

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PUBLIC MEETING - ALBERT LEA - AUGUST 24, 2011

STATE OF MINNESOTA
ENERGY FACILITY PERMITTING

In the Matter of the Site Permit Application of Shell
Rock Wind Farm, LLC for a large Wind Energy Conversion
System in Freeborn County

PUC DOCKET NO. IP-6858/WS-11-195

America's Best Value Inn - Event Center
2306 East Main Street
Albert Lea, Minnesota

Met, pursuant to notice, at 6:30 in the evening,
on August 24, 2011.

COURT REPORTER: Angie D. Threlkeld

* * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

SPEAKERS	PAGE
Richard Steele	3
Larry Bidne	6
Sue Miller	8
David Steele	10
Ron Boekelman	18
Sandy Boekelman	19
David Behrends	21
Chuck Reindal	26
Dennis Schmidt	31
Mark Morreim	32
Wayne Sorenson	35
Ted Yost	36

1 MS. BJORKLUND: So, with that, I think
2 we'll start and we'll start taking your comments,
3 and I'll turn this mic on there. I know everybody
4 hates going first, but someone has to.

5 Does everyone have a copy of the draft
6 site permit? And does anybody have any questions on
7 our process?

8 As I said, you know, we are -- the draft
9 site permit's been issued. We're here to take
10 comments until September 12th. Sometimes people
11 have questions on drainage tile, roads. I know it's
12 always hard being first; but once someone goes, then
13 the rest usually follows.

14 MR. STEELE: I'm Richard Steele,
15 S-T-E-E-L-E. And I guess we're in Section 30 on
16 that township. And my son lives in the house there,
17 and we've got -- they've got proposed for three or
18 four windmills. They're all -- we don't get one,
19 but they're across the line. And I guess I'm
20 concerned about the shadow. My son works at
21 Manchester where they have all the windmills, and
22 probably that's the biggest complaint is the shadows
23 off the windmills. And I think that if the people
24 got -- if you've got anything on the south side of
25 you or around to the west especially, that if it's

1 on your land, that's fine, you agreed to have it
2 there. But if it's on someone else's land, I don't
3 think that's quite fair. And I think there's some
4 building sites that just have building sites, which
5 is probably up by Manchester too. And them people
6 don't get anything out of the windmills. And if
7 they get a windmill set where they get the shadows,
8 why, it's not a -- you know, I think even the
9 counties should have something to say about that,
10 because I'm sure they make a noise. In fact, I have
11 two little windmills myself, smaller, the 39 Ks.
12 And they make a little noise, but we don't bother
13 the noise so much. But I think the shadow is
14 probably the biggest thing on the big windmill.

15 I don't know if anybody else has got any
16 comment on that. My comment is that anywhere on the
17 south or southwest area from their building site are
18 the ones that are going to be concerned about.
19 Probably even the southeast in the morning. But
20 anybody that has -- their land and their building
21 site is on the south side of that land, they have no
22 problem with that at all. So -- I'm saying we're
23 not proposed to get one. Right across the fence
24 they're going to put three or four of them. I don't
25 know why they done that or how they do that, but --

1 so it's just a comment. Maybe somebody else has got
2 comments on it too.

3 MS. BJORKLUND: Thank you so much.
4 Shadow flicker is something we hear a lot about at
5 these public meetings. These turbines are
6 anticipated to be roughly 400 feet in height. So
7 these are very large. As you can probably already
8 see, the Bent Tree Wind Farm not too far from here,
9 you've probably driven by. You can even get a
10 little closer and take a closer look at how tall
11 they are. They do cause shadows. Typically shadow
12 flicker occurs early in the morning and late in the
13 evening when the shadow is the longest. And it's
14 seasonal as well.

15 Minnesota does not have a shadow flicker
16 standard. We do have a noise standard, so you can't
17 produce noise above a certain level. But we don't
18 have a shadow flicker standard. That is something
19 that is not in statute or in rule. However, that's
20 not to say that the Commission isn't sensitive of
21 shadow flicker. So to address this, we have
22 included a section in the site permit, Section 4.2,
23 that requires the permittee here, who is going to
24 have to provide data for each residence of
25 nonparticipating landowners and participating

1 landowners, and they're going to have to demonstrate
2 what steps they've taken to minimize, avoid, and
3 mitigate shadow flicker on those residences. So it
4 is something we will know exactly what the shadow
5 flicker impact would be on your residence at that
6 time before the construction happens, and they're
7 going to have to demonstrate to us how they've
8 really minimized and mitigated and really tried to
9 avoid shadow flicker on your property. And
10 that's -- and that's what -- that's what the site
11 permit provides for.

12 Other questions? Questions about the --
13 our process? They have recently developed a
14 project, Oakland Wind Farm in Steele County, that's
15 being constructed right now. So if you want to take
16 a look at a wind farm that they've already
17 developed, you can also drive down there. It's not
18 too far from here. And you can see what the access
19 roads look like, the temporary access roads and
20 permanent access roads.

21 Oh, we have another speaker.

22 MR. BIDNE: My name is Larry Bidne,
23 B-I-D-N-E. And I just got a question as far as
24 compared -- like the 1.8 or the 1.5, who decides or
25 how do they decide on who -- on which one to use?

1 MS. BJORKLUND: That decision is left to
2 the company. They will choose the turbine.
3 However, it's important that we have developed a
4 full record around that turbine choice. Sometimes
5 developers do change their turbines kind of midway
6 through the process, in which case they have to
7 provide all the data that needs to be in the record
8 to evaluate that turbine.

