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Details:

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Commerce, Utilities, Energy, & Rail (SC-CUER)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**



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www.nrcdifference.com

May 14, 2009

Representative James Soletski
Room 307 West
State Capitol
P.O. Box 8953
Madison, WI 53708

RE: Support for passage of SB 185/AB 256, Wind Siting Reform

Dear Representative Soletski:

Natural Resources Consulting, Inc. (NRC) wishes to register in support of the wind siting reform legislation proposed in SB 185/AB 256.

Who are we? NRC is a Wisconsin small business that began riding the wave of renewable energy approximately 5 years ago. NRC's professional, applied scientists (numbering between 40 and 50, depending on workload) perform resource inventories and impact assessments on regulated natural and environmental resources and other resources of concern (bats and other rare or sensitive species) during the planning phase for siting wind farms. NRC also provides Geographical Information Systems (GIS) analyses and permit application assistance to wind developers and wind farm designers.

Why is SB 185/AB 256 important to Wisconsin's economy? Production of wind energy is a growing and sustainable area of the nation's economy and NRC has completed work on approximately 25 wind projects to date, with several more ongoing, and still more proposals pending, at present. We would like to be working on more Wisconsin wind farm projects in order to contribute more to the support of Wisconsin's economy, but the vast majority of our wind projects are in bordering states or further west. It is our understanding that regardless of the suitability of the wind resource, wind developers are avoiding Wisconsin due to the unpredictability of the approval process – especially at the local level.

What is the current problem? The current Wisconsin permitting environment for wind energy facilities is dysfunctional. Although current state law prohibits local jurisdictions from restricting wind development, there is an exception for issues of public health and safety with no associated uniform standards for local ordinances. This creates an opening for some local jurisdictions to impose restrictions and requirements on wind developers that are expensive, time-consuming, and often divorced from scientific reality and Wisconsin experience. As a consequence, approximately 400 MW of planned wind developments, representing \$800 million in investment and \$1,600,000 per year in payments to local governments, are stalled across Wisconsin, due to moratoria and restrictive ordinances adopted by local governments.

NRC supports passage of SB 185/AB 256 because:

- The proposed legislation would require the PSC to promulgate rules setting forth permitting

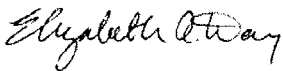
standards that would apply to all wind energy installations. PSC rulemaking is open to all stakeholders, including groups opposed to wind development; interested parties would have a place at the table where they can make their case for specific provisions.

- The proposed legislation would institute a process for appealing local permitting decisions to the PSC for projects above 1 MW. This appeal process provides developers and decision-makers alike with a tightly defined framework and timetable for preparing, reviewing and deciding on applications to construct commercial wind turbines.
- Wind is the only renewable energy resource that can scale up to meet the utilities' current renewable energy requirements. At least 90% of the energy needed to meet Wisconsin's 10% statewide target will be generated with wind. The single biggest constraint to increasing wind generation in Wisconsin is the permitting environment, which is far more problematic here than in neighboring states. The delays and cost overruns that arise from local permitting battles are ultimately passed along to ratepayers.

Therefore, on behalf of the other owners of Natural Resources Consulting, Inc., we respectfully urge your support of wind energy permitting reform - SB 185/AB 256.

Sincerely,

Natural Resources Consulting, Inc.



Elizabeth A. Day
Principal Scientist



William Poole
Principal Scientist

CC: Senators Plale, Hopper, Hansen, Holperin, Kreitlow, Taylor, Sullivan, Miller, Risser, Wirch and Coggs; Representatives Soletski, Montgomery, Parisi, Black, Mason, Spanbauer, Hilgenberg, Roys, Townsend, Richards, Suder, Honadel, Pohan, Clark, Wood, Smith, Pasch, Vruwink, Molepske Jr. and Stone



Zoning v. Planning

active Planning

Memorandum

To: All Legislators
From: Tom Larson, Director of Regulatory and Legislative Affairs
Date: May 18, 2009
Re: SB 185 – Wind energy systems

The Wisconsin REALTORS® Association (WRA) supports the goal of creating statewide standards for siting wind energy systems, but opposes SB 185 for the following reasons:

- **Ignores local land-use plans** – Under the bill, local units of government are unable to consider local comprehensive plans in determining whether to approve a proposed wind energy system. This effectively repeals current law, which prohibits a local unit of government from approving a proposed wind energy system if it will unreasonably interfere with the community's land-use plan. See Wis. Stat. § 66.0403(5)(a)1. Moreover, SB 185 would be in direct conflict with the State's efforts to place greater importance on local planning as part of Wisconsin's Smart Growth Law, which requires all local units of government to make land-use decisions that are consistent with a local comprehensive plan by 2010. See Wis. Stat. § 66.1001(3).

Local comprehensive plans are the tools best suited to dictate where all types of development, including wind energy system development, should and should not occur. Through planning, local communities are able to balance the often competing land-use demands related to transportation, farming, homes, environmental preservation, and economic development. Failing to consider local comprehensive plans as part of the approval process for siting wind energy systems will lead to greater land-use conflicts between these systems and other types of land uses.

Recommendation – Authorize local units of government to consider local comprehensive plans as part of the PSC's rules relating to the installation and use of wind energy systems.

- **Fails to adequately notify ALL affected property owners.** Under the bill, only those property owners directly adjacent to the proposed wind farm receive notice. Because commercial windmills can exceed 300 feet in height, other property owners near, but not directly adjacent to the proposed wind energy system, may be equally affected by the proposed wind energy system development. These property owners, like those adjacent to the proposed wind energy system, should be notified about the proposed wind energy system so that they can become informed about the proposed wind energy system and the state standards developed by the PSC which will likely address any concerns about possible impacts on the value of their property. By better educating all affected property owners, there will be less opposition to the siting of new wind energy systems. Less public opposition to the siting of wind energy systems would be a direct benefit to the entire state as we continue to look for ways to enhance our renewable energy resources.

Recommendation – In addition to notifying adjacent landowners, require public notice to be given so that all property owners and other members of the public can obtain additional information about proposed wind energy systems.

If you have any questions, please contact me at (608) 240-8254.

*PK
should take
into consideration
Smart Growth Law
JP: talk with
WRA*

*Town OK
PK*





Insured: _____

Policy No.: _____

1828 Wisconsin Avenue • New Holstein, Wisconsin 53061
Phone: 920-898-4488 • Wats: 1-800-657-0732 • Fax: 920-898-4847 • E-Mail: cem1873@charterinternet.com

Senator Plale

6-9-09

On May 12 2009 You CoChaired a Public Hearing of the House Assembly and Senate Committees on Energy. I have purchased and viewed the tapes of the hearing.

My concern is the testimony that Chuck Schneider gave opposing wind turbines. Schneider is the Town Chairman of the Town of Brothertown Calumet County. He stated that the Town of Brothertown Residents do not want wind Turbines.

This is Schneiders personal opinion and not that of the people in the township. He belongs to a group of people called CCURE who are very vocal and negative against the installation of Wind Turbines. I have enclosed a copy of a Survey that was conducted in the Town of Brothertown. It definitely contradicts what Schneider said. I have highlighted those questions and answers that pertain to Wind Energy. Please vote for these Bills Thank You

Terry A. Critter
W4648 Dick Rd
Chilton WI 53014

DATE _____

INSURED'S SIGNATURE

AGENT'S SIGNATURE

Terry A. Critter

TOWN OF BROTHERTOWN COMPREHENSIVE PLANNING CITIZEN INPUT SURVEY RESULTS

1. What is your primary occupation?
60% employed (non farm) 27% retired 11% farm 2% other

2. What is your age:
6% 18-29 23% 30-44 29% 45-55 20% 56-65 22% Over 65

3. Are you currently a resident in the Town of Brothertown?
84% Yes (If "yes", please answer questions 3a – 3f below)
16% No (If "no", skip to question 4)

3a. How long have you been a resident in the Town of Brothertown? Average 28 years

3b. Is your residency 90% Full Time 10% Seasonal

Regarding your property in the Town of Brothertown:

3c. Do you currently: 94% Own property 4% Rent property 2% Neither

3d. Is your property a: 19% Full-time farm 11% Hobby farm 70% Non-farm

3e. Is your property: 25% Lakeshore 74% Non-lakeshore

3f. Is your dwelling: 92% A house 7% A mobile home 1% Other

4. Do you currently own agricultural land?
32% Yes (continue to question 4a)
68% No (skip to question 5)

4a. If you currently own agricultural land, what are your plans regarding the land in the next 10 years? (check all that apply)

- 49% Continue to farm
- 27% Pass the farm on to a family member
- 21% Retire on the farm
- 37% Rent all or a portion of the land for farming purposes
- 3% Rent all or a portion of the land for non-farming purposes
- 7% Sell the entire farm
- 4% Sell a portion of the farm
- 8% Put all or a portion of the land into conservation set-aside
- 11% Develop all or a portion of the land
- 11% Don't know

5. Please indicate your opinion of following public services in the Town of Brothertown:

Opinions of public services, by percentage	Excellent	Good	Neither Good nor Poor	Poor	Very Poor
a. Police Protection	14%	61%	22%	2%	1%
b. Fire and Rescue	25%	57%	16%	2%	0%
c. Cellular Telephone Service	6%	34%	29%	18%	13%
d. Internet Access	8%	33%	34%	14%	11%
e. Solid Waste and Recycling	17%	64%	13%	4%	2%
f. Snow Removal from Roads	28%	57%	10%	2%	2%
g. General Road Maintenance	23%	66%	7%	3%	1%
h. Schools	24%	58%	17%	1%	0%
i. Natural Gas	17%	47%	28%	4%	3%
j. Emergency Crisis Management	7%	38%	53%	2%	0%

6. Since you became a resident in the Town of Brothertown, do you feel that the quality of life in the Town has:

- 26% Improved
- 8% Worsened
- 49% Remained the same
- 9% I am not a resident of the Town
- 8% I am a resident of the Town but have no opinion

7. From the list below, please rank the top *four* qualities that you most value about the Town of Brothertown. List 1 for 1st choice, 2 for 2nd choice, 3 for 3rd choice, and 4 for 4th choice.

