

From: [George Flavell](#)
To: [Suzanne Steinhauer \(COMM\)](#);
[George Flavell](#);
Subject: Greenvale Wind Farm Comment
Date: Wednesday, October 07, 2009 3:23:39 PM

Please reply confirming receipt of this e-mail.

Suzanne and Committee members,

Concerning: Greenvale Wind Farm
Sparks Energy, LLC; Medin Renewable Energy, LLC
Docket No: IP 6819, 6820/WS-09-722

My name is George Flavell and I am a resident within the proposed project area. These comments are in addition to a previous e-mail sent.

Upon reviewing the attachment A map I noticed that turbines T4 & T5 sited to the south of 280th st. will cause dangerous flickering to traffic traveling south on Galaxie ave. for a good portion of the year. The same is true for traffic traveling south on Granada ave. viewing turbines T1, T2 & T3. I recommend a study be done to determine the effects of this.

PROPERTY VALUES: There was a study commissioned by a Calumet County affiliate of the state Coalition for Wisconsin Environmental Stewardship done in Fond du Lac County WI. which has stated that property values near the wind farms have plummeted 30% to 40%. See news release in The Milwaukee Journal:
<http://www.jsonline.com/business/59088607.html>

If you look closely at some studies which portray property value increases. There are no dwellings on the properties and the property owners are being paid lease payments from the wind farms, which increase the value. Properties near wind farms with dwellings on them, that do not receive lease payments are lower in value.

There are cases of people trying to secure refinancing for homes within 2 1/2 mi. of a wind project that were refused based on a lower appraised value as well as inability of home owners to sell properties due to banks unwillingness to finance properties for same reason.

See Study of impacted property values;
<http://www.wind-watch.org/docviewer.php?doc=AGO-WIND-TURBINE-IMPACT->

[STUDY.pdf](#)

PROPERTY VALUE ASSURANCE PLAN; I recommend that the developers provide a Property Value Assurance Plan to assure that anyone within 2 mi. of said project be protected against losses due to property values plummeting. The burden should be on the entitee that is making the changes to our community. See sample <http://www.windaction.org/documents/4898>

Since there is no mechanism set forth to require the developers to provide a Property Value Assurance Plan I am requesting a CONTESTED CASE HEARING on the matter using above references. The information hoped to be gained would examine legal liabilities that the developers have placed on themselves in placing wind turbines so close to residential properties, based on current civil law. If civil law allows for damages of property value loss, then the PUC should build assurances into the permitting process to avoid future litigation.

DECOMMISSIONING; The permit proposal provides the developers to start setting aside money in a fund for decommissioning in case of project failure. What happens in the years 0yrs. -11 yrs.? This is unsatisfactory.

GAS PIPELINE; There is a gas pipeline running north and south through proposed project which has not been identified in the permitting process. Set backs need to be considered with this.

Thank you for your sincere evaluation of these documents,

George & Merryn Flavell

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George Flavell
6715 290th st w
Northfield, Mn. 55057
Phone: 507-645-9575
E-mail: georgeflavell@gmail.com

Project: Greenvale Wind Farm
Large Wind Energy Conversion System
Submitted by Sparks Energy, LLC & Medin Renewable Energy, LLC
MPUC Docket Number IP 6819, 6820/WS-09-722

Petition for Contested Case Hearing

We request a contested case in the above referenced project. Under Minnesota Rule 7854.0900, Subp. 5, Any person may request in writing that a contested case hearing be held on an application for a site permit for a proposed LWECS project.

The material facts at issue where the Applicant has not met its burden of proof include, but are not limited to.

Community Notification:

The Applicant states in the Site Permit Application, Docket No. IP 6819,6820,WS-09-722, dated July 2009 and received July 6, 2009, under Section 5.2 Human Settlement, page 17:

“The applicants are working to build strong relationships in the community and will address community concerns. The applicants invited all residents and land owners within the proposed site and residents who live adjacent to the project to two informational meetings. In addition, the applicants attended two township meetings to present the proposal to board members and attendees. The applicants have contacted those community members who have not responded to the meeting invitations in an attempt to speak to them directly.”