9 In this case MMPA has not changed their
10 turbines. It's the same turbines as in the
11 application. And so they've provided all the maps
12 and all the data surrounding -- or, you know,
13 dealing with those turbines. So -- and that
14 includes noise analysis. And they have done some
15 preliminary flicker modeling, I believe, already.
16 That's information that's in their application.

17 And your comments here -- so what we do
18 is we gather up all the oral comments and written
19 comments, and then I will prepare -- the Energy
20 Facility Permitting staff, rather, prepares comments
21 and recommendations that are submitted to the Public
22 Utilities Commission. And we use the public
23 comments as a basis for our recommendations. So we
24 value your comments very, very much.

25 MR. HARTMAN: Ingrid, just maybe a

1 suggestion. In this case, Freeborn County is fairly
2 heavily involved with develop -- not involved with,
3 but work with the developer on the Bent Tree
4 project. And I know the issues sometimes the
5 landowners may have. Freeborn County and Sue
6 Miller, the highway engineer, is here; and they
7 entered into a development agreement with the
8 developer to address roads. And I believe
9 townships, do you also act on their behalf? I don't
10 know what the situation may be. Maybe you want to
11 address that or explain that. I don't mean to put
12 you on the spot like that.

13 MS. MILLER: My name is Sue Miller. And
14 for the record, I am a resident of Pickere1 Lake
15 Township as well. So all the activity's going to go
16 past the road I drive everyday as well. What we did
17 with the Bent Tree Wind Farm was we worked very
18 closely with the team and developer as they came in.
19 We identified the roadways that were going to be
20 used for hauling all the aggregate, the wind power,
21 transformers, talked about how those units would get
22 moved in. Many times when they're moving a large
23 load like this, large pieces of towers, the radius
24 of the road makes a curve, had to be widened out,
25 and we had to extend culverts. Maybe some of you

1 will have a tile intake that will be right there in
2 the way. And we had to temporarily cap that tiling,
3 widen out the road. They make their corner, as soon
4 as they made the corner, the radius came back out,
5 all was restored.

6 During the process of putting electrical
7 lines in, tile impacts were found and they had -- I
8 believe, Mark, wasn't it -- more drainage that
9 followed right along with the tiling contractor with
10 our county that went right along with the guys and,
11 as they identified tile that were impacted, they
12 were repaired right on the site. And then, as they
13 said, there will be a component to our developer's
14 agreement for the drainage piece of it. We have a
15 component for the road piece of it. And then Wayne
16 Sorenson is here that has a component that has to do
17 with the building pieces of the developer's
18 agreement. All of those things we negotiated with
19 Bent Tree and talked about those, and we'll sit down
20 with the folks here and work on a developer's
21 agreement for this farm as well, after taking in all
22 of your investments and the road system and the
23 drainage system and those kind of things.

24 So if there's questions for how we handle
25 roads, I'll be happy to answer those. Give me a

1 call if you want to. Does that help or hurt?

2 MR. HARTMAN: I hope so.

3 MS. BJORKLUND: That's very helpful
4 information, yeah.

5 Are there other comments tonight?

6 MR. STEELE: David Steele. I live in
7 Section 30. And I guess I'd just like to come out
8 and speak against having the wind farm up. I do
9 work in the Bent Tree area with the telephone
10 company there. And I guess a lot of the problems
11 that we've -- that I've seen is the people that
12 don't own the land, like my father was saying, that
13 do have the shadow flicker. Some of those -- I know
14 one personally that can see like 52 of the windmills
15 from his front step. And he does -- he says the
16 noise bothers him a lot. The shadow flicker in the
17 mornings is bad. Anything -- anybody on the south,
18 from the southeast to the southwest and especially
19 the west, is probably the worst, if you're going to
20 have a tower by you.

21 Also, TV reception, I know they've had
22 problems there where basically they are unable to
23 get the antenna TV any more. And just general tons
24 of -- during constructions there's going to be tons
25 of dump trucks, everything else going by, you know.

1 I've got -- my place is right next to the road. I'm
2 worried about my kids. And just all the extra
3 traffic's going to be a lot. Extremely hard on the
4 roads. I know they came back and did a pretty good
5 job up there on the roads. But it's going to be,
6 you know, five years before the roads are back to
7 where they were previously.

8 So, you know -- and like I said, you
9 know, the noise may not be as -- you know, it's
10 there, but I think the -- I believe the State's had
11 the health -- Minnesota Health, they did a study as
12 well, and I think they did double what the State had
13 required, is that right, or that's what -- their
14 recommendation?

15 MS. BJORKLUND: No, it was a White paper,
16 and they just -- they didn't really have a
17 recommendation. It was more kind of -- they really
18 summarized what the research shows out there. So
19 they didn't actually make a recommendation. But it
20 was the Energy Facility Permitting department that
21 requested that White paper be conducted so we really
22 understood the science behind it.

23 MR. STEELE: And what -- can -- do you
24 know what -- from what I read --

25 MS. BJORKLUND: There wasn't a

1 recommendation.

2 MR. STEELE: There wasn't a
3 recommendation?

4 MS. BJORKLUND: Yeah, like you hear about
5 this half-mile recommendation. That's not quite --

6 MR. STEELE: That's not entirely true?

7 MS. BJORKLUND: Yeah, it's -- it's
8 mitigated at that point --

9 MR. STEELE: Yes.

10 MS. BJORKLUND: -- but it's -- it's not
11 a -- there's not a clear-cut answer.

12 MR. STEELE: Okay. So, I mean, I just
13 recommend, you know, anybody that's in the farm,
14 take a look on the Internet and do some research
15 themselves on it and see what other people are
16 actually -- on wind farms in Wisconsin and
17 Minnesota, take a look and see what they think of
18 them. They'll find a lot of negative comments out
19 there on them.

