDDENDORF: And I want everyone to
16 remember that we need to maintain respect for
17 everyone, whether or not we agree with the opinion.

18 MR. TREY DAVIS: I do respect Mr. Fultz
19 and his opinion. I do do that. But what I'm saying
20 is, he lives on Lake Shetek. His land is up around
21 Tracy, Minnesota, in upper Murray County. Which has
22 no -- do I want to say -- partisan to this area, to
23 us landowners down here, and he's trying to sell for
24 Geronimo. I do hope you take his comment, throw it
25 out the window.

1 Also, I'd like to go back to the union
2 members back in the back there (indicating). The
3 union can be great for the right people; the union
4 can also protect the bad people.

5 So on top of that, we had the wind towers
6 that came through several years back. Our crime
7 rate in our area -- our men in blue in the back
8 there worked their butts off. When this project
9 comes through, I'm sure they're probably looking at
10 having to hire a couple more people to help staff
11 the bars, the area around, all the crime that comes
12 into the area. I do hope that you will put "no" to
13 the project just on the crime rate that will raise
14 in our area.

15 Traffic flow for us that live out on
16 these highways, I've got two kids, a couple dogs. I
17 bought my acreage because it was quiet. I didn't
18 have any hog buildings right next to me. It was a
19 very peaceful area. I enjoy my starry nights, and I
20 enjoy not having the increased heat. I hope that we
21 will say no to this project.

22 The heat, in the studies I have been --
23 looked around at different operating solar panel
24 areas that are out there, it does show that within
25 six miles of a solar panel grid of this size it will

1 raise 6 to 7 degrees, and -- possible up to
2 16 degrees in the area. With our area being
3 agriculture around the area, we need to take that
4 into consideration for our crops and everything else
5 that we have.

6 I had just made a trip down to southern
7 Iowa this Friday to Saturday. And I had to take a
8 note at the solar farms, and looking at many of
9 them, about every solar panel that I seen driving
10 down there, they had no vegetation underneath their
11 panels and that stuff. Even though they turned -- I
12 could see that they were turning ones -- they still
13 had no vegetation underneath them. I don't know how
14 you can have vegetation under something that's warm,
15 too. I think it would burn the crop off in our
16 area.

17 The other thing I want to say -- to note
18 is water runoff. They say they're going to have
19 ponds to hold the water back, they say they're going
20 to put the grass in to help absorb the water, they
21 say they're going to do all that. But if we want to
22 build and all that, we've got to watch how much
23 water runoff we have because of roofs and everything
24 else. Now, we've got this massive area all covered
25 with roofs -- so say, panels, roofs. You know,

1 running, dropping the water into a concentrated area
2 to run off into these ditches.

3 Now, my biggest question is, what are
4 they doing with the tiles underneath it? They've
5 got these tiles that are running through these
6 farmlands. Many of them are within 50 feet of each
7 other, grid tile.

8 Some old tiles that aren't even on the
9 map at the -- Nobles County, I had the -- I had the
10 benefit of doing some tiling and learned that you
11 can hit a tile that ain't even marked and have lots
12 of water running through it.

13 With that being said, with this water
14 runoff hitting these tiles and stuff, I know when
15 you're building, you've got sparks, you've got extra
16 iron, you've got -- screwing metal together and
17 stuff, you've got all the metal shrapnel and stuff
18 that's falling into the land and the dirt, which I
19 would say, contamination to the dirt. With that all
20 being said, now all that stuff's going to flow into
21 our water system, our lakes and streams, all our
22 water's connected.

23 So my next question is, something to look
24 at, we have a very awesome deer hunting area in this
25 area. Awesome. What happens when these shells do

1 go awry and go through one of these panels and hits
2 the solar farm? How is the hunter going to get his
3 deer out of your area when it does jump the fence?
4 Can the hunter go into your land, drop his gun, walk
5 into his land?

6 Most of us neighbors, that if we do have
7 a deer go across, we know that our guy, we can call
8 them and say, Hey, my deer ran into your land. Can
9 I go get it? We've got to leave our rifle or, you
10 know, our gun in the van, and we go onto the
11 property and retrieve our deer and bring it back.
12 Most of our neighbors, we know each other, we can go
13 do that.

14 Now, one of the last things you said,
15 "wells," you're going to pull water off our well
16 system for dust control. I know probably the
17 majority of our wells in the area can't handle dust
18 control trucks coming in. So I would move that they
19 are to haul in all the water, and not from our lakes
20 and streams. They need to be pulling it from the
21 Rural Water system or something that ain't going to
22 jeopardize our wells. I am one that pulls water
23 from the ground.

24 So with that, I'm saying, I say, No. I
25 think there's too much damage that can be done, more

1 damage than the greater of the project. Even though
2 they're throwing out 10 million to this, 10 million
3 to that, we ain't seen that money, and I don't think
4 we will.

5 I don't think there's money to be given
6 to our townships. I don't think our gravel roads
7 are going to get paved -- or fixed after they've
8 been up and down. And, furthermore, with all -- the
9 higher crime rate that comes with all the people
10 coming into the area, I think we need to keep it out
11 and say no to this project.

12 JUDGE MIDDENDORF: Okay. That is the
13 last person that has signed up. And I did say that
14 we would end this at 9:00, but if there's anybody
15 who has been waiting patiently --

16 MS. ELIZABETH SLATER: (Indicating.)

17 JUDGE MIDDENDORF: Come on up.

18 MS. ELIZABETH SLATER: Thank you, Your
19 Honor. My name is Elizabeth Slater, S-L-A-T-E-R.
20 Elizabeth, like you would -- it's a pretty easy one.

21 A lot of my things -- talking points were
22 already asked and answered, so I appreciate that.
23 And also, thank you, Your Honor, for this
24 opportunity.

25 I just want to unpack the

1 decommissioning, what that looks like. There's been
2 a few things mentioned and then, kind of, stopped,
3 and I just would like more clarity on that.
4 Specifically, you had mentioned something about how
5 if the solar panels were to be broken up and then
6 put into the ground, that there would be no
7 leaching. Is that your plan, that you would pull
8 out them and then you would break it up and put it
9 back into the ground? Or what does that look like?

10 MS. ALIA MOHAMMAD: No. So that was just
11 part of the TCLP testing that --

12 MS. ELIZABETH SLATER: Okay.

13 MS. ALIA MOHAMMAD: -- the EPA did, but
14 for decommissioning, we plan to recycle the
15 equipment.

16 MS. ELIZABETH SLATER: Okay, all right.
17 Awesome.

18 With that, there was the -- you -- I'm
19 sorry, I don't remember your name, but you talked
20 about how the solar panels are nontoxic, right? But
21 there's some, like, little particles deep inside,
22 what is that made of, those particles?

23 MS. VICTORIA ORCHARD: Do you want to
24 take that?

25 MR. ANDREW LARSON: Sure. The majority

1 of the solar panel is silicon. It's sand, similar
2 to a glass --

3 MS. ELIZABETH SLATER: Yeah.

4 MR. ANDREW LARSON: -- used for windows.

5 MS. ELIZABETH SLATER: But she mentioned
6 a few toxic type of particles. Maybe you guys
7 wouldn't call them toxic, but you mentioned that the
8 particles or pieces that would be of question,
9 maybe, are deep inside and would not be affected
10 somehow, and it wasn't explained what those were.
11 Yes, we understand that the majority of it is
12 silica, what about the rest of it?

13 MR. ANDREW LARSON: So it's generally a
14 polycarbonate -- a translucent polycarbonate and the
15 silicon. And on the back of the silicon are traces
16 of conductive metal, and then another protective
17 sheet behind that.

18 MS. ELIZABETH SLATER: And what's that
19 protective sheet?

20 MR. ANDREW LARSON: Generally also --

21 MS. ELIZABETH SLATER: Silica?

22 MR. ANDREW LARSON -- polycarbonate.

23 MS. ELIZABETH SLATER: Okay. With the
24 metals, do you know specifically?

25 MR. ANDREW LARSON: They're small traces

1 of aluminum and copper.

2 MS. ELIZABETH SLATER: Okay. That's good
3 to know. I don't know if you're aware -- and, also,
4 I don't know if I'm -- or this relates, but in the
5 research that I've done, Your Honor, when it comes
6 to solar panels and with the large amount of heat
7 that does get conducted with them, heavy metals do
8 end up being leached into the ground.

9 And going off of them talking about how
10 it's going to be this 30-year period where it's
11 going to be letting the land rest, that may be. But
12 what I've seen is that after that time and where
13 they pull the project out of -- solar panels, what
14 happens is -- and this has happened in states where
15 they do a lot of potato production, they have found
16 that they cannot plant there because the soil is so
17 toxic from the solar panels. They may be different
18 solar panels. Again, I'm not sure if it's the same.

19 But it's alarming to hear that it's so
20 toxic that they cannot have anything eat that. They
21 also have found that the materials -- if anything
22 does grow underneath, there's so many toxins in it
23 it makes their animals sick. Again, I don't know if
24 it would be the same or not.

25 But the other thing is, with the

1 decommissioning, do you guys know how long it would
2 take from -- so after the 30 years, you guys pull
3 out. Okay. How long does that land actually need
4 to rest before it's ready to go to be viable land?

5 MS. VICTORIA ORCHARD: I think, you know,
6 it's anecdotal information, given that the majority
7 of solar projects that have been installed in the
8 United States have not been operating long enough to
9 the point where they're at decommissioning and we're
10 able to look at that.

11 But as Alia mentioned earlier, you know,
12 a lot of work is going to go into decommissioning,
13 as far as, you know, tilling the dirt that was
14 compacted for our access roads and all of those
15 things, with the intention that it can go back to
16 agricultural land within a year or two.

17 You know, we understand that it's not
18 going to be an immediate use, and there will be work
19 needed on the land to return it to, you know,
20 agricultural use. But that is what, you know, is
21 planned at the end of that 30-year life.

22 MS. ELIZABETH SLATER: Okay. Another
23 thing that I researched -- again, I'm not sure if
24 it's the same type -- but that the land needs -- it
25 takes anywhere from seven to ten years for it to get

1 back to the point where they can use it, like, for
2 viable farming land. Something that, obviously, I
3 would like to know.

4 And can we actually -- is there a place
5 to find the information on this specific type of
6 solar; can you guys get that to us? Where can we go
7 to find that?

8 MS. ALIA MOHAMMAD: Specifically to the
9 decommissioning?

10 MS. ELIZABETH SLATER: Specifically to
11 your -- your -- the solar panels you are putting in,
12 to learn more about it.

13 MS. VICTORIA ORCHARD: Yeah, we can
14 definitely provide that information.

15 MS. ELIZABETH SLATER: Yeah, that would
16 be great.

17 MS. VICTORIA ORCHARD: At this time, you
18 know, we haven't gone forward with selecting an
19 exact panel type. We do know that it will be from
20 the First Solar manufacturer, and so we're happy to
21 provide that information at that time. And then
22 once the final panel type is selected, we can get
23 you that exact information as well.

24 MS. ELIZABETH SLATER: So are there
25 multiple different types that are safe, nontoxic

1 type of panels, then?

2 MS. VICTORIA ORCHARD: Yes. And when I
3 say "types of panels," we're all talking about a
4 very similar product. Again, it's just that
5 efficiency. As they've continued to, you know,
6 change sizing and make the product more efficient,
7 you kind of get, like, the next-gen version of the
8 panel.

9 MS. ELIZABETH SLATER: Sure.

10 MS. VICTORIA ORCHARD: So that's what I'm
11 referring to. We don't know which generation of
12 panels we will be using, but, yes, they will have
13 the same safety measures.

14 MS. ELIZABETH SLATER: Okay. Got it.
15 That is all I have.

16 Actually, sorry, I just remembered. When
17 it comes to the electromagnetic frequency that comes
18 off of the batteries -- even just the sound is an
19 issue, too -- what are you guys doing to mitigate
20 all of that?

21 MS. ALIA MOHAMMAD: Are you able to take
22 that?

23 MR. ANDREW LARSON: Yeah. To mitigate
24 the sound, Alia mentioned already, we have --
25 there's a state limit on the sound levels outside

1 the project. We'll -- we've done multiple sound
2 studies to make sure that equipment will maintain --
3 or remain inside that -- inside that limit.

4 As -- I'll pause there.

5 MS. ELIZABETH SLATER: No, yeah. Sorry,
6 keep going.

7 MR. ANDREW LARSON: Can you expand on
8 your question about electromagnetic?

9 MS. ELIZABETH SLATER: So when it comes
10 to the batteries, obviously, I know you guys have
11 talked about radiation, and you're like, no, it
12 doesn't -- radiation isn't an issue. But if you
13 look at electromagnetic radiation, which is a form
14 of frequency, and just the general way of heating
15 your battery, substations, et cetera, that releases
16 many things, is my understanding. So I'd love to
17 hear what you guys have to say about that.

18 MR. ANDREW LARSON: Yeah. Could we have
19 the EA we have on EMF?

20 MR. SAM WEAVER: Yeah. So we looked at
21 EMF levels for this project, and at this level, any
22 electromagnetic field that is being issued by any of
23 the battery components or the inverters or any of
24 the other electrical components would dissipate far
25 below any -- and Minnesota actually doesn't have a

1 regulation, but there are regulations for other
2 states, like Florida, that we look at to try and
3 make sure that we're below what other states are
4 doing. And at least for this project, the location
5 of the components, it would dissipate far below any
6 threshold.

7 MS. ELIZABETH SLATER: And that's just
8 for this solar battery that you're talking about?

9 MR. SAM WEAVER: The battery -- for both
10 the battery and, like, the solar component, has all
11 those inverters, kind of, scattered around. Those
12 would be the main source of EMF, at least in the
13 solar arrays. And, yeah, they would dissipate below
14 any regulation from any other state.

15 MS. ELIZABETH SLATER: It's very
16 interesting that Minnesota doesn't have regulations
17 for that.

18 Okay. Thank you very much. I appreciate
19 it.

20 JUDGE MIDDENDORF: Thank you.

21 All right. So with that, I think we're
22 out of time. So I'm going to say thank you so much
23 for taking your time and for hanging out. It's been
24 several hours, and I learned a lot from all of you.
25 Thank you.

1 If you didn't get a chance to speak
2 tonight, there is the virtual hearing tomorrow
3 night. And so that information is in the
4 PowerPoint, and so you can take advantage of that,
5 or you can submit a written comment.

6 The comment period is open until
7 April 19th [sic]. If you've got information that
8 you want the Commission and myself to see, please,
9 please, please provide it. The decision will be
10 made on the information that we get, so --

11 UNIDENTIFIED: Is it possible to keep
12 that open until May 1st? Because that's not very
13 long.

14 JUDGE MIDDENDORF: I --

15 UNIDENTIFIED: 13 days is not very long.

16 JUDGE MIDDENDORF: I don't believe so,
17 but I'll let Mr. Janezich speak to that.

18 MR. CRAIG JANEZICH: I don't believe so.
19 I believe the minimum, it's -- ten days is typically
20 the minimum. I think we're 13 or 14 days. Per
21 statute -- and we do have guidelines on when we have
22 to make a decision on projects. I'm not -- I'm not
23 in a position tonight to say that we could do that.

24 JUDGE MIDDENDORF: All right. So that's
25 it for this evening. Thank you, everyone. Have a

1 good night and a safe trip home.

2 (Hearing concluded at 9:11 p.m.)

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1 STATE OF MINNESOTA)
2 COUNTY OF RAMSEY) SS.

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4
5 REPORTER'S CERTIFICATE

6
7 I, Christine Simons, do hereby
8 certify that the above and foregoing transcript,
9 consisting of the preceding 147 pages is a
10 correct transcript of my stenographic notes, and is
11 a full, true and complete transcript of the
12 proceedings to the best of my ability.

13
14 Dated April 20, 2026.

15
16
17 /s/ Christine Simons
18 CHRISTINE SIMONS
19 Registered Merit Reporter
20 Registered Professional Reporter
21
22
23
24
25

\$	acceptable (2) 46:24;47:13	additional (12) 11:14;14:18;15:22; 16:8;17:6;21:22; 25:14;33:5;48:7;96:4; 105:14;106:22	93:18,19 again (35) 11:6,23;25:8,18; 30:7;31:24;32:5,24; 41:4;46:6,13;52:17; 54:23;57:18,20;58:9; 59:9;63:5;66:7;68:23; 25:69:1;71:25;86:13; 92:14;96:13;109:21; 111:6;127:7;129:17; 21;140:18,23;141:23; 143:4	44:18;45:1,5;59:15; 19;75:8;92:2;102:9; 106:2;107:15;108:24; 120:22,24;121:4,10, 13,16;122:9,14,25; 124:25;130:10,17,21; 138:10,13;141:11; 142:8;143:21,24
\$1,000 (1) 124:10	accepted (2) 11:7;49:5	address (15) 11:18,18;15:7;16:3; 25:17;30:19,25; 51:20;53:10;54:8; 69:13;70:8;72:5; 75:17;102:8	against (2) 76:25;98:3	ALJ (2) 10:23,25
\$1.1 (1) 69:20	access (8) 18:18,21;19:21; 20:1;21:16;53:21; 82:21;141:14	addressed (6) 30:8;36:11;70:6; 73:17;76:19;85:13	age (1) 34:2	alleviate (1) 96:9
\$1.12 (2) 70:23;71:10	accident (3) 49:4;57:14;84:21	addressing (1) 96:22	ages (4) 13:19;15:20;20:18; 24:8	allow (1) 75:25
\$103,000 (1) 70:20	accommodate (2) 17:5;19:23	adequate (1) 99:13	agency (5) 6:16;15:3,18;23:18; 75:23	allowed (3) 43:3;51:1;86:7
\$12,000 (1) 84:13	accordance (2) 19:17;23:20	adjacent (6) 27:13,17,18;28:1,2; 36:9	ago (3) 51:13;94:25;95:23	allowing (1) 96:24
\$135,000 (1) 70:17	according (3) 57:17;75:25;115:14	adjust (3) 45:19;67:24;107:12	agree (2) 54:1;132:17	allows (7) 17:22;18:25;20:10; 21:15;22:21;41:15; 106:7
\$19.2 (1) 69:23	acreage (7) 50:19,22,25;51:3; 54:6;114:22;133:17	adjusting (1) 45:12	agreeable (1) 40:4	almost (3) 44:13;76:22;109:3
\$19.7 (1) 70:2	acreages (6) 50:17;97:8,9;99:18; 100:4,9	adjustment (1) 17:4	agreement (2) 29:9;95:2	alone (1) 53:14
\$35 (1) 82:23	acres (19) 14:13;50:20;56:6; 58:1;69:19,23;70:2, 15,17,20,21;84:8; 114:2,9;124:3,4,6,9; 131:5	Administrative (3) 5:5,16;10:21	agreements (3) 94:24,24;114:4	along (3) 17:6;23:7;78:5
\$4 (1) 92:23	across (11) 13:14;20:23;35:18; 55:8;62:14;68:16,25; 90:13;98:17;100:1; 136:7	admit (1) 80:24	agricultural (10) 21:21,24;24:3; 63:12;65:13;71:8,12; 123:24;141:16,20	alternating (1) 18:13
\$400 (1) 82:22	act (1) 117:12	adopt (1) 26:25	Agriculture (4) 24:5;66:1;125:2; 134:3	Alternatively (1) 72:17
\$500,000 (1) 123:13	action (2) 56:11;103:21	advanced (1) 67:2	ahead (8) 11:17;12:9;32:13; 74:14;76:13;77:4; 89:18;129:5	although (2) 41:15;80:23
\$890,000 (2) 70:18;71:22	actively (1) 22:4	advances (1) 90:11	AI (1) 105:24	aluminum (2) 55:25;140:1
	activities (6) 22:8;27:20;41:13, 22,25;42:4	advantage (1) 146:4	ain't (3) 135:11;136:21; 137:3	always (6) 12:6;55:4;73:5; 90:18;96:15;114:17
	activity (2) 25:3;41:23	advertisement (1) 87:14	air (3) 106:8;115:16; 117:19	ambitious (1) 72:7
	actors (1) 78:15	affect (14) 48:6,16;54:3;57:9; 61:8,10;72:15;77:3; 102:14;106:11;107:6; 110:12;115:16; 130:19	aircraft (1) 56:24	amended (7) 15:6;16:5,14,18; 17:10;37:16;70:4
	actually (13) 31:15,18;39:20; 41:3;57:13;98:25; 102:19;105:21; 107:20;141:3;142:4; 143:16;144:25	affected (8) 48:18;69:17;70:15, 16,18;85:21;110:7; 139:9	air (3) 106:8;115:16; 117:19	amendment (1) 15:1
	add (4) 45:8;47:19;96:12; 125:13	affiliated (1) 5:18	aircraft (1) 56:24	America (1) 34:18
	added (4) 17:2;23:10;47:6; 97:1	afford (1) 84:9	aircraft (1) 56:24	ammunition (1) 51:17
	adding (2) 82:4;106:22	afforded (1) 110:24	aircraft (1) 56:24	amount (17) 47:4,17;66:16,18; 67:17;68:14;92:5; 98:22;122:23;124:4, 8,14;126:8,8;127:17; 128:6;140:6
	addition (6) 17:1;24:1;25:2; 27:11;45:25;47:21	afternoon (1) 84:7	aircraft (1) 56:24	Amy (13) 43:22,23;44:1,6,6, 23;45:3,7;46:15;47:5, 19,23;117:24
		afterwards (2) 122:10,12	aircraft (1) 56:24	A-M-Y (1) 44:6
		ag (5) 76:16;77:5;80:1;	aircraft (1) 56:24	analysis (3)

