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PUBLIC COMMENTS

THURSDAY, OCTOBER 15, 2009

7:00 p.m.

In the Matter of the enXco Development Corporation
Application for a Large Wind Energy Conversion System
Site Permit for the Nobles Wind Project in Nobles County

PUC Docket Number IP-6646/WS-09-584

Reading Community Center
McCall Avenue and 200th Street
Reading, Minnesota

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SPEAKER

PAGE

Wayne Smith	3
Ian Krygowski	5
Unidentified	6
Unidentified	10
Dale Severance	10
Unidentified	11
Wilber Prins	12

1 MR. HARTMAN: So, again, are there any
2 questions about the site permit application or
3 the -- excuse me, the site permit application and/or
4 the draft permit, of me or enXco or anything else?

5 Deathly silent, huh? Come on, folks,
6 it's not church.

7 Yes.

8 MR. SMITH: Larry, I have a question.

9 I --

10 MR. HARTMAN: Excuse me, court reporter.
11 Name.

12 MR. SMITH: One second. My name is
13 Wayne Smith. I'm the environmental service
14 director. And in that position, I serve as the
15 zoning administrator for Nobles County and I just
16 had a couple questions.

17 I was wondering, Larry, in your
18 experience, I noticed that the permit to be issued
19 and the plans are a little bit different, as it says
20 500 from a house here (indicating) and I think
21 they're looking at 1,500, 1,200 -- for sure over
22 1,000 in the plans.

23 How often -- those plans can change now
24 and they could be closer, as close as 500 or 600
25 plus the noise, is that correct, and I was wondering

1 how often that happens?

2 MR. HARTMAN: I don't expect them to be
3 any closer than what they've indicated. I did a
4 project a couple weeks ago over in Mower County.
5 And the company had indicated all the way along
6 they'd be at least 1,000 feet from the residences.
7 And I think the Commission had some question about
8 why isn't it stated that -- why that is not stated
9 in the permit. It wasn't stated for the simple fact
10 that if you meet the noise standard at 800 feet,
11 maybe that's what you deem appropriate.

12 There's a category called special
13 conditions, it's category M. We specifically added
14 the language that bounded them to be, in that case,
15 1,000 feet away from residences, as they had
16 indicated. And that condition would take precedent
17 over any other condition the way that the special
18 permits -- or the special language is set up.

19 So if -- you know, we're probably going
20 to keep our permit as it says. If they've committed
21 to 1,000 feet, we'll probably add that to the permit
22 as a special condition.

23 MR. SMITH: Okay. One of the reasons I
24 asked that was at a recent planning/zoning
25 commission meeting, it was brought up and, again,

1 the county didn't -- in permitting the substation
2 for the power line -- again, that was a state
3 project, not a county project, that we're
4 overseeing. But some of the residents commented
5 that everything they saw and the pictures they saw
6 all had trees around it to help reduce the sound of
7 the humming noise, and the one that's built by
8 Reading doesn't have any trees.

9 MR. HARTMAN: I didn't see any. One, I
10 was out there today.

11 MR. SMITH: So they had questions about
12 that.

13 MR. HARTMAN: No, I understand that. And
14 I guess that is another comment I had and I'll check
15 into that, also. I know of what you're speaking. I
16 did not work in that project, but I'll check into it
17 and let you know. And, again, I believe enXco's
18 substation is going to be next to the Nobles
19 substation.

20 And how about your O and M building?

21 MR. KRYGOWSKI: The current plan is for
22 there to be a switching and -- as part of this
23 project, we will need to install a switching and
24 metering yard, as well as an operations and
25 maintenance facility. The operations and

1 maintenance facility will house the technicians that
2 will keep the turbines up and running, it will also
3 house spare parts, the service trucks, et cetera.

4 Our proposal is to locate the service
5 facility and the switching and metering yard in one,
6 sort of, complex. And the first step for that was
7 to go before the Nobles County planning and zoning
8 board. That happened last night. The proposed
9 location for that is basically immediately east of
10 the existing Nobles County substation. So that's
11 the one just north of the Reading here, so it would
12 be due east of that.