20 So I guess that's all I got to say.

21 MS. BJORKLUND: Thank you so much for
22 your comments. And, yes, I encourage everybody to
23 talk to other landowners that live near wind farms
24 too and see what they think and what their
25 experiences are.

1 There are concerns about wind farms,
2 obviously, noise and shadow flicker being the two
3 that we hear the most. TV interference, though,
4 also is one that can be a real issue. Not everybody
5 has cable. I don't have cable. So -- however,
6 according to the permit, they are not allowed to
7 cause television or TV interference. And that's
8 actually a -- they would be in violation of the
9 permit that -- and so they would have to promptly
10 remedy that or there would be consequences to that.
11 So they would be required to fix any interference
12 problems to your satisfaction to not -- not --
13 something where we would, as our staff, stay
14 involved in making sure that this was remedied.

15 MR. STEELE: One more comment.

16 MS. BJORKLUND: Yeah.

17 MR. STEELE: I guess the last thing
18 and -- you know, I guess I would say is, you know,
19 we're in a farm area, you know, the livestock's
20 around. Everybody's pretty much used to that. And
21 a lot of -- in a lot of cases our livestock was
22 there before people moved in. You know, you got to
23 think of that too for your neighborhoods as well.
24 The neighbors are there first. And, you know, I
25 guess, yeah, you can have your shadow flicker for, I

1 believe it's up to an hour, is that correct, at
2 certain times of the year?

3 MS. BJORKLUND: Again, there's no
4 standard.

5 MR. STEELE: Correct. But I'm saying I
6 know places where they're having it for an hour,
7 whatever, you know. You know, the comment is, well,
8 you know, close your shades. But, I mean, that's
9 not always -- you know, I didn't -- you know, I'm
10 not living there to close my shades and not look out
11 my windows.

12 MS. BJORKLUND: Yeah. And, you know, and
13 shades is something that is brought up as a way of
14 mitigation. We don't have any recommendations on
15 mitigating shadow flicker like that, like, well, we
16 encourage the company to buy shades or blinds. We
17 don't do that. Planting trees is an option too.
18 But it's something where this is a problem that we
19 would -- you know, we would be involved and working
20 with the company, working with the landowner and
21 trying to solve an issue. But before the wind farm
22 is even built, because of this permit requirement,
23 we would actually know what the shadow flicker
24 impacts would be to every person's residence prior
25 to the construction of the wind farm. And that is

1 something where -- if you follow our website,
2 there's information on how to get on e-dockets.
3 It's kind of a techie tool, but you can get on
4 e-dockets, and other compliance filings are posted
5 there, and you can actually look. Or you can
6 also -- my e-mail is there or my phone is there,
7 just give me a call and I will make sure -- every
8 landowner who asks me for that information I'll make
9 sure get that information.

10 Larry.

11 MR. HARTMAN: I'd like to say something
12 about TV interference. And on the Bent Tree
13 project, in their application they estimated how
14 many homes would be impacted by television
15 interference. And within the project footprint,
16 they estimated about -- I believe, if I remember the
17 number correctly, it was around 54 homes. I think
18 that the numbers might have been a little bit higher
19 than that in actuality. But what they've done in
20 that case -- and it's a little bit tricky down here
21 because you get TV signals from a number of
22 different cities around here. It might be Albert
23 Lea, Rochester, others. That area -- the area, Bent
24 Tree, isn't serviced by cable, to my knowledge. So
25 what they did to ameliorate that or mitigate that,

1 there are number of things you can do. They can try
2 reorienting your antenna. However, if you reorient,
3 pick up these stations, you might lose that. So you
4 try high-gain antennas. That sometimes work. It
5 may not work. Also, they can relocate the receiver.
6 I think what they did in that case, they calculated
7 kind of a potential area; and basically anybody who
8 said they had a TV reception problem, they called
9 them up, the company come out and provided them with
10 a satellite box and receivers for all the TVs in the
11 house. And the company would then pay for the TV
12 reception for the year in advance. So next year you
13 get another form from them, you also get a federal
14 tax statement from them too for that; but they do
15 reimburse you to make you whole regarding the TV
16 reception side of things. And there might be an
17 ordinal method of what steps you might want to go
18 through. Sometimes they aren't particularly
19 effective. In that case I think they just decided,
20 you know, for those people having a problem, we'll
21 just do the most effective way of addressing that.
22 I have followed up with probably eight or nine
23 landowners. They've all been very satisfied with
24 that approach and thought the company was being more
25 than fair in that instance.

1 So, again, I do recognize that it's a
2 problem. We're still looking into some aspects of
3 that. And part of this was I think as we went from
4 the analog to digital system and some components,
5 depending how things were spec'd out, some TVs,
6 let's say -- I don't want to pick on a particular
7 brand, for example -- but the components might be
8 lower-cost components and not have higher quality
9 where it's able to pick up marginal signals,
10 something like that. So sometimes it might depend
11 on the TV or the brand of TV that you have, but the
12 satellite box should take care of that. And, again,
13 that would be for every TV. So if you have another
14 TV in the house and you do that again next year,
15 that would also. So at least that's how they
16 addressed the situation for them. So I just wanted
17 to let you know that there are means of mitigating
18 that.