Community Notification is a material fact at issue. The Applicant has not met its burden of proof that demonstrates they have notified the community of their intent to apply for permit with the PUC for the proposed Greenvale Wind Farm, LWECS as their application states. There have not been any informational meetings that provided the community a time to ask questions specific to this project prior to the Public Meeting held on September 22, 2009, 15 days prior to public comment period expiration. The events leading up to this are summarized below:

The residents of Greenvale Township never received a notice that they were hosting an informational meeting to present the “Greenvale Wind Farm” Large Wind Energy Conversion System prior to the submission of their application.

The Greenvale Town Board meeting records will show that at the June 16, 2009, David Medin and Jim Sparks gave a presentation in regards to a wind generator and they are interested in putting one up on land owned by Dave Medin in Greenvale. The records

also state that they have held two meetings for adjoining neighbors to see if they are interested in putting them up also and there are permits required from the PUC to do this. The board decided to hold a Public Hearing on June 30, 2009.

The Greenvale Town Board meeting records will show that at the Public Hearing on June 30, 2009, David Medin presented a plan for a twin blade windmill and would like to put 10 more up besides one on his own property. The record also notes that so far no one has expressed any interest. The Board noted that they will do some research on this.

At the Greenvale Town Board meeting dated July 21, 2009, I received a copy of a letter addressed to the Greenvale Town Board and other residents that was from David Medin, Loeone Medin, Dan and Janet Medin, Jim Sparks and Anna Schmalzbauer, all know as individual owners under this application submitted by Medin Renewable Energy, LLC and Sparks Energy, LLC. In this letter, it is stated by the Applicant that:

“As we mentioned at the township meeting, our goal was to place the one turbine, then 10 more within the 837 acres of the project. The PUC strongly encouraged us to work with them in obtaining site approvals for all eleven turbines, as they are familiar with the laws, the procedures that must be followed, the requirements that must be met, they adhere to a definite timeline, and are able to give us the guidance and direction we need. Working with the PUC guarantees that we will meet all state guidelines for not only the one turbine we discussed with you, but for the ten additional turbines as well. If we are granted PUC approval, we would subsequently request the building permits from the Greenvale Township Board.”

“The PUC has informed us that they will hold a meeting in your area on July 30 and will announce the meeting in local publications.”

I am not aware that any meeting was held by the PUC in our area.

The first Public Information Meeting was held September 22, 2009 at the Greenvale Town Hall. This was the first meeting held where residents were provided the opportunity to ask questions regarding the Greenvale Wind Farm, LWECS. At this meeting, many questions were asked by residents but most could not be answered by either the PUC or the Applicant.

The material issue of fact is that the Applicant did not convey to the community their intent to apply for a permit for the Greenvale Wind Farm, LWECS, and therefore the residents of this community were never aware of this but were only aware of their desire to put up a single turbine and were looking to see if others would be interested in putting up more.

The Grunvale Town Board met June 16 with all members present except Bob Wintu at the town hall at 8:00 p.m.

Acting chair Greg Lange called the meeting to order and the pledge was said.

Clerk read the minutes from May. Greg Lange moved to accept and Richard Moore second.

David Medin & Jim Sparks were called upon to give a presentation in regard to a wind generator he is interested in putting up. Dave owns 6 acres where he lives. He has held two meetings for adjoining neighbors if they are interested in putting them up. He sent out 35 letters. There are permits required from public utilities FEA & MPCA. Dakota Electric is interested in buying power excess. The windmill would be about 240' high. The board decided to hold a public hearing for this. It will be June 30 at 4:00 p.m. Letters will be sent to adjoining land owners. Jennifer Skalski came before the board about the plan that Dave

4546 Anderson Road & Home
Public Pay
Assessed Val 2,5000.00

Meeting adjourned
Edith Nilson, Clerk

Public Hearing

June 30, 2009 at 7:00 pm at the
Town hall. All board members
were in attendance. Also Jim
Kussinger, Quincy Moore, John & Dagna
Kupper, Bob Sagnae, Eric Christensen
David & Dan Medina.