13 The -- we will have to finish out our
14 permitting process there and make sure that's
15 acceptable to the county, but that's the intention
16 at this time.

17 UNIDENTIFIED: Is that on County Road 18?

18 MR. KRYGOWSKI: The question is if that
19 was the substation on County Road 18.

20 And I -- Wayne, is that correct, is that
21 County Road 18 or is that a different sub?

22 MR. SMITH: I don't know, is this County
23 Road 18 (indicating)?

24 MR. KRYGOWSKI: Well, it's on the
25 diagonal.

1 MR. SMITH: County Road 25.

2 MR. KRYGOWSKI: That's County Road 25,
3 okay.

4 UNIDENTIFIED: It's adjacent to County
5 Road 9.

6 MR. KRYGOWSKI: Yes, we would be adjacent
7 to County Road 9.

8 MR. HARTMAN: Did that answer your
9 question, Wayne?

10 MR. SMITH: Yes, that answers my
11 question.

12 MR. HARTMAN: Okay.

13 MR. SMITH: Oh, and I did have one more
14 comment. You mentioned that you hadn't saw any
15 material flicker events, and I'd invite you to come,
16 or any of the enXco or Xcel people to come with me
17 on a fall afternoon to a farm site here in
18 Worthington.

19 Again, we have the 20 that were permitted
20 with the Fenton project and the 18 other ones that
21 were permitted in three other projects. And we
22 really haven't received any complaints about wind
23 turbines except for one particular one that has what
24 I would say is a significant flicker effect.

25 And I think if you'd come with me on a

1 fall afternoon, a sunny fall afternoon, today
2 wouldn't have worked very well, but you'll be
3 surprised at the flicker effect and the effect of
4 the sun coming off the white barn, and sitting in
5 the house and just seeing the flicker effect on the
6 living room wall. It's quite significant.

7 But, again, you know, everything came
8 together just right for that. I mean, there's no
9 trees, no shrubs, nothing around the house, but it
10 is significant.

11 MR. HARTMAN: And that issue came up this
12 afternoon, also, and I think I had indicated then
13 the only place that has any standards regarding that
14 that I can find is Germany. And basically what
15 they've done there is they've limited shadow flicker
16 to less than 30 hours per year.

17 And they assume shadow flicker, the sun
18 is always shining, the turbines are operational,
19 you're in your house, you're awake, and the curtains
20 are up. And given all those factors, it's maxed out
21 at 30 hours.

22 As I mentioned today that WindPRO,
23 there's a component of that that you can calculate
24 the shadow flicker. Now, I assume they've done some
25 of that in their modeling. Now, shadow flicker can

1 extend out to ten rotor diameters, which would be
2 2,700 feet.

3 MR. SMITH: Yeah.

4 MR. HARTMAN: Basically, shadow flicker
5 is typically limited. I guess the most severe
6 component of shadow flicker is probably two to three
7 rotor diameters. It doesn't mean it doesn't go
8 beyond that. And the worst-case scenario is
9 probably early in the morning, late in the day,
10 probably wintertime also.

11 Typically, shadow flicker is more
12 pronounced within two to three rotor diameters for
13 the simple fact the shadows are bigger, they're
14 darker, they're a little bit more robust. As you
15 get further away, the shadows tend to become lighter
16 and thinner.

17 It's not to say it's not a problem, it's
18 noticed a little bit. You know, it's like anything
19 else, if something's out there and, depending on
20 where you are -- you know, depending on the type of
21 tree and where you are, you're going to get that
22 from trees, also.

23 You know, it's something we're hearing
24 more about. I think in most places it's regarded
25 maybe as a nuisance factor. I know in some cases

1 I've worked with some developers where people have
2 had complaints about it. They might put up a fence
3 around the house, install trees, vegetation,
4 curtains, blinds, you know, whatever else. And I
5 think the most complaints I've had is reflections
6 off TVs, also, it makes it hard to view, too.