19 MS. BJORKLUND: Thanks, Larry.

20 I also would like to say again, they're
21 not allowed to cause interference to television. So
22 it is something they would be responsible to remedy.

23 Comments? Other comments? Questions?

24 Well, okay. We have another one. Go
25 ahead.

1 MR. BOEKELMAN: I'm Ron Boekelman. We
2 live on the -- I don't remember what section, but
3 it's on the south edge of the wind farm. My wife
4 had cochlear implants. That's the only way she can
5 hear. And we understand there's electromagnetic
6 fields, and no one has answered our questions about
7 how that would affect her hearing.

8 MS. BJORKLUND: My understanding is that
9 EMFs from wind farms is really the feeder lines, and
10 that's pretty -- you have to be pretty close. And
11 I've never heard of a situation where it affected
12 somebody with hearing implants.

13 But, Larry, have you run across this
14 before?

15 MR. HARTMAN: No, I haven't.

16 MS. BJORKLUND: Yeah. EMFs really
17 haven't been a problem with wind farms. That's one
18 thing that we have found.

19 MS. BOEKELMAN: Have you researched it at
20 all? Have you -- because I don't want these towers
21 to come and with the magnetic fields. If it
22 interferes with my hearing, that's not going to be
23 good.

24 MS. BJORKLUND: Could we get -- could you
25 say your name for the record?

1 MS. BOEKELMAN: Sandy Boekelman.

2 MS. BJORKLUND: Sandy, thank you. That
3 is something that --

4 MR. HARTMAN: I could, in part, address
5 that. Was your concern about the wind turbines
6 themselves and EMF or the transmission lines
7 associated with it?

8 MS. BJORKLUND: Either one.

9 MS. BOEKELMAN: Any.

10 MR. HARTMAN: Both. Okay. Regarding
11 EMF, anything that uses power, basically consumes
12 power with a motor, TV, microwave, refrigerator,
13 they also have EMFs associated with them. So those
14 already exist in your household. For transmission
15 line designs, the transmission lines for this one
16 are going to be your lower-voltage lines. Your EMF
17 is more of a phenomena associated with your larger
18 high-voltage lines, say 345, 500 kV, 765, et cetera.
19 At the edge of a right-of-way, the electric field
20 strength is typically limited in our permits to, I
21 believe -- I forget the number -- .5, I think, or .8
22 kV per meter, which is generally a pretty acceptable
23 standard. That's what is typically included in
24 permits for high-voltage transmission lines.

25 The generators in your wind turbines are

1 in the very top of the turbine. So that's really
2 too far away to really be a factor for anything as
3 far as that goes. And the fact is that if the
4 nearest turbine is more than a thousand feet from
5 the homes, assume a thousand feet is a minimum
6 setback here, again, that should not be a problem
7 for the field levels generated up there because they
8 dissipate rapidly.

9 For example, if you're driving under a
10 high-voltage transmission line on the AM band, if
11 you're mid span, perhaps, you're going to get static
12 on your radio line. That's kind of -- well, it's a
13 little bit different than that. But the fact is the
14 design standards in terms of IEEE standards, state
15 permit standards, electric fields or magnetic fields
16 should not be an issue or problem regarding wind
17 turbines.

18 MS. BJORKLUND: And just to clarify, the
19 feeder lines associated with this wind farm are 34.5
20 kV lines. So that is low voltage -- lower voltage.
21 And what Larry is talking about, the higher
22 voltages, that's like 345 kV, 500 kV, and 765 kV,
23 which we don't even have in this state. We do have
24 some 345 and one 500, I think. But, yeah, it is --
25 EMFs have not been an issue or concern coming from

1 the wind turbines themselves. The distance is just
2 too great. But we really appreciate those comments,
3 and that is something that is, you know, on the
4 record, and so it will be raised in the -- in my
5 comments and recommendation.

6 And that's -- that's why I think that,
7 you know, the comment period -- this is one of the
8 things that's so great, there's a lot of issues out
9 here. And, you know, every project you always kind
10 of hear a new issue or somebody raises a new concern
11 that -- you know, EMFs have been around for a long
12 time. Obviously concerns about that. But it's --
13 it's important to talk about these issues and to --
14 and to raise these comments and to get information
15 out there, to get information on the record that
16 addresses people's concerns, because that's what the
17 process is about. And so we really appreciate that.

18 We have another comment.

19 MR. BEHREND: My name is David Behrends,
20 and I guess I'm concerned about the layout. I see
21 there's two layouts that you have. When do we find
22 out which one you would follow? I would approve the
23 one, but the other one I absolutely would
24 disapprove.

25 MS. BJORKLUND: Okay. Thank you. For

1 the record, you want to state which one that you
2 have a preference?

3 MR. BEHREND: 1B -- 1 -- 1B.

4 MS. BJORKLUND: Was that the -- Bruce, is
5 that the Vestas? 1B.

6 MR. FREEMAN: I don't remember which one.
7 David, do you? Vestas.

8 MS. BJORKLUND: The Vestas. Yeah, so the
9 company will be making the determination on its
10 turbine choice prior to submitting their compliance
11 filings to the preconstruction meeting, assuming a
12 permit's been granted. They may or may not select a
13 turbine prior to permit issuance. That is something
14 that we do leave up to the developer. That's why
15 they have to do layouts for every turbine under
16 consideration. And so your comments are noted that
17 you are concerned about the GE turbine layout.

18 MR. BEHREND: On plan A, I'll call it,
19 it splits my 100 acres in half, and the other one
20 follows the line fence. Section 18.