Results listed in combined order of preference for all 10 qualities

- | | |
|--|--|
| <u>4th</u> People | <u>6th</u> Safety/feeling of security |
| <u>2nd</u> Location | <u>8th</u> Quality of Services |
| <u>3rd</u> Quietness | <u>1st</u> Rural/Country atmosphere |
| <u>10th</u> Quality of Government | <u>9th</u> Quality of homes |
| <u>5th</u> Small town atmosphere | <u>7th</u> Recreational opportunities |

8. The Town of Brothertown Comprehensive Plan is required by the state and will be used to help shape the future of the community. For each item listed below, please indicate your opinion of whether the item should be considered when developing the Town of Brothertown Comprehensive Plan.

Percentage agreement, items to consider in Comprehensive Plan	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
a. Develop new businesses and local employment opportunities.	18%	35%	28%	13%	6%
b. Insure equitable property taxes for all landowners	45%	46%	8%	2%	0%
c. Preserve former dairy farmsteads and barns.	31%	32%	29%	6%	2%
d. Preserve open spaces and undeveloped land.	41%	33%	19%	5%	2%
e. Preserve the town's best farmland.	41%	35%	20%	3%	2%
f. Promote orderly growth and development in the town.	29%	45%	17%	7%	2%
g. Protect groundwater/drinking water quality.	71%	26%	3%	0%	0%
h. Protect scenic views of the Ledge/Niagara Escarpment.	50%	32%	17%	1%	1%
i. Protect surface water quality.	60%	36%	4%	0%	0%
j. Protect the existing rights of individual landowners.	63%	31%	5%	0%	0%
k. Maintain the rural character of the Town.	49%	42%	7%	2%	0%
l. Maintain the agricultural character of the Town.	41%	39%	16%	3%	1%
m. Protect undeveloped stretches of Winnebago lakeshore.	47%	25%	18%	7%	2%
n. Protect wetlands (i.e. the South Branch of the Manitowoc River).	44%	34%	18%	4%	1%
o. Protect existing woodlands.	47%	33%	15%	3%	2%
p. Set aside areas for mobile home parks	7%	11%	23%	21%	39%

9. Between 1990 and 2000 the population in the Town of Brothertown has remained steady at about 1400 people. What rate of growth would you like to see within the next 10 years?
- 39% No growth (population remains at around 1400 people)
 - 58% Modest growth (population growth of 10-100 people per year)
 - 3% Rapid growth (population growth of more than 100 people per year)

10. The Town of Brothertown is currently both a rural and an agricultural community. How would you like to see the Town of Brothertown in the year 2020? (check all that apply):
- 65% Rural community (scenic, natural)
 - 52% Agricultural community (farming crops and livestock)
 - 8% Residential community (single family homes, subdivisions, apartments, etc.)
 - 12% Recreational/Tourist community
 - 3% Commercial community (mills, factories, warehouses, office buildings, light industrial)
 - 47% Scattered Residential community (Mixed agricultural and single family homes)
 - 3% No opinion/don't know

11. In your opinion, should the Town of Brothertown encourage commercial and/or industrial development in the Town?

- 32% Yes (if "yes", continue to question 11a)
- 54% No (if "no", skip to question 12)
- 13% No opinion/don't know (skip to question 12)

- 11a. If you feel that the Town should encourage commercial and/or industrial development, what types of commercial development would you support in the Town of Brothertown (check all that apply)?

- 82% Professional and Light Industrial type businesses (insurance, banking, light manufacturing, etc.)
- 54% Retail stores (Antique and specialty shops, clothing stores, etc.)
- 77% Gas station/convenience store
- 59% Restaurants
- 21% Industrial Manufacturing (mills, factories, warehouses, etc.)
- 16% Mining (Limestone quarries)

12. In your opinion, should the Town of Brothertown encourage new housing development?

- 39% Yes (if "yes", answer questions 12a – 12c below)
- 51% No (If "no" skip to question 13 below)
- 10% No opinion (skip to question 13 below)

- 12a. If you feel that the Town should encourage new housing development, what types of new housing development should the Town encourage? (check all that apply)?

- 96% Single family homes
- 16% Mobile home parks
- 37% Condominiums
- 5% Individual mobile homes
- 12% Apartments (1, 2, or 3 bedroom)
- 33% Senior citizen housing (assisted living)
- 13% Senior citizen housing (nursing homes)
- 15% Duplexes
- 41% Hobby farms
- 48% Second homes/seasonal homes
- 6% Multiple family developments

- 12b. In your opinion, where do you feel that future housing development should take place in the Town?

- 28% Only in areas with existing sewer services
- 1% Only in areas without existing sewer services
- 54% In areas that may or may not have existing sewer services
- 18% No opinion

12c. In your opinion, residential lot development in areas with NO existing sewer services should be required to have a minimum of:

- 6% Less than 1 acre
- 36% 1 acre
- 19% 2 acres
- 11% 5 acres
- 4% 10 acres
- 2% 35 acres
- 11% No acreage requirement
- 10% No opinion

13. When a farmer sells a farm in the Town, which one of the following best describes how you believe that the land should be used after the sale? (check only one)

- 24% The land should be allowed to be used for residential development purposes
- 2% The land should be allowed to be used for commercial development purposes
- 75% The land should be kept for an agricultural-related land use

14. In the future, what recreational facilities would you like to see developed in the Town of Brothertown? (check all that apply)

- 10% Ball diamond(s)
- 37% Multi-use park
- 19% Additional boat launches
- 10% Additional marinas
- 19% Expansion of the snowmobile trail system
- 23% Recreation trail system for ATVs only
- 39% Recreation trails for biking, hiking, and horses only
- 33% Public natural areas (non-hunting)
- 19% Public hunting land
- 22% More public access to lakefront

15. Percentage agreement with statements about Lake Winnebago water quality management	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
a. Create vegetation buffers along streams	30%	44%	24%	2%	0%
b. Reduce erosion at construction sites	34%	46%	17%	3%	0%
c. Install rip-rap along the shoreline to prevent erosion	28%	42%	24%	5%	1%
d. Farm based upon the best scientific knowledge ("Best Agricultural Practices")	29%	50%	18%	2%	1%
e. Upgrade failing septic systems along the lakeshore	48%	37%	14%	1%	1%
f. Reduce run-off from lawns, rooftops, and other developments along the lakeshore	29%	39%	25%	5%	2%
g. Build storm water retention ponds	18%	30%	42%	8%	2%
h. Create a public sanitary district/sewer system along the lakeshore	28%	30%	27%	10%	6%

Percentage agreement with statements about growth and development issues

16. Good value is received for taxes paid to the Town of Brothertown.
17. Landowners should always have the right to sell their land for development.
18. The Town of Brothertown should encourage future development around population centers, such as Jericho, Brothertown, and Charlesburg, to manage future growth.
19. Future growth plans for the Town should provide for rural residential subdivisions.
20. The Town should develop guidelines to review and regulate the location of telecommunication towers within the Town.
21. The Town should develop guidelines to review and regulate the location of wind towers within the Town.
22. The Town of Brothertown should pursue the development of a business/industrial park in the town.
23. The Town of Brothertown should regulate mining and rock quarry operations in the Town.
24. The Town of Brothertown should promote tourism.
25. There should be a casino operating in the Town of Brothertown
26. The preservation of the Winnebago lakeshore is important to me.
27. The preservation of the Niagara Escarpment is important to me.
28. The Town of Brothertown should regulate unattractive properties, such as junkyards.
29. The Town of Brothertown should regulate the size and location of mobile homes.
30. The Town should seek grants to help eligible residents maintain, rehabilitate, and improve older homes.
31. The Town of Brothertown has a range of available housing choices that meet the needs of persons from all income levels.
32. The Town should require owners of buildings that are in disrepair to either remove or repair the buildings.
33. The town should pursue creation of a sanitary district to provide public sewer service.
34. A farmer's right to farm is important to me even if I am sometimes bothered by noise, dust, odors, etc. from farming operations.
35. Every landowner's right to use their land as they choose is important to me even if it is sometimes disruptive to me.
36. A policy should be developed that requires people who build new homes in the Town near farms to sign a written contract that protects a farmer's right to farm.
37. Development should be guided so that it occurs in only certain areas to prevent conflicts between farming and residential development.
38. The Town should pursue development and ownership of parks and recreational facilities.

Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
11%	49%	30%	8%	3%
15%	32%	26%	21%	7%
14%	39%	28%	13%	6%
6%	27%	28%	28%	12%
21%	50%	20%	6%	3%
22%	43%	23%	9%	3%
6%	19%	28%	29%	17%
27%	40%	23%	8%	3%
16%	30%	34%	14%	6%
6%	8%	18%	21%	48%
44%	39%	13%	2%	2%
35%	35%	27%	3%	2%
49%	36%	9%	4%	2%
42%	35%	17%	4%	2%
30%	43%	21%	4%	3%
9%	45%	35%	8%	2%
28%	38%	20%	10%	4%
17%	23%	29%	21%	10%
45%	41%	7%	3%	3%
22%	40%	16%	16%	6%
30%	39%	18%	8%	5%
22%	47%	21%	7%	3%
11%	32%	37%	14%	6%

Percentage agreement with statements about growth and development issues	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
39. Flooding and storm water runoff in the Town are problems at this time or may be in the near future.	13%	32%	41%	13%	1%
40. The number of family farms in the Town of Brothertown is declining. The continued existence of the remaining family farms is important to the Town's future.	30%	41%	19%	8%	2%
41. The Town of Brothertown should review and regulate the location of large livestock farming operations within the Town.	37%	35%	17%	8%	2%
42. The Town of Brothertown should encourage the development of renewable energy sources within the community such as solar panels, wind farms, etc.	26%	38%	23%	9%	4%

The Conservation Reserve Program (CRP) provides assistance to farmers and ranchers to address soil, water, and related natural resource concerns on their lands. The program provides assistance in complying with Federal, State, and tribal environmental laws. The stated intention of the Conservation Reserve Program is to reduce soil erosion, protect the Nation's ability to produce food and fiber, reduce sedimentation in streams and lakes, improve water quality, establish wildlife habitat, and enhance forest and wetland resources. It encourages farmers to convert highly erodible cropland or other environmentally sensitive acreage to vegetative cover, such as tame or native grasses, wildlife plantings, trees, filterstrips, or riparian (rip-rap) buffers. Farmers receive an annual rental payment for participating in the program.

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
44. Thinking of the above, landowners should be encouraged to participate in the Conservation Reserve Program.	35%	43%	18%	4%	1%

In a "Purchase of Development Rights" (PDR) program, a private landowner voluntarily sells to the Town the rights to develop a specific land parcel that is owned by the landowner. The Town then retires the development rights so the land remains undeveloped forever. Current and future landowners of that land parcel still retain all other private rights to the parcel of land such as hunting, farming, and recreation. PDR programs can be funded through local, state, federal, and non-profit assistance.

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
45. Thinking of the above statement, the Town of Brothertown should consider developing a PDR program.	15%	24%	36%	17%	8%
46. Thinking of the statement above, how much would you, as an individual taxpayer, be willing to pay per year to fund a purchase of development rights (PDR) program? (check one) <u>59%</u> \$0 <u>13%</u> \$10 <u>16%</u> \$25 <u>9%</u> \$100 <u>1%</u> \$200 <u>1%</u> more than \$200					

43. Conservation Development is a tool that is used by some rural communities to manage residential growth. It involves clustering homes together on a portion of a larger parcel, while the remainder of the parcel is left undeveloped. To better understand conservation development, consider the following two examples of a 50-acre residential development:
Example 1: (Without Conservation Development): On a 50-acre parcel, 10 homes are built and each home has a 5-acre lot.
Example 2: (With Conservation Development): 10 acres of a 50-acre parcel are used for development, and each of the 10 homes in the development has a 1-acre lot. The remaining 40 acres are left basically undeveloped to be used by the subdivision residents for recreational and communal purposes.

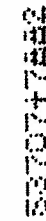
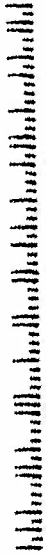
	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
47. Thinking of the statement above, the Town of Brothertown should require the use of Conservation Development in selected areas of the Town.	17%	30%	30%	17%	6%

C
Mr. Jerry Orlin
W4648 Dick Rd
Chilton, WI 53014



Senator Plate
State Capitol
PO Box 7882
Madison WI 53707-7882

5370747882





Wisconsin Towns Association

Richard J. Stadelman, Executive Director
W7686 County Road MMM
Shawano, Wis. 54166

CWEST

Coalition for Wisconsin Environmental Stewardship

Tel. (715) 526-3157
Fax (715) 524-3917
Email: wtowns1@frontiernet.net

Tel. (608) 819-0150
Fax (608) 251-5941
Email: contact@cwestonline.org

To: Members of the Assembly Committee on Energy and Utilities

From: Wisconsin Towns Association and CWEST

Re: AB 256 → companion to SB185

Date: June 17, 2009

Wisconsin Towns Association and CWEST remain opposed to AB 256 as amended. This bill still goes too far to take away local control in an area of the law that town and county officials have always had the responsibility – health and safety.

The Public Service Commission has shown time and again that they have not put the public first in their rush to site more renewable energy systems. There needs to be a balancing test between the goal of more renewable energy and the goal of protecting health, safety, and property rights of those that live next to or even inside of the wind farms. The State Legislature should be developing a rule-making process that promotes balance, not handing over rule-making to an agency that is hardly unbiased.

We support the idea of a statewide siting model, but feel that local governments can and should be able to develop ordinances that best reflect their concerns for land use, public health, and quality of life. There is a way to develop a negotiation/arbitration system for resolving conflicts between local concerns and statewide energy concerns and we support the creation of just this model. This would be similar to models developed for siting landfills and livestock facilities and would provide to wind energy developers the certainty and predictability that they seek.

We appreciate that a lot of folks have been involved so far in trying to draft a wind siting solution, unfortunately the bill before you today does not reflect the consensus that is necessary to move forward productively.

We urge you to vote no on AB 256 today. Further discussion is needed.



Brady, Kevin

From: Orlowski, Merith
Sent: Tuesday, September 15, 2009 10:42 AM
To: Brady, Kevin
Subject: FW: Urgent: Amendment needed-big problem still in wind energy bill.

SB 185?

Merith Orlowski
Office of Senator Jeff Plale
608.266.7505
Merith.Orlowski@legis.wisconsin.gov

-----Original Message-----

From: Glen R. Schwalbach [mailto:genschwalbach@netzero.com]
Sent: Sunday, September 13, 2009 2:24 PM
To: Undisclosed-recipients
Subject: Urgent: Amendment needed-big problem still in wind energy bill.

Dear Legislator:

I testified at last year's and this year's hearings on the wind energy bills. The current bills and amendments still do not address the fact that non-participants lose land use options without being compensated. This is a form of confiscation on property which should not be allowed.

I am not referring to the discussion of how much property values go down if a non-participating property is in view of a turbine. I am referring to the fact that, if a turbine is built within the usual setbacks for health and safety reasons on one piece of property, then the neighboring property may not be able to construct any home, retail building or the like on their property within the usual setbacks. The use of their land will have been restricted by the erection of the wind turbine usually without compensation. These situations have already occurred all too frequently.

In discussing the unfairness of this with a representative of Invenergy, a large wind developer in Wisconsin, I got the response that "life is not fair". It is essential that the legislation to be voted on this week include a provision to solve this problem or specific language which will direct the PSCW to promulgate rules which will not allow this continuing social cost be avoided by wind developers.

Nationally, safety codes are generally indicating that wind turbines should be at least 1.1 times their total height from any road or property line and 1000 feet from any residence. (Many safety authorities are now saying these setbacks are not adequate but let's ignore that for now.) These codes basically allow most turbines to be placed hundreds of feet closer to a neighbor's property line than they can be to any future residence. So, the turbine's footprint of exclusion of future land use often spills over to the neighbor's property and prevents future use for homes and other development.

Wind developers may argue that the local jurisdiction could just allow a waiver so the neighbor could build closer. But, as a town supervisor and licensed Professional Engineer, I could not ethically approve such a variance for safety and health reasons.

Please consider an amendment which would indicate that wind turbine structures shall be located so that non-participating landowners are not restricted in the use of land for building purposes within the confines of zoning and building ordinances in effect at the time of regulatory approval of construction of any wind turbine.

Glen R. Schwalbach, P.E., NSPE Fellow
PROBITY Consulting, LLC
1090 Moonriver Dr., De Pere, WI 54115
Cell: 920-680-2436, Office/Home: 920-532-6330





MEMORANDUM

DATE: September 15, 2009
TO: Members of the Wisconsin Legislature
FROM: John Sumi, Legislative Affairs Manager JS.
SUBJECT: SB 185/AB 256 – Wind Project Siting Reform

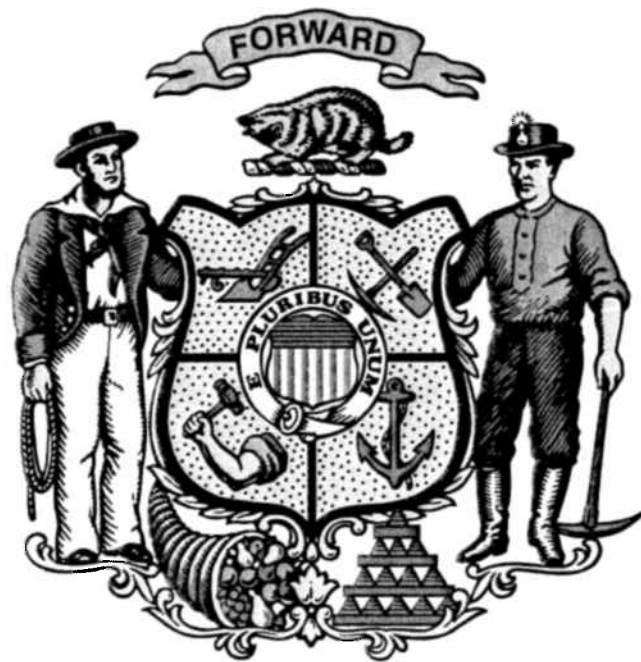
Madison Gas and Electric Company (MGE) urges your support for SB 185 and AB 256, companion proposals that will help spur the expansion of wind energy in Wisconsin.