15:23;16:9;29:19 and/or (1) 122:23 Andrew (28) 12:25;40:7;47:3,15; 102:22;115:17;116:1, 7;117:3,17,21; 121:21;122:1;126:6; 127:16,24;128:2,21; 129:5;138:25;139:4, 13,20,22,25;143:23; 144:7,18 anecdotal (1) 141:6 animal (1) 106:18 animals (4) 106:11,15,24; 140:23 Anna (15) 101:5,8,9,18,24; 102:11;103:7;104:4; 105:12;106:14; 108:17;109:13,25; 111:9;132:4 A-N-N-A (1) 101:9 annual (1) 24:22 annually (1) 123:14 answered (1) 137:22 anticipate (2) 10:21;110:11 anymore (1) 53:17 anyways (1) 48:1 apologize (1) 49:7 applause (1) 112:25 Applicant (8) 5:18;8:2;9:22; 11:10;27:25;30:6; 37:2;103:19 Applicants (5) 6:17;8:5,6;12:10; 132:13 Application (8) 5:8;6:7;14:22;28:7; 39:19;70:4;96:10; 100:22 applications (1) 6:2 applied (1) 9:22 apply (2) 124:16,17 appraisers (1) 71:4 appreciate (9)	12:16;25:8;41:21; 42:22;43:10;65:19, 24;137:22;145:18 appreciated (1) 61:6 approach (1) 20:11 approached (1) 113:25 appropriate (2) 122:22,24 approve (1) 6:2 approved (9) 19:18;20:16;28:18; 29:4,6;36:3;48:21; 52:15;125:3 approximately (5) 14:13;21:21;56:6; 59:15,21 April (8) 5:15;7:16;10:17,20; 11:7;49:6,7;146:7 area (54) 14:14;21:8,13,18; 22:3;31:3;33:16,21; 51:8;53:3;63:17,19, 23;64:2,24;66:17; 67:12;68:6;69:15; 72:14,17,20;75:19; 76:21;77:20;95:19; 97:10;98:6,13;99:9, 22;112:8;118:24; 126:15,16;131:23,24; 132:22;133:7,11,12, 14,19;134:2,2,3,16, 24;135:1,24,25;136:3, 17;137:10 areas (10) 23:7;35:10;63:20; 65:15;68:18;99:4; 104:5;105:14;106:5; 133:24 arena (2) 94:1,4 Arizona (2) 64:4;108:4 Army (1) 23:21 around (22) 22:4;23:6,13;29:13; 37:8,19;38:7;40:13; 64:20;66:25;70:1; 74:23;86:13;92:18; 100:8;118:9;131:10; 132:20;133:11,23; 134:3;145:11 array (2) 38:4;120:25 arrays (5) 16:17;19:8;37:17; 108:15;145:13 arrays/support (1)	15:14 arts (1) 53:1 assessment (12) 15:10;24:6;26:8,9, 19;29:11;30:8,10,14; 31:5;32:1;45:6 assessor (1) 124:17 asset (1) 98:22 assigned (1) 5:20 assistance (1) 34:3 associated (4) 24:10;29:21;30:24; 106:4 association (2) 81:17;84:20 associations (2) 30:6;108:6 assuming (1) 41:1 assumption (1) 114:22 assumptions (1) 114:25 assured (1) 61:19 attach (1) 57:10 attached (1) 28:21 attacks (1) 52:19 attempt (1) 49:14 attend (3) 10:15,15;25:9 attorney (1) 13:2 attorneys (1) 83:22 AUAR (1) 31:22 audience (2) 54:11;103:3 August (2) 11:4;49:5 Authority (3) 28:19;29:1;31:16 available (3) 7:11;15:17;32:25 Ave (1) 16:21 Avenue (1) 50:6 avenues (2) 75:25;76:2 average (1) 24:18 avian (1)	108:11 avoid (4) 42:14;75:20;97:18; 99:23 avoided (1) 40:9 avoiding (1) 95:21 aware (4) 42:7;54:11;122:20; 140:3 away (27) 16:13;45:20,23; 46:4;47:1,14;49:3; 58:2;59:12;60:2,3,5, 21;64:6,13;74:16; 77:10;79:5,6;98:1; 113:12,19,19,20,22; 117:20;119:19 awesome (3) 135:24,25;138:17 awry (1) 136:1 B back (38) 7:6;18:1;27:12; 32:11;34:3;35:4; 39:20;43:5,8;55:16; 59:23;63:12;65:14; 66:4;72:3;73:1;75:8; 91:11;92:13;100:13; 102:16,20;104:20; 114:12;122:23;123:9, 14;133:1,2,2,6,7; 134:19;136:11;138:9; 139:15;141:15;142:1 backed (1) 66:20 backfill (3) 102:2,2,4 background (3) 53:6;58:21;61:16 backlogged (1) 95:11 backup (1) 31:12 backyard (1) 119:6 bad (3) 56:10;78:15;133:4 balance (1) 126:8 balances (1) 17:11 ball (2) 57:10,11 balls (3) 56:23;57:4,15 bank (1) 53:14 barge (2)	57:17,17 barn (1) 104:18 barns (1) 50:21 bars (1) 133:11 base (1) 124:8 based (8) 6:3;15:2;16:8; 63:21;67:25;70:25; 114:18;123:15 bases (1) 34:6 basically (3) 29:9;33:17;108:9 basin (2) 21:8,13 basins (7) 21:9;68:9,16,21; 72:12;105:6;129:21 basis (1) 24:22 batteries (14) 44:25;46:3;115:12, 12,18;116:3;117:4; 127:14,16,20;128:3, 22;143:18;144:10 Battery (47) 5:10,12;12:25; 13:11;14:9,11,23; 15:15;16:12;17:15, 21,24;18:6,11,18; 19:2,3,9;20:25;44:15; 45:17,20,21;46:13; 47:1;87:7,12,24;88:7, 21;92:8,12;116:8,16, 21;117:4;125:25; 126:3;127:15,19; 128:12;129:22; 144:15,23;145:8,9,10 bear (1) 94:19 became (1) 90:6 Becky's (2) 61:6;66:7 become (2) 33:25;72:1 becomes (2) 71:20;91:7 bed (2) 47:10;48:14 bedrock (1) 89:7 bedroom (2) 41:10;47:9 bedtime (1) 41:7 beforehand (1) 96:17 begin (1)
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14:19 begins (1) 101:1 behalf (2) 5:6;8:5 behind (3) 44:10;113:17; 139:17 below (7) 75:4;101:20;106:8; 144:25;145:3,5,13 below-ground (1) 21:2 beneficial (1) 67:13 benefit (4) 65:11;88:10;123:5; 135:10 benefits (10) 24:10,11;25:4,5; 69:22;70:12,15,25; 71:14,25 besides (1) 53:6 BESS (18) 9:21;12:16;14:12; 16:20;27:5,6;29:16; 31:10;53:19;54:17; 55:24;56:5,12;57:21; 58:1,6;102:15,20 best (4) 15:16;57:25;61:21; 131:13 bet (1) 77:11 better (6) 15:23;22:21;45:24; 80:6;112:11;131:25 beyond (2) 26:21,22 big (15) 27:2,4;28:12;29:14, 16;33:18;56:23;80:9; 92:22;94:19;103:12; 112:19,22;114:8,20 bigger (1) 113:10 biggest (4) 54:17;113:9,10; 135:3 billion (2) 92:23,24 bird (3) 108:2,7,9 birds (4) 107:7,25;108:3,18 bit (10) 7:25;27:7,24;35:24; 42:1;53:18;85:22; 97:12;100:24;104:3 bite (1) 76:13 bitten (1)	104:13 black (2) 99:3;105:15 black-out (1) 44:11 blacktop (2) 54:4;106:5 blame (1) 83:16 blessed (1) 63:17 Bloom (3) 81:15;126:17,18 Bloomington (1) 13:12 blows (1) 115:12 blue (3) 40:2,3;133:7 Board (2) 29:1,6 boat (1) 58:10 body (3) 37:23;105:19,22 bond (2) 75:11,12 born (1) 51:23 borne (2) 30:4,5 both (20) 14:22;17:16;18:11; 21:3;24:25;25:16; 26:8;42:2;62:15; 65:10,11;75:17; 83:10;88:4;89:4; 104:8;105:5;110:24; 129:13;145:9 bothersome (1) 42:11 bottom (2) 11:14;23:16 bought (9) 46:20;50:22,23,24; 55:3;76:14;83:19; 93:14;133:17 boundary (1) 22:1 boxes (3) 45:16;46:12;47:1 brag (1) 97:4 branch (1) 5:17 break (3) 37:11;103:12;138:8 breakage (2) 127:10,10 breaks (2) 109:22;126:25 breed (1) 104:20	breeding (1) 105:20 brief (2) 26:4;35:20 briefly (1) 31:1 bright (2) 44:11;46:21 bring (3) 76:18;129:16; 136:11 bringing (3) 60:7;105:2;131:22 brings (1) 55:16 broader (1) 12:23 broke (1) 55:6 broken (3) 82:16;109:9;138:5 brought (2) 58:20;126:13 BS (2) 120:9;123:4 buck (1) 105:23 budget (3) 71:20;72:1,1 buffering (1) 17:6 build (13) 35:25;63:20;64:3; 67:8,10;86:21;88:9, 21;91:20;93:11;94:1; 100:17;134:22 building (15) 5:24;23:13;33:13, 14;38:15;54:15;87:2, 4;88:13,17,17; 100:22;111:4;126:20; 135:15 buildings (3) 65:18;76:17;133:18 built (5) 42:14;89:3,10,25; 127:7 bull (2) 113:23;124:22 Bullshit (1) 83:25 bunch (1) 68:19 burden (1) 72:3 Burkard (6) 94:14,15,15;95:3, 19;97:2 B-U-R-K-A-R-D (1) 94:16 burn (1) 134:15 burns (1)	56:3 businesses (2) 18:15;25:4 butts (1) 133:8 buy (2) 93:17;131:3 buying (1) 50:25 Byron (1) 13:2	93:8,18;95:7,14,14; 96:18;98:11;101:6; 102:24;104:25;105:5, 9;106:2;107:22; 109:1;110:14;112:1, 14,14,15;114:12,20, 23;116:22;119:5; 122:2,2,3,7;123:1; 124:2;125:13;127:9; 130:25;133:3,4; 134:14;135:11;136:4, 7,8,12,25;141:15; 142:1,4,6,6,13,22; 144:7;146:4,5 capacities (1) 102:17 capacity (4) 63:22;102:18; 108:23;125:12 capitalized (1) 90:15 capture (1) 32:24 care (4) 61:21;112:12,14; 124:24 career (2) 33:25;35:25 carefully (1) 20:20 carrot (1) 76:12 carry (1) 45:16 case (5) 6:11;9:20;11:20,23; 123:13 cased (1) 127:17 catch (2) 43:7;104:5 caught (1) 54:16 cause (1) 78:1 caused (2) 57:14;104:19 causes (1) 65:6 causing (3) 56:13;77:21,23 caveat (1) 49:23 CD (1) 70:14 cell (1) 128:5 cement (1) 106:5 center (21) 30:20;31:2,14,16, 20;32:4;46:14;67:19, 20;87:9,15,20,22,25;
C				
cable (1) 55:13 cabling (1) 59:22 Cache (1) 104:16 calculations (1) 65:22 California (1) 54:10 call (7) 33:8;51:7;75:24; 105:16;111:25;136:7; 139:7 called (9) 20:8;31:22;51:14; 52:12,23;68:12;71:4; 109:6;116:18 calls (1) 30:22 came (8) 48:10;50:15;55:6; 78:14;93:20;97:14; 101:11;133:6 cameras (1) 108:8 campus (1) 106:15 can (142) 6:9;7:9,16,17,18; 9:14;10:15;11:17,22; 12:5;13:4,6;18:3,6; 22:12;26:4,21;30:8, 10,11,12;31:21,23; 32:5;33:6;34:25; 35:25;36:19;37:1,3; 38:2,24;39:18;40:12, 13;41:11,14,20;42:21, 23;43:7,9;44:4,18; 45:8,23;46:5;48:24; 49:1,13,14;51:14; 57:13,18;58:9;62:3, 16;63:4,14;65:4,13; 67:2,24;72:14;75:8, 10,20;76:4,23;77:10, 10,13;78:20,23;79:4, 5,8,11;83:23;84:13, 15,25;88:7,90:15; 91:2,23;92:2,9,13;				

88:17;91:16;104:7; 106:16;119:6,25; 120:5 centers (2) 31:11;105:13 center's (1) 31:5 certain (5) 53:12;98:22; 101:20;110:23; 111:20 certainly (6) 52:20;53:25;54:18; 56:15;98:22;99:24 cetera (1) 144:15 chain-link (2) 21:20;107:1 challenges (1) 65:7 chance (4) 33:5;52:6;100:23; 146:1 change (8) 15:6;18:6;29:14; 73:9;74:22;107:12; 110:19;143:6 changed (2) 75:23;97:11 changes (6) 15:7;16:3,11,22; 17:8;110:4 changing (1) 71:11 Chapter (1) 9:23 characteristic (2) 17:20;109:8 characteristics (1) 13:8 charge (1) 102:24 charged (1) 111:5 charitable (1) 66:4 chased (1) 51:15 chatter (1) 103:3 check (4) 12:6;61:1;85:25,25 chemicals (2) 115:15;126:23 chemistry (1) 116:13 child (2) 53:8;68:6 children (7) 51:23;53:6;58:12, 13;61:19;94:7;113:15 chime (1) 78:13	China (2) 77:1,4 China's (1) 77:2 chlorophyll (1) 80:18 choking (1) 111:15 choo (3) 118:18,18,18 chosen (1) 28:25 churches (1) 34:6 cities (5) 64:14,20;118:23, 24;123:12 city (2) 85:6;94:1 claim (1) 124:10 clarity (2) 13:6;138:3 clear (2) 116:19;122:18 cleared (1) 100:25 clearing (1) 100:10 clearly (3) 21:25;26:18;32:18 close (9) 57:21,23;61:13,13; 65:17;109:16;110:8; 121:19;131:19 closely (2) 13:18;20:4 closer (2) 47:2;57:7 closest (1) 53:19 closing (1) 10:17 cloudier (1) 67:3 cloudy (1) 66:23 clue (1) 119:20 coal (1) 110:25 coated (1) 107:5 coating (1) 107:16 collaboration (1) 24:7 collect (1) 21:10 collected (2) 20:23;129:20 collecting (1) 80:19	collection (2) 19:8;21:1 combat (1) 56:16 combination (1) 24:13 combined (1) 31:2 comfortable (1) 7:15 coming (10) 5:3;12:14;58:10; 83:3;96:18;107:11; 127:23,24;136:18; 137:10 commanding (1) 52:23 comment (14) 7:15,19,21;10:16; 11:5;12:3;49:5;58:25; 66:6;79:25;100:11; 132:24;146:5,6 commenter (1) 33:9 commenters (1) 35:22 commenting (1) 32:16 comments (21) 6:4,8;7:6,17;10:19; 11:6,13;12:18;25:10; 26:4;30:17;33:3; 34:13;35:20,21;61:6; 70:9;94:9;132:9,10, 12 Commerce (1) 26:6 commercial (1) 14:20 Commission (18) 5:6,19;6:1,6,20; 7:20;8:13;9:17,23; 11:4;14:25;25:23; 26:7;31:10;103:15, 17,18;146:8 commissioned (1) 43:2 Commissioners (2) 26:12,25 Commission's (2) 25:12;33:1 commit (1) 91:2 commitments (1) 20:21 committed (2) 41:18;74:3 common (2) 60:14;77:7 commonly (1) 21:24 communicating (1) 110:4	communities (5) 34:7;35:3;61:23; 64:20;66:5 community (22) 14:7;15:3,8,21; 16:8;17:12;24:10; 27:22;29:8,13;42:1, 16;64:19,19;66:2; 88:1;94:3;96:18,20, 22;120:13;123:9 community-driven (1) 13:17 compacted (1) 141:14 companies (2) 42:18;74:23 company (10) 42:13;49:14;58:11; 83:20,21;88:5;92:24; 93:3;110:19;124:1 comparatively (1) 122:4 comparing (1) 22:25 comparison (1) 71:1 compatible (1) 22:1 competing (1) 32:23 complain (1) 83:24 complaint (2) 49:13;79:4 complaints (1) 99:24 complete (2) 19:12;86:22 completed (3) 15:22;23:19,25 completely (6) 31:19;32:2;64:9; 84:23;95:20;101:19 compliance (7) 12:21;14:6;19:21; 20:17;46:19;122:19, 20 compliant (2) 27:15;122:15 comply (1) 20:15 component (2) 129:24;145:10 components (9) 18:17;20:2;109:20, 22;127:3;129:21; 144:23,24;145:5 computers (1) 91:19 concentrated (1) 135:1 concern (10) 27:4;28:13;29:16;	43:10;47:3;64:10; 68:2;99:24;107:2; 108:13 concerned (6) 26:18;61:14;68:5; 72:13;80:1;99:17 concerns (9) 17:6;61:24;65:17; 70:5;73:4;96:22,23; 104:8;105:10 concluded (1) 147:2 conclusion (1) 11:1 condition (1) 28:16 conditions (14) 16:25;20:15;21:3; 22:25;23:3;26:21,25; 29:17;69:2;71:1,2; 78:21;89:3;103:19 conducted (2) 122:10;140:7 conductive (1) 139:16 conference (1) 107:24 configuring (1) 90:8 conflicts (1) 10:4 confused (2) 30:23;32:3 conjoined (1) 44:14 connected (3) 44:24;45:2;135:22 connecting (1) 19:8 connects (1) 66:7 Conserve (1) 10:1 consider (2) 62:5;71:19 consideration (5) 25:13;33:1;35:11; 60:9;134:4 considerations (3) 13:9;15:8;16:4 considered (1) 117:15 considering (2) 46:8;88:5 consistent (1) 20:20 consisting (1) 21:23 consists (1) 18:22 constantly (1) 66:22 constraints (2)
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15:24;21:4 constructed (2) 19:20;27:13 constructing (2) 74:2;79:14 construction (35) 13:24;14:19;18:19; 19:12,21,22,23;20:2, 14,19;23:2;24:16,19; 25:3;27:19;28:17; 33:15;34:16;35:24; 39:3,15;40:23;41:2,4, 12;42:4,10,18,22; 65:8;66:14;71:3;74:2, 5;129:13 construction-related (1) 24:15 consultant (1) 13:3 consultants (1) 16:24 contact (6) 11:8;25:15;32:6; 42:8;50:11;110:6 contain (1) 128:12 container (8) 116:22;117:1,2,5,6; 128:8,13,14 containers (2) 127:19,19 containing (1) 5:24 containment (2) 128:7,10 contaminants (1) 54:23 contaminated (3) 128:16,19,24 contaminates (1) 130:4 contamination (1) 135:19 continual (1) 62:25 continually (1) 112:17 continue (11) 25:6;64:1;67:3,24; 87:19;88:3;89:11,20; 100:16;102:3;111:25 continued (2) 114:23;143:5 continues (1) 67:17 continuously (2) 19:5;63:1 contract (3) 50:25;82:14;83:8 contractor (1) 28:25 contracts (1) 82:15	contribute (1) 24:23 control (13) 14:14;22:5,14; 28:10,11;42:24; 44:12;56:8;68:17; 103:18;129:14; 136:16,18 controllable (1) 18:5 controlled (2) 20:3;21:16 controls (1) 21:7 convenient (1) 85:9 conversation (1) 15:18 conversations (1) 70:7 convert (1) 18:12 converting (1) 80:21 cool (1) 72:17 coolant (1) 128:9 cooling (2) 117:8;128:11 Co-op (1) 84:14 Cooperative (1) 83:1 coordinate (1) 20:4 coordination (7) 16:23;20:18;23:18, 22;24:4,5;27:25 coordinator (2) 69:10,12 copies (1) 30:16 copper (2) 109:15;140:1 copy (1) 30:15 corn (1) 112:5 Corps (1) 23:21 correcting (1) 49:6 correction (1) 48:24 correctly (1) 116:2 cost (5) 30:4,5;86:23,24; 95:13 cost-effective (2) 10:5;91:5 costs (3)	86:21;87:1;94:6 Council (1) 33:15 countered (1) 105:25 counties (1) 33:17 countries (1) 77:8 country (10) 13:14;52:11;58:14, 18;61:14;64:5;93:3; 100:1;118:12,22 County (35) 5:13;14:13;24:13, 25;28:14,19,21;29:1, 2;31:15,18;50:6;51:5; 65:23;69:9,11,14,18; 73:6,9;79:22,23; 81:16;82:10,25;83:1, 2;84:5;94:2,2;112:18; 123:12,15;132:21; 135:9 couple (10) 29:17;36:10;51:13; 53:10;58:12;86:4; 108:4;120:19;133:10, 16 course (6) 42:8;45:10;74:5; 105:7;127:10;130:1 Court (6) 5:16,17;32:17,22; 115:24;130:5 cover (3) 22:13;123:21; 126:13 covered (2) 123:25;134:24 covers (1) 33:17 coyote (1) 51:15 coyotes (1) 51:12 crack (2) 108:20;109:3 CRAIG (9) 8:15,18;9:13,15; 30:12;48:23;86:14; 103:16;146:18 crap (2) 113:23;115:4 crash (3) 56:12;58:5,6 crashed (2) 57:16,16 crashes (1) 56:3 crashing (2) 55:23;108:18 create (2) 93:19;105:7	creating (2) 105:15;106:23 credit (2) 75:12;98:24 crews (1) 30:1 crime (4) 133:6,11,13;137:9 crop (3) 68:23;80:17;134:15 crops (7) 64:5,25;80:13,15; 83:4;106:11;134:4 cross-talking (3) 89:13;115:20; 128:25 crosswind (1) 130:15 crowds (1) 94:19 CRP (3) 51:7,9;63:3 cultivating (1) 62:11 cultural (2) 23:21;29:14 cumulative (3) 29:12;31:1,4 Cuperus (7) 111:12,13,14; 113:2;114:5;115:1,4 C-U-P-E-R-U-S (1) 111:14 curiosity (1) 109:17 curious (1) 39:2 current (7) 17:19;18:13;23:3; 38:15;44:24;47:4; 65:22 currently (5) 14:3;55:5;90:25; 92:3;124:6 curtailment (2) 102:11,25 cut (8) 51:10;52:15,25; 74:11;99:14,15; 101:20;119:9 cuts (1) 113:22 cycle (1) 87:2	D Da (1) 52:13 daily (1) 80:22 Dakota (2) 35:19,19	Dale (4) 50:1,3,3;51:14 D-A-L-E (1) 50:4 damage (12) 28:23;54:20,22; 56:14;68:24;81:1; 104:19;108:20;118:7, 8;136:25;137:1 damaged (2) 37:11;73:24 damages (1) 74:9 damn (5) 81:20;85:14,25,25; 100:12 dangled (1) 76:12 dark (2) 95:20;97:6 data (25) 30:20;31:2,5,11,14, 16,20;32:4;36:23; 66:15,20;67:16;87:9, 15,20,22,25;88:17; 91:16;104:7;105:13; 106:16;119:6,25; 120:4 date (3) 14:4,20;49:2 daughter (5) 51:23;60:4;61:12, 15;120:7 David (1) 131:15 Davis (8) 131:15,16,16,19; 132:6,10,14,18 D-A-V-I-S (1) 131:20 day (19) 22:20;35:9;40:11; 41:2;45:11,13;48:8,9, 17;52:1,17;66:23; 85:11;92:11,11; 118:14,15,19,20 days (9) 46:18;50:10;51:24; 52:3;54:13;67:3; 146:15,19,20 daytime (1) 52:21 dBa (1) 45:6 DC (3) 17:19,22;18:12 deal (6) 75:3;78:9;83:14; 92:25;112:19,22 Dealing (1) 68:14 deals (1) 81:25
--	---	--	--	---	--