21 MS. BJORKLUND: Oh, okay.

22 MR. BEHREND: The access road.

23 MS. BJORKLUND: Oh, the access road. Are
24 you a participating landowner or a nonparticipating
25 landowner? Do you have an easement signed with

1 them?

2 MR. BEHREND: Yes.

3 MS. BJORKLUND: Oh, okay. So the access
4 road location too is something that -- well, that's
5 good to know, because we not only permit the turbine
6 locations, but we also permit where the access roads
7 are going to go and the associated facilities. So
8 now the company is also aware that you have these
9 concerns as well, so that is something that we can
10 look into.

11 I don't know, Bruce, do you want to
12 address that?

13 MR. FREEMAN: Sure. I'd be happy to.
14 Thank you for your question. Number 1, let me
15 emphasize that all the layouts that we're showing
16 here are preliminary. And part of the process we go
17 through to make them represent what we're actually
18 going to construct is to meet with each landowner
19 and go over what we're proposing, get your input as
20 to what works for your property, explain to you what
21 we're thinking. So what you see now is a very
22 high-level representation of what we anticipate it
23 would look like, but there's a lot more work that
24 goes on through the micro-siting process that
25 directly involve each landowner. So we certainly

1 wouldn't bisect your property without you agreeing
2 to that and discussing the alternative and working
3 through it with you. It's a collaborative effort.

4 MR. BEHREND: Because we won't be able
5 to work across these roads once they're in; right?

6 MR. FREEMAN: There are -- there are ways
7 that there -- that the land is farmed
8 collaboratively with the access roads the way
9 they're laid out. Ross Sorenson -- if Ross could
10 speak about it -- has worked on a lot of wind farm
11 projects and comes from a farming background, so he
12 can give some insight.

13 MR. MONTGOMERY: Yeah, like Bruce said,
14 I'm from Fillmore County. Actually, I was born and
15 raised in Spring Valley. I was raised on a farm,
16 and I've been involved in the construction of these
17 projects now. So the farming definitely matters to
18 me. You know, I understand what you guys are up
19 against, and we do the best we can and we do work
20 with individual landowners to lay out the access
21 roads such that it works with the farming operation.
22 I understand how farming works, and I do it every
23 fall and every spring with my dad still. For what
24 that -- you know, I do think that we make an effort
25 to work with you on that.

1 MR. FREEMAN: If I could add, I mean, we
2 get to the level of detail where the roads are laid
3 out such that accommodates the planter widths that
4 you're using. It's coordinated with the equipment
5 that you use. So minimizing the impact to the
6 agricultural operation is certainly a prime
7 consideration for our design efforts.

8 MR. BEHREND: Thank you.

9 MR. FREEMAN: You're welcome. Thank you.

10 MS. BJORKLUND: Thank you. Yeah. Okay.

11 MS. MILLER: Just a follow up. One of
12 the things that became an issue in the development
13 of the Bent Tree Wind Farm was the access roads and
14 where the entrance to the access roads went. And
15 what we don't want to do is end up doubling or
16 tripling the number of access points that come off
17 the farm fields. So we work collaboratively with
18 the developer, with the landowners so that when the
19 access road went in, that became the access for the
20 farm field as well. So we tried to improve those so
21 as you get bigger and better equipment, those narrow
22 little 15-foot, 20-foot driveways that you had out
23 there that we worked with the developer ended up
24 with good driveways for you to be able to get your
25 equipment in and out of with the right slopes and

1 better radiuses out there. So we tried to minimize
2 that so people didn't end up with three accesses to
3 the field and snow didn't drift across and drainage
4 impact problems. We would work with you guys on the
5 permit process of that and with the landowners as
6 well.

7 MS. BJORKLUND: Thank you. That's
8 really -- Larry.

9 MR. HARTMAN: Two other points about
10 access roads. I've been permitting wind farms with
11 the State for a number of years, and that was one of
12 my concerns working with farmers back in the 1990s
13 out on Buffalo Ridge. And for the most part the
14 farmers are pretty happy with the access roads
15 because, one, it allowed widening to get their crops
16 out, and they may not have been able to do that
17 otherwise. And another benefit they commented on
18 several times was, if your land is open for hunting,
19 it helps those who hunt your land; if they have
20 gear, they also can get that out also, which kind of
21 surprised me. I just offer that for what it's
22 worth. Maybe you care and maybe you don't.

23 MS. BJORKLUND: Sir, do you have a
24 comment? Yeah.

25 MR. REINDAL: My name is Chuck Reindal,

1 R-E-I-N-D-A-L. Section 7 and 8. My question is
2 regarding underground buried cables. And I've
3 probably been -- I've probably had this question
4 answered three times, and it hasn't sunk in yet for
5 sure. But I just want to be clear on this. As far
6 as the depth that they're going to be put in and
7 looking at the maps in the back, it looks like they
8 will be crossing several tile lines, you know, on
9 either one of the proposals there on our farm. So I
10 want to be clear on the depth that they're going to
11 be putting those in. And I realize that, you know,
12 as they're doing the installation, they're going to
13 be repairing lines as damage is done during that
14 process. But I guess my question is, for the
15 future, tiling in the future, repair in the future,
16 extra costs of working around those -- those
17 electric underground lines, and who is responsible
18 for those extra costs? That would be my question, I
19 guess.