MGE has been involved in the development of the proposal before you today through our participation in the Governor's Task Force on Global Warming, which included the proposal to reform wind-siting policy among its recommendations. We have also joined others supporting the bill as part of the Wind for Wisconsin Coalition and as members of the Clean, Responsible Energy for Wisconsin's Economy (CREWE).

The bills before you today will set in motion a PSC rulemaking process involving interested stakeholders to develop uniform standards for wind turbines. Uniform standards are reasonable and greatly needed in order to enable Wisconsin utilities to develop renewable energy resources and reduce emissions of greenhouse gases. MGE supports SB 185 and AB 256 and believes the standards that come out of this effort will promote more consistent evaluation of wind projects in Wisconsin.

MGE generates and distributes electricity to 137,000 customers in Dane County and purchases and distributes natural gas to 141,000 customers in seven south-central and western Wisconsin counties. The company's roots in the Madison area date back more than 150 years.

art



RENEW Wisconsin

222 South Hamilton Street, Madison, WI, 53703 • 608.255.4044 • www.renewwisconsin.org



MEMORANDUM

To: Wisconsin State Senate
From: Michael Vickerman
Date: September 15, 2009
Re: Wind Energy's Insignificant Impacts on Property Values

In preparation for your upcoming vote to today on SB 185, a bill that would establish uniform permitting standards for wind turbines in Wisconsin, I have attached several slides from a Power Point presentation titled "The Impact of Wind Facilities on Residential Property Values." This U.S. Department of Energy study is being conducted by the Lawrence Berkeley National Laboratory. The final study should be released in October or November this year.

http://psc.wi.gov/apps/erf_share/view/viewdoc.aspx?docid=119499

Included in the data sets are 810 sales in Kewaunee County near the 31 commercial wind turbines that Madison Gas and Electric and Wisconsin Public Service Corporation installed there in 1999. Both projects are in their 11th year of operation.

The complete PowerPoint Presentation appears on pages 176-197 of the following document submitted in the Glacier Hills Wind Park proceeding.

http://psc.wi.gov/apps/erf_share/view/viewdoc.aspx?docid=119499

Thank you for your consideration.

Michael Vickerman
Executive Director

Date?

Reasons to Vote NO on SB185/LRB1048

1. Neither the PSCW, DOA, nor Wind Lobbyists have used any Health or Safety research in creating their state draft model wind siting ordinance, or in SB185/LRB1048. The proposed setback distance of a 400-foot tall wind turbine from residence or occupied building is only 1000 feet. This is to cover the collapse of the turbine. There is no protection from turbine noise, or the sub-sonic "thump" created as the blades cross in front of the turbine tower. Most noise can be mitigated with a setback of at least one ½ mile, but multiple turbines compound the problem exponentially. Subsonic waves from industrial wind turbines travel 1½ miles.

2. The Wind Lobby, utilities, and the PSCW have made a false claim that industrial wind turbines are required in order for Wisconsin to reach its Renewable Portfolio Standards' (RPS) goals of 10% renewable energy generation by 2015, and 25% renewable energy by 2025. Wisconsin's naturally occurring excess biomass, in the forms of crop residues, animal manures, native prairie grasses, and waste wood resources can replace up to 50% of the imported coal used for energy generation, saving the state close to \$3 billion in imported coal costs. But, since electricity generation accounts for only 40% of our state's green house gas emissions, ½ of the biomass reserves could go towards cellulosic ethanol production, or replacing fossil fuels for heat generation. Solar energy, like biomass, can be used for both electricity generation and heating. Solar is constantly becoming more economical, efficient, and discrete. The same cannot be said for industrial scale wind power, especially when taking into account the heavy amount of Federal tax incentives, which is shouldered by taxpayers. (see below)

3. There has been no open accounting of, or audit of, the actual usefulness of wind energy in Wisconsin's electrical grid. The Wind Industry and their lobbyists talk in fuzzy numbers that are averaged over an entire year, or selected events. There is no audit of day-to-day, or hour-to-hour electricity demands and existing wind turbines supplying the necessary generation to keep the grid functioning effectively, or wind's ability to reduce the burning of coal. There is concern over what role wind generation will play on the transmission grid. Wind generation is not "base load", and it is not "reserve load", but wind developers want full credit for any generation useful or not.

4. Wind Developers are not good Neighbors. Taxpayers pick up the bill for industrial wind turbines, while farmers with turbine leases receive only pennies on the dollar for the energy produced on their land. Industrial wind turbines enjoy Federal accelerated double depreciating tax structures that allow wind turbine owners to write-off the expense of the turbine in six years. The unused portion of the depreciation can be transferred to third parties (such as AIG, Lehman Brothers, and Citi Group), which can utilize the depreciation against their federal tax obligations. Tax payers pay for the turbine write-off. Wind turbines also receive a Production Tax Credit (PTC) which covers the income received from selling the 'green energy' credits. Wind industry proponents say an average lease of \$5,000 per turbine will 'keep farmers farming', while at the same time say the wind turbines generate an average income of \$200,000 per year. That is a payout of only 2.5%. Most of the Wind financing comes from the selling or shifting of the depreciation, PTC, and 'green energy'. The generation income is all gravy, so shouldn't farmers who own the land with the resource get more? What about the communities and counties who have to host a wind facility? Don't they deserve more for their tax dollars?

5. The Wind Industry is dependant on nighttime generation for economic viability, but this is when demand for electricity is lowest, and the greatest impacts on human health occur.

Alex Depillis, former Department of Administration, Division of Energy employee, and now a for profit wind developer developing projects in Wisconsin, stated at Rock County's, Magnolia Township's P&Z and regular monthly meetings in 2009 'There is a curious phenomena that occurs in the upper midwest, that on summer nights, while the wind is very still or calm at ground level, there tends to be higher wind speeds at hub height (262 feet) and greater. Meaning there is a potential to generate electricity even on a calm night'. Mr. Depillis was at the DOA, when much of the PSCW approved State Draft Model Ordinance, including the 1000 foot setback, was created. Another report created during the same period, entitled Wisconsin Wind Resource Assessment Program, states that Wisconsin's winds are greatest during the midday, and again at night time (from 10 pm until 6am). Midday and nighttime to early morning are low electricity demand times. They are so low, that the Wisconsin Public Service Corporation (WPS) has to pay to get nighttime wind generation on the grid. In order to avoid this WPS wants to build a power line to Manitoba Hydro's reservoirs north of Lake Winnipeg, in Canada, and transmit WPS's Wisconsin wind energy to Canada for a better deal. All this for money, and people can't sleep, or get the good deep sleep they need. 1000 feet can't contain a wind turbine's noise at night.

6. If legislators, and policy makers like the PSCW want to reduce green house gases, then they should choose options that clean not only the air, but help to heal and clean the land and water too.

This is possible with biomass and solar, but not through the fragmentation and industrialization of rural Wisconsin with 400 foot tall wind turbines. The number of 400 foot tall industrial wind turbines needed to reach the Governor's Task Force on Global Warming goal, of 6% Wind Generation by 2024, is 12,787 if the machines are 29% efficient. If the wind turbines are only 25% efficient the number jumps to 14,750. Each 100MW Industrial Wind Farm (67, 400 foot tall industrial wind turbines) will cover 6,000 - 8,000 acres. This means if the wind industry gets what it wants, industrial wind turbines will occupy 1,145,104 to 1,761,194 acres.

Rural Wisconsin wants to help the state reach its' renewable energy goals, but not by being destroyed in the process, or by having the wrong choice forced upon them by the PSCW. If you need further proof, ask to see a contract offered by the wind industry to a potential leaseholder, and ask yourself if you would sign it.

Kevin Kawula, 13133 W. Dorner Road, Brodhead, WI 53520 (608) 876-4255
Director of Lone Rock Prairie Native Plant Nursery and board member of Rock County Conservationists.