David presented a plan for
a town blade windmill.

Dakota County Electric & Great River
Energy are interested for extra power.
David would like to put 10 more
blades his own up. So far no one
has expressed an interest. The lease
would be for 30 years.

State requires this to be taken
down if not being used.

there is a lot of regulations
to follow

Fees would have to be paid
on the site also a production tax
to County. Has to be 250' from
road 500' from a house. David is
going to put one up in Scott County.
Each town will have a weather
station.

David would like to get this up this
year if possible

Board will do some research
maybe a decision will be done
by August meeting.

Residents are interested and
concerned.

Meeting closed
Edith Nilson, Clerk

July 16, 2009

To the Greenvale Township Board members and other residents,

Thank you for the opportunity to again appear before you to present and explain our Greenvale Wind Farm project. We'd like to add some facts and figures to our presentation and because we have been researching wind energy for 3 years, we're happy to share the results of our study.

First, some basic facts about alternative energy:

- Less reliance on foreign oil will improve our national security.
- Wind energy adds no carbon dioxide to the atmosphere.
- Wind energy uses no water.
- Wind energy adds little or no traffic to its community.
- It's clean and quiet.
- It requires no hazardous materials.
- Wind energy is compatible with agriculture, with each turbine requiring little more than an acre of land, including access roads.
- One turbine offsets 2,451 metric tons of electricity-related greenhouse gases annually.
- One turbine is the equivalent of taking 361 cars off the road or planting 1,555 acres of trees.
- One turbine powers 330 homes a year.

The United States and Minnesota in particular, has greatly increased its wind power in the last 5 years. At the end of 2008, our country generated enough electricity with wind to power 7 million average households or 17 million Americans. But we have a long way to go. Minnesota has committed to 20% of its electricity generated by wind by 2020. Every county is urged to do its part.

Some specific questions were asked at your public meeting which need more detailed answers. One question was regarding subsidies. We are looking into available grants and loans contained in the stimulus package. Though we have not applied for any, and know of no one who has received any of this money, we will, of course, look at all programs directed at encouraging alternative energy.

Another question referred to decommissioning of turbines at the end of their operational life. As we said at the meeting, Minnesota law requires an escrow to begin in the eleventh year of operation, at which time \$5000 per year per turbine will be set aside. The Nordic N1000 is remarkable for its low maintenance and longevity. Most required maintenance will be low cost parts replacement every 5 years or so. We fully expect the turbine to produce for 30 years or more. But if not, there will be adequate money for decommissioning.

The comment was made about how the approval of one turbine will mean turbines sprouting up all over the township. That just won't happen. We have been researching and studying wind energy for three years. Many state and federal agencies are involved. We have five people working almost full time dealing with the countless decisions that must be made about manufacturing, engineering, financing, leasing and legal issues and plowing through the labyrinth of regulations.

These complex issues led us to a meeting with the Public Utilities Commission. As we mentioned at the township meeting, our goal was to place the one turbine, then 10 more within the 837 acres of the project. The PUC strongly encouraged us to work with them in obtaining site approvals for all eleven turbines, as they are familiar with the laws, the procedures that must be followed, the requirements that must be met, they adhere to a definite timeline, and are able to give us the guidance and direction we need. Working with the PUC guarantees that we will meet all state guidelines for not only the one turbine we discussed with you, but for the ten additional turbines as well. If we are granted PUC approval, we would subsequently request the building permits from the Greenvale Township Board.

The PUC has informed us that they will hold a meeting in your area on July 30 and will announce the meeting in local publications.

In an era of steady population growth and ever increasing demand for energy, devastating climate change, and instability in oil producing countries, we ask your support for Greenvale wind energy. It's the right thing to do.

We welcome your comments and questions.