20 MS. BJORKLUND: Thank you. I'm going to
21 address part of that question. The Applicant, MMPA,
22 would be responsible for the upkeep of those feeder
23 lines. So if they needed to be repaired, they would
24 be responsible for those costs. Those would be
25 owned and maintained by MMPA, the utility there

1 that's proposing the project. So the permittee is
2 responsible for that.

3 And for the remainder -- the rest of your
4 question, I'm going to turn that over to Bruce. We
5 do not get into depth of burial of communication
6 lines and that type of detail in our permit. And so
7 Bruce might have a comment or two on that.

8 MR. FREEMAN: Thank you for your
9 question. Typically we go four feet for buried
10 collector lines. And we typically try to run those
11 collector lines along with the access roads to the
12 turbines wherever possible. We certainly need to
13 look at your specific case and coordinate it with
14 your drain tiles or alternatives. If there's an
15 area where you have deep tiles, we can do
16 directional boring, we can go deeper in certain
17 areas if we have to. But once we establish with you
18 where the collector lines are going to go, the same
19 process that we talked about earlier with laying out
20 the access roads, we would coordinate where the
21 collection lines go with you, and that would be part
22 of the easement that we'd finalize with you under
23 your agreement.

24 MR. REINDAL: It looks like the majority
25 of the tile lines are going to be heading in

1 perpendicular?

2 MR. FREEMAN: We'd have to look at your
3 specific case and get our engineering team involved
4 and come up with a solution. But certainly a
5 solution needs to suit and support your continuing
6 agricultural operations. We just need to look at it
7 in detail.

8 MS. BJORKLUND: You have a question?

9 MR. BEHREND: Are the lines plowed in or
10 how are they --

11 MS. BJORKLUND: Bruce, why don't you take
12 that one too?

13 MR. FREEMAN: Yeah, they're trenched in.

14 MR. BEHREND: They're trenched in. So
15 you see an open trench, so you know when you hit a
16 tile?

17 MR. FREEMAN: They'll know when they hit
18 a tile, absolutely.

19 MR. MONTGOMERY: We're trenching.

20 MR. FREEMAN: They're trenching. So,
21 yes, they will know when they hit a tile,
22 absolutely. And hopefully you have good information
23 beforehand about where your tile fields are. So
24 that's really important, the existing information
25 you have is critical. I think we request that as

1 part of the agreement as an attachment to the
2 agreement. So any information you have beforehand
3 is great. But if they get damaged during the course
4 of construction, obviously they get it repaired.

5 MS. BJORKLUND: Drainage tile is also
6 addressed in the draft site permit.

7 Just a second, Larry.

8 Section 7.6 of the draft site permit does
9 address drainage tile.

10 Larry, go ahead.

11 MR. HARTMAN: Again, if you're a
12 landowner and you have drain tile maps, that's
13 great. I know a lot of times if you don't know
14 where they are, depending on who owned the farm, you
15 don't know where you are 'til you hit them. But
16 once the electrical lines are in, those are all
17 filed with the Gopher State 1 call system so there's
18 a permanent record of where those are. That
19 information is also filed in Freeborn County, which
20 they need for ditching purposes and perhaps other
21 reasons also. So once they're there -- and I'm
22 assuming you get a map of where they are on your
23 property also, just so you know. So if you're doing
24 pattern tile work in the future, buy additional
25 land, you're going to know that also.

1 MS. BJORKLUND: Do you have another
2 comment to add?

3 MR. FREEMAN: Yeah, yeah. And that's a
4 good point. Thank you, Larry. That when it goes
5 in, it's very accurately as built. So you know in
6 detail through GPS coordinates and maps that we'll
7 provide you exactly where this work is installed.

8 MR. HARTMAN: It includes depth also.

9 MS. BJORKLUND: I also just want to -- go
10 ahead.

11 MR. SCHMIDT: I got a comment here.
12 Dennis Schmidt. I live in Section 16. You guys are
13 missing the point here. He's talking five years up
14 the line now, you got to lay another line of tile,
15 well, that tiler comes out, well, you got an
16 electrical line here, it's going to cost you 300,
17 \$400 to cross that line. That's the way it is with
18 the pipeline right now. You're missing the point.
19 Five years from now he has to run another tile line.

20 MS. BJORKLUND: Okay.

21 MR. SCHMIDT: Understand?

22 MS. BJORKLUND: Yep.

23 MR. SCHMIDT: That tiler is going to
24 charge him \$500 to cross that line.

25 MS. BJORKLUND: To cross that.

1 MR. SCHMIDT: Who's going to pay for
2 that? That's what he's talking about.

3 MS. BJORKLUND: That comment -- thank you
4 for that comment. I don't know if their easements
5 address that issue or not. But, yeah, that's
6 something to consider when you're developing a wind
7 farm.

8 I also just want to remind everybody that
9 these layouts are preliminary. However, it's a
10 pretty good idea of where these turbines are going
11 to go before it goes up for final site issuance
12 before the Commission. It's a pretty good idea
13 where they're going to go. But micro-siting takes
14 place -- it can take place now, but it could also
15 take place after permit issuance. And so before
16 construction all these little details will be worked
17 out exactly where things are going.

18 But, yes, you have a comment?

19 MR. MORREIM: My name is Mark Morreim.
20 M-O-R-R-E-I-M. I was directly involved with the
21 Bent Tree Wind Farm. I did all their tile repair on
22 the entire project. I'm on my fourth contract now
23 with some companies that I'm working with. Some of
24 the issues that we dealt with was the four-foot
25 depths on the electric lines. That was a bad thing.