dealt (2) 58:13;74:10	18:10;14;19:11; 20:3;64:22;123:14; 125:10	37:11	disturbing (2) 27:21;62:9	26:20;30:9
death (1) 84:16	deliveries (1) 20:5	difference (1) 130:25	ditch (6) 68:3;69:18,21,25; 70:17,19	drain (18) 13:5;16:19,20; 28:12,13,20,21,24; 68:21;69:13,14;73:3, 6;75:7,17,18;78:16,23
deaths (1) 108:2	delivering (1) 64:1	different (17) 10:8;31:22;36:24; 51:17,18;52:14;57:1, 5;74:15,21;97:12; 110:5;119:10;126:9; 133:23;140:17; 142:25	ditches (2) 68:4;135:2	drainage (26) 13:3,4;15:25;16:18, 23;17:12;20:12;21:4; 22:5,14;28:19;29:1,6; 68:3;69:9,11,16; 70:12,14,22,25;71:2, 6;73:24;75:9;129:20
December (1) 15:1	delivery (1) 12:24	digging (1) 104:25	DNR (2) 28:9;39:20	drawing (1) 78:18
decibel (1) 121:18	demurrage (1) 42:14	diligence (2) 66:13;96:17	Docket (5) 5:13,14;11:17;12:1; 30:13	drew (1) 63:18
decibels (7) 44:21;46:1,6;118:4; 121:9,10,21	Dennis (3) 79:19,20,20	dime (1) 60:16	Dockets (1) 11:19	dribble (1) 85:23
decide (1) 37:25	deny (2) 6:2;100:22	direct (6) 17:19;24:11;25:2; 31:18;123:5,7	document (4) 26:10,13;31:22; 108:8	drifting (2) 17:5;23:11
decision (8) 6:21;9:19,24;11:4; 26:14;110:13;146:9, 22	Department (7) 24:4;26:5;84:19; 115:14;116:18;117:8; 125:2	directly (10) 25:15;37:17,18; 38:22;41:9;44:10; 80:21;96:25;111:4; 129:10	documents (1) 70:7	drill (1) 89:7
decisions (1) 9:25	departments (1) 84:23	director (1) 58:15	dog (3) 37:21,25;68:5	drive (5) 66:23;76:20;85:14; 102:5;113:22
deck (1) 123:10	depending (3) 18:8;21:3;41:5	dirt (5) 102:1;127:4; 135:18,19;141:13	dogs (1) 133:16	driven (6) 18:24;40:13;90:9, 10;101:17;113:17
decommission (2) 89:12;101:19	describe (1) 72:19	discharge (1) 18:6	dollar (5) 60:16;112:9;124:3, 8,13	driveway (2) 36:16;53:22
decommissioned (1) 80:7	description (1) 7:2	discharged (1) 20:25	dollars (13) 24:24;66:3;75:3; 76:6;83:15;86:4;93:5, 9,17;94:6,6,7;123:9	driving (3) 27:20;41:25;134:9
decommissioning (16) 19:18;59:18,18,19; 63:6;73:22;75:9,10, 14;112:10;138:1,14; 141:1,9,12;142:9	desert (1) 77:3	disconnected (1) 28:22	done (16) 28:24;34:22;59:1; 67:7;74:15;82:19; 86:2;96:17;97:10; 101:2;102:1;114:19; 127:2;136:25;140:5; 144:1	drop (2) 75:4;136:4
dedicated (2) 27:18;66:1	design (8) 15:2,13;16:3,19; 17:10;21:5,7;24:6	discuss (2) 31:1;87:20	dormant (1) 80:4	dropped (3) 30:14;84:24;116:20
deed (1) 50:25	designed (5) 13:17;19:3,23; 20:19;21:25	discussed (1) 29:10	dot (2) 120:3,5	dropping (1) 135:1
deep (2) 138:21;139:9	designing (1) 114:21	discussion (1) 31:5	double (2) 76:10;121:23	dry (2) 72:14,21
Deer (8) 51:11,11;106:25; 135:24;136:3,7,8,11	destroy (1) 56:13	disintegrated (1) 127:15	doubled (1) 121:23	dryer (1) 72:17
define (1) 21:25	details (2) 13:8;95:16	dispersed (1) 117:23	down (26) 32:23;33:17,24; 51:25;55:7,14;57:1,4, 11;77:13;81:18; 85:14;86:19;91:4; 119:10;122:8,13,17, 24;125:18;126:10; 130:6;132:23;134:6, 10;137:8	due (4) 66:12;96:17; 104:12;108:10
definitely (5) 38:3;42:22;43:9; 104:8;142:14	determination (2) 6:7;24:2	disruption (1) 19:24	down-lit (1) 40:8	DUEHR (4) 8:4,5;13:1;40:2
degrees (2) 134:1,2	determine (2) 71:5;95:13	dissipate (4) 130:11;144:24; 145:5,13	downplaying (1) 112:23	dug (1) 51:7
Deitchler (15) 101:6,8,9,18,24; 102:11;103:7;104:4; 105:12;106:14; 108:17;109:13,25; 111:9;132:4	determining (1) 124:22	dissipated (1) 130:16	Downs (1) 53:7	during (16) 15:9;18:19;21:10; 24:16;26:16;27:3; 39:3;42:4;48:15,17; 60:11,13;72:21;89:3; 104:14;105:19
D-E-I-T-C-H-L-E-R (1) 101:10	develop (1) 88:4	dissipates (4) 106:9,12;130:9,18	downstream (1) 21:12	dust (4) 28:11;129:14; 136:16,17
delays (2) 43:4,8	developed (4) 14:4;15:16;24:3; 71:13	distribute (1) 29:19	draft (2)	Dwayne (7) 73:12,14,14,23; 74:10,20;75:21
delineations (1) 23:20	developer (3) 12:25;13:11;32:4	distributing (1) 62:8		D-W-A-Y-N-E (1)
deliver (1) 64:16	developers (1) 90:7	District (6) 50:7;93:5,10,11,13, 16		
delivered (7)	developing (1) 13:13	disturbed (1) 16:22		
	develops (1) 22:14			
	diagrams (1) 46:25			
	die (1)			

73:15 dwell (1) 54:23	EIP (2) 9:8;30:11 either (5) 13:23;60:20;74:15; 77:15;129:15 Electric (2) 83:1;84:14 electrical (7) 19:7;21:1;55:21; 84:9;110:24;111:6; 144:24 electricity (17) 17:18,22;18:1,10; 19:7;20:22;80:22; 90:23;91:14;92:5,17, 18;93:2,23;110:22; 111:2;125:7 electrolyte (1) 128:3 electromagnetic (4) 143:17;144:8,13,22 elevated (1) 106:6 eliminate (1) 98:2 ELIZABETH (22) 137:16,18,19,20; 138:12,16;139:3,5,18, 21,23;140:2;141:22; 142:10,15,24;143:9, 14;144:5,9;145:7,15 else (10) 34:7;47:13;60:8; 61:1;71:12;77:20; 82:16;120:15;134:4, 24 email (4) 7:18;11:17,18;12:8 emerged (1) 26:18 emergency (5) 18:21;20:1;29:22; 30:1,5 EMF (3) 144:19,21;145:12 emphasize (1) 11:6 employment (1) 58:13 enable (1) 6:19 encapsulating (2) 99:2;100:4 enclosed (1) 19:3 encompasses (2) 69:19;70:1 encourage (1) 7:21 encyclopedia (1) 53:17 end (9) 6:10;19:16;43:3;	47:10;81:4;117:14; 137:14;140:8;141:21 endangered (1) 23:24 ended (1) 104:17 end-user (6) 87:9;88:9,11;91:12, 15;93:24 enemy (1) 77:2 Energy (46) 5:9,10,12;8:22;9:6; 12:25;13:14,16; 14:11,23;15:15; 16:12;17:11,21;19:2; 22:23;38:19;47:15; 64:1,11;80:19;81:19; 82:8,11,12,20,24; 83:8,19;84:5,6,14,16; 87:7;88:18,18;89:11; 91:16;92:11;102:22, 24,25;107:17,19; 126:6,7 enforce (1) 78:20 engagement (1) 14:7 engineer (1) 13:1 engineering (1) 21:5 Engineers (2) 23:21;35:17 enjoy (7) 48:4,5;98:16,17,18; 133:19,20 enjoyable (1) 98:15 enjoyed (1) 72:7 enjoying (1) 58:11 enough (4) 67:12;85:23;98:8; 141:8 ensure (6) 10:4;13:20;19:20; 20:5;22:6;34:1 ensures (2) 16:19;21:16 enter (1) 84:20 entering (1) 73:3 enterprise (2) 77:8,9 entire (2) 38:21;106:15 entirely (2) 87:24;101:23 environment (2) 48:5;105:8	environmental (28) 7:4;10:2;13:8;14:6; 15:7,10,23;20:16; 21:4;23:17;24:6; 25:22;26:1,8,9,10,11, 19;29:11;30:8,14; 31:4,6,19,21;32:1; 54:20;96:7 EPA (3) 109:6,9;138:13 equipment (9) 20:2;29:20;30:2; 46:2;56:10;59:22; 117:9;138:15;144:2 erosion (4) 22:5,14;28:10;73:2 escape (1) 117:7 especially (10) 27:5,19;32:19; 41:14,18,24;42:24; 46:18;70:9;126:1 ESS-25-88 (1) 5:14 essentially (1) 29:11 establish (3) 37:7;62:13;72:18 established (7) 62:5,17;63:9;69:18, 22;70:1;72:25 establishes (1) 22:10 establishing (1) 68:24 establishment (2) 72:16,22 estimated (2) 24:23;123:14 et (1) 144:15 evacuated (1) 54:21 evaluated (1) 13:9 evaluation (1) 15:3 evaporates (1) 68:22 even (20) 7:22;10:18;40:24; 49:18;51:12;56:24; 57:9;75:5;77:16,18; 85:23;89:20;91:13; 96:10;128:4;134:11; 135:8,11;137:1; 143:18 evening (19) 5:2;6:14,22;8:4; 9:13;12:13;33:11,11; 34:11;41:14;43:23, 25;44:17;46:18;48:8; 94:18;111:13;115:8;	146:25 evenly (1) 22:22 event (6) 10:17;116:3,7,8,14, 15 events (3) 21:11;42:25;68:15 everybody (10) 7:6,12;9:14;84:12; 97:18,23;100:15; 101:9;119:23;128:16 everybody's (3) 26:4;77:24;127:13 everyone (9) 5:3,3;12:14;25:8; 27:2;33:4;132:15,17; 146:25 Everything's (1) 93:13 everywhere (1) 36:24 evidence (1) 6:9 exact (4) 30:10;93:15; 142:19,23 Exactly (4) 47:23;88:15; 124:15;125:24 examine (1) 11:20 example (2) 21:6;23:12 examples (5) 22:9;102:18; 103:12;122:3,3 except (1) 109:24 exceptions (2) 10:23,24 excess (3) 126:2,10,11 excuse (4) 54:7;57:5;78:10; 90:10 executive (1) 5:17 exempt (1) 111:7 exemptions (2) 110:11,23 Exhibit (1) 43:20 Exhibits (9) 5:1;8:2,6,9,10,13, 20;9:6,8 exist (1) 71:2 existing (8) 14:16;16:17;18:25; 19:25;20:11;22:25; 23:3;129:19
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exists (2) 62:6;63:22 expand (1) 144:7 expect (7) 10:12;11:3;42:5; 46:5;56:17;90:16; 129:23 expectancy (5) 59:14,14;73:18; 88:24;89:22 expectation (1) 49:18 expected (4) 23:1;24:17;68:15; 89:1 experience (4) 58:17;72:14,20; 115:18 expert (1) 28:13 explain (2) 6:17;9:12 explained (1) 139:10 explains (1) 17:14 expression (1) 101:6 extended (1) 41:20 extensive (1) 20:10 extra (2) 43:5;135:15 extreme (3) 68:15;127:18;128:4 extremely (1) 127:8	fair (2) 82:21,22 fairly (1) 49:21 fall (3) 68:15;75:22;107:24 falling (1) 135:18 falls (2) 49:12;80:21 familiar (2) 14:5;49:9 families (4) 34:1;35:9;114:9,11 family (4) 46:17;112:3,21; 117:19 far (15) 41:12;54:22;58:10; 64:13,13;65:17;89:7; 96:1;97:20;101:14; 111:3;121:7;141:13; 144:24;145:5 fare (1) 76:9 farm (16) 34:23;51:2;61:15; 80:2;93:20;98:16; 113:11,13,15,19,21; 114:10;119:13,17,18; 136:2 farmed (1) 102:4 farmer (7) 79:24;81:21;83:4; 113:14,14;119:21; 123:20 farmer-friendly (1) 13:17 farmers (6) 93:15,19;112:7,8, 15;119:11 farmer's (1) 60:3 farming (7) 61:16;62:25,25; 65:11;66:4;101:21; 142:2 farmland (13) 60:1,2,3,5,9;62:5; 63:8;65:4,20,23; 76:10;79:23;93:15 farmlands (1) 135:6 farms (7) 61:13;80:24;93:20; 100:2;106:4;119:23; 134:8 farther (8) 16:12;45:20,23; 47:1,13;64:6,11; 113:22 fast (3)	32:19;76:4;119:10 faster (1) 90:12 fatalities (2) 108:7,10 favorite (1) 113:3 fearful (1) 55:23 feature (1) 21:15 features (1) 22:4 February (1) 14:25 federal (1) 24:8 feed (2) 64:5;105:21 feedback (7) 15:4,20;45:19; 96:21,24,25;105:11 feeding (1) 61:14 feel (5) 42:20;46:23;80:5; 110:16;120:2 feels (1) 113:3 feet (16) 21:21;36:22;55:20; 98:6,7,12,23;99:12, 12,22,25;100:8; 101:17;121:6;130:9; 135:6 felt (2) 52:18;118:3 fence (8) 17:3;21:14,21; 36:22;38:3,7;69:1; 136:3 fenced (3) 21:8;106:16,23 fences (1) 37:19 fencing (2) 21:20,24 ferro (1) 116:13 fertile (1) 105:24 fertility (1) 105:20 few (10) 15:5;26:17,23; 29:10;30:16;83:15, 16;86:19;138:2;139:6 field (3) 80:19;98:11;144:22 fields (1) 98:16 fight (3) 76:24;83:22;96:2	fighting (1) 113:7 figure (1) 89:6 figured (1) 52:5 file (3) 7:17;10:22;28:6 filed (1) 30:13 fill (1) 12:1 Fillmore (1) 14:1 final (2) 6:7;142:22 finally (1) 28:8 finance (1) 95:14 find (15) 28:20;30:10;31:21, 23;32:6;36:19;60:2; 63:17;83:6;91:24; 93:7;110:4;120:15; 142:5,7 finding (1) 53:15 fine (2) 93:13;103:13 finer (1) 103:10 finish (2) 78:8;115:23 finished (1) 89:18 fire (19) 40:17;54:10,14,14; 55:23;56:13,14; 84:18,20,22;115:13, 19;116:18,25;117:2,7, 11,12;126:21 firefighting (1) 30:1 fires (1) 76:20 first (12) 5:7;19:22;33:9; 39:19;50:22;59:8; 86:20;94:21,24;95:2, 12;142:20 fit (2) 13:18;124:18 five (6) 33:3;37:8;51:22; 53:6;58:12;95:11 fix (2) 72:2;103:11 fixed (1) 137:7 fixed-tilt (1) 22:17 flags (1)	96:9 flat (2) 65:4,12 flexible (1) 91:6 flies (1) 108:9 flip (1) 84:15 flock (1) 107:10 flooded (1) 78:17 Florida (1) 145:2 flow (3) 68:17;133:15; 135:20 flowed (1) 51:21 flows (1) 69:24 focus (4) 11:11;13:15;19:19; 22:20 focused (1) 87:12 focusing (1) 108:5 foggy (1) 118:15 folks (2) 28:14;33:2 follow (3) 18:25;25:15;37:25 following (4) 20:4;43:8;45:10; 74:7 food (1) 80:13 foods (1) 60:6 foot (2) 130:15;131:1 football (2) 126:19,20 footprint (2) 16:5;21:14 foreman (1) 34:19 Forever (1) 119:7 forget (1) 81:12 forgot (1) 91:18 form (2) 29:12;144:13 former (1) 51:14 Fortunately (2) 43:1;63:24 forums (1)
F				
F-4 (1) 52:9 F-4s (1) 55:25 FAA (1) 24:2 facilities (2) 108:4,8 Facility (16) 5:12;14:11,15,23; 17:15,17,23;18:7,17, 22;38:4,7;44:22;45:1; 77:5;86:21 fact (2) 49:11;51:13 fact-gathering (1) 6:19 factors (2) 10:1,8 failing (1) 92:4	farmer-friendly (1) 13:17 farmers (6) 93:15,19;112:7,8, 15;119:11 farmer's (1) 60:3 farming (7) 61:16;62:25,25; 65:11;66:4;101:21; 142:2 farmland (13) 60:1,2,3,5,9;62:5; 63:8;65:4,20,23; 76:10;79:23;93:15 farmlands (1) 135:6 farms (7) 61:13;80:24;93:20; 100:2;106:4;119:23; 134:8 farther (8) 16:12;45:20,23; 47:1,13;64:6,11; 113:22 fast (3)	32:19;76:4;119:10 faster (1) 90:12 fatalities (2) 108:7,10 favorite (1) 113:3 fearful (1) 55:23 feature (1) 21:15 features (1) 22:4 February (1) 14:25 federal (1) 24:8 feed (2) 64:5;105:21 feedback (7) 15:4,20;45:19; 96:21,24,25;105:11 feeding (1) 61:14 feel (5) 42:20;46:23;80:5; 110:16;120:2 feels (1) 113:3 feet (16) 21:21;36:22;55:20; 98:6,7,12,23;99:12, 12,22,25;100:8; 101:17;121:6;130:9; 135:6 felt (2) 52:18;118:3 fence (8) 17:3;21:14,21; 36:22;38:3,7;69:1; 136:3 fenced (3) 21:8;106:16,23 fences (1) 37:19 fencing (2) 21:20,24 ferro (1) 116:13 fertile (1) 105:24 fertility (1) 105:20 few (10) 15:5;26:17,23; 29:10;30:16;83:15, 16;86:19;138:2;139:6 field (3) 80:19;98:11;144:22 fields (1) 98:16 fight (3) 76:24;83:22;96:2	fighting (1) 113:7 figure (1) 89:6 figured (1) 52:5 file (3) 7:17;10:22;28:6 filed (1) 30:13 fill (1) 12:1 Fillmore (1) 14:1 final (2) 6:7;142:22 finally (1) 28:8 finance (1) 95:14 find (15) 28:20;30:10;31:21, 23;32:6;36:19;60:2; 63:17;83:6;91:24; 93:7;110:4;120:15; 142:5,7 finding (1) 53:15 fine (2) 93:13;103:13 finer (1) 103:10 finish (2) 78:8;115:23 finished (1) 89:18 fire (19) 40:17;54:10,14,14; 55:23;56:13,14; 84:18,20,22;115:13, 19;116:18,25;117:2,7, 11,12;126:21 firefighting (1) 30:1 fires (1) 76:20 first (12) 5:7;19:22;33:9; 39:19;50:22;59:8; 86:20;94:21,24;95:2, 12;142:20 fit (2) 13:18;124:18 five (6) 33:3;37:8;51:22; 53:6;58:12;95:11 fix (2) 72:2;103:11 fixed (1) 137:7 fixed-tilt (1) 22:17 flags (1)	96:9 flat (2) 65:4,12 flexible (1) 91:6 flies (1) 108:9 flip (1) 84:15 flock (1) 107:10 flooded (1) 78:17 Florida (1) 145:2 flow (3) 68:17;133:15; 135:20 flowed (1) 51:21 flows (1) 69:24 focus (4) 11:11;13:15;19:19; 22:20 focused (1) 87:12 focusing (1) 108:5 foggy (1) 118:15 folks (2) 28:14;33:2 follow (3) 18:25;25:15;37:25 following (4) 20:4;43:8;45:10; 74:7 food (1) 80:13 foods (1) 60:6 foot (2) 130:15;131:1 football (2) 126:19,20 footprint (2) 16:5;21:14 foreman (1) 34:19 Forever (1) 119:7 forget (1) 81:12 forgot (1) 91:18 form (2) 29:12;144:13 former (1) 51:14 Fortunately (2) 43:1;63:24 forums (1)