David Medin
612-701-9281

Leone Medin
612-701-9283

Dan and Janet Medin
763-458-9946

Jim Sparks
651-214-8818

Anna Schmalzbauer
612-232-3207

Greenvale Wind Farm LWECS

MPUC Docket Number IP 6819, 6820/WS-09-722

Petition for Contested Case Hearing

Community Notification

Name	Address	City, State, Zip	Township
Printed Name EDWARD CARLIER	30551 ISLE AVE	NORTHFIELD, MN 55057	GREENVALE
Signature <i>Edward Carlier</i>	30551 ISLE AVE		
<i>Don DeWitt</i>	<i>2957th St. NW</i>	<i>Northfield, MN 55057</i>	<i>Greenvale</i>
<i>Gindy J. Larson</i>	<i>7740 280th STW</i>	<i>Farmington MN</i>	<i>Greenvale</i>
<i>Gindy Jensen</i>	<i>Farmington, MN 55024</i>		
<i>Nancy Kluver</i>	<i>30257 Eveleth</i>	<i>Northfield MN</i>	<i>Greenvale</i>
<i>Nancy Kluver</i>			
<i>RANE LARSON</i>	<i>7210 280TH ST W</i>	<i>Farmington MN 55024</i>	<i>GREENVALE</i>
<i>Diane Larson</i>			
<i>Patricia Dahl</i>	<i>8090 285th St W</i>	<i>Northfield, MN 55057</i>	<i>Greenvale</i>
<i>ROBERT KLUMER</i>	<i>30257 EVELETH AVE</i>	<i>NEW, MN 55057</i>	<i>Greenvale</i>
<i>John Klumer</i>			
<i>Roger Janak</i>	<i>28350 Isle Ave</i>	<i>NFLD, MN, 55057</i>	<i>Greenvale</i>
<i>John Mohn</i>	<i>10290 280th W</i>	<i>LARVILLE MN 55044</i>	<i>GREENVALE</i>
<i>Charles Jensen</i>	<i>31908 Coon Ave</i>	<i>Northfield MN</i>	<i>Greenvale</i>

Greenvale Wind Farm LWECS

MPUC Docket Number IP 6819, 6820/WS-09-722

Petition for Contested Case Hearing

Community Notification

Name	Address	City, State, Zip	Township
Printed Name			
Signature			
Duane Fredrickson <i>Duane Fredrickson</i>	6905 290 th St. W.	Northfield, MN 55057	Greenvale
Duane Larson <i>Duane Larson</i>	7740 280 th St W	FARMINGTON MN 55024	GREENVALE
Duane Larson 1000 WIRTZFELD	7505 320 th St W	NORTHFIELD	Greenvale
Bow Wirtzfeld	7505 320 th St. W.	Northfield MN	Greenvale
Kathleen Budeni <i>Kathleen Budeni</i>	9933 320 St W	Northfield, MN	Greenvale
Heather K Edwards <i>Heather K Edwards</i>	10006 305 th St. W.	NORTHFIELD, MN 55057	GREENVALE
Joyce Moore <i>Joyce Moore</i>	16198 300 th St W	Agler MN	Greenvale
Annajean <i>Annajean</i>	16610-295 th St. W.	Northfield	Greenvale
Duane Larson Anthony J. Botz <i>Anthony J. Botz</i>	7080 320 St W. 7878 280 th St. W	NORTHFIELD, MN FARMINGTON MN	GREENVALE GREENVALE

Greenvale Wind Farm LWECs

MPUC Docket Number IP 6819, 6820/WS-09-722

Petition for Contested Case Hearing

Community Notification

Name		Address	City, State, Zip	Township
Printed Name	ARI MOORE	10640 285 th ST		
Signature	<i>Ari Moore</i>	WFD	NORTHFIELD	GREENVILLE
	Shawn Lawrence	28556 Foliage Ave		" "
	Shawn Lawrence	NFLD	55057	
	Boyd Lundquist	2232 285 th St W		" "
	Beard Judy	NORTH field 55057		
	Jody M. Beard			
	<i>Jody M. Beard</i>	3015 Carver Ave	Northfield MN 55057	Greenville
	<i>John Berres</i>			Greenville
	John Berres	2900 2 nd Isle Ave	NFLD MN. 55057	Greenville
	John Berres			
	Edith Nelson	24242 Gold Oak	Northfield MN	Greenville
	Dave Ford	28218 Foliage Ave	Northfield	Greenville
	Mike & Kris Hearty	28441 Garrett Ave	Northfield	Greenville
	<i>Mike & Kris Hearty</i>		MN 55057	

