

**Wind Siting Council Meeting Minutes  
Friday, April 16, 2010**

**Members Present:**

Tom Green  
 Bill Rakocy  
 Doug Zweizig  
 Lloyd Lueschow  
 Dan Ebert  
 Andy Hesselbach  
 Ryan Schryver  
 Michael Vickerman  
 George Krause Jr.  
 Tom Meyer  
 Larry Wunsch  
 Dwight Sattler  
 David Gilles  
 Jennifer Heinzen  
 Jevon McFadden

**Members Absent:**

None

**Non-Voting Alternates Present:**

None

**Commission Wind Siting Staff Present:**

Deborah Erwin  
 Daniel Sage  
 John Lorence

**Proceedings**

## 1) Welcome/Review of today's agenda

- A proposed revised draft schedule was distributed to Council members. Chair Ebert explained that Commission staff developed the revised draft schedule based on conversations between Chair Ebert, Vice Chair Zweizig and Commission staff.
- Chair Ebert explained the Council is currently in the "rough draft stage" of the schedule. The revised draft schedule contemplates Council members using this and the next few meetings to provide individual comments to Commission staff and for the Council to discuss various issues.
- At the beginning of the next stage, (the "published draft stage") a new draft of the rules would be available – this draft will be the draft issued for public comment. During this "published draft stage" the Council will do a more in-depth analysis of a few select issues that Council members decide to prioritize for further discussion. The Council will conduct this review concurrently with the public comment period on the published draft of the rules.
- The "final draft stage" is an additional opportunity for the Council to weigh in on what Commission staff prepares in response to comments received during the previous stages and public comment period. The Council will be working to prepare a written document to submit to the Commission for its consideration of the final draft of the rules.
- Commission staff reviewed the Council members' individual comments submitted to Commission staff prior to the meeting, and prepared two summary documents which the Council will use for its discussion of the draft rules.

- 2) Review and adoption of meeting minutes of April 9, 2010
  - Council members reviewed the draft minutes and requested that a note be added to indicate that the meeting was held via telephone.
  - Council adopted the minutes with no other changes.
  
- 3) Discuss draft of wind siting rules provided by Commission staff
  - Deb Erwin discussed the development of the “rough draft” of the rules. In developing the rough draft, Commission staff looked to public comments from cases before the Commission, public comments and inquiries made outside of cases, comments made in and out of cases by wind developers and utilities, existing public subdivision ordinances in Wisconsin, and wind siting regulations in other states. The Council should not view the rough draft as establishing a “floor” or a “ceiling” for any particular topic – comments are welcome for all aspects of the draft rules.
  - Council members discussed the following categories of topics listed in the *Summary of Wind Siting Council Member Comments on Draft Rules* provided by Commission staff.
    - Scope of the Rules
    - Pre-development activity
    - Political Subdivision Land Use Planning
    - Natural Resources
    - Stray Voltage
    - Emergencies
  - Discussion Summary:
    - *Scope of the Rules*: Differentiate between large and small turbines, large and small facilities and drafting rules accordingly, not encompass off-shore development. Concerns that too many distinctions or categories may affect the clarity and ease of applying rules. Also suggested: distinctions for commercial and non-commercial generation, use of energy on- or off-site. One way to distinguish would be for less than 100 kW or less than 200 feet in height be considered a small turbine, and up to 10 turbines and 20 MW or less (this may coincide with a threshold level for interconnection also) be designated a small facility. There may be an FAA requirement regarding installations more than 500’ tall. Staff will pursue additional information on this item.
    - *Pre-development activity*: Who should receive notifications of a project, what format should be used for notification and at what point in the development process should they be going out? How does this compare to public notice requirements regarding other developments?
      - Who should receive: only landowners adjacent to properties hosting a turbine, all properties within ½-, 1-, 2-miles of any turbine-hosting property.

- Format of notification: public notice published in paper of record, letter to property owners, flyers, public informational meetings/hearings open to all, combination of these.
  - Timing of notices: When developer first starts approaching individual landowners regarding interest/potential leases, when developer identifies an initial interest in an area, when developer initiates contact with local governments.
  - Comparison to other land use/construction developments: Need to balance interest of area residents/landowners with project development interests of private entity. Suggestion that notice be given prior to construction of meteorological towers; suggestion to have different notice requirements for small personal turbine, etc. Staff will pursue additional information regarding notice requirements for other types of development.
    - *Political Subdivision Land Use Planning*: relationship of Smart Growth planning and wind development. Staff will research intersection of various statutory provisions and report back.
    - *Natural Resources*: Suggestion to have rules regarding developer interaction with other agencies and how it may affect local municipalities. Suggestion that rules regarding notification of agencies should consider going further. Interest in DNR input in rule-making. Suggestion to develop a checklist for developer responsibilities/requirements in terms of agency permits, agency notifications and actions/coordination.
    - *Stray Voltage*: Need for understanding of current procedures and protocols and how to reflect in rules. What is being done with existing wind farms? Should it be limited to the utility side of the farm, not in the barn? Who does the testing, who arranges and pays for? How deal with differing results from private tester vs. utility-performed testing? Staff will get information regarding stray voltage testing protocols and how currently being carried out for Commission-reviewed and approved wind farms.
    - *Emergencies*: Concerns regarding increased costs of responding to emergencies associated with wind facilities and how these are supposed to be covered by the municipality. Who should handle: local responders (with or without training from facility operator), wind facility employees. Is a wind tower considered a confined space for OSHA purposes? Should emergency requirements be different for small and large facilities? Draft rules were modeled on gas pipeline language. Staff will look at emergency requirements in existing wind ordinances and Joint Development Agreements and develop clarifications.
- 4) Next steps/Discussion of next meeting's time, place and agenda
- Next Council meeting will be Thursday April 22, 1:30 p.m., held at the Public Service Commission.
  - Chair Ebert asked Council members to review the *Summary of Provisions with Only Minor or No Council Member Comment* for the next meeting.

- Chair Ebert asked Council members to submit to Commission staff by close of business on Wednesday April 21 their suggestions for topics the Council should give special attention to and have as a topic of in-depth discussions.
- Wind Farm tour: Andy Hesselbach and Larry Wunsch will work with Deb Erwin to develop a plan for Council members to tour a wind farm. It will be noticed as a public meeting to comply with open meetings requirements. The tour will not be an actual meeting or have an agenda.

5) Adjourn

*These draft meeting minutes were prepared by Commission staff and submitted to Dan Ebert, Wind Siting Council Chair and Secretary. Additional notes provided to Commission staff by Elizabeth Hanigan.*

DRAFT