

# In the Matter of the Application of Buffalo Ridge Wind, LLC for a Site Permit for the 109 MW Large Wind Energy Conversion System in Lincoln and Pipestone Counties, Minnesota.

Docket No. IP7006/WS-19-394

Commissioner Tuma proposes the following decision options:

**Tuma NEW 1A.** *Approve the amendment to Section 4.1 of the Buffalo Ridge Site Permit as proposed by the EERA and allow for a Limited Wind Access Buffer waiver for Xcel Energy's property. The permittee acknowledges that installation of future wind turbine generators on this property will not be foreclosed at a later date, even if such turbine generators cannot be installed on such property in compliance with the setbacks set forth in Section 4.1 of this permit.*

**Tuma NEW 3A(i).** Revise Site Permit Section 4.1 to read:

## 4.1 Wind Access Buffer

Wind turbine towers shall not be placed less than five rotor diameters on the prevailing wind directions and three rotor diameters on the non-prevailing wind directions from the perimeter of the property where the Permittee does not hold the wind rights, without the approval of the Commission. This section does not apply to turbines 15 and 26, solely with respect to that property described in Attachment 4 hereto, and public roads and trails. The permittee acknowledges that the present and future owners of the property described in Attachment 4 will not be foreclosed from installing wind turbine generators on such property at a later date, even if such turbine generators cannot be installed on such property in compliance with the setbacks set forth in this section.

**Tuma NEW 3A(ii).** The permit shall include as Attachment 4 the legal description attached to the "Setback Waiver Declaration" included in the Applicant's petition for setback waiver, as follows:

Attachment 4:

### Legal Description of the Property

The NW ¼ of Section 22, Township 109 North, Range 45 West of the 5<sup>th</sup> Principal Meridian, excepting therefrom a ten acre parcel described as follows:

Commencing at the northeast corner of said NW ¼, thence South 89 degrees 00 minutes 33 seconds West, assumed bearings, along the north line of said NW ¼, a distance of 190.00 feet, to the point of beginning; thence continuing South 89 degrees 00 minutes 33 seconds West along said north line a distance of 530.00 feet; thence South 00 degrees 06 minutes 43 seconds West, a distance of 821.89 feet; thence North 89 degrees 00 minutes 33 seconds East, parallel with said north line a distance of 530.00 feet; thence North 00 degrees 06 minutes 43 seconds East a distance of 821.89 feet to the point of beginning.

Lincoln County, Minnesota.