7 We have not dealt with that as a permit
8 issue yet in terms of limitations on that. I don't
9 know whether -- I don't know that it's risen to that
10 level or threshold yet.

11 MR. SMITH: Thank you.

12 MR. HARTMAN: Any other questions? Did
13 the young child back there (indicating) have a
14 question, or did he go to sleep?

15 UNIDENTIFIED: (Nods.)

16 MR. HARTMAN: Yes, sir.

17 MR. SEVERANCE: Yeah. My name is
18 Dale Severance. I'm one of the landowners. It's
19 just like severance pay, I get it every two weeks.

20 But anyway, I was listening to a setback
21 of anywhere from 1,200 feet down to 500 feet. And I
22 guess one big question I have is just how close this
23 thing is going to be to my house? You know, I'd
24 like a definite answer on that one.

25 MR. HARTMAN: Well, it will be at least

1 1,200 feet from your house.

2 MR. KRYGOWSKI: We used -- we used, as a
3 minimum, 1,000 feet away from any occupied
4 residence. So that is -- that's a hard number. And
5 then, with respect to your individual house, we can
6 provide -- we can provide you with information on --
7 you know, on how far away the closest ones are. So
8 I -- that's easy for me to do.

9 MR. HARTMAN: Now, if you're a
10 nonparticipating landowner, which you live in a
11 white spot, it would be at least five rotor
12 diameters from the edge of your property boundary on
13 the prevailing wind access. So 277 feet times five.

14 If you're a participant, you know, he
15 gave you an answer. If you're a nonparticipant, it
16 would be the five rotor diameters, far enough away
17 to meet the PCA noise standard or three RD buffer,
18 whichever would be the greater.

19 Any other questions? No other questions?

20 You must have a question, sir. You're
21 smiling, or is your wife pinching you?

22 UNIDENTIFIED: That would be a pinch.

23 MR. HARTMAN: Oh, well, we should have a
24 good story to tell tomorrow, huh?

25 Any other questions of me at all or

1 enXco?

2 Now, I drove down here from the Twin
3 Cities, I would expect more questions on a per-mile
4 basis.

5 Yes, sir.

6 MR. PRINS: My name is Wilber Prins. One
7 of my concerns is --

8 MR. HARTMAN: How do you spell that?

9 MR. PRINS: What?

10 MR. HARTMAN: Last name.

11 MR. PRINS: P-R-I-N-S.

12 MR. HARTMAN: Okay.

13 MR. PRINS: One of my concerns were, say
14 you get your project all done and say three years
15 down the road, I want to retile some of my land.

16 MR. HARTMAN: Um-hmm.

17 MR. PRINS: And I've got to go across or
18 through this road that they're going to build, how
19 do I go about doing this? Because you're going to
20 have cable buried four feet?

21 MR. HARTMAN: Um-hmm.

22 MR. PRINS: And the road, that's with the
23 webbing in it. How do I get to the other side of
24 this road?

25 MR. HARTMAN: Well, I'll ask you a couple

1 questions. How deep is your tile now?

2 MR. PRINS: Anywhere from three to
3 four feet.

4 MR. HARTMAN: Okay. I typically assume
5 drain tile is 48 inches. Typically when they lay
6 underground cabling, they're usually -- they might
7 be a foot above or a foot below that. If they're
8 going to be at 48 inches, they'll be below the drain
9 tile. If your drain tile is at 48 and they want to
10 be at 48, they'll probably go a foot below.

11 Now, with your permission, you say I'm
12 not going to tile it anymore, maybe go a foot above.
13 Regarding -- and typically, and as I remember, your
14 drain tile, generally your grading is, you know, one
15 inch per 100 feet regarding slope. Maybe that's a
16 little bit different, I guess that depends on the
17 topography.