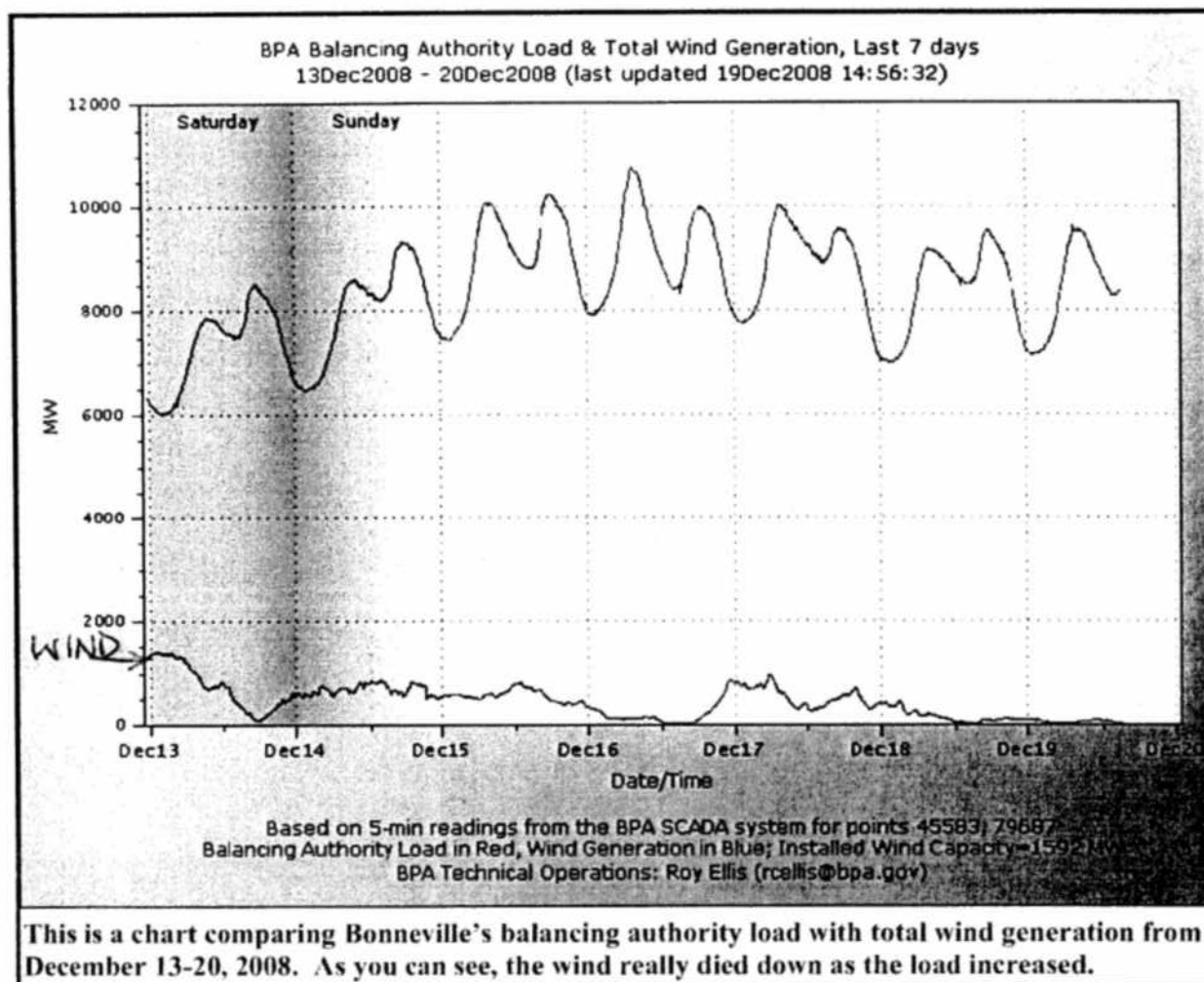


Volume 22, No. 2

Ravalli Electric Co-op

Corvallis, Montana

COLD, BUT NOT VERY WINDY



As anyone who has spent much time outside knows, when the temperature gets particularly hot or cold, the wind is normally calm. This law of nature has not been repealed with the recent interest in wind generation. December of 2008 saw some of the coldest temperatures in several years and, consequently, high regional loads. Monday, December 15 saw a peak of 63,252 MW in the area that includes all the major generating utilities in the Northwest,

(Continued on page 2)

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Ravalli Electric Co-op

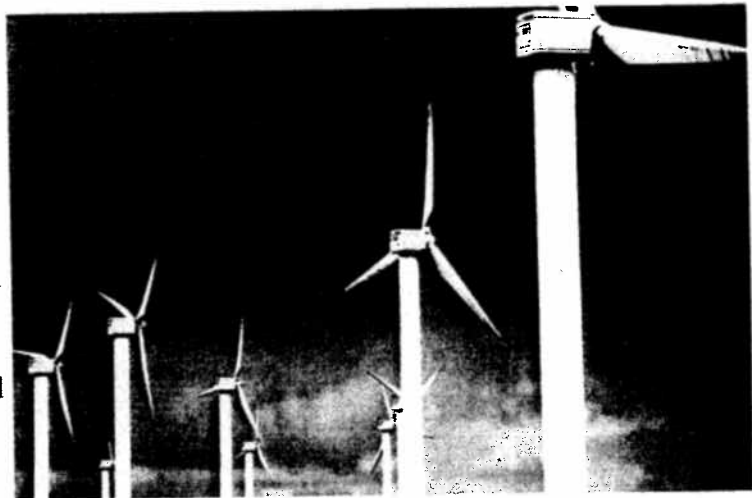
(Continued from page 1)

British Columbia and Alberta. Bonneville Power Administration saw a peak of 10,762 MW within its balancing authority the following morning at 7:30 AM. Bonneville and other regional utilities were able to call upon existing regional generation and purchases to keep the system stable without any major problems.

What received less attention was the fact that little of that regional generation included wind power. In fact, when Bonneville was hitting its peak on Tuesday morning, the wind generators in its balancing authority were only operating at less than 8 percent of capacity; that is, 120 MW of wind generation was coming from 1,596 MW of installed wind capacity. — 1,061 turbines

Bonneville's website (<http://www.transmission.bpa.gov/business/operations/Wind/baltwg.aspx>), the source for the chart, provides some other interesting clues regarding the challenges adding more wind to the system brings. For example, wind generation fell to zero MW on December 19 at 6:15 PM, and was at that level for extended periods through December. One day there was no wind generation from the 1,600 MW of installed capacity from 6:00 AM until after midnight, while Bonneville's load ranged from 6,800 MW to 9,100 MW.

The unpredictable nature of the wind and its ramping impacts remain evident. On December 17 between 5:55 and 7:30 AM as loads were increasing from 9,198 to 10,015 MW, the wind output fell by almost 350 MW. These changes from a system operations' perspective are equivalent to adding 1,150 MW of load rather than only 800 MW of actual load that increased over the period. While load ramps of 1,000 MW do occur with some regularity, big load ramps accompanied by unexpected decreases in generation give system operators heartburn.



36721

The purpose of this description of recent events is not to suggest that wind generation has no place or that the existing federal hydro system, with additional purchases from natural gas fired combustion turbines, cannot be manipulated to accommodate additional wind generation. Unless wind generation can be coupled with hydro generation, it must be backed-up 100 percent with thermal generation. With shrinking flexibility in the federal hydro system and lacking some other storage technology, the public needs to understand that wind will indeed have a carbon footprint. Wind generation has its place and will play an important role in the future, but it is not always carbon-free.



**The co-op will
be closed
Monday
February 16
for the
Presidents'
Day Holiday.**

Ravalli County Electric Cooperative, Inc.

P.O. Box 190
Corvallis, MT 59828

Phone (406) 961-3001
Fax (406) 961-3230

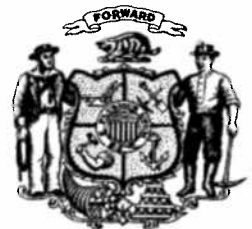
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WISCONSIN STATE LEGISLATURE



Dear Senator,

Date?

Please understand that SB185 is about much more than putting windmills up to make you in Madison feel good and green, ecologically and politically correct. It is about taking control of rural resident's destinies. It is about trashing all of the hard work and expense local communities have put into developing Smart Growth plans. More importantly, it is about giving one more corporation the ways and means to loot the national treasury of stimulus money to line the pockets of foreign industrialists and investors.

Please give careful consideration to all of the unintended consequences before you vote on this bill.

Sincerely,

Randy Krause
Randy Krause
N2368 WIBU Road
Poynette, WI 53955
608-635-7160

*you should be ashamed
of your role in this!*



Dear Senator,

SB 185

Date?

This letter is in regard to LRB 1048 a bill which will give the PSC wind turbine siting authority over our entire state.

As a nurse I am alarmed by the increasing reports of health problems from people now living in PSC approved wind farms in our state. They were not protected by laws that should have been designed to protect them. They were not protected by the PSC-approved setbacks from their homes.

The most frequent complaints from these wind farms are sleep deprivation due turbine noise, tinnitus, headache and nausea.

As you probably know, The Wisconsin State Draft Model Wind Ordinance was used to site turbines in Fond du Lac and Dodge Counties. Several months ago, with no reason given, the model ordinance was pulled from the Dept of Administration record.

This occurred after an open records request was sent by the Town of Union wind turbine study committee to find out what scientific data was used by the PSC to formulate the setbacks and noise limits, and to find out who participated in the task force to create the model ordinance.

The PSC's response revealed the members of the task force were stakeholders...in this case, representatives of the wind industry. Although there were scientific references to birds and bats, there was no scientific data or research used to form or support their 1000 foot setbacks or 50 decibel noise limits regarding people's health and safety.

There was one reference made by an ad-hoc member that stated he **assumed** that noise problems would be captured by the 1,000 foot setback, but no data to support this statement.

On the other hand, there is a wealth of credible scientific and medical data from doctors, acoustic specialists, and scientists to support a minimum setback of 2640 feet.

And there is a new peer-reviewed book that addresses wind turbine health and safety issues. "*Wind Turbine Syndrome, A Report on a Natural Experiment*", by Dr. Nina Pierpont which recommends a setback of a mile and a half.

A draft of her book, and the peer-reviews which support it is available online at: <http://www.windturbinesyndrome.com> . This site also contains several easy to read articles that Dr. Pierpont has written.

As a nurse, I am particularly interested in her work pertaining to the vestibular system and low frequency noise which wind turbines generate. Also of interest are the documented, negative health effects of turbine noise on those who are more sensitive to noise, specifically children, the chronically ill, and the elderly.

The PSC approved setbacks favor wind developer's wishes over the rights of the non-participating landowners. The PSC and wind turbine developers refuse to consider recommendations from sources as reputable as the World Health Organization, though during events like the current Swine Flu outbreak, the World Health Organization is who our entire country turns to for advice.

WHO has done numerous studies on the negative health effects of unwanted sound on humans. Their recommendation is this:

Sound levels during nighttime and late evening hours should be less than 30dBA during sleeping periods to protect children's health.