96:25 forward (4) 25:18;75:25;96:11; 142:18 found (4) 52:2;65:12;140:15, 21 foundations (2) 106:6;111:3 four (4) 21:23;95:11; 102:23,24 four-month-old (2) 37:24;41:5 Fox (1) 51:12 frame (1) 102:3 Fredrikson (1) 13:2 free (7) 11:12;52:3;77:8,9; 82:11,21;93:8 frequency (2) 143:17;144:14 frequently (1) 37:12 Friday (1) 134:7 friend (1) 104:11 friendly (1) 100:7 friends (1) 120:1 Fritz (19) 36:6,7,8;37:10,15; 38:5,9,14,17;39:5,9, 11,24;40:6,10;42:12; 43:11,13,16 F-R-I-T-Z (1) 36:8 front (5) 12:22;46:9;76:13; 83:15;94:19 fuel (1) 56:4 full (3) 11:20;66:16;128:4 full-time (1) 24:20 fully (1) 43:2 Fultz (5) 79:19,20,21;132:1, 18 F-U-L-T-Z (1) 79:21 fund (1) 75:13 furthermore (1) 137:8 future (5)	71:24;72:3;90:18; 98:4;99:24 G game (1) 121:15 gas (2) 35:5;110:25 gathered (1) 6:3 gave (1) 83:4 geese (1) 107:10 gel (2) 128:3,7 General (4) 10:1;34:19;36:25; 144:14 generally (2) 139:13,20 generate (2) 17:25;88:14 generated (3) 17:22;20:24;64:17 generates (2) 17:17;25:3 Generating (2) 5:9;126:12 generation (12) 14:17;17:20;31:12; 33:20;92:7;110:24; 111:7;113:12;119:11; 126:9,10;143:11 generator (1) 84:13 generators (1) 84:8 gentleman (1) 92:25 geotechnical (1) 89:6 Geronimo (21) 12:12,20;13:10,22; 34:12,22;53:24; 69:12;73:7;74:16,21; 81:17;92:22,23; 95:25;97:4;100:23; 110:7;111:17;131:22; 132:24 Geronimo's (1) 99:15 gets (8) 32:18;33:5;47:12; 72:1;84:14;127:15; 128:18;130:15 giant (1) 91:19 girls (1) 61:18 given (11) 32:3;70:9;72:22;	82:7,12;91:2;103:10; 123:9;126:7;137:5; 141:6 gives (1) 59:10 giving (6) 6:23;11:18;66:4; 85:23;94:17;98:23 glass (3) 109:19,24;139:2 glasses (1) 115:11 glows (1) 85:8 glycol (1) 128:10 God (2) 83:4;119:12 goes (13) 40:22;41:12;42:2; 53:11;55:2;58:1;79:5; 98:18;116:25;123:11, 12;128:18;130:15 gold (3) 81:18,19;84:3 golf-ball (1) 109:2 Good (38) 5:2;8:4;9:13;12:13; 33:10,11;34:4,4,11, 23;37:22;43:23,25; 44:2;60:1,2,3,9; 61:22;62:16;63:25; 77:5;80:1,25;83:14, 21;93:2;94:3,18; 100:16;110:17; 111:13;112:4,16; 115:8;131:23;140:2; 147:1 Google (3) 52:6;54:12;56:19 governments (2) 13:19;24:24 graceful (1) 107:11 grading (2) 18:25;20:11 granddaughter (1) 47:11 grandkids (2) 119:16;120:6 grandson (1) 53:7 grandsons (1) 131:10 granted (2) 40:11;115:13 grass (4) 80:5;106:7;124:21; 134:20 grasses (5) 62:14,23;63:9;72:9; 104:23	gravel (2) 131:2;137:6 great (5) 12:4;28:16;58:11; 133:3;142:16 greater (2) 44:21;137:1 green (1) 80:18 grid (22) 18:2,9,11,14;19:11; 63:21;64:2,16;67:4; 88:14;92:5,13; 102:12;114:20;125:8, 10,12,19,23;126:7; 133:25;135:7 grin (1) 59:3 groceries (1) 35:5 ground (28) 18:24;19:20;22:13; 62:19;63:2,8,15; 67:11;71:9;74:12; 89:8;92:1;101:15,17, 20,25;108:21;113:11; 119:15;123:17,20; 124:9,12;131:8; 136:23;138:6,9;140:8 groundwater (5) 109:17;126:23; 129:10,25;130:4 group (1) 110:5 grow (4) 22:22;64:5;100:5; 140:22 growing (4) 53:13;58:18;80:16; 85:10 growth (1) 92:16 GS-25-89 (1) 5:14 guarantee (4) 26:24;77:14;85:24; 114:7 guaranteed (2) 75:3;93:4 guess (15) 36:21;51:19;55:1,9, 17;81:11;83:1,21; 100:20;101:2;102:17; 114:13;118:7;121:5; 131:21 guidelines (2) 32:15;146:21 guilty (1) 113:6 gun (2) 136:4,10 guy (4) 82:25;83:23;	115:11;136:7 guys (43) 36:14;37:16;40:13; 48:13;92:24;93:4; 94:2;96:3;97:4,17; 98:1;99:1,3,16;100:5, 12;102:3,14;104:21; 110:11;112:3,15; 113:5,8;115:15; 118:21;119:10,18,20; 120:8,12,14;126:1,21; 128:19;131:5;139:6; 141:1,2;142:6; 143:19;144:10,17 guys' (1) 39:12 H habitat (1) 62:14 habitats (2) 62:23;68:24 hail (5) 109:2;126:18,19; 127:8,17 Halbur (3) 69:7,8,9 H-A-L-B-U-R (1) 69:10 half (8) 41:7;43:5;57:10; 75:2,2;82:18;110:2; 121:18 hallway (2) 7:10;103:6 handle (2) 127:17;136:17 hands (1) 86:12 handwriting (1) 131:14 handwriting's (1) 131:20 Hang (1) 103:2 hanging (2) 57:4;145:23 happen (12) 42:4;63:14;77:6; 79:7,12;83:25;86:6; 113:7;116:3,4,10; 126:22 happened (1) 140:14 happening (4) 42:6;84:10,11; 116:16 happens (12) 45:13;78:25;84:4; 103:9;115:13,15; 117:1;126:20;127:15; 130:14;135:25;
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140:14 happier (1) 111:23 happy (5) 25:16;42:9;73:5; 87:22;142:20 hard (11) 39:7;52:18;60:2,4, 10,21;62:13;86:5; 103:4;115:24;131:15 harder (1) 72:2 harvested (1) 51:12 harvesting (1) 80:17 haul (2) 18:19;136:19 hay (1) 51:10 Hazard (2) 24:2;29:19 head (2) 38:16;49:10 headlights (1) 66:24 headquartered (1) 13:12 health (1) 67:22 hear (19) 6:24;7:1,3;9:14; 12:12;18;25:21;36:6; 45:11;46:10;64:10; 66:11;103:4;118:14, 15,16;130:2;140:19; 144:17 heard (4) 6:25;17:13;61:18, 23 Hearing (15) 5:1,1,7;6:13,18; 10:13;11:9;12:16; 25:10;34:13,13; 43:19,20;146:2;147:2 Hearings (3) 5:16,20;105:3 heart (1) 61:20 heat (15) 54:17;105:14,14, 16;106:3,3,9;108:1; 130:8,11,12,24; 133:20,22;140:6 heating (1) 144:14 heavy (1) 140:7 height (4) 21:22;36:20;37:6,9 helicopter (9) 55:12,23,24;56:7,8, 11,19,22;57:6	hell (2) 85:14;112:22 Hello (1) 50:3 help (18) 12:21;13:4,5;24:25; 25:17;27:6;33:23; 34:5,6;49:15;62:1,19; 101:12;102:18; 111:18;125:25; 133:10;134:20 helped (1) 15:23 helping (2) 21:10;28:16 helps (4) 14:17;20:11;22:21; 92:7 Here's (3) 14:8;23:12;24:9 Hey (2) 114:12;136:8 Hi (4) 35:15;36:7;61:4; 69:8 high (15) 17:24;50:8;55:1,4, 4,8,9,12,21;56:7,23; 57:21;84:14;112:16; 127:8 high-dollar (1) 76:9 higher (6) 56:8;71:16;75:5; 93:8;124:9;137:9 highland (1) 50:20 high-level (1) 14:8 highlight (1) 10:10 Highway (1) 22:25 highways (1) 133:16 hire (3) 34:22,24;133:10 Historic (1) 23:23 hit (4) 73:25;90:14; 126:21;135:11 hits (1) 136:1 hitting (2) 124:13;135:14 hockey (2) 94:1,4 hog (1) 133:18 hold (6) 5:20;42:18;102:19, 23;112:24;134:19	holding (1) 34:12 home (14) 35:8;46:20;47:2; 48:3,10,19;50:20; 52:24,25;53:8,21; 60:20;119:15;147:1 homes (9) 18:14;45:20,23; 50:16;60:15,17; 97:10;98:7,15 homestead (2) 124:3,11 honest (2) 99:16;110:10 honestly (1) 104:25 Honor (22) 8:5,15,19;9:1; 25:24;37:4;43:24; 46:23;54:6;58:12; 59:7;74:24;78:12; 81:8,22;82:19;84:3; 86:17;111:10;137:19, 23;140:5 honored (2) 51:22;52:25 hope (7) 59:7;72:24;79:15; 119:12;132:24; 133:12,20 hopefully (1) 34:25 hoping (1) 101:12 horizontally (2) 106:10;130:22 hot (2) 56:3;131:2 hotspot (1) 116:8 hour (1) 109:1 hours (8) 40:23;41:14,20; 43:6;52:13;102:23, 24;145:24 house (11) 37:17,19;38:20; 41:9;53:20;57:3; 77:12;102:1;117:11, 12;122:13 housed (2) 19:3;54:15 housekeeping (1) 8:1 houses (1) 47:14 how'd (1) 120:5 hue (2) 40:2,3 huge (1)	80:9 human (3) 10:3;26:11;31:6 humans (1) 39:23 hundreds (1) 24:23 hunter (2) 136:2,4 hunting (2) 51:18;135:24 hurts (1) 61:20 husband (2) 113:13,14 hybrid (1) 21:2 hypothetically (1) 128:17 I ice (2) 37:12;55:6 idea (5) 36:25;63:6;86:20, 22;93:7 ideas (1) 105:9 idle (1) 18:6 Illinois (1) 56:22 illness (1) 104:13 image (1) 40:9 images (1) 22:17 imagine (3) 65:4;112:14,15 immediate (1) 141:18 immediately (3) 28:25;36:9;78:22 impact (11) 29:8;31:4;47:17; 70:11;71:8;101:21; 104:8,10;105:17; 123:8;127:18 impacted (6) 16:20;70:19,20,22, 24;107:14 impacts (12) 10:2;16:11;17:12; 20:6;25:2;26:12; 29:13;31:2,6;39:23; 66:3;107:24 important (4) 25:11;32:16;65:21; 71:18 Importantly (2) 17:24;32:12	impose (1) 26:21 improve (1) 16:10 improves (1) 22:23 inbox (2) 12:2,3 incentives (1) 110:11 incidents (1) 29:23 include (2) 10:1;31:12 included (1) 31:24 includes (7) 6:1;13:25;14:10; 16:15;18:18;22:6; 23:2 including (9) 6:4;15:13;21:8; 22:3,11;24:25;53:24; 69:17;103:21 income (1) 93:16 incorporated (1) 21:7 incorporates (1) 17:12 increase (4) 71:5;99:25;110:18; 123:25 increased (4) 16:13;71:9;108:10; 133:20 increases (2) 105:20;110:20 incur (1) 87:1 independent (1) 5:17 independently (4) 17:16;18:4,5;92:9 indicating (13) 38:21;86:8,16; 112:2;115:11;118:1; 119:1,2,3,4;121:6; 133:2;137:16 indirect (1) 25:3 Indiscernible (3) 89:13;115:20; 128:25 individual (2) 127:3;129:23 industrial (7) 53:1;65:16;71:13, 16;76:17;123:25; 124:16 industry (4) 65:3;90:13;100:6, 14
---	--	---	--	--

infiltration (1) 72:12	114:17;128:9,11	134:7	86:19	57:14
information (23) 5:25;6:3,11;11:8; 14:12;17:15;16; 25:16;42:9;53:15; 95:17;96:3,16;110:6; 125:16;141:6;142:5; 14,21,23;146:3,7,10	intensive (1) 30:4	iron (1) 135:16	Juarez (13) 43:22,23;44:1,6,6, 23;45:3,7;46:15;47:5, 19,23;48:22	Kimberly (1) 5:4
informed (3) 6:20;24:5;114:24	intent (2) 63:13;127:8	ISG (1) 13:3	J-U-A-R-E-Z (1) 44:7	kind (32) 9:24;26:21;28:15; 29:10,15;31:8;40:21; 42:5,23;48:7;51:7,21; 58:8;67:20,22;68:22; 78:13;82:8;89:6;96:2; 102:17;104:21; 108:22;109:13,15; 110:6,6,10,15;138:2; 143:7;145:11
Infrastructure (7) 8:23;9:6;14:18; 15:14;18:16;25:1; 92:3	intention (3) 62:22;88:12;141:15	island (3) 106:3,3;108:1	JUDGE (64) 5:2,5;8:8,12,16,22; 9:2,5,10;10:22;12:11; 25:19;32:9;33:11; 34:9;35:13;36:5;37:1; 43:13,17,21,25;44:4; 48:22,23;49:24; 58:23;59:4;60:23; 69:5;73:11;79:18; 81:3,9,12;86:11,15; 89:16;94:8,13;101:4; 103:2,14;111:11; 112:24;115:6,22; 120:16;129:2;130:2; 5;131:12,17;132:3,5, 8,11,15;137:12,17; 145:20;146:14,16,24	kinds (1) 105:4
initial (2) 15:13;33:3	intentionally (1) 21:13	islands (1) 105:16	Judicial (4) 69:21,25;70:17,19	kitchen (2) 118:2,6
initially (1) 17:10	interconnect (1) 14:15	isolated (1) 77:20	jump (1) 136:3	kitty-corner (1) 53:23
initials (1) 131:17	interconnection (4) 88:2;95:10;96:6; 114:19	issue (10) 26:14,20;28:12; 49:15;56:15;58:22; 74:7;122:21;143:19; 144:12	jumped (1) 93:16	Klein (10) 115:7,8,9,19,25; 116:6,25;117:16,18, 24
innards (1) 108:21	interest (2) 87:3;88:19	issues (9) 27:2;53:10;56:5; 58:8;62:20;103:17; 125:25;127:10,11	June (1) 10:22	K-L-E-I-N (1) 115:9
innocent (1) 113:5	interesting (2) 55:15;145:16	Iwakuni (2) 52:4,12	K	knew (4) 52:1;54:4;83:2; 114:7
input (5) 5:21;16:8;28:3; 39:21;123:8	internalizing (1) 46:3	J	Karels (4) 33:9,10,12;34:9	knowledgeable (1) 6:16
insect (1) 104:22	International (2) 34:18;35:17	JAMES (5) 81:7,10,14,14; 83:13	K-A-R-E-L-S (1) 33:13	knows (2) 29:3;54:9
inside (14) 68:6;69:1;116:3,8, 17;117:5;128:3,8,8, 13;138:21;139:9; 144:3,3	Internet (1) 57:19	Janezich (15) 6:25;8:13,15,18; 9:11,13,15;48:23; 49:25;60:25;86:12, 14;103:16;146:17,18	keep (15) 26:4;35:20;60:4; 64:10;78:1,5;100:14; 105:18,22;111:19; 112:10;114:24; 137:10;144:6;146:11	laborer (1) 34:19
insignificant (2) 80:12,14	Intervet (1) 58:16	Japan (3) 52:4,12,16	keeping (2) 21:17;53:14	laborers (1) 41:19
inspected (1) 129:7	into (60) 7:19;8:3,7,9;3; 18:24;19:13;21:7; 35:11;37:21,25; 38:23;40:22;43:14; 44:5;51:3,7,21;55:24; 56:11,12;58:6;60:9; 63:1,4;65:14;66:4; 69:21,24;78:7;79:7; 84:20;89:8;97:1; 99:14,15;101:17; 105:1,4,23;108:18,21; 109:9,11;113:22; 129:10,25;133:12; 134:4;135:1,2,18,20; 136:4,5,8;137:10; 138:6,9;140:8;141:12	jeopardize (1) 136:22	keeps (2) 35:2,8	ladder (1) 34:20
inspections (3) 19:15;20:17;21:17	intersection (1) 16:21	JEREMY (4) 8:4,5;13:1;40:2	kept (2) 95:20;97:5	lady (1) 68:5
inspector (1) 118:3	Intervet (1) 58:16	Jill (7) 111:12,13,13; 113:2;114:5;115:1,4	key (3) 11:16;15:7;18:16	Lake (16) 5:9,12,21,22;7:2; 12:15;13:11;14:9; 24:11;29:18;30:21; 71:7;85:19;126:18; 132:1,20
install (1) 66:14	Intervet (1) 58:16	J-I-L-L (1) 111:14	kids (4) 35:9;119:12,13; 133:16	lakes (2) 135:21;136:19
installation (2) 20:9;71:1	into (60) 7:19;8:3,7,9;3; 18:24;19:13;21:7; 35:11;37:21,25; 38:23;40:22;43:14; 44:5;51:3,7,21;55:24; 56:11,12;58:6;60:9; 63:1,4;65:14;66:4; 69:21,24;78:7;79:7; 84:20;89:8;97:1; 99:14,15;101:17; 105:1,4,23;108:18,21; 109:9,11;113:22; 129:10,25;133:12; 134:4;135:1,2,18,20; 136:4,5,8;137:10; 138:6,9;140:8;141:12	job (4) 34:23;58:17; 100:16;120:14	Kilian (1) 40:14	lambs (4) 104:12,14,15,19
installed (4) 20:9;21:2;38:19; 141:7	inverter (1) 46:12	jobs (10) 24:17,18;34:22,24; 35:8;58:13;59:8,10, 11;120:12	killed (1)	Lance (36) 120:16,17,17,23; 121:1,5,12,14,17,25; 122:6,11,16;123:3,17; 124:2,7,19;125:7,11, 17,22;126:5,16; 127:13,22;128:1,15, 23;129:4,6;130:2,7,
instances (1) 10:24	inverters (6) 18:12;19:9;45:15; 46:2;144:23;145:11	join (1) 33:24		
Institute (2) 52:7,9	involved (3) 29:23;47:7;58:14	Joint (2) 5:8;14:22		
instructed (1) 117:8	involves (1) 19:14	joke (1) 84:2		
insult (1) 98:12	Iowa (1)	JONES (5) 81:7,10,14,15; 83:13		
intend (2) 74:18;91:10		jotting (1)		
intended (9) 15:18;43:2;68:21; 89:21;96:13,14;				