18 A lot of times, for example, on drain
19 tiling right now, they might use a trenching
20 machine. In that case, they might use a boring
21 machine to go underneath the road or they could
22 open-cut the road and just replace the fabric and
23 the -- or the other material on top of the fabric
24 and/or below where it can be bored.

25 For example, when I went into Worthington

1 tonight, I forgot what highway it was, they were
2 doing a lot of boring there for some sort of cable.
3 So -- and depending on the size of the tile, let's
4 say it's four-inch tile, six-inch tile, I don't know
5 whether it's double-slotted wall tile or anything
6 else, but that's something that could be worked
7 around.

8 And I think as more and more projects
9 kind of move off the ridge, we're encountering more
10 drain tile. And I know over in Mower County,
11 there's a lot of the drain tile over there. And I
12 know one of the county commissioners has a drain
13 tile business and I think things are going fairly
14 well with him.

15 Ian, do you have any, I guess, direct
16 experience with what the issues have been?

17 MR. KRYGOWSKI: Absolutely. We have a
18 lot of experience working with drain tile. We've
19 done a few projects in Iowa where we see pattern
20 tile, you know, every 40 foot, and those folks that
21 don't have it every 40 foot are getting ready to put
22 it in every 40 foot.

23 So when it comes to tile that you might
24 want to install after the project is built, the
25 first thing I'll say is for the underground

1 electrical collector system, that has to be filed
2 with Gopher One Call.

3 So when your contractor does his call-in
4 for locates, all of the underground cable would be
5 located. To the extent that you might need to cross
6 the underground cable, there would have to be some
7 coordination with the operator of the plant at that
8 time so that they could deenergize that line and
9 make everything safe.

10 But we have quite of bit of experience
11 with that, too. We've done that in the two projects
12 we own here in this sort of neck of the woods on the
13 Chanarambie project near Chandler -- I'm sorry, near
14 Lake Benton, and the Fenton project near the town of
15 Chandler.

16 And, you know, it generally works fairly
17 well. A lot of times it is a lower wind season when
18 folks are looking to put in their tile. And to the
19 extent we can, we do try to coordinate on, you know,
20 times maybe when the forecast is for a little bit
21 lower wind and work together with the landowners for
22 that.

23 We haven't run into an issue of new tile
24 going across roads, to my knowledge. But, again, I
25 think that's something that we could coordinate

1 spacing is down here. So, again, on the foundation,
2 they'll reroute the tile if you wanted it and the
3 ground is open for that.

4 You know, again, I think this might be
5 the first time that I've had that question about
6 future tile expansion across roads. And we'll give
7 some thought to that also, sir.

8 Any other questions? The gentleman back
9 there, do you have a question?

10 Any other questions at all?

11 Okay. If you have no other questions, I
12 have no reason to continue standing up here. So I'd
13 like to thank you for coming. I'll be here
14 afterwards because I generally get more questions
15 afterwards for a while.

16 So thank you for attending. Again, if
17 you don't have any of the handouts there, I'd
18 encourage you to pick them up on the way out. I'd
19 encourage you to sign in. And, again -- I forgot my
20 business cards. I forgot a lot of the things when I
21 came down here.

22 My -- if you have a copy of the notice
23 and you have questions of me, my telephone number is
24 in there. It's 651-296-5089. You can e-mail me,
25 also, and I'll be glad to get back to you. If I'm

1 not in the office, I'll try to get back to you that
2 day or the next business day when I'm back in the
3 office.

4 Again, the comment period closes
5 November 4th. So if you go home and you have that
6 ah-ha moment and wish I would have asked a couple of
7 questions, you have until November 4th to either
8 contact me and I'll try to answer them, or submit
9 them in writing and they will become part of the
10 record in this proceeding.

11 Having said that, I have nothing else to
12 say. So I'd like to thank you for attending. And
13 hopefully you'll get your crops in yet this year and
14 everything will work out for everybody. So thank
15 you and drive safely.

16 (Public comment concluded.)
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