The PSC sets the turbine noise limit in our state at 50dBA. That's the equivalent of having the TV going all night in your child's bedroom.

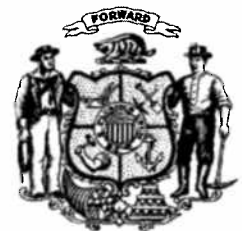
Protect the people in our state by opposing LRB 1048/1
The health and safety of our citizens should not be put in the hands of the PSC. We need an independent study committee with members who have medical and scientific backgrounds to come up with turbine siting guidelines to better protect us.

* Susan Klar
1617 Klar Rd.
Platteville, WI 53818 608-348-5772

** will probably submit written testimony to the committee public hearing*



WISCONSIN STATE LEGISLATURE



Date?

I would like to register my opposition to SB 185 and AB 256 of the 2009 Session.

The Public Service Commission is still recommending and approving the same setbacks and noise standards for industrial wind turbines that they had in place in 1999. These "standards" had a negative effect on people in 1999, and they continue to affect people in 2009.

In 2001, a survey was done of people living in the Kewaunee County wind project. In 2009, a survey was done in the Johnsburg project. The results are similar:

	2001 Kewaunee	2009 Johnsburg
Noise Complaints	52%	45%
Shadow Flicker Complaints	40%	50%
Would not buy in 1 mile	73%	56%
Would not buy in 2 miles	23%	42%

Half the people living in a wind farm are saying very clearly that the PSC rules and regulations for siting wind turbines were wrong in 2001, and they are still wrong in 2009. Yet, the PSC, with all their resources and research staff, continue to say 1000 feet setback and a 50 dba noise level is acceptable. No wonder local Townships and Counties passed their own ordinances to protect their people. Local government did the research, local government listened to the people, local government got it right. The PSC was too busy spouting the wind company line that has no basis in scientific data.


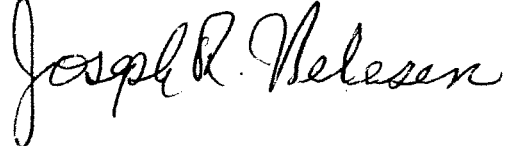
Now the Legislature is considering a bill that would invalidate all the local ordinances, and give all control to the PSC. The PSC has had 10 years to develop realistic wind turbine siting standards, and they haven't done it.

Why does the Wisconsin Legislature think they will get it right this time?

Why would the PSC suddenly become accountable to the people living in the rural part of Wisconsin?

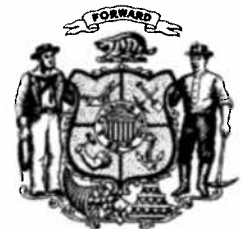
Why would the PSC abandon their cozy relationship with the Wind Lobby?

This bill will affect the quality of life for thousands of rural citizens of this state. Is that the legacy the 2009 legislature wants to leave for future generations?

 ERV SELK
 Joseph R. Nelson



WISCONSIN STATE LEGISLATURE



Date?

Re: SB 185:

It is pretty clear that SB185 has a lot of support: 31 sponsors? I am surprised by how few people see through the green frosting on this red herring. This bill is not about the environment, unless you are concerned with the investment environment in Wisconsin, which is the inescapable conclusion I have come to, regarding this bill. It is really about abolishing democracy.

My friends, wind turbines are not going to stop global warming. No coal generation power plant in the world has ever been decommissioned with the addition of wind turbines to the grid. Electrical engineers will admit quite frankly that the whopping 2% of this nation's energy that the Dept of Energy expects to be produced via wind turbines by 2025 will merely make a bit more energy available to the public, not reduce the amount of carbon spewed into the atmosphere by fossil fuel plants.

If the electrical energy industry truly wanted to cut back on carbon emissions, all they would have to do is to raise the price of electricity to what it would cost to produce all of our energy through wind turbines (two to three times the current rates), and consumption would fall off to the point where we would have enough surplus electricity that we could actually take some of the coal plants off line. We simply must find other ways of powering a more sustainable lifestyle by creating jobs requiring physical labor to replace the jobs that electricity has made obsolete.

We shouldn't expect the energy industry to get too excited about reducing base demand. It is pretty easy to understand why it is lobbying the legislature so vigorously to prevent climate change (investment climate, that is!) They know well that more turbines require more base capacity, since the wind blows only about 20% of the time, but demand is consistent and predictable. The more wind, the more coal. And how is this supposed to reduce carbon emissions?

The state, on the other hand, is also excited about wind energy, spelled J-O-B-S. The state always gets excited when it hears the word development, which they spell T-A-X-E-S. It is no surprise that governments are excited about wind energy. Just like they were excited about ethanol. But that scam has pretty much been exposed, so wind takes its place as the boondoggle of choice. Retrofitting residences and businesses with self-sustaining alternative energy technology, could also generate jobs and taxes, however, so why do we need to expand the grid? I'm guessing to maintain the monopolistic control that Big Energy (and Big Government) have over us, which frowns on people being self-sufficient.

In case you get your news only from the mainstream media, you might care to consider the distinct possibility that the only thing made-made about Global Warming is the hoax that climate change is man-made. It seems that about half the scientists in the world *don't* believe that climate change is significantly caused by humans and can be stopped by human technology. It also seems that where scientists stand on the issue is highly correlated with available funding for research. The best way to get excluded from funding for research in climatology, is to question global warming. On the other hand, if you have a study that confirms the relationship of human activity and the recent unpredictability of our climate, you are on the road to steady work.

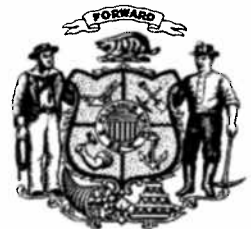
Obviously this bill isn't about siting wind turbines, it is about dis-empowering county governments. We can't let investors get nervous about investing in Wisconsin because counties are taking the practice of democracy seriously and actually trying to protect the health, safety and welfare of their residents by clinging to their state-mandated local zoning plans. The money that elected Obama president clearly wants turbines to be the new heavy industry of this county, and states that

won't play ball with them do so at the certain risk of losing federal (stimulus) subsidies. Lets call a spade a spade. Giving the authority to the PSC to site wind turbines, effectively trumping local ordinances to guide development in the proper places, is just inviting the fox to guard the hen-house. The PSC is in the pocket of the energy and developments interests in this state and doesn't understand heath and safety, only profit. My dear fellow citizens and representatives, please throw this bill on the scrap heap again, for good, this time. Unless you'd rather just curtail the practice of grass roots democracy and propel us towards an oligarchy of energy interests.

Ron Reimer
N23440 McCabe Ln
Ettrick, WI 54627



WISCONSIN STATE LEGISLATURE



636 Rowena Drive
Venona, WI 53593
608-712-5630 (cell)

Testimony in Support of Senate Bill 185

Date?

My name is Mark Osten. I am the Director of Business Development for RMT, Inc. RMT is a 750 person, Wisconsin-based energy and environmental services company focused on the design and construction of renewable energy projects across the U.S.

RMT has performed design and construction services for over 3,400 MW of wind energy projects, including the Blue Sky Green Field project for We Energies in Wisconsin and was general contractor for the largest wind farm in the U.S. in 2008 – the 400 MW Fowler Ridge facility for BP Alternative Energy in Indiana. In the last two years we have design and built over 1,200 MW of wind projects in the U.S.

In addition to our design and construction work, we also help clients get their sites “construction-ready” through our site development services group. We are familiar with the local, state, and federal siting laws applied across the U.S., and the variety of local and state siting combinations applied.

The most important aspect of siting rules and regulations is that they are clearly defined, applied consistently, and have firm regulatory decision deadlines. It is not so much what is required, but that the requirements are known.

Expansion of renewable energy in Wisconsin must have three things:

1. certainty of the facility siting process,
2. adequate transmission capacity, or the ability to add such, and
3. incentives for developers to participate in the generation of power.

Currently, all are limited in Wisconsin. Senate Bill 185 is a good next step in addressing the facility siting issue, but issues #2 and #3 also need to be addressed to make Wisconsin a leader in renewable energy generation.

A fundamental issue for this legislation is the rule-making process requirement. The outcome of those rules will determine the extent to which renewable energy investment comes to Wisconsin from outside of the public utility domain. I strongly encourage those involved in that process to include all potential developers to participate in that process, especially the independent developers so vital to success of renewable energy deployment across the U.S., and to which Wisconsin has failed, in large part, to attract.

To that end I encourage the following:

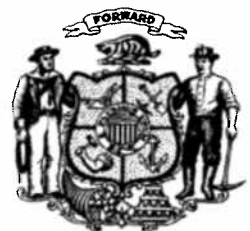
1. create one set of siting requirements for wind projects, no matter the number of turbines or power capacity,
2. create one centralized siting authority to represent local and state interests,
3. encourage growth in the transmission grid to interconnect renewable energy from the best locations in the state, and
4. incent private developers and outside investors to develop and build in Wisconsin.

I support Senate Bill 185 as a next step in moving renewable energy forward in Wisconsin.

Thank you for consideration of these ideas.



WISCONSIN STATE LEGISLATURE



Date?

The International Standards Organization (ISO) recommends a maximum 25 decibels nighttime noise limit for rural areas. Please note that most wind turbine projects are being built in rural areas. This fact makes wind turbine noise more noticeable and annoying to *rural residents of Wisconsin*.

