

Monday October 22, 2018

The Deuel County Zoning Board met on Monday, October 22, 2018, at 6:30 P.M., at the Clear Lake Community Center in Clear Lake. Those present were members Dennis Kanengieter, Steve Rhody, Kevin DeBoer, Gary DeJong, and Mike Dahl. Also present were Attorney John Knight, Zoning Officer Jodi Theisen, and Luke Muller; Senior Planner for First District Association of Local Governments.

Chairman Dennis Kanengieter called the meeting to order.

Having held the Public Hearing for the application for the Crowned Ridge Wind II, LLC Special Exception Permit on September 22, 2018, the Board opened its discussion on the matter. The request, if granted, would permit the applicant to construct and operate up to 153.6 MW Crowned Ridge Wind II, LLC Wind Farm with up to 68 wind turbines. The proposed Wind Energy System is located in the following sections and townships: Goodwin Township (T116N, R50W) in sections 3-9, 13, 15-36; Havana Township (T115N, R50W) in sections 3-8, 17 and Rome Township (T117N, R50W) in sections 6-9, 17-21, 27-35, all in Deuel County in an Agricultural Zoned District.

Chairman Kanengeiter asked Luke Muller to assist in running the meeting and organizing the discussion. The Deuel County Board of Adjustment asked the applicant questions about.

- ADLS (Aircraft Detection Lighting System)
- Livestock, fences, liability
- Haul roads, culverts, drain tile, buried electrical cable and bridges
- Liability on the haul roads, culvert, drain tile and etc.
- Any future additions to the Wind Farm and the protocol
- Generators and if they get damaged and the protocol about the damage to surrounding land owners and the replacement
- The location of the towers and changes to the layout
- Decommissioning Bond
- Location of the towers and if they are in any wetland areas
- Noise – if the tower meets or exceeds the dBA the protocol

The Deuel County Board of Adjustment didn't feel there were any other issues brought up with the application or during the testimony which related to the Zoning Ordinance or Land Use Plan

that needed to be addressed. The Deuel County Board of Adjustment requested the staff to prepare the findings of fact and to have them available at the next scheduled hearing to look over and sign.

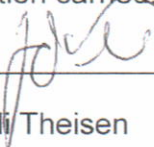
Muller read conditions based upon previously adopted wind towers:

1. Are you satisfied the application was received 4 weeks prior to our meeting?
2. Does this application meet the definition of a Wind Energy System?
3. Do you agree that this permit should not become effective until all required permits are granted by the state and federal government, including the remaining applications and licenses referenced in the application?
4. Did the application and testimony at this meeting allow us to adequately review how the applicant will satisfy requirements for site clearance, topsoil protection, compaction, livestock protection, fences, public roads, haul roads, turbine access roads, private roads, control of dust, soil erosion and sediment control, electromagnetic interference, lighting, turbine spacing, footprint minimization, collector lines, feeder lines, decommissioning, tower height and appearance, and noise?
5. Has the applicant demonstrated the ability to meet required setbacks for turbines from property lines, right-of-way, residences, businesses, government facilities and other structures, uses or features which would require setback?
6. Has the applicant submitted Boundaries of the site proposed for WES on a USGS Map, a map of easements, copies of easement agreements with landowners, maps of occupied residential structures, businesses, churches, and buildings owned and/or maintained by a governmental entity, maps of sites for WES, access roads, and utility lines, location of other WES in general area, project schedule, and mitigation measures?
7. Does the agreement in the letter of assurance that the applicant will obtain a haul road agreement satisfy the requirement for a haul road agreement?
8. Are there any other issues brought up with the application or during testimony which relate to the Zoning Ordinance or Land Use Plan that you feel need to be addressed?
9. Do you agree we are empowered to issue the permit?
10. Do you agree that this will not adversely affect the public interest if operated according to our ordinance and the conditions prescribed?
11. Does the Board request the zoning officer to prepare the findings of fact consistent with these questions to be approved by the Chairman of the Board; and for the zoning officer to issue

the Special Exception Permit and any letters of assurance, building permits or other items associated with said Special Exception Permit?

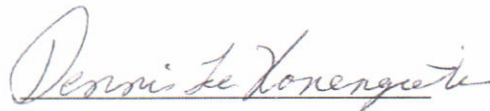
12. Does the Board agree the conditions recommended by staff should be agreed to by the applicant and/or have any additional recommended conditions to add to this permit? Motion by Dahl, seconded by Kanengieter, to approve the Special Exception for the Crowned Ridge Wind II, LLC Wind Farm to construct and operate up to 153.6 MW Crowned Ridge Wind II, LLC Wind Farm with up to 68 wind turbines. The proposed Wind Energy System is located in the following sections and townships: Goodwin Township (T116N, R50W) in sections 3-9, 13, 15-36; Havana Township (T115N, R50W) in sections 3-8, 17 and Rome Township (T117N, R50W) in sections 6-9, 17-21, 27-35, all in Deuel County in an Agricultural Zoned District. Condition to use Aircraft Detection Lighting System where possible and applicable according to the FAA, for the purposes of this application substantial construction shall be considered the completions of at least 25% of the towers in the final layout are erected and to include the other conditions that Muller read during the meeting. Kanengieter called a roll call vote: Dahl-yes, Rhody-yes, DeBoer-yes, DeJong-yes Kanengieter-yes. Motion carried.

Motion carried, Kanengieter called the meeting.



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Jodi Theisen  
Zoning Officer



Dennis Kanengieter  
Chairman, Zoning Board