1 We were able to talk Holland Construction into going
2 five feet deep, and that worked great. What happens
3 when you put a collector line at four feet deep,
4 you're dealing with about five different cables.
5 You got three main cables. You got a fiber optic.
6 You got a bare cable. It creates a cluster about
7 the size of a four-inch tile. If you bury that four
8 feet deep, you're going to hit about every drain
9 tile on that field. So what you have to do then is
10 you have to pick the cables up and put the tile line
11 underneath them because you can't put a hump there.
12 When we did work for the pipeline years ago, they
13 actually had an ordinance -- the county still has
14 it, which I wish they would enforce now for this --
15 you have to have a one-foot separation between that
16 utility and the tile. I know you do that for the
17 county tile already. So that is a huge problem for
18 us if it isn't separated and far enough away,
19 because you can't -- it's all gravity. It's not a
20 pump. It's not a waterline. So that's one of the
21 issues.

22 That's one of the reasons I came tonight.
23 I'm not a landowner on this project, but I am
24 directly involved in Bent Tree. I did all the
25 repair work. I have three turbines on my property,

1 and I'm glad I do, because if I didn't have any
2 turbines, I would be a little upset. They are
3 noisy. They do make some noise from time to time.
4 The shadow affect isn't a big thing. I do get it
5 from time to time certain times of the year.

6 I guess if there's any questions, I can
7 answer them. I've been involved in this thing from
8 the very start, worked with David Bunsvold on the
9 Bent Tree project. They've been very good to work
10 with. The people have all been helpful. But one of
11 the big issues was the depth of those collector
12 lines. They have to be deep enough. That's a huge
13 issue for farmers. So that's one of the things we
14 got to make sure we get corrected.

15 MS. BJORKLUND: Thank you so much for
16 those comments. As I said, we don't require a
17 certain depth for those collector lines to be buried
18 at. I do believe that Section 4.15 in the permit
19 they, however, must meet the IEEE standards. But
20 those comments were definitely heard by the company
21 tonight. So...

22 Other comments? Yes. You're Wayne,
23 right, from the --

24 MR. SORENSON: Yes.

25 MS. BJORKLUND: -- from the county?

1 MR. SORENSON: Wayne Sorenson with
2 Freeborn County planning and zoning. I think I
3 should probably comment on that tile. Mr. Moore is
4 right, there is a county ordinance, the land use
5 ordinance in Article 18, essential services. There
6 is a required separation on buried cables or buried
7 pipelines from field tile for a one-foot separation.
8 In my mind, I'm not remembering if it was specific
9 above or below, but it is a one-foot separation.
10 And I wonder if that may be some information the
11 State has as far as that's a local minimum county
12 requirement?

13 MS. BJORKLUND: You know, I don't recall
14 seeing it. Well, the only information in the wind
15 ordinance that you have on drainage tiles that is in
16 the permit is that turbines must be at least 30 feet
17 from the center line of any buried public drain tile
18 or 50 feet from the top edge of any open public
19 ditch.

20 MR. SORENSON: Well, I can see what
21 the -- the way it's progressed here, is Article 14
22 covers the wind turbine part of our ordinance. We
23 also do have an Article 18, essential services.

24 MS. BJORKLUND: Okay.

25 MR. SORENSON: That's power lines and

1 pipelines and all. That's where that provision is
2 at.

3 MS. BJORKLUND: Okay.

4 MR. SORENSON: So I feel I should mention
5 that and maybe bring it up with Larry, and it should
6 be something that the developer talks about.

7 MS. BJORKLUND: Absolutely. So not only
8 are your comments on record tonight, but also if the
9 county provides written comments, that is something
10 that you can include in your written comments as
11 well. I was just looking at your wind ordinance,
12 and it's good to know that there are other parts of
13 your ordinance that may be applicable or you might
14 like to have be applied in this case.

15 MR. SORENSON: And this is exactly why I
16 came to the meeting, was just to gather information
17 and just be here in case there was something. This
18 is one case I'm sure glad I'm here. Anybody that
19 owns tile is probably going to be glad I came,
20 maybe. So we'll talk with Larry and you about that
21 one too.

22 MS. BJORKLUND: Okay. Sounds good.

23 MR. SORENSON: All right. Thank you.

24 MS. BJORKLUND: Thank you.

25 MR. YOST: My name is Ted Yost. I'm in

1 Section 15. I'm here opposing the whole thing. I'd
2 like you to take a raise of hands of landowners and
3 of people that have houses in the system. I was
4 approached on this. I turned it down due to the
5 fact of all these things that are being said. I
6 want to sit on my front porch. I want the birds
7 singing. I don't want woof woof. I don't want the
8 shadow across the kitchen. This is breaking up a
9 neighborhood. You're coming into a neighborhood
10 that is so close together. You got a yard every
11 quarter mile. And I didn't realize we're on the
12 other side of 46. You run -- how many miles are you
13 running for those three windmills?

14 You dangle the carrot. The guy that came
15 to our place the first time, it was almost
16 ridiculous. It's like dangling a carrot in front of
17 a mule. And when this started, I don't know how it
18 ever got to be Shell Rock Wind Farm. Why is it
19 Shell Rock Wind Farm? No one's ever been able to
20 explain that. What do we got to do with Shell Rock?

21 Then when the guy comes and you ask him
22 questions, please come back, he didn't return the
23 several questions that I had. You're eliminating --
24 you're saying about hunting. That pack of papers
25 that came out took me two-and-a-half hours to read.