ISO recommends the following noise limits for rural areas:

- 35 decibels- daytime
- 30 decibels – from 7 p.m.-11 p.m.
- 25 decibels- from 11 p.m. to 7 a.m.

Please stop and compare the nighttime 25 decibel sound recommendation to Wisconsin's 50 decibel recommended noise level.

How did the Public Service Commission set their current recommendations of 50 decibels when the International Standards Organization states that 25 decibels is the maximum for rural areas? How was this information ignored?

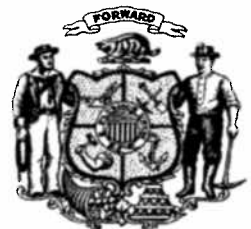
SB 185

Please oppose ~~LRB 1048~~. The PSC has proven that they will not protect the health and safety of Wisconsin Citizens over corporations who want to make money at the expense of it's citizens.

Thank you,
Carrie Klar



WISCONSIN STATE LEGISLATURE



Date?

Two years ago our family, including my now 86 yr old father, decided to work with a Wind developer in hopes of building a Wind Farm in SW WI, now called White Oak. We own two farms, one a fourth generation family farm in Smelser Township, the other just down the road in Hazel Green Township – west of Cuba City in Grant Co.

Since then we have learned that WIND, the new WI crop, produces new sustainable jobs and on average provides nearly \$1,000,000 in annual economic relief to these agriculturally zoned areas. We now know only 30 acres of tillable land will be used in the White Oak Wind Farm. We learned setbacks of 1000 feet are the norm. But we also learned of the resistance meeting WI Wind Farms. So we did our homework.

We visited the folks near the Monfort Wind Farm, which just celebrated its 10 yr anniversary. We visited the Fond du lac Wind Farms and others. While most all Wind Farms have similar positive impacts, we also learned that many of the WI Wind Projects may be jeopardy due to the lack of state driven guidelines.

The White Oak wind farm falls in the corners of three townships. In two of the three townships, we encounter little opposition. In Smelser Township, our long term elected officials have been challenged to provide guidance to both its constituents and taxpayers in a non-zoned township. They need your help..

The wind farm revenue is critical to the Townships survival, but now a group of disinterested individuals, who claim “they are for Wind Energy, just not in my back yard or worse yet – not in your back yard” - have recently asked for one-mile setbacks... Not once have we seen scientifically supported evidence of any Public Health and safety issues.

Uniformity is KEY! Think about it, if Smelser adopts one set of regulations, and Hazel Green Township adopts a different set of regulations, no wind farm will be built in SW WI.

Consider these numbers....The White Oak wind Farm plans to locate 30 turbines on 15 farms in Smelser Township. Those 15 family farms are represented by 10 landowners. Of those landowners, only eight family members are registered voters in the township (as many family farmers now live in or near our town)...That’s not alot of voice...

Last nite at the Monthly Smelser Township Board Meeting, the Citizens Supporting Wind in Smelser Township filed a petition with the Town Board. Over 250 citizens or over half of the registered voters in the township signed a petition asking the Township to use state or PSC provided Wind Energy guidelines. They are asking for your help. Please help deliver Wind Energy in Wisconsin by passing Senate Bill ~~185~~. It’s our right and responsibility!

Thank You...

Kim A. Egan
4837 Enchanted Valley Rd.
MIDDLETON, WI. 53562
608-516-0233



Date?

Senators and Representatives, **SB185 /AB256 Testimony – Please vote no.**

As elected officials in the state of Wisconsin we have taken an oath to uphold the Constitution of Wisconsin and the United States Constitution.

Local control is important. A wind facility encumbers and encroaches on the property of the neighbor if sited improperly, that neighbor's space has been invaded unable to live a healthy and safe life on their own property. The first rule is to protect the citizen's health, safety and welfare; to do no harm. Again, local control is best practice.

Wind developers in Trempealeau County misled the public: Actually, they lied! Knowing that few people understand the complexity of wind power issues, they made unsupportable claims. Wind turbines produce a small amount of electricity, not oil. A wind facility in Wisconsin only provides 14-25% of name plate and that only when the wind is blowing, therefore requiring continuous baseload generation. Their footprint is 40 -70 acres each, not 50 square feet. Industrial Wind Turbines cause sleepless nights and ill health, not "so quiet you can not hear them". Wind turbines interfere with communications and TV reception, this is not safe. Lastly, they promise "shared revenue", our own tax dollars as payment to host their "green nirvana". Why do I tell you these things, because the wind industry **depends** on government complacency and taxpayer subsidies.

Wind developers "threatened" public officials to follow the Draft Model Wind Ordinance from the PSC, the County had to follow the "law"! They intimidated government employees who freely gave out environmental study information. They intimidated county employees, who understood the importance of zoning laws to protect the public. Through out the process they threatened to sue our county.

The Trempealeau County Ordinance follows the recommendation of physicians, sound experts and PhD's who studied industrial wind turbines effect on health and safety and determined the need for 1 mile setbacks from homes. Trempealeau County's' 21 member advisory committee and 17 member County Board took the advice not of those profiteering or lobbying, but of Doctors. I call it common sense.

The PSC and Governor have been negligent, preferring to chase political expediency over the precautionary principle; they are pursuing a failing political agenda. Panic about global warming increases regulation and increases taxation. You are elected to protect the public health and safety, please do your due diligence. There are no magic windmills.

Earlier this year at a WCA meeting Eric Callisto was asked what documentation was used to insure health and safety at the 1000 ft setback from homes and all he could say was that he "was not at the PSC when the draft ordinance was written". The PSC has neglected to protect our citizens. I would suggest a One year moratorium to study health, safety, and property value issues surrounding industrial wind facilities. Secondly, home owners who want to move out of the wind project areas need to be bought out. Stop allowing the PSC and wind industry to marginalize the people living in rural areas.

Deloras Vind Trempealeau County Supervisor, N26992 Tolokken Rd, Arcadia WI 54612

<http://www.heritage.org/Press/Commentary/ed051109c.cfm> Is wind the next ethanol?
<http://canadafreepress.com/index.php/article/10634> Mars Hill wind turbine health effects
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1358423 Green job Myth
<http://canadafreepress.com/index.php/article/10634> Dirty electricity
[LandValuePresentation_windfarm_2_13_09.pdf](#) Impact of wind turbines on market value of Texas rural land
"Wind report 2005." Eon Netz, Germany
<http://carbon-sense.com/wp-content/uploads/2009/02..> Cost and quantity of green house gas emissions avoided by wind generation
<http://www.wind-watch.org/documents/wp-content/uploads/the-real-myths-about-wind-energy-dr-quant-to-stoddard.pdf> The real myth about wind turbines

Questions:

What was the wind speed data from the met tower (in Ettrick)? Is the project viable and cost effective for the rate payer? Why won't the developer allow that data to be analyzed?

The GE catalog lists its 1.5 MW SLE model as an "asynchronous induction type generator," meaning that whenever wind speed drops and the turbine shuts down, it must be brought up to speed and synchronized with the grid by starting it on grid power. Turbines also have heaters and cooler etc. How much electricity does a turbine use and what is the cost, is this deducted from the output numbers?

What exactly is included in the cost benefit analysis for an industrial wind project? The electric rate is increasing, 7-9+% for the last several years because of renewables. The cost of transmission lines for wind power is \$10 billion for the CAPX20/20. Is the loss of health, safety and decreased property values included, and loss of tax revenue for the county included? Where is the wind industry's burden of proof on claims?

What medical studies did the PSC use to come up with 1000 feet from homes? When Eric Callisto asked he did not answer that question. Since none were used what trust can be placed in the PSC ability to protect the citizens?
Vestas maintenance manual warns of 1300 feet safe zone around a wind turbine, why does the PSC force neighboring property to be a buffer zone encumbering property?

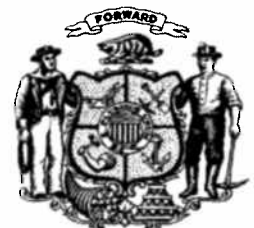
S.S.66.0403 originated to allow solar panels on homes. How did it morph into allowing 400 foot plus industrial wind turbines to be placed 1000 feet from people's homes. Why does it not include welfare or loss of property value since these are industrial applications? And since land and home values near the turbines is devalued it will increase the tax burdens in other parts of the county.

The PSC has walked away from the plight of people in these wind facilities, why has the Governor and legislature abandoned our citizens and how can I place trust in them to protect the citizens in Trempealeau County?

Why was the Governor's task force on global warming electrical generation group stacked with wind dealers, wind lobbyists and wind advocates?



WISCONSIN STATE LEGISLATURE



Date?

**Senate Committee on Commerce, Utilities, Energy, and Rail
Room 313 South, State Capitol
Madison, WI 53708**

**Assembly Committee on Energy and Utilities
Room 307 West, State Capitol
Madison, WI 53708**

Dear Members of the Senate Committee on Commerce, Utilities, Energy, and Rail:
Dear Members of the Assembly Committee on Energy and Utilities:

I am a County Board Supervisor in Manitowoc County. I was a member of the county's wind advisory committee.

I strongly oppose the wind siting reform bill (SB185 & AB256) that may soon be coming to vote which would give the Public Service Commission control of the siting of all industrial wind turbines and would take away local control. No local control can have unintended consequences.

Manitowoc County created a Wind Energy Systems Advisory Committee, which I was appointed as a citizen member. The committee was instructed to consider the public health and safety issues related to wind turbines that had been identified by concerned citizens of Manitowoc County, and to create an ordinance that allowed for the safe installation of Wind Turbines, without negatively affecting the public's safety and property rights.