Greenvale Wind Farm LWECs

MPUC Docket Number IP 6819, 6820/WS-09-722

Petition for Contested Case Hearing

Community Notification

Name		Address	City, State, Zip	Township
Printed Name	Mary Tennessee	31900 Green Hill	Northfield, MN 55057	Greenvale
Signature	<i>Mary Tennessee</i>			
	DAVID LAURENCE	28625 Foliage Ave	Northfield, MN 55057	Greenvale
	<i>David E. Lawrence</i>			
	Susan Lawrence	28625 Foliage Ave	Northfield, MN 55057	Greenvale
	<i>Susan Lawrence</i>			
	JOHN W. B.B.	10122 295TH ST W.	NORTHFIELD MN 55057	GREENVALE
	<i>John W. B.B.</i>			
	Ahn Occhicco	28351 Foliage Ave	Northfield MN 55057	Greenvale
	<i>Ahn Occhicco</i>			
	Don + Barb Swenson	7750 290th Street West	Northfield MN 55057	Greenvale
	<i>Don Swenson</i>			
	Randy + Sandy Knutsen	8969 a Hoplake AV	Northfield MN 55057	Greenvale
	<i>Randy Knutsen</i>			

Project: Greenvale Wind Farm
Large Wind Energy Conversion System
Submitted by Sparks Entergy, LLC & Medin Renewable Energy, LLC
MPUC Docket Number IP 6819, 6820/WS-09-722

Petition for Contested Case Hearing

We request a contested case in the above referenced project. Under Minnesota Rule 7854.0900, Subp. 5, Any person may request in writing that a contested case hearing be held on an application for a site permit for a proposed LWECS project.

The material facts at issue are:

Noise Setback:

The Draft Permit, Docket No. IP 6819,6820,WS-09-722, under Section III, C, 2. Residence, page 6, reads as follows:

“Wind turbine towers shall not be located closer than 500 feet from the nearest residence, or the distance required to comply with the noise standards for Noise Area Classification 1, established by the MPCA (paragraph III.E.3), whichever is greater.”

and,

The Draft Permit, Docket No. IP 6819,6820,WS-09-722, under Section III, E, 3. Noise, page 8 reads as follows:

“The wind turbine towers shall be placed such that the Permittee shall comply with noise standards established as of the date of this Permit by the Minnesota Pollution Control Agency at all times at all appropriate locations. The noise standards are found in Minnesota Rules Chapter 7030. Turbines shall be moved or modified or removed from service if necessary to comply with this condition. The Permittee or its contractor may install and operate turbines, as close as the minimum setback required in this Permit but in all cases shall comply with PCA noise standards.”

“The Permittee shall be required to comply with this condition with respect to all homes or other receptors in place as of the time of construction, but not with respect to such receptors built after construction of the towers.”

and, but not limited to,

Notice of Draft Permit and Public Information Meeting, issued September 3, 2009, Docket No. IP 6819,6829,WS-09-722, page 3 reads as follows:

“Eminent Domain for Sparks Energy, LLC, and Medin Renewable Energy, LLC

The Applicants do not have the power of eminent domain to acquire the land or wind rights for the Project. Wind and land rights necessary to build the facility must be in the form of voluntary easements or lease agreements between individual landowners and the Applicant(s).”

Both of these are material facts of issue. Under Section III, C, 2, uses nearest residence as the point to begin the setback measurement and not a property line. Under Section III, E, 3, refers to homes or other receptors in place as of the time of construction, but not with respect to such receptors built after construction of the towers.

The material fact of issue here is that the setback measurement should be from the property line of any landowner that the applicant does not have control of in the form of voluntary easements or lease agreements. This is supported, as stated on the Notice of Draft Permit and Public Information Meeting that the Applicants do not have the power of eminent domain.