14,19,23 L-A-N-C-E (1) 120:18 land (57) 14:14;19:25;22:2; 29:3;48:19;51:4,9; 59:23;61:9,11,13; 62:2,24;63:3,4,11; 65:10,13;71:6,11; 76:7,9,15,16;77:5; 78:17;80:1,4,5,9,11; 83:4,10;107:9;112:8, 11,13,15,18;113:20, 21;114:4,17;119:11, 18;132:20;135:18; 136:4,5,8;140:11; 141:3,4,16,19,24; 142:2 land- (1) 99:2 Landing (5) 54:10,17;55:23; 56:14;107:11 landowner (2) 36:9;83:11 landowners (22) 13:19;24:12;27:17, 19;28:1,3;62:10;72:4; 73:5;83:16;88:1; 94:23;97:15;104:1,2; 110:3;113:25;114:24; 115:2;129:11,15; 132:23 landowners' (1) 96:23 lands (1) 83:7 landscape (1) 29:15 landscapes (1) 13:18 land-use (1) 10:3 language (1) 30:10 large (7) 37:23;68:18; 106:24;108:18;114:6, 10;140:6 larger (1) 14:14 Larson (28) 12:25;40:7;47:3,15; 102:22;115:17;116:1, 7;117:3,17,21; 121:21;122:1;126:6; 127:16,24;128:2,21; 129:5;138:25;139:4, 13,20,22,25;143:23; 144:7,18 last (26) 11:25;16:6;17:10; 26:3;34:15,16;35:21,	24;51:21;66:6;68:2; 69:13;75:22;78:14; 79:20;81:17;89:10, 25;92:16;95:21;99:8; 110:9;117:25;127:7; 136:14;137:13 late (1) 43:6 later (5) 18:1;52:3,13;103:1; 116:20 latest (1) 114:24 Law (3) 5:5;10:21;103:13 laws (1) 74:21 laying (2) 48:14;55:7 layout (9) 15:9,12;16:1,10,14; 17:9;37:16;56:5; 65:12 layouts (1) 15:6 leach (2) 109:14;129:25 leached (1) 140:8 leaching (5) 109:7,8;127:1,5; 138:7 leading (1) 66:13 leakage (1) 128:7 learn (1) 142:12 learned (3) 50:12;135:10; 145:24 learning (1) 6:12 lease (4) 24:13;83:10;94:23; 95:2 leased (1) 83:7 least (8) 28:2;36:22;40:14; 42:6;58:5;113:2; 145:4,12 leave (5) 53:13;100:8; 111:23;128:14;136:9 leaves (1) 80:18 left (2) 23:2;125:12 legal (2) 75:25;76:2 length (1) 91:9	less (9) 46:11,15;64:12,15; 94:7;107:20;118:5; 123:24;126:18 letter (1) 75:12 letting (2) 42:3;140:11 level (2) 95:8;144:21 levels (3) 123:2;143:25; 144:21 LFP (1) 116:13 liability (3) 84:17,18;128:20 liable (1) 110:19 Library (1) 30:15 lie (1) 85:3 lies (1) 81:25 life (17) 19:17;25:6;34:15; 53:9;59:13,14,20; 62:7,21;67:15;75:15; 88:23;89:1,22; 112:13;119:21; 141:21 lifetime (3) 73:18;74:17,19 light (4) 22:21;30:17;40:13, 25 lighting (12) 28:10;38:17;39:2,4, 12,21;40:5,8;41:1; 44:9;48:4;66:25 lights (9) 38:20,21;39:16; 40:21;46:22;85:1,2,7, 8 liked (1) 50:18 likelihood (1) 60:1 likely (1) 100:11 likes (1) 95:25 limit (9) 14:17;33:2;41:13; 61:22;121:8,11,18; 143:25;144:3 limited (1) 19:14 line (20) 17:3;45:2;46:9; 55:2,4,5,8,12,21;56:7, 20,20,23;57:11,21;	58:2;87:13;91:4,23; 99:10 lineman (2) 55:14;58:4 lines (8) 16:16;33:20;55:7, 14;56:9;57:3,7;63:22 link (2) 31:24;32:7 list (6) 11:15;69:6;73:12; 81:4;107:3;111:12 listen (4) 46:20;78:4;93:20; 118:19 listing (1) 110:7 lit (1) 56:25 literally (2) 40:17;47:9 lithium (3) 54:14;116:13;128:3 little (13) 27:7,24;35:24; 41:25;53:18;72:13; 85:22;97:12;100:24; 117:13;131:20,21; 138:21 LIUNA (1) 34:17 live (34) 33:24;44:9;47:25; 50:5;54:3,6;61:11,12; 85:16,18;99:4;104:6; 112:20,20;113:16; 118:9,11,12,22,23,24, 24;119:1,2,3,4,21,22, 22,24;120:6,7;132:1; 133:15 lived (3) 48:2;50:6;110:1 lives (6) 53:7;61:12;80:22; 99:17;112:21;132:20 livestock (1) 58:15 living (11) 38:21,23;40:18,20; 58:14;81:18;118:4, 11;120:1,8;121:19 load (4) 104:22;126:8,11,14 local (33) 13:19;15:20;20:5; 24:12,24;25:1,4,6; 29:3;30:1,5,6;33:23; 34:5,6,7,22,22,24,24; 35:2,18;59:10;76:23; 80:23;95:4,4,19;97:3; 113:4,5,5;124:17 located (6) 14:12;16:20;21:13;	27:6;29:1;70:13 location (4) 15:15;21:3;116:23; 145:4 lodging (1) 25:4 logarithmic (1) 121:22 long (12) 36:19;55:18;61:7; 72:14;81:1;89:25; 119:18;141:1,3,8; 146:13,15 longer (1) 39:6 long-term (4) 18:20;20:1;22:6,15 look (22) 9:22;10:9;23:1,4; 27:10;28:5;29:10; 30:9;37:20;49:20; 53:16;80:10;99:21; 102:21;106:21;112:1; 122:3;135:23;138:9; 141:10;144:13;145:2 looked (4) 36:17;50:18; 133:23;144:20 looking (13) 29:20;39:15;46:25; 55:22;63:20;66:7; 86:1;92:25;105:3; 107:24;109:21;133:9; 134:8 looks (8) 22:11;26:11;38:12, 20;40:17;47:1;76:22; 138:1 Loretta (3) 69:6,8,8 L-O-R-E-T-T-A (1) 69:10 losing (1) 104:17 loss (1) 68:24 losses (1) 64:14 lost (2) 56:7;104:12 lot (37) 35:21;38:19;41:16; 44:1,2,8;47:8;51:10; 54:20,22;60:13; 66:10;70:5;79:2; 83:17;89:5;90:9,10, 15;97:21;98:2;99:23; 100:6;101:11,25; 103:3,11;104:17; 105:23;112:22;123:4; 127:1;131:8;137:21; 140:15;141:12; 145:24
--	--	---	---	--

lots (1) 135:11	139:11;141:6	111:24	25;75:22;78:14; 81:17;103:19;112:6	middle (4) 46:4,17;118:13; 120:5
loud (4) 27:20;47:11;122:2, 4	makes (7) 6:6;9:24;63:25; 64:15;72:2;107:18; 140:23	marks (1) 96:19	meetings (6) 15:10;16:7;77:17; 78:4;96:11;97:23	might (8) 12:4;46:8;49:20; 71:22,23;72:18; 105:25;131:10
louder (4) 42:1;47:8,24,25	making (9) 60:7;66:2;68:17,23; 78:24;103:4,24; 105:23;132:10	Mary (11) 61:2,4,4;63:16; 64:3,23;66:6;67:5; 68:2,10;69:4	megawatt (1) 114:22	migrating (1) 107:7
loudly (1) 32:18	Malory (18) 36:6,7,7;37:10,15; 38:5,9,14,17;39:5,9, 11,24;40:6,10;42:12; 43:11,16	M-A-R-Y (1) 61:5	megawatts (4) 13:23;14:2,4;31:13	mile (2) 50:5;117:20
Louise (2) 14:1;34:23	manage (4) 21:10;69:3;105:6, 10	massive (1) 134:24	member (1) 33:25	miles (6) 40:14;85:1;109:1; 113:19,19;133:25
love (4) 53:12,14,15;144:16	manageable (1) 22:13	materials (6) 25:5;63:15;109:12, 14;111:1;140:21	members (7) 6:14;15:21;33:18; 35:18;36:2;87:21; 133:2	million (12) 69:20,23;70:2,23; 71:10;75:2;85:24; 86:4,21;92:24;137:2, 2
low (5) 40:1;48:4;105:19; 125:6,6	managed (3) 13:21;20:20;22:4	matter (4) 5:6,8,19;75:11	memories (1) 55:16	mind (2) 64:11;114:18
lower (3) 37:6;71:15;105:22	management (5) 21:9,17;72:6,7; 125:1	mature (2) 37:7,9	memory (1) 36:13	mine (3) 81:18,19;84:3
lowland (3) 50:21,23;51:6	manager (4) 12:24;25:22;26:1; 58:16	matures (1) 22:12	men (1) 133:7	minerals (1) 105:21
luck (1) 112:16	Mankato (3) 33:14;52:3;118:23	may (14) 12:1;15:11;21:1; 23:8,11;37:25;46:19, 24;88:11;92:18; 116:23;140:11,17; 146:12	mention (2) 98:6;109:25	minimize (4) 10:2,3;20:6;107:6
luckily (1) 28:14	manner (1) 20:3	maybe (15) 10:24;11:1;36:19; 56:10;57:22;75:4; 80:10,11;95:20; 110:7;112:11;115:10; 131:8;139:6,9	mentioned (11) 86:23;95:23; 110:15;116:12; 126:25;138:2,4; 139:5,7;141:11; 143:24	minimizes (1) 18:24
lucky (1) 60:15	manufacturer (2) 116:21;142:20	McCall (4) 16:21;38:11,12; 50:6	Merck (1) 58:16	minimizing (3) 19:24;40:2,3
M	many (23) 35:5;40:14;48:2; 50:12;53:24;57:12; 65:16;72:11;81:25, 25;94:25;95:21; 97:18;112:7;114:8; 121:9;124:4;125:12; 131:5;134:8;135:6; 140:22;144:16	mean (15) 44:16;47:12;48:2; 49:21;64:6,8;66:9; 77:13;83:15;88:18; 99:2,4;103:18; 106:25;128:17	messy (1) 131:20	minimum (3) 99:11;146:19,20
mad (1) 100:15	map (2) 120:4;135:9	Meaning (1) 122:22	met (2) 26:3;103:10	Minnesota (21) 5:18;9:16;10:6; 13:13,25;14:4,24; 24:4;33:14,16;35:19; 40:25;44:19;66:9; 71:19;84:19;111:7; 125:2;132:21;144:25; 145:16
magnesium (2) 56:2,3	mapped (1) 75:17	means (5) 18:5;59:20;88:9; 90:3;112:8	metal (3) 135:16,17;139:16	Minnesota's (1) 14:5
mail (1) 7:16	mark (2) 43:19;61:3	meant (1) 63:2	metals (2) 139:24;140:7	minor (1) 109:20
mailer (1) 42:2	marked (4) 5:1;8:6;43:20; 135:11	meantime (1) 76:3	meteorological (2) 66:14;67:16	minutes (1) 33:3
mailing (1) 11:15	marker (1) 56:23	measure (1) 66:16	meter (2) 106:9;130:13	mispronounced (1) 101:7
main (1) 145:12	markers (2) 11:16;98:10	measures (2) 123:1;143:13	methods (1) 28:18	missing (1) 71:22
Mainly (1) 35:20	market (1) 71:6	measuring (1) 99:7	Metro (1) 35:10	Mississippi (1) 56:21
maintain (11) 21:15;22:5;27:18; 62:19;71:23;85:17; 87:19;102:3;129:13; 132:16;144:2	marketing (1)	mechanics (1) 94:22	MIDDENDORF (61) 5:2,4;8:8,12,16,22; 9:2,5,10;12:11;25:19; 32:9;34:9;35:13;36:5; 37:1;43:13,17,21,25; 44:4;48:22,23;49:24; 58:23;59:4;60:23; 69:5;73:11;79:18; 81:3,9,12;86:11,15; 89:16;94:8,13;101:4; 103:2,14;111:11; 112:24;115:6,22; 120:16;129:2;130:5; 131:12,17;132:3,5,8, 11,15;137:12,17; 145:20;146:14,16,24	Missouri (2) 56:22;69:24
maintained (5) 18:20;19:5;69:1; 86:25;129:22		meet (3) 19:3;44:22;49:17		mist (1) 117:8
maintains (1) 62:7		meeting (14) 10:15,16;15:19; 26:16;31:8,9;45:6,19,		mistake (1) 49:7
maintenance (12) 17:5;19:13;22:8,15; 23:14;24:21;55:12; 58:4;62:15,16;67:20; 71:19				misunderstand (2) 68:4,7
major (2) 71:21;126:14				mitigate (8) 23:10;27:2;29:12;
majority (7) 97:25;109:19; 111:2;136:17;138:25;				

49:15;75:20;123:1; 143:19,23 mitigation (6) 24:3;29:9,19;72:19; 105:4;123:1 mix (2) 72:13,16 mode (1) 19:13 modeling (2) 27:8;66:19 modify (1) 73:9 module (1) 117:5 modules (1) 117:4 Mohammad (42) 12:12,13,19;25:20; 37:3,14;38:2,6,13,16, 24:39;18,25;40:3; 44:18;45:1,5;59:15, 19;75:8;92:2;102:9; 106:2;107:15;108:24; 120:22,24;121:4,10, 13,16;122:9,14,25; 124:25;130:10,17,21; 138:10,13;142:8; 143:21 mom (1) 35:5 moment (2) 18:8;122:15 moms (2) 104:13,17 money (8) 35:3;83:17;85:22; 105:23;111:20,22; 137:3,5 monitor (2) 67:17,24 monitored (3) 19:5;20:17;67:19 monitoring (3) 22:7;27:13;116:9 months (4) 51:13;52:16;69:13; 102:10 more (54) 6:12;10:18;14:2; 16:24;17:8;22:22; 32:12;44:15;45:4; 46:1;47:6;60:19; 61:23;62:1;63:1,65:5, 5,15;72:3;74:4;75:17; 77:25;82:3,4,22;85:2; 90:6,6,12;91:20,22, 24;92:4;93:22;94:6, 10;96:11,15;99:12; 100:7,11,20;104:25; 106:4;107:19;121:23; 124:11;125:12;126:4; 133:10;136:25;138:3;	142:12;143:6 morning (1) 41:21 mosquito (1) 104:22 mosquito-borne (1) 104:13 mosquitos (1) 104:14 Moss (4) 54:10,17;55:22; 56:14 most (12) 16:11;41:13;45:14, 14;61:6;63:19;108:2; 109:23;111:21;123:7; 136:6,12 motorists (1) 100:9 mounted (2) 18:23;20:10 mounting (1) 57:15 move (7) 36:1;38:11;47:9; 49:1;96:10;120:15; 136:18 moved (8) 26:6;28:22;47:1; 58:2,3;60:17;83:2,2 movement (1) 22:21 moves (3) 19:7;20:23;25:17 moving (1) 45:12 mow (1) 62:17 mowing (2) 22:7;125:5 MPCA (1) 27:15 much (32) 19:1;25:20;30:21; 32:9;41:14;44:15; 46:3,10,15,16;56:14; 57:7;60:11,23;80:9; 82:7;90:12,12;99:20; 101:3;102:19;104:19; 111:19,23;116:11; 117:12;125:11; 131:24;134:22; 136:25;145:18,22 multigenerational (3) 112:7;113:13,14 multiple (3) 114:10;142:25; 144:1 mummified (1) 104:15 Murray (4) 79:22,23;82:25; 132:21	must (2) 82:20,21 myself (3) 98:13;99:6;146:8 N name (18) 9:15;12:19;25:25; 32:17;33:12;34:13; 36:7;44:5;61:4;69:10; 79:20;81:13,14; 101:7;115:8;117:25; 137:19;138:19 Nang (1) 52:13 Nathan (3) 35:14,15,15 N-A-T-H-A-N (1) 35:16 Nationally (1) 13:22 native (2) 27:21;72:9 natural (2) 59:24;82:8 nature (1) 117:11 NDAs (1) 115:1 near (2) 56:7;68:9 nearby (3) 20:6;106:17;110:3 nearest (2) 64:18,21 necessarily (5) 103:8;106:4; 107:18;108:15;109:4 necessary (2) 5:24;41:2 need (37) 14:18;30:2,3;48:24; 56:16;65:4;67:25; 77:25;78:7,7;82:1,20; 85:7,7;89:7,16;90:22; 91:14,22,24;92:4,20; 93:12,22;95:18; 99:25;103:5;120:11; 129:12;132:5,8,11,16; 134:3;136:20;137:10; 141:3 needed (6) 18:2;34:3;82:3; 92:14,17;141:19 needing (1) 43:6 needs (4) 18:9;29:5;100:25; 141:24 negatively (1) 72:15 neighbor (1)	100:7 neighboring (3) 23:9;98:11;106:11 neighbors (12) 42:3;50:13;98:16; 105:25;111:25;112:1, 2,3,4,20;136:6,12 neighbors' (1) 96:22 net (1) 92:23 new (9) 30:2;37:18;40:19; 55:8;90:17;93:11,19; 94:1;105:25 newer (2) 90:9;116:11 Next (39) 9:18;11:10;15:5; 16:4;30:21;32:13; 34:10,25;35:14;36:1, 6;37:15;38:9,14; 40:22;41:9;43:21; 46:12;50:1;58:24; 69:6;73:12;79:19; 86:1;92:11,16;94:14; 95:8;98:5;101:5; 111:12;113:12,21; 118:4;120:1,9;125:8; 133:18;135:23 next-gen (1) 143:7 nice (4) 54:3;89:2;94:4; 131:14 night (12) 39:6;46:21;47:12; 48:1,13;52:19; 118:14,18,19,20; 146:3;147:1 nights (1) 133:19 nighttime (2) 41:21;52:20 Noble (1) 84:14 Nobles (22) 5:13;14:12,16; 24:13;28:14,19,25; 29:2;31:15,18;65:23; 69:9,11;73:5;81:16; 82:10;83:1,2;84:5; 94:2;112:18;135:9 nobody (4) 57:17;82:10;97:14; 118:10 nobody's (1) 60:17 Nods (1) 38:16 no-fly (1) 57:22 noise (24)	27:4,7,10,14,15,19; 44:12,15;45:4,11,22; 46:17;47:4,6,17;48:8; 78:21;118:1,6,10; 120:9;121:8,11; 122:10 noises (2) 42:6;48:15 noisome (4) 41:13,23;45:14; 46:2 non-cost-effective (1) 91:8 None (3) 48:13;59:9;119:5 nonhazardous (3) 109:10,12;117:15 nonlinear (1) 121:22 nonparticipating (9) 16:15;36:9;97:15; 98:7;99:1;100:24; 120:21;121:3;123:8 nonreflective (1) 107:16 nontoxic (3) 117:23;138:20; 142:25 Nordic (1) 14:1 normal (3) 22:7;39:13;76:10 Normally (2) 116:9;126:13 North (7) 34:18;35:19;37:18; 50:4;53:21;55:20; 58:3 northwest (1) 16:21 note (3) 22:16;134:8,17 notes (1) 86:19 notice (1) 74:6 noticed (1) 43:13 notification (1) 97:12 notifications (1) 27:17 notified (2) 12:3;95:4 nowhere (1) 64:23 noxious (1) 124:22 nuisances (1) 105:8 nuisome (1) 41:22 number (12)
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6:23;43:4;62:11,17; 63:12;71:18;86:12; 88:3;93:5,9,15; 121:23 nurse (1) 61:17 nursing (1) 119:15 nutrients (1) 63:1	older (2) 22:18;108:13 oldest (1) 51:23 Once (6) 19:12;20:24;24:19; 62:12;80:6;142:22 one (52) 7:25;11:25;16:11; 19:22;29:15;30:18; 40:22;41:12;45:17, 21;46:12;47:10; 48:24;50:10,18; 51:19;52:7;53:12; 54:8;55:6;56:5;57:10; 62:4,9;64:10;65:2; 66:12;69:2;70:11; 76:19;77:21;78:6; 79:25;89:17;92:11; 94:11;106:9,21; 113:2,9,9,24;115:12, 18;116:3;124:19; 129:3;130:12;136:1, 14,22;137:20 one-day (1) 102:15 one-foot (1) 21:22 ones (5) 31:25;56:24; 103:23;113:6;134:12 ongoing (3) 20:18;24:7,20 online (2) 126:13,13 only (12) 35:23,24;42:12; 50:15;52:9,16;85:9; 86:3;88:18;90:21,25; 93:1 onsite (1) 129:17 on-site (7) 19:14;41:19;62:21; 66:15;68:15;129:12, 19 onto (7) 57:16;72:3;88:14; 92:5,13;125:23; 136:10 open (8) 7:16;95:25;96:25; 97:5;105:10;110:10; 146:6,12 opened (1) 116:21 opening (1) 6:23 operate (7) 17:15;18:4;74:19; 91:10,21;93:21;127:9 operated (1) 87:1	operates (1) 17:22 operating (5) 13:23;14:3;35:17; 133:23;141:8 operation (1) 14:20 operational (3) 24:19;62:12;75:14 operations (12) 18:20;19:13;20:1; 22:7;23:14;24:21; 62:15,25;66:20; 67:19,20;129:14 opinion (3) 36:21;132:17,19 opportune (1) 126:4 opportunities (1) 63:4 opportunity (11) 6:15,17;7:11,24; 11:2;12:17;33:24; 59:11;63:20;94:17; 137:24 opposed (2) 79:2;96:5 opposite (1) 96:1 option (3) 12:5;90:18;95:2 Orchard (55) 12:23;41:11;42:21; 45:8;62:3;63:18;64:9; 65:2;66:11;67:9;68:8, 11;73:21;74:1,18; 75:6;83:9;86:24;87:6, 11,18;88:12,20,25; 89:19,24;90:5,24; 96:12;101:16,22; 102:7;104:24;109:18; 110:14;114:3,16; 115:3;122:18;123:7, 23;124:5,15;125:9,14, 20,24;126:24;129:9; 138:23;141:5;142:13, 17;143:2,10 order (6) 27:2;42:14;55:25; 71:21,23;73:9 original (5) 15:6,9;16:3,9;40:22 originally (1) 114:3 Otherwise (1) 115:23 ourselves (1) 61:22 out (105) 5:3;7:7,10;12:14; 28:2;29:5;33:25;34:6; 40:25;41:10,20;42:3, 23;44:1;47:16;50:17;	51:8;52:2,5;53:15; 54:5;60:16,18;62:15; 63:7,15,24;65:20; 70:23;71:22;73:1,19, 20,22;75:17;76:21; 77:3;78:8,15,19,24; 80:1,9;81:19;82:8; 83:2,6;84:1,12,16,22; 85:23;86:3,6,9;89:6; 90:7,14;91:17,21; 96:3;97:14;98:10; 101:19,23;103:6; 104:12;106:19; 107:19;108:9,14; 110:4;112:1;114:11; 115:14;116:5;117:1, 2,10;118:11,12; 119:12,23;122:19,20; 123:18,22;124:4,23; 127:9,23,24;128:6; 131:11;132:25; 133:15,24;136:3; 137:2,10;138:8; 140:13;141:3;145:22, 23 outdoors (1) 66:23 outer (1) 46:5 outlets (1) 69:21 outline (1) 24:9 outside (12) 31:6,7;32:1;46:20; 48:3;87:21;89:3; 109:20;116:11,15; 131:22;143:25 over (45) 5:5;7:6,13;9:11; 12:9;13:22;14:3; 21:15;22:10,13;25:6; 26:23;31:12;32:21; 33:15;35:18;41:20; 50:13;52:1;56:12,21; 62:11;63:10;65:15; 75:2;76:3,4;77:10,21; 82:13,16;83:23; 89:17;99:7,8,25; 102:5;115:22;122:1, 7,12;124:6,8;126:17; 129:2 overall (7) 15:25;17:8,17; 20:18;22:23;25:5; 67:23 overload (1) 125:19 overview (1) 14:8 overwhelmed (1) 102:12 own (10)	17:25;74:17,19; 82:4,4,20;84:2,8; 88:7;98:21 owned (4) 52:20,20;55:2; 124:9 ownership (1) 84:17 owning (1) 125:15
O			P	
O&M (3) 23:13;38:15;111:4 obtain (1) 5:21 obviously (5) 41:13;78:19;79:1; 142:2;144:10 occur (1) 23:11 occurring (1) 104:2 octagon (1) 78:7 off (32) 30:14;37:11;38:11, 12;39:6,6;49:9;78:3, 8;82:2;85:1,4,4,5; 93:17,20;101:20; 102:13;107:4;114:18, 23;123:15;126:15; 130:25;131:1,1; 133:8;134:15;135:2; 136:15;140:9;143:18 offend (1) 81:22 offer (6) 7:21;8:2,7,17;9:3; 83:10 offered (4) 8:10,20;9:8;82:18 offering (1) 81:20 Office (1) 23:23 officer (1) 52:23 official (1) 25:12 officials (2) 15:21;20:5 offset (1) 29:15 off-site (1) 129:17 Often (1) 103:25 Oftentimes (1) 65:15 old (3) 119:14,16;135:8			page (1) 36:15 panel (23) 37:17;54:9;67:1; 88:18,24;99:15; 100:5;108:20,20,21; 109:19,22,23;126:25; 127:3;130:11;133:23, 25;134:9;139:1; 142:19,22;143:8 panels (68) 17:18;18:23;20:10; 22:12,16,17,19,22; 41:9;45:9,16;59:22; 60:12;62:24;63:7; 65:6;67:11;68:19,20; 83:5;87:5,16;88:10, 10;89:2,8,10,19,24; 90:9,11,17;91:23,24; 99:9;100:4;105:15; 106:6,8;107:4,4,16, 17,18,20,25;108:6,18, 24,25;109:8;127:6,12, 14;129:22;134:11,25; 136:1;138:5,20; 140:6,13,17,18; 142:11;143:1,3,12 parameters (1) 67:25 parcel (1) 62:9 parcels (1) 62:7 part (20) 5:23;6:19;13:9; 17:16;22:7;24:8; 25:11,11;26:19;29:6; 53:9;68:12;70:13; 73:17,21;82:20;84:4; 97:2;109:23;138:11 participate (3) 10:14;12:15;25:9 participating (3) 24:12;120:23;121:2 particles (4) 138:21,22;139:6,8 particular (1) 75:23 particularly (3) 23:7;41:22;42:11	