We received input from both the public and those representing the wind energy industry. We didn't get some of the protections in the form of setbacks that were needed in light of new findings. But you make decisions with the facts you have and the votes you take. It took over a year and I think we did a pretty good job.

Please don't waste our efforts and pass a open ended bill that jeopardizes local control while not stipulating setbacks and safety rules for an industry that will not regulate themselves.

Ideology and agenda are never more important than safety and personal rights. I think our ordinance was a good start.

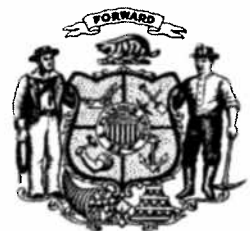
Thank You



**David Korinek
Manitowoc County Board Supervisor District 19
1316 Rockledge Rd.
Mishicot Wi. 54228 Phone 920-755-4644**



WISCONSIN STATE LEGISLATURE



Date?

Two years ago our family, including my now 86 yr old father, decided to work with a Wind developer in hopes of building a Wind Farm in SW WI, now called White Oak. We own two farms, one a fourth generation family farm in Smelser Township, the other just down the road in Hazel Green Township – west of Cuba City in Grant Co.

Since then we have learned that WIND, the new WI crop, produces new sustainable jobs and on average provides nearly \$1,000,000 in annual economic relief to these agriculturally zoned areas. We now know only 30 acres of tillable land will be used in the White Oak Wind Farm. We learned setbacks of 1000 feet are the norm. But we also learned of the resistance meeting WI Wind Farms. So we did our homework.

We visited the folks near the Monfort Wind Farm, which just celebrated its 10 yr anniversary. We visited the Fond du lac Wind Farms and others. While most all Wind Farms have similar positive impacts, we also learned that many of the WI Wind Projects may be jeopardy due to the lack of state driven guidelines.

The White Oak wind farm falls in the corners of three townships. In two of the three townships, we encounter little opposition. In Smelser Township, our long term elected officials have been challenged to provide guidance to both its constituents and taxpayers in a non-zoned township. They need your help..

The wind farm revenue is critical to the Townships survival, but now a group of disinterested individuals, who claim “they are for Wind Energy, just not in my back yard or worse yet – not in your back yard” - have recently asked for one-mile setbacks... Not once have we seen scientifically supported evidence of any Public Health and safety issues.

Uniformity is KEY! Think about it, if Smelser adopts one set of regulations, and Hazel Green Township adopts a different set of regulations, no wind farm will be built in SW WI.

Consider these numbers....The White Oak wind Farm plans to locate 30 turbines on 15 farms in Smelser Township. Those 15 family farms are represented by 10 landowners. Of those landowners, only eight family members are registered voters in the township (as many family farmers now live in or near our town)...That’s not alot of voice...

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Thank You...

Kim A. Egan
4837 ENchanted Valley Rd.
MIDDLETON, WI. J53562
608-516-0233

Date?

Dear Members of the Senate & Assembly Energy & Utilities Committees,

I strongly oppose the wind siting reform bill (SB185 & AB256) that may soon be coming to vote which would give the Public Service Commission control of the siting of all industrial wind turbines and would take away local control. No local input is very poor policy. Taking control of local problems away from local governments is not a policy Wisconsin could be proud of. Our citizens deserve better.

The wind energy rush is irresponsible on multiple levels. Many health and safety factors that need to be mitigated by having proper setbacks (1 mile from residences as suggested by the federal study done by the National Research Council in 2007).

Please be aware that the State Wind Model Ordinance is not based on fact and scientific documentation, but rather, was written by a group of stakeholders.

There is much scientific documentation the Wind Turbines do negatively affect the health of neighbors. I know they make people ill, because I am one their victims. Any turbines in my field of vision or the flicker from them either direct or indirect, even through closed eyelids give me immediate migraine headaches, accompanied by vertigo, and nausea. At night the synchronous flashing lights produce only the migraine. There is no way I can live among the proposed Calumet County Turbines without a setback of a mile.

Other obvious negatives are the violation of property rights, the lowering of property values, lack of energy efficiency, and environmental factors such as ground water contamination and irritation to wildlife. Research shows that they do kill wildlife, especially birds and bats and destroy wildlife habitat.

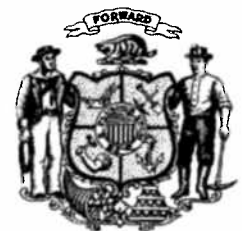
Please oppose this bill (SB185 & AB256) and keep control of wind tower siting in the hands of local governments. **I believe that a renewable energy plan worth supporting must first preserve and protect our four most important non-renewables: our families, our homes, our communities, and our land.**

Respectfully,

Carroll Rudy
Town of Brothertown
Calumet County WI



WISCONSIN STATE LEGISLATURE





Date?

Wind Siting Reform Supports State Policy

SB 185/AB 256 will improve the regulatory climate in Wisconsin and advance current state energy policy. The erratic permitting environment for wind projects means that state policy is being blocked at the local level.

- Current law requires that 10 percent of utilities' electrical sales be generated from renewable resources by 2015.¹
- Wind will be the workhorse for Wisconsin utilities. Between 75% and 95% of the energy needed to meet the 10% statewide target will be generated with wind.
- The single biggest constraint to increasing wind generation in Wisconsin is the permitting environment, which is far more problematic here than in neighboring states.
- Regulatory uncertainty increases project costs, harming Wisconsin ratepayers. The absence of statewide siting standards forces wind energy out of state forfeiting Wisconsin jobs and investment while adding transmission costs.

"We support SB 185/AB 256... Industrial customers are very concerned about electric rates and their impact on jobs in state. We want to do everything we can to hold down rates here in Wisconsin to keep our jobs here and stay competitive... This bill is one way of mitigating these costs. Wind is the only resource that will meet the current 10% renewable mandate. (Joint public hearing May 12, 2009)

-Todd Stuart, Executive Director of WIEG

"Wisconsin is counting on wind power to propel the state 90 percent of the way toward meeting a goal of more than doubling the renewable energy contribution to electric needs over the next six years."

-Wisconsin State Journal ("A win for wind power in Wisconsin")

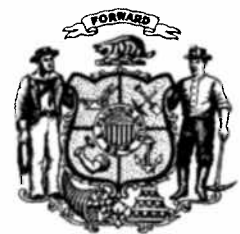
"Wind power is not a passing fad. It has to be a part of the solution to weaning the U.S. from fossil fuels... Wisconsin has chosen to be a leader, not a follower in the use of renewable sources of energy."

-Sheboygan Press ("Have uniform rules for siting wind turbines")

¹ <http://www.legis.state.wi.us/2005/data/acts/05Act141.pdf>



WISCONSIN STATE LEGISLATURE



Senate Committee on Commerce, Utilities, Energy, and Rail
Senate Bill 185

Date?

Assembly Committee on Energy and Utilities
Assembly Bill 256

Senators and Assemblymen,

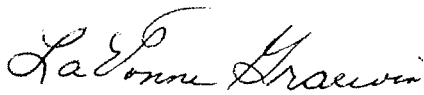
I am asking you to please oppose SB 185/AB 256. I feel that this bill will detract from protecting the health and safety of the residents of Wisconsin.

The bill as presented is agreeing to a set of, as yet, unknown standards. The Public Service Commission should have an updated state model wind ordinance in place prior to consideration of a state mandated wind siting ordinance.

In Ridgeville Township, we adopted a Wind Energy Conversion Systems Ordinance to protect our health and safety associated with wind development. Do not take that protection away from us.

Please oppose SB 185/AB 256.

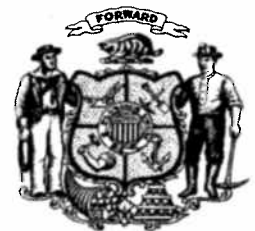
Thank you,



LaVonne Graewin
23144 Keats Road
Wilton, WI 54670
608-823-7687



WISCONSIN STATE LEGISLATURE



Senate Committee on Commerce, Utilities, Energy, and Rail
Senate Bill 185

Date?

Assembly Committee on Energy and Utilities
Assembly Bill 256

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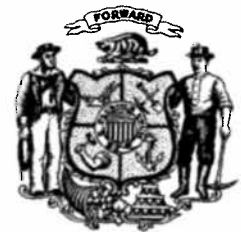
Thank you,



LaVonne Graewin
23144 Keats Road
Wilton, WI 54670
608-823-7687



WISCONSIN STATE LEGISLATURE



Senate Committee on Commerce, Utilities, Energy, and Rail
Room 313 South, State Capitol
Madison, WI 53708

Date ?

Dear Members of the Senate Committee on Commerce, Utilities, Energy, and Rail:

I strongly oppose the wind siting reform bill (SB185 & AB256) that may soon be coming to vote. This would give the Public Service Commission free authority in siting all Industrial Wind Turbines without local input.


Giving the psc the authority to approve Wind Farm projects without knowing what there standards and setbacks are prior to the vote would be very poor policy and would be placing the burden on the PSC to prove there are not Health and Safety problems happening now.

Are Senate needs to pass law that has scientific documentation and not be pressured by lobbyists' and private companies just to meet there agenda. This bill needs to meet Health and Safety Standards that will be fare to all tax payers of Wisconsin.

Once again please VOTE NO on SB185 and keep the siting in local government

Respectfully

Manitowoc County Supervisor District 20
Tony Heyroth
14520 Crossroad Drive
Mishicot, Wi. 54228

 5-11-09