Greenvale Wind Farm LWECS

MPUC Docket Number IP 6819, 6820/WS-09-722

Petition for Contested Case Hearing

Noise Setback

Name	Address	City, State, Zip	Township
Printed Name			
Signature			
Tom Wirtzfeld	7505 320 th St W	Woodbridge	Greenvale
Dora Wirtzfeld		55057	
Bev Wirtzfeld	7505 320 th St. W.	Dixfield	Greenvale
Leo Wirtzfeld		MN 55057	
Elmer Dewald	10357-345 th St. W.	6405-5033	
Randy & Sandy Knutson	29690 Holman Ave.	Northfield 55057	Greenvale
Lorena Gentry			
Dora Hon	27029 Crest Ave N	Farmington 55324	Greenv
John Bercech	29002 Fisk Ave	AFLD MN 55057	Greenvale
John Bercech			
Edward Nelson	24222 Dale Ave	MIL MN	Greenvale
Doreen Bell	28218 Folsom Ave	Northfield	Greenvale

Greenvale Wind Farm LWECS

MPUC Docket Number IP 6819, 6820/WS-09-722

Petition for Contested Case Hearing

Noise Setback

Name	Address	City, State, Zip	Township
Printed Name John Mohr	10790 280th w	LATEVILLE, MN 55044	Greenvale
Signature <i>John Mohr</i>			
<i>John, Lorence</i>			
<i>Ann Occhiato</i>	28556 Foliage Ave	Northfield MN 55057	Greenvale
<i>Ann Occhiato</i>	28351 Foliage Ave	Northfield MN 55057	Greenvale
<i>Don Bob Swenson</i>	7750 290th street west	Northfield MN 55057	Greenvale
<i>Don Swenson</i>			
<i>Joey Muehl</i>			
<i>Joey Muehl</i>	30151 Garnett ave	Northfield MN 55057	Greenvale
<i>Bob Lundquist</i>	77 32 25574 512w	NORTHFIELD	GREENVALE
<i>Ray Lundquist</i>		55057	

Greenville Wind Farm LWECS

MPUC Docket Number IP 6819, 6820/WS-09-722

Petition for Contested Case Hearing

Noise Setback

Name	Address	City, State, Zip	Township
Printed Name EDWARDS CARVER	30551 ISLE AVE	NORTHFIELD MN 55057	GREENVALE
Signature <i>Edward Carver</i>			
<i>Deanne Deardorff</i>	9259 295 th ST W	Northfield, MN 55057	Greenville
Duane Fredrickson	6905 290 th St. W.	Northfield, MN 55057	Greenville
<i>Duane Fredrickson</i>			
Cindy Larson	9740 280 th St W		Greenville
<i>Cindy Larson</i>	Farmington		
Nandy Kluver	30251 Evereth	Northfield MN	Greenville
<i>Nandy Kluver</i>			
Kayla Attc	5090 285 th St W	Northfield MN	Greenville
<i>Kayla Attc</i>			
ROBERT KLUVER	30251 EVERETH AVE	NFLD, MN 55057	GREENVALE
<i>Robert Kluver</i>			
Roger Janak <i>Robert Janak</i>	28350 Isle Ave	NFLD, MN, 55057	Greenville
ANTHONY J. BOZ	7878 280 th ST. W	FARMINGTON 55024	GREENVALE

Anthony J. Boz

Greenvale Wind Farm LWECS

MPUC Docket Number IP 6819, 6820/WS-09-722

Petition for Contested Case Hearing

Noise Setback

Name	Address	City, State, Zip	Township
Printed Name			
Signature			
<i>Tom Wrayford</i>	7505 3204 SW	Northfield, MN 55057	Greenville
<i>Doug Hullett</i>	8866 Helix Ct	Northfield, MN	Greenville
<i>[Signature]</i>			
<i>[Signature]</i>	7150 292nd St W	Northfield, MN	Greenville
<i>[Signature]</i>			