particulate (1) 116:5	85:16,18;92:6;93:20; 94:5,10;97:25;98:23;	phase (2) 39:3;95:12	plans (2) 20:4,16	portable (1) 41:1
parties (1) 5:19	110:3;112:1,22;	pheasants (2) 51:11;119:7	plan's (1) 125:3	Portfolio (2) 14:2;88:5
partisan (1) 132:22	118:3,7;120:3;	phonetic (1) 118:19	plant (3) 37:5;84:25;140:16	portion (4) 65:25;106:20; 109:21;112:4
parts (3) 45:14;113:3;116:21	131:22;133:3,4,10; 137:9	phosphate (1) 116:14	planting (1) 36:18	position (1) 146:23
pass (2) 18:11;106:8	per (3) 109:1;114:22; 146:20	photograph (1) 43:14	plants (2) 47:17;110:25	positions (1) 24:20
passed (1) 94:5	percent (10) 34:24;65:23,25; 74:8;76:25;91:25; 112:17,21;123:11,12	pick (3) 43:8;67:2;128:19	plateau (1) 90:14	positive (2) 64:7;66:3
passing (1) 100:9	percentages (1) 105:21	picked (1) 64:25	platform (1) 57:5	possibility (1) 76:20
past (2) 90:6;98:9	performance (3) 19:4;22:6;57:9	picture (7) 23:2,3,16;36:16,21; 37:20;40:11	pleasant (1) 98:15	possible (11) 19:1;20:13;46:4; 75:20;79:13;90:20; 117:2,16,17;134:1; 146:11
pasture (1) 50:23	period (12) 7:16;10:16;11:5; 24:19;27:3;66:16; 72:22;80:15;84:6; 90:4;140:10;146:6	pictures (1) 21:19	please (13) 8:18;10:9,19;32:14; 35:11;94:19;103:4,5; 112:24;131:11;146:8, 9,9	possibly (1) 83:18
patiently (1) 137:15	periodic (1) 19:14	piece (2) 56:9;71:6	plenty (3) 66:24;78:2;91:15	posted (1) 42:1
patterns (3) 20:12;67:21;72:14	permanent (1) 39:4	pieces (3) 46:2;109:9;139:8	plugging (1) 78:5	potato (1) 140:15
Paulette (6) 58:25;59:2,5,5,17, 25	permanently (1) 39:16	pier (1) 20:9	pm (8) 5:15;11:7;40:24,25; 41:4,8,16;147:2	potential (4) 16:10;72:11;104:9; 105:17
pause (1) 144:4	Permit (30) 5:8,10,11;6:7,17; 9:21,21;14:22;15:1; 20:15;26:20,20;28:6; 30:9;31:11;49:11,20; 68:14;69:2;79:5,7,12, 17;95:8;96:10; 103:17,18,22;122:19, 21	pile (3) 20:9;27:20;41:25	pod (1) 37:18	potentially (2) 29:23;109:14
paved (1) 137:7	permits (3) 9:20,20;26:14	piles (6) 18:24;63:7;73:22; 89:8;101:14,16	pod (19) 7:5,9;36:11;37:25; 42:11;46:7,16;64:17, 18,21;77:16;88:16; 92:19;97:24;101:18, 20;117:23;141:9; 142:1	pour (1) 63:1
pay (11) 34:4;82:5,22;86:23; 93:6,7,10;94:6; 103:13;124:11; 128:16	permitted (2) 18:4;49:22	pilot (4) 55:13;57:8,15;58:4	pointed (1) 44:1	pouring (1) 66:4
paying (3) 76:7;123:19,20	Permitting (14) 8:23;12:20,21; 13:10;14:5;20:21; 24:8;31:25;49:12; 68:12;73:7;88:2;96:7; 97:1	pilots (1) 52:18	points (1) 137:21	power (39) 10:5;12:12,20; 13:10,22;17:19,25; 18:8,12,13,13;19:10; 33:20;45:16,22; 47:16;56:20;64:17, 21;65:7;66:18;67:13, 22;69:12;73:7;82:2,3, 4;85:2;88:13;89:20; 90:20;91:5,8;92:1; 110:25;111:5;125:9; 126:2
payment (1) 29:12	Permitting's (1) 9:6	pissed (1) 78:3	pole (1) 50:21	PowerPoint (1) 146:4
payments (1) 24:14	person (7) 35:25;57:15;58:24; 76:19;77:22;129:3; 137:13	PJ (10) 115:6,8,9,19,25; 116:6,25;117:16,18, 24	poles (5) 55:5,7,8,21,21	practical (1) 41:17
pays (1) 110:20	personal (2) 58:19;111:16	P-J (1) 115:9	pollinator-friendly (2) 62:13,23	precautions (1) 104:21
peaceful (1) 133:19	personnel (3) 6:16;19:6;30:2	place (14) 19:25;23:19;51:19; 54:10;66:8,9;98:4,10, 11;102:12;103:9; 104:22;125:1;142:4	pollinators (1) 72:9	preconstruction (1) 27:8
peak (1) 24:17	pertain (1) 94:22	placed (1) 101:15	polycarbonate (3) 139:14,14,22	predators (2) 108:11,11
peanut (1) 81:20	pertinent (1) 101:12	placement (1) 15:13	pond (2) 38:1;51:7	prefer (1) 12:4
peanuts (1) 81:20	petition (1) 73:8	plan (12) 19:18;24:3;27:23; 29:5;39:10,12;72:6,7, 23;125:1;138:7,14	ponding (2) 62:20;68:19	preference (1) 83:11
penalizing (1) 99:1		plane (3) 56:2;57:16;58:5	ponds (4) 68:9,16,25;134:19	pregnancy (1) 104:14
penetration (1) 22:21		planes (1) 52:7	pop (2) 35:5;74:5	
people (56) 10:14;26:18;27:4; 29:4;30:22;32:2,6; 35:2,7;50:12,13;51:1; 53:24,24,25;54:11,21; 57:14,22;73:16; 74:21;76:4,4,7,8,21, 23;77:4,10,21;78:2,8, 15,17;79:2,25;80:14;		planned (2) 56:6;141:21	population (2) 92:6,15	
		planning (2) 97:13;101:10	porch (1) 46:9	

preliminary (1) 15:15 premium (2) 124:12,16 prepared (3) 26:7;32:20;105:24 presence (1) 108:11 present (1) 12:10 presentations (2) 6:23;8:1 presented (3) 15:9;17:10;123:10 Preservation (1) 23:23 preserve (1) 20:11 presiding (1) 5:5 Press (1) 52:3 pretty (6) 27:20,21;30:20,23; 106:12;137:20 prevalent (1) 90:7 preventing (1) 63:11 prevention (1) 68:13 previous (2) 49:9;105:3 previously (2) 27:5;116:12 price (1) 82:22 prices (1) 60:5 print (1) 30:14 prior (2) 67:11;71:1 prism (1) 9:24 privacy (1) 60:18 private (2) 28:20;75:18 privileges (1) 98:20 privy (1) 125:16 probably (14) 10:7;41:5;54:2; 58:6;72:25;76:10; 80:5;91:17;100:19; 101:2;103:8;131:7; 133:9;136:16 problem (3) 91:12;97:3;113:10 problems (8) 76:19;78:1;93:19;	95:22;97:19;98:2; 100:21;102:6 procedure (1) 109:8 process (32) 5:23;6:4,19;7:1,5; 9:12;10:12;13:10; 14:6;17:13;20:19,21; 24:8;25:11,17;29:7; 31:19,23;49:13,19; 57:1;65:8;66:13;70:6; 73:7;79:4;95:9,10; 96:14,20;97:1;104:19 produce (13) 17:19;45:22;64:25; 65:7;66:19;67:3,13, 14;80:13;89:20;91:5, 8;93:2 produced (3) 54:16;64:11;126:2 producers (1) 112:6 producing (6) 18:8;67:22;89:11; 90:19;111:2,5 product (2) 143:4,6 production (17) 17:11,24;22:23; 24:14;65:20;71:12; 80:2,9;91:14;92:4,11; 110:21;114:11; 123:16,18,22;140:15 productive (1) 80:6 profits (3) 99:16,19;113:23 program (1) 98:25 project (156) 6:16;7:3;11:15; 12:10,17,22,23,23,24; 13:7,11;14:9,10,12; 15:9,17;16:1,5,14; 17:4,17;18:18,25; 19:10,16,19;20:14; 21:7,14,20;22:1,18; 23:7,8,19;24:1,10,16, 19,22;25:7;26:1,11, 12,15;27:12;28:5; 29:25;30:11,22,24; 31:3,3,17,20,25;35:1, 25;36:1,10;40:7;43:2; 46:14;53:11,20;57:6, 25;59:20;62:7,12,21; 63:25;65:1,22;67:6, 13,16,17,23;69:3,14, 17;70:13,15,16,18,24; 71:8;72:20;74:3,17, 19;75:14,19;79:2; 80:7,12;83:10;86:25; 87:6,12,12,23,24; 88:4,6,7,21,21,23;	89:1,1,12,21;90:17, 22,24,25;91:9;92:21; 95:7,15;96:13;97:16; 98:18;100:9,23; 101:1;104:7;106:21; 111:1,16,22;112:19; 113:3,7,11,16;114:1, 6,20,25;117:14,22; 124:5;125:21;131:24; 133:8,13,21;137:1,11; 140:13;144:1,21; 145:4 projecting (1) 80:2 projects (28) 5:22;6:21;13:14,16, 20,25;26:9;33:19,22; 34:4,8,21;35:22;36:3; 45:15;63:21;82:12; 87:25;88:5,13;90:6,8; 91:1;106:22;114:21; 131:7;141:7;146:22 project's (1) 21:1 promising (1) 49:18 pronounced (1) 58:25 proper (1) 22:5 properly (2) 21:15;37:7 properties (2) 21:11;23:9 property (22) 16:16;24:14;38:8; 46:9;54:3;55:3,3; 70:12,23;71:9;84:13; 93:6,8,18;99:10; 110:1,16,18,20;119:7; 123:16;136:11 proposal (1) 40:22 proposed (11) 7:3;26:24;27:1; 28:9;29:8;30:20,21; 31:3,13;98:19;100:18 proposing (2) 6:18;23:6 protect (3) 21:11;58:3;133:4 protected (1) 109:23 protections (1) 28:9 protective (2) 139:16,19 proud (3) 52:10,10;61:17 prove (3) 57:13;122:7;127:2 proven (1) 113:6	proves (1) 127:4 provide (8) 6:15;13:6;17:6; 29:24;34:21;142:14, 21;146:9 provided (1) 25:16 provides (2) 24:11;112:13 proximity (3) 15:25;32:3;109:16 pry (1) 96:2 psych (1) 61:17 Public (29) 5:6,7,18,20,21;6:1, 6,14,18,20;7:15;9:16; 11:22;12:16;14:24; 16:19,20;17:3,7;23:8; 25:10,23;26:6,16; 34:13;75:18,18,19; 96:11 PUC (10) 5:14;6:25;7:4,18; 8:20;39:20;49:11; 73:7;96:10;100:22 pull (8) 63:7,14;73:19,22; 136:15;138:7;140:13; 141:2 pulled (2) 73:20;101:22 pulling (2) 104:19;136:20 pulls (1) 136:22 puncture (1) 128:5 purchase (3) 48:18;83:11;94:24 purchased (4) 48:3;50:19;83:7; 97:8 purpose (2) 6:13;91:13 purposes (1) 63:12 push (1) 113:8 pushback (2) 99:23;100:2 pushing (1) 76:3 put (34) 7:19;11:19,23; 43:14;49:23;51:3,6; 55:8;60:10,12;75:11; 77:2,4,11,12;78:20; 79:12;84:8,12;91:23; 92:4,13;102:16,20; 103:9;104:21;105:22;	109:11;119:6,7; 133:12;134:20;138:6, 8 puts (1) 72:3 putting (6) 41:9;56:22;67:11; 87:16;124:20;142:11 pylons (1) 73:19
Q				
qualified (1) 84:21 quarter (2) 50:5;117:19 questions/concerns (1) 31:17 queue (1) 88:2 quickly (5) 63:14;65:13; 106:13;107:12; 127:11 quiet (3) 48:4;60:19;133:17 quieter (1) 47:24 quit (2) 78:10;112:23 quite (8) 26:17;27:21;37:12; 86:3;104:2;122:2; 131:2,7 quote (1) 87:9				
R				
racking (2) 18:23;20:8 radiation (3) 144:11,12,13 rain (2) 21:11;68:15 rainstorms (1) 89:4 rainy (1) 40:11 raise (6) 51:22;83:4,5;104:6; 133:13;134:1 raises (1) 104:11 raising (1) 58:12 ran (1) 136:8 rate (6) 71:15;82:6,22; 133:7,13;137:9 rather (1)				