1 And when you get to that last line and you sign that
2 paper, you've lost all control of your land. You
3 can't have nobody hunt on your land without your
4 permission -- without these guys' permission. You
5 can't tile without their permission. You can't
6 build a building without their permission. And here
7 you are, you're dumping this in the middle of an
8 area that's totally overpopulated for these
9 windmills.

10 I dealt with Bent Tree too. I worked on
11 it. I talked to the guy from Texas, and he says why
12 in the world are you people in this beautiful
13 countryside putting up these giant fans and ruining
14 your neighborhood?

15 That's all I have to say.

16 MS. BJORKLUND: Thank you so much for
17 your comments. Just to be clear, the State of
18 Minnesota is involved in permitting the wind farm.
19 The applicant is the Minnesota Municipal Power
20 Agency. It's the utility. They're developing the
21 project. It's their project. And they picked the
22 name for whatever reason. I have no idea why. The
23 lease agreements, those are agreements that are
24 between two private parties, between MMPA and the
25 landowner, and the State does not interject itself

1 in those agreements, in those negotiations. We are
2 not a party to those agreements, and that's between
3 two private parties.

4 We do hear similar comments, you know,
5 concerns about -- that you've raised. You know,
6 we -- to be clear, the public process is to really
7 gather information and determine whether a site
8 permit should be issued; and then if the site permit
9 should be issued, what should the conditions in the
10 permit be. So we don't take polls to determine who
11 supports, who's against, if the landowners are
12 living on the property or if they're absentee
13 landlords. We are really looking at, well, should a
14 site permit be issued for the site and what should
15 it look like if one is issued. And that's -- that's
16 really our task. And so we're really here to gather
17 information, and we appreciate your comments.

18 Yes.

19 MR. YOST: I do have one more comment.
20 The guys that came around, why -- when this started,
21 they didn't have this meeting to start with. They
22 didn't have who wanted to be in the neighborhood,
23 who would get a fan. They went to every property
24 owner individually as fast as they could get them to
25 sign on a piece of paper. There's some of us that

1 refused to sign. And I know for absolute fact
2 blatant lying. My property was told to a landowner
3 why I didn't accept a fan was because I was too
4 close to the Albert Lea Airport, which is a blatant
5 lie. And you should know about that. These people
6 that came out and did all this stuff, they lied to
7 other people about this. And dangling the carrot is
8 all that made this fly. And you're ruining a
9 neighborhood. That's all there is to it.

10 MS. BJORKLUND: Thank you for those
11 comments. Yeah, as I said, the lease agreements or
12 easement agreements, that's something that the State
13 does not get involved with.

14 MR. YOST: Who does? I mean, how can you
15 punish people that live in rural America when you
16 keep saying you don't have nothing to do with it?

17 MS. BJORKLUND: Everybody has a right to
18 enter into an easement to encumber their land. It's
19 a contract between two private parties. Everybody
20 has a right to do that. And -- you know, and -- and
21 if people have concerns about what's in the lease
22 agreement, that's where people contact an attorney
23 to help them through that. These are very serious
24 agreements. These are encumbering the land for some
25 time. They are very involved. We do not see the

1 agreements by the State. No, we just -- all we need
2 to know from the State -- we do not review the
3 agreements. And what we need to know is if they
4 have the right to develop and operate the wind farm.
5 The details of those agreements are left up to the
6 negotiation between two private parties.

7 MR. YOST: That's what I said. They lie
8 to people to get them to sign.

9 MS. BJORKLUND: I appreciate your
10 comments. It's -- yeah.

11 So they -- just to back up a little bit
12 too. They start developing the project long before
13 it comes to the State of Minnesota for a permit. It
14 can take, you know, a number of years to develop a
15 project. It could be in development for several
16 years and have those agreements signed several years
17 before they come to apply for a permit from the
18 State of Minnesota. And what we are concerned about
19 at the State is setback distances from those
20 landowners that have chosen not to participate.
21 And, as I said, the permit does address that. And I
22 mentioned earlier in my opening comments on how far
23 turbines would be set back from nonparticipating
24 landowners. And, as I said, it would be a minimum
25 of like 813 feet to a maximum of 1,475 feet setback

1 from a nonparticipating property. And if that's
2 something where, you know, you think that that
3 setback isn't great enough, I mean, that's again
4 what this meeting is for, to hear about these
5 comments and what provisions in the draft site
6 permit that should be amended.

7 Other comments? Questions? I'll give it
8 another minute here.

9 Okay. We will wrap it up for this
10 evening. Again, I want to thank you all for coming.
11 I also want to remind you that please e-mail me your
12 written comments, if you want to supply written
13 comments in that way. You can also submit written
14 comments on our website. Information is in the
15 handout. It was also in the notice that was mailed
16 out to each and every landowner in the project area.
17 Also, you can pick up one of those green sheets in
18 the back and fill that out. You can give that to me
19 tonight or mail that in. We are accepting comments
20 until September 12th, at which time the public
21 comment period will close.

22 Okay. Thank you so much.

23 (Concluded at 8:00 p.m.)
24
25

1 STATE OF MINNESOTA)
2 COUNTY OF DAKOTA) ss.
3

4
5 REPORTER'S CERTIFICATE
6

7
8 I, Angie D. Threlkeld, do hereby
9 certify that the above and foregoing transcript,
10 consisting of the preceding 42 pages is a
11 correct transcript of my stenographic notes, and is
12 a full, true and complete transcript of the
13 proceedings to the best of my ability.

14 Dated September 19, 2011.
15

16
17
18
19 _____
20 ANGIE D. THRELKELD
21 Court Reporter
22
23
24
25