43:6 raw (1) 82:7 re- (1) 90:8 REA (1) 84:12 reach (1) 37:8 reached (3) 11:2;28:2;117:22 reaches (2) 19:16;117:14 read (12) 7:19;10:25;32:20; 52:2;54:12,13,21; 57:18,18,18;93:4; 107:7 Reading (14) 16:13;29:14;30:17; 50:5,17;58:10;61:11; 64:19;72:8;78:6; 84:25;85:6,7;105:13 Reading/Worthington (2) 53:3;64:24 ready (2) 18:10;141:4 real (4) 56:15;58:22;78:1; 105:1 realistic (1) 57:24 realize (3) 57:6;59:7;99:14 really (37) 28:12,15;48:11; 60:8;61:5,20,24; 62:13;63:13;65:11; 71:18;75:23;76:5; 80:1,3,5,17;85:20; 87:3,15;94:21;95:7,9; 96:16;97:24;98:12, 12;99:4,16,19;100:12, 21;106:24;109:15; 110:8;120:11;131:4 reason (7) 42:13;49:2,3; 118:12;119:22,24; 126:14 reassure (1) 75:10 received (8) 8:9,11,21;9:7,9; 15:20;24:1;66:17 Recent (1) 72:13 recently (2) 73:17;102:1 receptor (1) 46:7 receptors (1) 27:14 recommend (1)	100:21 recommendations (2) 6:2;39:21 reconfigure (1) 90:17 reconnected (1) 28:23 record (11) 5:24;6:9;7:20;8:3, 7;9:3;11:21;13:24; 25:12;43:15;110:17 rectify (3) 122:21;130:1,3 recycle (2) 127:4;138:14 recycled (1) 109:11 recycling (1) 116:24 red (3) 96:9;120:3,5 redone (1) 52:8 reduce (3) 16:10;71:22;104:22 reduced (2) 17:11;72:1 reduction (1) 71:14 reestablish (1) 73:1 refer (1) 54:24 referring (2) 68:8;143:11 refined (2) 16:24;17:9 refinements (1) 15:2 reflect (3) 15:2;16:24;107:18 reflected (1) 15:12 reflection (3) 40:8;107:4,6 reflections (1) 107:8 reflective (1) 107:21 reflects (2) 22:17;24:7 refreshing (1) 36:12 regardless (3) 18:7;42:19;57:16 region (1) 92:6 regular (1) 29:24 regulate (1) 31:11 regulating (1) 31:15	regulation (3) 44:19;145:1,14 regulations (3) 103:9;145:1,16 regulatory (1) 12:21 related (4) 13:4;15:24;23:23; 111:5 relates (2) 105:5;140:4 relation (1) 49:8 relative (1) 80:13 release (2) 105:14;126:4 releases (3) 18:1;102:25;144:15 reliable (2) 64:1;90:20 relocating (2) 16:12;27:6 rely (3) 96:18;103:25;104:2 remain (5) 18:6;19:25;25:6; 91:6;144:3 remaining (1) 22:1 remains (2) 66:1,15 remarks (1) 6:24 remedied (1) 100:21 remember (5) 65:21;105:2; 117:25;132:16; 138:19 remembered (1) 143:16 remodeling (1) 97:9 remote (1) 67:19 remove (2) 59:21,23 removed (1) 37:16 rendering (2) 22:24;23:12 renewable (1) 13:13 renewables (1) 33:19 rent (1) 123:20 repair (3) 71:23;78:23;127:11 repaired (2) 28:24;127:20 repairing (2)	74:3,8 repairs (4) 71:19,21;74:13,14 replace (3) 72:24;90:3;127:12 replaced (4) 37:13;116:22,22; 127:21 replacing (2) 74:4,8 report (8) 5:25;6:8;10:22,23, 25;57:18;78:16;79:10 reporter (7) 32:17,23;89:14; 115:21,24;129:1; 130:6 represent (2) 17:8;33:18 representative (1) 33:13 representatives (1) 13:3 represents (1) 33:15 requesting (1) 48:20 require (2) 26:22;72:12 required (1) 20:15 requirement (2) 27:24;46:1 requirements (1) 20:16 requires (1) 73:22 requiring (4) 27:7,16,25;29:18 reroute (1) 73:8 research (4) 53:18;58:15;67:6; 140:5 researched (1) 141:23 resettles (1) 101:25 residence (2) 99:10,11 residences (8) 15:25;16:17;20:6; 27:14;46:5;98:6; 99:22;120:25 residency (1) 122:7 resident (2) 50:4;79:22 residential (2) 71:13,15 residents (17) 33:23;50:14;53:19; 54:22;95:4,23;97:3,	15,21;98:14;99:2; 100:13,24;110:8; 112:7;123:5,8 residents' (1) 98:7 resilient (1) 108:19 resistant (2) 108:19,25 resolution (1) 49:19 resource (3) 23:22;66:17;67:12 resources (7) 10:2;21:12;67:18; 82:8;126:10,12,12 respect (2) 132:16,18 respond (1) 75:7 responders (2) 29:22;30:5 responses (1) 72:22 responsible (4) 74:8;85:17,18; 103:24 responsibly (2) 79:8,13 responsive (1) 49:21 rest (6) 62:24;63:2;85:2; 139:12;140:11;141:4 restoration (2) 61:25;75:13 restore (1) 62:2 restored (2) 19:17;59:23 result (1) 16:2 results (2) 64:6;107:13 retired (4) 50:7,9;61:17;79:24 retirements (1) 34:1 retrieve (1) 136:11 return (4) 63:8;82:9,11; 141:19 revenue (3) 24:14,24;75:3 review (14) 7:1,5;10:11;14:6; 15:3,18;23:18;25:11, 22;26:1,10;31:19,21; 32:6 reviewed (1) 125:2 reviewing (1)
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6:8 Reviews (1) 23:23 revolutionary (1) 76:23 rich (2) 84:16;111:19 ridiculous (3) 44:12;99:5;118:10 rifle (1) 136:9 right (87) 7:25;9:5,10;12:7; 11:23;4:25;21;27:9; 29:14;30:3,20,21; 31:8;32:11,15,18; 33:8;34:10;38:10,12, 14,22;39:9;40:10,18, 19;43:18;44:10; 46:12;47:19;50:1; 53:22;56:7;58:24; 60:25;61:2;63:6;64:7; 69:6;73:12;74:11; 76:21;77:12;78:14, 18,19;79:1,11,19; 81:4,9;82:1;84:19; 86:11,15,16;87:8; 88:22;94:8,12,14; 98:19;99:19;100:20; 104:6;113:16,21; 115:6;117:25;118:13; 119:9;120:1,7,8,8; 122:23;124:19;125:8, 8;131:4,18;133:3,18; 138:16,20;145:21; 146:24 right-of-way (1) 17:3 rights (1) 83:19 ring (1) 78:8 ripping (1) 112:15 risks (1) 29:21 River (2) 56:21;69:24 road (10) 19:21;20:4;50:6; 53:21;54:4;85:15,16; 98:17;130:24,25 roads (8) 18:19;19:22,25; 85:12,17,18;137:6; 141:14 roads' (1) 17:3 roadway (1) 23:15 roadways (3) 17:7;20:7;23:7 rocket (1)	52:19 ROD (15) 86:17,18;87:3,8,14; 88:8,15,22;89:22; 90:2,21;91:11;92:15; 94:11,14 R-O-D (1) 86:18 RODNEY (5) 94:15,15;95:3,19; 97:2 R-O-D-N-E-Y (1) 94:16 Rogers (36) 120:16,17,17,23; 121:1,5,12,14,17,25; 122:6,11,16;123:3,17; 124:2,7,19;125:7,11, 17,22;126:5,16; 127:13,22;128:1,15, 23;129:4,6;130:2,7, 14,19,23 R-O-G-E-R-S (1) 120:18 role (1) 34:18 roofs (3) 134:23,25,25 room (9) 38:21,23;40:18,20; 98:1;111:21;112:23; 121:6,7 rotate (1) 22:19 rotor (1) 56:10 roughly (4) 14:16;69:23; 114:22;123:13 round (1) 33:6 routine (2) 19:15;22:6 rubber (1) 86:8 ruin (2) 85:12;100:14 Rules (1) 9:23 Rumpf (7) 12:24;39:1,7,10; 95:1,6;96:4 run (8) 77:10;80:25;81:1; 84:13;89:25;93:20; 114:23;135:2 runaway (1) 54:15 Runke (3) 35:14,15,15 R-U-N-K-E (1) 35:16 running (6)	74:21;76:4;77:21; 135:1,5,12 runoff (4) 21:10;134:18,23; 135:14 runs (1) 128:6 rural (4) 13:18;74:11; 128:17;136:21 ruts (1) 102:5 S safe (5) 21:16;64:1;90:19; 142:25;147:1 safely (2) 19:10,23 safety (6) 19:4;29:16;41:19; 58:3;65:16;143:13 sale (1) 104:18 sales (4) 110:22;111:6,7; 123:16 Sam (10) 7:4;8:25;9:4;25:22, 24,25;78:12;107:22; 144:20;145:9 same (9) 32:3;44:2,8;58:10; 80:20;140:18,24; 141:24;143:13 sample (1) 26:20 samples (1) 129:7 Sam's (1) 11:9 sand (1) 139:1 SANKEY (14) 86:17,18;87:3,8,14; 88:8,15,22;89:22; 90:2,21;91:11;92:15; 94:11 S-A-N-K-E-Y (1) 86:18 sat (1) 130:24 Saturday (1) 134:7 save (2) 51:20;102:19 saying (13) 45:9;49:16;56:9,13; 67:14;78:21;79:9; 99:11;108:4;114:19; 118:5;132:19;136:24 scale (2)	121:22,22 scattered (1) 145:11 schedule (2) 14:19;43:4 schedules (1) 42:23 school (8) 50:8;52:15,24;93:5, 10,11,13,16 schools (2) 34:6;93:11 science-ing (1) 27:9 scientific (1) 66:20 scope (5) 31:6,8;32:1;114:1, 15 scoping (8) 15:10,19;16:7; 17:13;26:16;27:3; 45:19;78:14 screen (1) 36:15 screening (8) 23:5,6,10,13;27:23; 28:4,5;72:23 screwing (1) 135:16 sea (1) 99:3 seasons (1) 98:18 sec (1) 103:2 second (4) 72:5;94:11;95:12; 119:11 secret (1) 81:25 section (2) 31:4;106:24 sections (1) 80:11 secure (3) 10:5;21:18;34:2 secured (1) 106:23 sedimentation (1) 73:3 seed (2) 72:13,16 seeing (5) 10:9;98:16,17,18; 126:1 seem (1) 108:6 seems (1) 106:20 sees (2) 37:23;66:2 selected (1)	142:22 selecting (1) 142:18 sell (5) 51:1;60:20;76:9; 88:13;132:23 send (2) 52:24;86:12 senior (2) 12:20,24 sense (4) 60:14;67:6;77:7; 113:20 sensitive (1) 109:15 sensors (1) 116:17 sent (1) 114:4 separate (2) 31:19;87:24 seriously (2) 14:7;98:2 serves (1) 26:10 service (2) 55:14;56:16 services (2) 25:1,5 servicing (3) 55:19;56:20;57:2 set (7) 36:25;64:16;66:8; 68:16;90:25;98:25; 108:7 setback (3) 17:2;99:8;120:20 setbacks (4) 15:24;16:14,15,16 settings (1) 21:25 settlement (1) 10:3 setup (1) 67:7 setups (1) 65:16 seven (4) 21:21;36:22;91:17; 141:25 several (6) 16:2,9;24:20; 122:25;133:6;145:24 shading (1) 65:5 shadow (1) 118:17 share (2) 12:17;26:2 shatter (1) 109:4 sheep (6) 50:24;104:5,12;
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105:18,24;109:14 sheet (4) 7:10;86:13;139:17, 19 sheets (1) 94:4 shells (1) 135:25 Shetek (2) 132:2,20 shine (1) 66:22 shining (1) 17:18 shiny (1) 46:21 ship (1) 60:6 short (3) 14:16;80:25;92:18 short-timer (1) 52:15 show (6) 16:4;22:24;28:1; 59:3;72:14;133:24 shown (4) 17:1;21:8,19;22:16 shows (4) 15:8;20:22;22:9; 23:5 shrapnel (1) 135:17 shuffles (1) 101:25 shut (12) 39:5,6;82:1;85:1,3, 4,5;102:13;122:8,13, 17;126:10 shutting (2) 122:24;125:18 sick (1) 140:23 side (4) 53:21,22;55:3; 106:1 sign (4) 11:17;61:1;81:5; 114:7 signed (5) 7:8;58:24;115:2; 124:6;137:13 significant (2) 16:11;65:25 signing (2) 83:9;114:17 signs (1) 85:15 sign-up (2) 7:10;86:13 silica (2) 139:12,21 silicon (5) 109:19,24;139:1,	15,15 similar (4) 106:16;117:10; 139:1;143:4 similarly (1) 127:20 simply (2) 17:25;98:8 single-axis (1) 22:19 siren (2) 44:14;48:13 sit (3) 53:16;68:22;84:3 Site (32) 5:8,10,11;9:19; 13:8;14:22;15:13,24; 16:25;19:12,17; 20:23;22:12,15;23:1, 14;24:6;26:14;45:22, 23;46:4;62:14;65:14; 66:12,14,15;68:16,18, 25;70:4;111:3;117:14 sited (2) 13:20;14:13 sites (2) 108:10,12 siting (2) 15:7;16:10 Sitting (2) 12:22;117:25 situated (1) 87:21 situation (5) 38:18;46:24;54:16; 58:5;128:4 situations (1) 57:19 six (1) 133:25 size (3) 114:18,25;133:25 sized (1) 109:2 sizing (1) 143:6 Sjogren (7) 58:25;59:2,3,5,17, 25;60:24 S-J-O-G-R-E-N (1) 59:6 skip (1) 32:13 sky (1) 40:8 SLATER (21) 137:16,18,19; 138:12,16;139:3,5,18, 21,23;140:2;141:22; 142:10,15,24;143:9, 14;144:5,9;145:7,15 S-L-A-T-E-R (1) 137:19	sleep (5) 47:25;48:10,14; 61:20,22 slide (16) 6:10;9:18;10:11; 11:5;15:8;16:4;17:1, 14;20:22;22:9,24; 23:5,17;32:14;49:4; 123:10 slides (2) 15:5;48:25 slideshow (1) 36:14 slightly (2) 45:12;71:16 slopes (1) 65:5 slow (2) 21:10;113:18 slowly (1) 45:13 SLS (2) 8:6,10 small (4) 106:20,25;109:21; 139:25 smaller (3) 67:3;109:9,22 Smithsonian (2) 52:7,9 smoke (4) 116:4;117:6,7,10 smooth (1) 21:23 snow (2) 17:5;23:10 soil (7) 20:12;62:8;81:1; 109:11;112:11,13; 140:16 Solar (109) 5:9,9,12,21;9:21; 12:16;13:11,15;14:1, 1,2,9,10,23;15:14; 16:17;17:14,17,18,20, 23;18:3,7,11,17,22, 23;19:8;20:8;22:12; 26:8;31:9;34:23; 37:16;38:3;45:9; 59:22;60:12;65:11, 22;66:17;67:12,18; 70:16,24;71:8;80:2, 10,19,24;83:5;84:20; 86:25;87:5,7,12,16, 23;88:6,10,18,21,24; 90:6;91:4,7,22,24; 92:7;94:22;98:3,4; 100:2,2,4,5;102:14; 104:7;105:13;106:4; 107:4,25;108:8,11,14; 113:16;120:4,25; 130:8,11;133:23,25; 134:8,9;136:2;138:5,	20;139:1;140:6,13,17, 18;141:7;142:6,11, 20;145:8,10,13 sold (4) 76:7;83:18,20;97:9 solid (1) 102:4 Solt (4) 50:2,3,3;58:23 S-O-L-T (1) 50:4 somebody (4) 12:2;82:16;103:14; 120:15 somebody's (1) 122:13 someday (1) 92:19 somehow (1) 139:10 someone (3) 29:3,4;37:1 someplace (1) 77:19 sometimes (6) 51:9,16;53:11; 55:16;56:16;74:6 somewhere (3) 47:13;60:8;64:4 son (6) 58:15;61:13,15; 114:13;120:7;131:10 sons (1) 84:18 sorry (12) 44:3;52:18;89:14; 109:7;115:25;129:4; 131:3,19;132:3; 138:19;143:16;144:5 sort (3) 36:23;41:1;103:20 sorts (2) 56:17;103:21 sound (10) 44:20;121:24; 122:4,23;123:2; 124:12;143:18,24,25; 144:1 sounded (1) 48:12 Sounds (2) 123:3,6 source (3) 107:8;129:16; 145:12 South (3) 35:19;55:2,20 southern (1) 134:6 Southwest (2) 33:16;66:9 soybean (1) 112:5	space (2) 99:15;100:13 sparks (1) 135:15 speak (23) 7:7,9,22;10:18,19; 32:18,19,21;33:4; 37:2,3;38:2,24;39:18; 44:18;69:7;81:6;92:2; 94:10,17,19;146:1,17 speaker (6) 35:14;43:22;49:9; 50:1;94:18;101:5 speakers (2) 59:8;113:1 speaking (3) 7:15;101:10;106:14 special (5) 26:25;28:16;29:17; 71:3;105:21 specialist (1) 12:20 species (2) 23:24;51:18 specific (7) 16:6;21:3;28:8; 49:10;105:9;111:1; 142:5 specifically (7) 13:25;17:4;107:25; 138:4;139:24;142:8, 10 speeds (1) 85:16 spell (3) 32:17;44:5;81:13 spells (1) 72:15 spend (1) 94:7 spending (1) 24:15 spent (2) 34:15;89:5 spin (1) 56:12 spinning (1) 56:11 spiral (1) 42:23 spot (2) 63:25;125:4 spraying (1) 125:4 sprays (1) 105:4 spread (1) 117:9 spring (1) 95:20 sprinkle (1) 83:15 squadron (2)
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52:4,22 St (1) 40:14 stabilizing (1) 57:8 stable (2) 22:13;89:9 Stacey (4) 33:9,10,12;34:21 S-T-A-C-E-Y (1) 33:12 staff (1) 133:10 stage (1) 15:17 stamp (1) 86:8 stand (1) 88:7 standalone (1) 88:6 standard (2) 17:20;91:9 standards (5) 19:4;27:10,15; 44:22;78:22 standing (4) 46:12;68:7;104:9, 23 standpoint (1) 16:18 starry (1) 133:19 start (5) 15:18;41:6;76:22; 84:4;106:21 started (2) 84:22;95:24 starting (3) 66:13;90:13;105:16 Starts (1) 115:19 starved (1) 84:15 State (22) 10:5;13:19;14:3; 15:20;20:18;23:22; 24:7;32:17;34:12; 35:10;36:19;44:4,19; 59:24;80:6;81:12; 86:7;88:2;110:12,21; 143:25;145:14 statement (2) 32:20;53:15 statements (1) 32:23 states (7) 35:4;54:19;64:14; 140:14;141:8;145:2,3 state's (1) 97:1 stating (1) 107:20	station (1) 66:15 stations (1) 35:5 Statute (2) 71:20;146:21 stay (7) 42:1;46:4;67:16; 82:20;84:5;127:9; 131:11 staying (1) 37:22 stays (3) 29:2;40:24;105:23 steel (6) 18:24;117:5,5; 127:18,19;128:8 steps (1) 19:22 stick (1) 63:4 still (12) 7:9,10,11,23;27:7; 50:10;66:23;70:8; 91:5,17;131:2;134:12 stood (1) 130:24 stop (2) 85:15;117:9 stopped (1) 138:2 Storage (24) 5:10,12,22;13:1,12, 16;14:9,11,23;15:15; 16:12;17:15,21;18:3, 18;19:2;20:25;26:9; 87:7;92:8,12;102:15, 15,23 store (1) 126:3 stored (2) 17:23;92:12 stores (1) 18:1 storm (1) 55:6 stormwater (10) 21:6,9;22:4;68:9, 13;69:3;104:5,9; 105:6;129:20 story (2) 52:14;76:5 strands (1) 21:23 strangers (1) 113:4 strategies (1) 72:20 streams (2) 135:21;136:20 Street (3) 16:22;44:9;104:6 strength (2)	56:1;108:22 stress (5) 61:22,23;77:22,23, 25 stressful (1) 97:21 strict (1) 19:4 stripped (1) 98:20 strong (2) 13:24;61:16 strongly (1) 99:21 structure (2) 20:12;55:7 student (2) 50:16;51:14 students (1) 50:11 studies (10) 89:6;95:12,17;96:6, 7;107:19;114:18; 127:1;133:22;144:2 study (1) 122:10 stuff (20) 30:7;33:20;72:24; 78:2,23;82:9;84:23; 97:10,10,23;98:21; 99:7;100:11;110:13; 113:8;124:21;134:11; 135:14,17,17 stuff's (1) 135:20 subjects (1) 95:24 submerge (1) 127:3 submit (4) 11:2,13;27:16; 146:5 submits (1) 12:2 submitted (4) 11:21;14:24;15:1; 39:19 submitting (1) 96:9 subscribe (1) 11:25 subsided (1) 43:9 substation (20) 14:16;19:10;20:24; 23:14;38:10,18,19,22; 39:17;40:19;44:10, 24;45:2,17;47:4,16, 18;49:10;53:23;85:10 substations (2) 63:23;144:15 substitute (1) 50:10	success (1) 72:16 succinct (1) 105:1 suckers (1) 118:16 sudden (1) 83:20 suddenly (1) 82:17 sue (1) 74:13 sufficient (3) 49:17;125:3;128:11 suggest (1) 99:21 suggestions (1) 97:17 summarizes (1) 23:17 summary (1) 7:1 summer (1) 49:3 summers (1) 105:19 Summit (14) 5:9,11,21,22;7:2; 12:15;13:11;14:9; 24:11;29:18;30:21; 71:7;85:19;126:18 sun (9) 17:18;22:20;45:10; 60:11,13;66:10,21,25; 102:21 sunlight (3) 80:18,19,20 sunnier (1) 66:8 super (1) 91:18 superintendent (1) 34:20 Supervisor (2) 81:15;85:13 supplies (1) 35:4 supply (1) 10:5 support (8) 24:17,20;25:1; 33:22;34:8;35:21; 36:3;92:5 supports (3) 22:14;114:9,10 supposed (4) 77:2;83:14;84:24; 103:25 sure (38) 27:8,9,14;29:2; 32:24;33:4;36:11; 38:7;43:16;54:9;62:6, 16;63:13;66:2,18;	67:10;68:17,23; 78:24;83:6,7;86:14; 89:8;90:19;96:8,16; 103:24;105:23; 118:21;124:16;125:5; 133:9;138:25;140:18; 141:23;143:9;144:2; 145:3 surety (1) 75:11 surgery (1) 48:9 Surprisingly (1) 51:10 surround (1) 38:3 surrounded (1) 53:25 surrounding (4) 19:24;21:11;22:2; 105:8 survey (1) 28:18 surveys (1) 23:22 swim (1) 37:24 sympathize (1) 58:9 System (40) 5:10,11,13;13:1; 14:12,24;15:16; 16:12;17:15,21,24; 18:18,23;19:2,8,9; 20:8,25;21:1;69:25; 70:22;71:2,3,7,21; 77:9,9;92:8,12;94:22; 95:13;100:17;102:16, 23;116:9;125:15; 128:8;135:21;136:16, 21 systems (8) 18:3,11;69:16; 70:14;71:24;116:11, 12;120:4
T				
tail (1) 56:10 talk (11) 11:12;32:5;42:9; 73:5;81:11,24;89:17; 103:5;106:2;112:17; 129:2 talked (12) 27:24;30:12;55:17, 18;57:22;61:25;98:8; 104:4;106:15;110:2; 138:19;144:11 talking (17) 54:25;59:8;63:5; 84:22;99:10;108:1;				

112:10;115:22;118:1; 124:20;127:14; 129:18;132:11; 137:21;140:9;143:3; 145:8 tall (2) 36:22;104:22 tank (1) 127:23 tapping (1) 129:10 tar (2) 130:24,25 targeted (1) 14:20 taught (1) 50:9 tax (16) 24:14,24;34:5;66:3; 75:3;93:6,17;110:10, 22;111:6,8;123:9,16, 24,24;124:8 taxes (13) 93:8,10;94:6; 110:16,18,20,21; 123:5,11,19,21,25; 124:18 TCPLP (2) 109:6;138:11 teach (2) 50:10;93:18 teacher (2) 50:7;53:2 team (5) 12:23;33:11;62:15; 87:21;96:21 tech (1) 103:12 technical (2) 15:3,22 technological (1) 90:11 technologies (2) 108:14,14 technology (9) 22:18;29:22,25; 53:12,13;67:1;71:5; 90:16;108:5 telling (2) 76:5;84:1 temperature (3) 105:19,22;116:17 temperature's (1) 116:20 temporary (2) 20:3,20 ten (11) 50:19;51:2,4;82:5; 85:1;91:4;92:16,17; 120:20;141:25; 146:19 tentatively (1) 11:3	term (1) 53:23 terms (1) 14:19 terrain (1) 19:1 terrible (1) 97:20 tested (1) 109:10 testing (3) 109:6,7;138:11 testings (1) 107:13 Thailand (1) 52:22 themes (1) 26:17 there'll (5) 9:20,21;10:23; 74:20;115:14 Thermal (4) 54:15;116:2,8,14 thinking (4) 57:23;58:7;106:17; 109:16 thistles (1) 124:22 thoroughfares (1) 106:18 though (4) 40:24;89:21; 134:11;137:1 thought (2) 26:2;97:16 thoughtful (1) 17:9 thoughtfully (1) 13:20 thousands (1) 24:23 threatened (1) 23:24 three (14) 21:23;50:16;51:24; 52:16;58:8,21;59:8; 69:16;80:11;90:3; 113:15;119:12,13; 130:9 three-foot (1) 131:1 threshold (1) 145:6 throughout (18) 16:14;20:14;22:20; 24:18;42:10;45:11, 13;62:18,21;66:19; 67:15;70:6,6;74:2,5; 87:1;114:25;129:13 throw (2) 126:19;132:24 throwing (2) 111:20;137:2	tie-ins (1) 75:18 tie-line (1) 14:17 tile (30) 13:5;16:19,20; 28:12,13,21,21,24; 51:5;69:14,14;72:2; 73:3,6,9,24;74:4,6,12, 12;75:7,17,18,19,19, 20;78:16,23;135:7,11 tiles (4) 135:4,5,8,14 tiling (1) 135:10 tillable (1) 51:4 tilled (1) 63:10 tilling (1) 141:13 timeline (1) 10:11 times (8) 40:18;41:16;57:12; 62:17;82:5;90:3; 126:9,11 tire (1) 102:5 Today (3) 5:15;10:14;91:3 together (3) 17:16;18:4;135:16 told (2) 84:7,19 Tomorrow (3) 10:13;85:8;146:2 tonight (21) 5:4;6:5;7:7,22; 12:14,22;25:9;30:16, 25;31:8,9;32:5,16,25; 70:9;73:4;87:20; 95:22;112:5;146:2,23 tonight's (1) 87:13 Tony (3) 34:10,11,14 T-O-N-Y (1) 34:14 took (2) 51:8;54:10 tools (1) 71:5 top (6) 21:22;23:15;49:10; 74:12;79:11;133:5 topic (2) 29:16;40:21 topsoil (2) 62:6,9 tornado (2) 44:13;126:21 tornadoes (1)	89:4 totally (2) 41:21;128:13 towards (2) 6:10;46:13 towers (4) 87:4;91:21;125:18; 133:5 town (9) 46:20;48:3;50:15; 60:18;118:25;119:1, 2,3,4 township (8) 47:2;81:15;85:13, 19;123:15;126:17,18; 131:6 townships (5) 24:12,25;85:20; 123:13;137:6 toxic (7) 117:18,20;127:1; 139:6,7;140:17,20 toxicity (3) 109:7,7;117:15 toxins (1) 140:22 traces (2) 139:15,25 track (3) 13:24;51:25;53:14 tracking (4) 22:19;45:10;108:6, 15 tractor (2) 102:5;113:17 Tracy (1) 132:21 trades (3) 33:13,15,16 traffic (3) 19:14;112:16; 133:15 trained (2) 19:6;115:14 training (2) 29:25;30:3 transition (1) 63:14 transitions (1) 19:13 transitory (1) 35:23 translucent (1) 139:14 transmission (5) 14:18;33:20;45:2; 63:21;125:15 transparent (2) 96:1;97:5 transported (1) 116:23 transporting (1) 64:13	traveling (1) 35:10 travels (3) 106:10,12;130:12 treated (1) 107:5 trees (6) 36:18,20;37:7,11; 72:9,24 tremendous (1) 55:17 TREY (7) 131:16,16,19; 132:6,10,14,18 T-R-E-Y (1) 131:20 tried (2) 28:3;98:15 tries (1) 79:12 trip (2) 134:6;147:1 Troy (1) 131:15 trucks (1) 136:18 True (1) 98:20 trust (1) 84:24 truthful (1) 97:25 try (12) 26:3;32:18,21;42:1; 48:1;89:6;97:4; 100:23;105:18;107:5, 9;145:2 trying (11) 48:10,14;57:23; 69:13;76:22;79:7; 94:5,5;96:23;111:14; 132:23 turbines (4) 102:13,13;118:13; 126:15 turn (5) 7:13;8:1;9:11;12:9; 118:16 turned (6) 43:3;63:10;65:13, 14;82:16;134:11 turning (2) 118:16;134:12 twice (1) 118:2 twisted (1) 104:15 two (20) 9:20;35:22;50:10, 17;52:3;57:14;65:9; 67:7,10;70:3,8;80:10; 86:2;87:24;94:4; 119:13;131:6,7;
--	---	--	--	--

133:16;141:16 two-day (1) 102:21 two-year (1) 66:16 type (10) 40:5;65:14;95:8; 128:4;139:6;141:24; 142:5,19,22;143:1 types (4) 36:17;108:13; 142:25;143:3 Typically (8) 9:19;37:8;71:14; 101:17;102:10; 109:23;123:23; 146:19	Unlike (2) 21:19;132:1 unlikely (1) 117:6 unpack (1) 137:25 unravel (1) 10:13 unsure (1) 91:3 up (83) 5:11;7:8;12:2,22; 18:17;24:17;25:15; 26:2;33:19;34:10,20; 38:21;41:15;43:7,8, 17;44:17;46:17,21; 47:12;48:15;53:13, 16;55:9,25;58:18,20, 24;60:6,13;61:1; 64:16;66:8,13,20,25; 67:2;68:16;74:5; 75:11;77:5,12;78:2, 14;80:12;81:5,17; 82:7,12;83:10,19; 87:16;90:25;92:20; 94:9;95:20;98:25; 100:25;101:11; 102:24;104:17;105:2; 108:7,25;109:1,20; 111:15;112:18; 115:13;117:13; 118:23,23;122:3; 128:19;130:15; 132:20;134:1;137:8, 13,17;138:5,8;140:8 update (2) 26:2;110:7 updated (1) 90:9 updates (3) 15:2;16:6,9 upfront (1) 62:4 upgrading (1) 95:13 upkeep (1) 19:15 upper (2) 70:13;132:21 upwards (3) 106:10,12;130:12 urbanized (1) 106:5 usage (1) 129:17 use (31) 5:25;9:25;20:4; 21:20;22:2;26:13; 29:21;40:8;64:18,21; 65:14;71:4;77:7; 80:22;84:6,9;91:25; 93:15;94:3;108:5; 110:19,22;111:6,7;	123:16,24,25;124:17; 141:18,20;142:1 useable (1) 99:15 used (13) 17:7;18:19;21:9,24; 29:25;39:5,13;42:13; 50:24;53:24;111:2; 128:10;139:4 useful (1) 93:7 useless (1) 114:14 uses (2) 18:14;65:10 using (8) 11:22;15:16;20:9; 22:19;28:18;51:17; 76:1;143:12 usually (7) 26:22;49:21;71:15, 16;116:15,19;128:10 Utilities (9) 5:6,19;6:1,6,20; 9:16;14:25;25:23; 26:7 Utilities' (1) 11:22 utility (1) 95:10 utility-scale (2) 13:15;14:10 utilizing (1) 39:2	143:7 versus (3) 92:16;113:4,5 via (2) 45:2;47:16 viable (2) 141:4;142:2 Victoria (55) 12:23;41:11;42:21; 45:8;62:3;63:18;64:9; 65:2;66:11;67:9;68:8, 11;73:21;74:1,18; 75:6;83:9;86:24;87:6, 11,18;88:12,20,25; 89:19,24;90:5,24; 96:12;101:16,22; 102:7;104:24;109:18; 110:14;114:3,16; 115:3;122:18;123:7, 23;124:5,15;125:9,14, 20,24;126:24;129:9; 138:23;141:5;142:13, 17;143:2,10 Vietnam (2) 51:25;52:2 view (2) 23:4;98:20 viewed (2) 6:9;35:23 viewers (1) 71:4 viewpoints (1) 23:9 views (3) 6:15;99:7;100:3 Vikings (1) 121:15 village (2) 16:13;85:6 violate (1) 78:21 violated (1) 27:11 violating (2) 79:6,16 virtual (3) 10:13,15;146:2 Virus (1) 104:16 visible (3) 23:8;116:10,15 visited (1) 55:18 visual (5) 17:11;22:24;23:12; 27:23;28:5 VMFA (1) 52:5 VMP (1) 72:19 voiced (1) 27:3 volume (1)	121:19 W wages (1) 34:5 Wagner (12) 61:2,3,4,5;63:16; 64:3,23;66:6;67:5; 68:2,10;69:4 W-A-G-N-E-R (1) 61:5 Wait (6) 89:16,17;92:19; 115:21;116:19; 119:17 waiting (2) 96:5;137:15 wake (1) 46:17 walk (5) 13:7;15:5;16:5; 74:16;136:4 wants (1) 42:17 war (1) 76:23 warm (1) 134:14 warn (1) 12:1 watch (3) 55:15;79:13;134:22 watched (1) 55:11 watching (1) 67:21 water (35) 37:21,23;62:20; 68:3,4,7,14,17,22; 74:11;104:9,23; 107:8;108:3;127:22, 23,24;128:17,18; 129:7,12,16,18; 134:18,19,20,23; 135:1,12,13,21; 136:15,19,21,22 waters (1) 127:4 water's (1) 135:22 Watershed (1) 69:25 way (20) 29:15;35:24;47:10; 52:1;55:11;56:6; 61:21;64:15,16; 74:23;76:15;77:4; 86:3;91:5,8;98:25; 100:15;123:6;128:5; 144:14 ways (1) 29:10
U				
ultimately (2) 19:9;103:16 Um-hmm (4) 38:5;39:24;68:10; 116:6 under (9) 10:7;13:23;14:14; 49:12;50:25;71:19; 91:23;122:2;134:14 underneath (12) 22:11,22;55:19; 62:23;68:19;73:24; 106:7;124:21;134:10, 13;135:4;140:22 unexpected (1) 56:17 unfamiliar (1) 55:10 unfortunate (1) 117:11 Unfortunately (2) 125:14,20 UNIDENTIFIED (3) 47:21;146:11,15 unintended (1) 42:25 union (11) 33:16,18,25;34:5, 18;35:17;59:8,11; 133:1,3,3 unique (2) 65:3,10 unit (9) 54:17;55:24;56:12; 57:21;58:1,6;82:22, 23;129:23 United (2) 54:18;141:8 units (4) 19:3,5;54:14; 125:12 unless (2) 31:12;51:1				
		V		
		vacuum (2) 47:7,8 Valley (2) 33:14;104:16 value (9) 54:3;70:24;71:6,9; 98:23;99:17,18,18,19 valued (4) 69:19,23;70:2; 71:15 values (1) 70:12 van (1) 136:10 variety (1) 71:4 vegetation (15) 21:17;22:3,10,22; 28:4;36:15;37:6; 62:19;72:6,23;125:1, 6;134:10,13,14 Vegetative (4) 23:5,6,10,13 vehicles (1) 19:24 version (1)		

weather (11) 42:24,25;43:4,7,9; 67:21;68:1;72:13,21; 89:3;109:2	124:21	wonder (1) 60:5	37:22	40:24,25;41:4,8,16
Weaver (12) 7:4;8:23,25;9:4; 25:22,24;32:10; 78:12;79:18;107:22; 144:20;145:9	Wicken (4) 34:10,11,14;35:13	wooden (2) 55:5,6	year (16) 17:10;22:10,10,11; 41:6,7;62:18;74:7; 85:24;86:1;95:21; 97:22;99:8;110:1; 118:2;141:16	100 (5) 74:8;76:25;91:25; 92:24;122:1
website (1) 30:11	W-I-C-K-E-N (1) 34:14	word (3) 28:16;91:18;130:6	years (51) 34:15,16;37:8;48:3; 50:7,9,13;51:2,4; 59:16,21;61:11; 62:11;63:13;67:7,10; 80:3,4;82:13;86:2; 88:3;89:1,20,23; 90:23;91:1,4,4,9,17; 92:16,17;94:25; 95:11,23;97:6,6; 98:14,14;112:12,16; 114:12;118:2,6; 119:13,14,16;131:8; 133:6;141:2,25	103E (1) 71:20
website (5) 11:22;12:6;27:18; 30:11;42:2	wife (1) 52:2	work (21) 9:16;13:18;15:23; 28:3;29:2;36:2;42:13; 19;43:6;49:14;55:12; 62:12;86:3;91:1;92:9; 95:9;100:23;102:1; 129:15;141:12,18	year's (1) 16:6	107 (1) 121:18
weeds (3) 124:23;125:4,5	wildlife (4) 28:9;39:22;51:8; 98:17	worked (11) 28:15;42:15;52:18; 60:21;62:10,14;70:4; 98:14;118:1,6;133:8	yesterday (1) 82:2	11 (2) 69:18;70:14
week (3) 43:8;50:10;81:17	wildlife-friendly (1) 28:10	working (8) 34:16,17;69:12; 87:25;95:24;97:18; 110:2,3	young (5) 35:7;51:13;53:7; 54:5;68:5	11,600 (1) 70:2
weekends (1) 43:7	willing (1) 128:16	world (3) 54:18,18;77:25	youngest (1) 114:13	110 (1) 70:20
weigh (1) 107:22	wind (16) 13:16;57:9;82:13; 14;83:19,19;87:4; 88:17;91:21,22,25; 102:12;108:25; 125:18;126:14;133:5	worried (1) 131:9	youngster (1) 53:17	11B (2) 69:21;70:17
Weinrank (7) 73:13,14,14,23; 74:10,20;75:21	windmills (3) 42:14;82:2;87:16	worry (2) 57:20;73:1	zone (2) 56:16;57:22	12 (2) 101:17;102:10
W-E-I-N-R-A-N-K (1) 73:15	window (5) 38:23;40:18,20; 41:10;132:25	worrying (1) 34:3	zoned (1) 76:17	12,000 (1) 69:23
welcome (1) 98:9	windows (4) 44:11;107:21; 118:18;139:4	worth (4) 54:4;92:23;95:14; 102:23	1	120 (1) 93:14
well-built (1) 63:24	winds (1) 127:8	Worthington (8) 30:15;48:2;50:12, 16;53:2;60:18;61:12; 64:19	1 (10) 5:1;8:6,10,13,20, 23;9:6,8;22:10;92:24	13 (3) 36:15;146:15,20
wells (9) 128:1,15;129:6,7, 12,16;136:15,17,22	windshield (1) 109:3	woven (1) 21:21	1,000 (4) 14:4;99:12,22; 100:8	131 (1) 70:15
weren't (1) 10:14	wind-worthy (1) 94:23	wrap (1) 94:9	1,200 (1) 54:20	14 (3) 10:8;104:12;146:20
west (2) 37:17;108:15	windy (3) 44:13;46:18;48:11	write (6) 5:25;78:23;79:6; 85:24,25;107:23	1,400 (1) 69:19	15 (4) 33:15;90:2;91:17; 113:19
wet (4) 72:12,16,17,21	winter (3) 17:5;60:12,14	written (7) 7:15,21;11:5,6; 27:17;49:4;146:5	1,417 (1) 14:13	15,000 (1) 35:18
wetland (1) 23:20	wire (1) 21:23	wrong (3) 46:25;59:1;128:18	1,500 (1) 54:21	150 (2) 109:1;121:7
what's (14) 11:16;12:5,7;17:1; 29:4;79:17;88:23; 91:13;92:22;108:22; 126:22,22;128:10; 139:18	wise (1) 109:2	wrote (1) 31:7	1,900 (1) 124:6	150-foot (2) 16:15;120:20
whenever (1) 20:12	wish (4) 7:23;8:16;9:2;98:1	X	1/4 (1) 131:8	16 (1) 134:2
Whereas (1) 108:5	wished (1) 49:3	Xcel (9) 38:19;53:25;55:2,8, 11,17;56:20;57:2; 58:4	10 (2) 137:2,2	165 (1) 14:2
whichever (1) 122:24	wishes (1) 8:2	Xcel's (1) 39:8	10:00 (5)	175 (1) 24:18
White (1) 77:12	within (16) 13:18;21:8,14;22:3; 38:6;63:12;69:14; 70:7;71:6;73:5;92:6; 102:10;122:23; 133:24;135:6;141:16	Y		17th (1) 48:12
whole (8) 37:18;48:13;52:14; 64:14;76:5;80:12; 100:6;107:3	without (8) 20:10;53:8,13; 58:18;66:24;111:15; 125:15;127:9	yard (1)		18 (2) 52:13;69:13
whoosh (3) 118:15,15,15	withstand (1) 127:7			18th (1) 48:11
who's (1)	woken (4) 44:17;46:21;47:12; 48:15			19 (2) 90:2;104:12

19th (2) 10:22;146:7		93:14		
1st (1) 146:12	3	600 (2) 70:17;124:9		
2	3 (3) 22:10;43:19,20	6th (1) 5:15		
2 (3) 5:1;112:17,21	30 (18) 8:6,10;59:16,21; 61:11;80:3,4;85:24; 89:1,21;91:1,9; 112:12,16;114:12; 119:13;131:8;141:2	7		
2,000 (2) 114:2,9	300 (7) 98:6,7,12,23;99:25; 120:23,24	7 (2) 22:11;134:1		
2,800 (1) 13:23	300-foot (1) 16:16	70 (1) 122:12		
20 (8) 33:17;56:6;58:1; 91:4;113:19;118:2,6; 123:12	30-year (6) 63:2;73:18;80:15; 90:25;140:10;141:21	75 (1) 55:20		
200 (1) 86:21	320 (1) 124:3	750 (1) 99:12		
2004 (1) 13:14	35 (1) 34:15	7850 (1) 9:23		
200-megawatt (4) 5:11;14:10,11; 86:21	4	8		
200th (1) 104:6	4 (4) 8:24;9:7,8;65:23	8 (2) 69:25;70:19		
2016 (1) 95:1	4:00 (1) 84:7	80 (3) 93:14;121:6;123:11		
2025 (3) 14:25;15:1,11	4:30 (1) 11:7	831 (1) 70:21		
2026 (6) 5:15;7:16;10:17,22; 11:4,7	40 (1) 119:16	9		
2027 (1) 14:20	40s (1) 114:14	9 (1) 50:6		
2028 (2) 14:21;43:3	450 (1) 124:10	9:00 (1) 137:14		
20th (5) 7:16;10:17,20;11:7; 49:5	49 (2) 35:18;50:7	9:11 (1) 147:2		
21-2500-41031 (1) 5:14	5	90 (1) 34:24		
216E (2) 9:23;10:7	50 (17) 31:13;44:21;45:6; 46:1,6;50:9;89:20,23; 90:23;118:4;119:16; 121:10,12;122:2,7,12; 135:6	90-some (1) 119:14		
232 (1) 52:5	50-foot (1) 17:2	99 (1) 65:25		
24/7 (5) 42:15,19;67:20; 91:21;118:10	50-year (3) 88:23;90:4,22	992-foot (1) 14:17		
25 (3) 85:24;91:1,9	518 (1) 50:8			
250 (1) 24:17	6			
25-88 (2) 11:19,23	6 (1) 134:1			
25-89 (2) 11:20,24	6:00 (1) 5:15			
266 (1) 22:25	60 (1)			
27 (1) 34:16				
29 (2) 8:14,20				