

Floyd County Board of Supervisors and Zoning Commission Joint Meeting
February 12, 2024, 6:00 p.m.

The Floyd County Board of Supervisors and Zoning Commission met at the Rockford Fossil and Prairie Center with the following in attendance: Board of Supervisors Mark Kuhn, Dennis Keifer, and Jim Jorgensen and Zoning Commissioners Dean Tjaden, Ben Rottinghaus, Guy Carpenter and Candi Brandau-Larson.

Supv Kuhn called the Board of Supervisor's meeting to order. Keifer/Jorgensen moved to approve the agenda. Motion carried 3-0. Dean Tjaden, Zoning Commission chair, introduced Commissioners, Candi Brandau-Larson, Ben Rottinghaus, and Guy Carpenter

John Robbins, North Iowa Area Council of Governments Senior Planner, provided an overview of his role in assisting the County with amending the zoning ordinance with language for utility-scale energy and battery storage systems. The purpose of the meeting is to gather information the public would like to see in the ordinance.

Scott Larson questioned types of turbine setbacks and how batteries are handled. Robbins explained typical setbacks for the distance from the base of utility-scale turbines to a particular point to be regulated, such as distances from road right-of-way, utilities, non-participating property lines, a residence or conservation area. Setbacks may also be set based on the highest point of the bottom of the turbine to the tallest point of the rotation of a blade. Setbacks also address ice throw, shadow flicker based on the duration of flicker over the time frame in a year, and noise, typically not greater than 45 decibels. Battery storage, each being approximately the size of a semi-trailer, also have noise setbacks because of the HVAC systems with the units.

Thomas Bean, Iowa Land & Liberty Coalition Field Director, provided "A Common-Ground Ordinance Guide/Wind Energy Development" handout and mentioned waiver agreements that can be used between property owners and developers.

The length of blades will depend on the developer. Ground clearance requirements may vary from county to county. Boone County, with 12 ft clearance, has the lowest Robbins has seen. After the county has completed the ordinance, the developer will file an application with the specifics on the size of turbines. Isaac Lamppa, Invenegy Project Developer, commented that most blades are 90 to 250 feet and provided information on the Chickasaw project which are about 190 feet and include 56 turbines at 3.1 megawatts, eight GE turbines at 2.82 megawatts, and two different hub heights.

Tjaden questioned the total height regulated by the Federal Aviation Administration (FAA). Robbins responded the FAA regulates any structure over 200 feet as to whether it impedes air traffic and has a 90-day review with a "Determination of No Hazard" approval process. The FAA also regulates the red light on turbines and has new Air Traffic Lighting System (ATLS) technology that detects air traffic and turns red lights on and off in a proximity of the turbines. A local ordinance could have maximum height requirements; Monona County has a max height of 600 feet in their ordinance.

Mike Sinning questioned how the electricity generated from the towers gets to the public. Robbins responded transmission lines are typically underground and feed to a substation that will connect to a grid at large. The developer's application will provide site plans identifying where buried transmission lines are located.

The county's ordinance will regulate damages to tile that would need to be repaired or rerouted. State code also regulates drainage tile and requires certain administration by the county auditor's office.

Robbins explained decommissioning plans that identify removal of the infrastructure after its use of life. Typically, 180 days to six months is part of the plan to remove underground infrastructure approximately four foot deep and replaced with aggregate and topsoil.

Rachel Easton, Power Up Iowa representative, provided information on economic development of wind energy. The Marble Ridge Wind project will bring in approximately \$171 million in tax revenue and land lease payments to the community over the project's lifetime. The development also brings improvement to schools, roads and emergency services without increasing tax rates to residents. Across Iowa, renewable energy has generated \$61.5 million in local and state revenue and has paid \$73.4 million in land lease payments in 2022. Approximately 300 jobs will be created during construction and eight permanent jobs moving forward. From 2013 to 2019, neighboring Mitchell County's taxable valuation went up nearly 18% and is the largest taxpayer, generating \$2 million per year for roads and bridges and paid for a new courthouse, all without raising taxes, and

the school budget has grown by \$3.5 million over five years. Easton encourages the county to provide a fair revision of its ordinance to allow for wind energy development in the county and the benefits that come with it.

Russ Sido asked if there would be an extra tax on properties with turbines. Kuhn commented that he doesn't believe it would and can speak from experience of having turbines on his own property. Robbins added that the taxes are typically on the developer/owner of the turbine. Utility-scale turbines are taxed on special assessment based on net acquisition value with a schedule increasing 5% each year, up to 30% over seven years.

Larry Schubert, landowner in Cerro Gordo and Floyd County, shared his experiences encountered with a company that dug holes and ended up going bankrupt, another company that wanted 20 feet along his fence that he turned down, another company who said they don't build on CRP land, and could have been involved in the Chickasaw County project which he turned down. Schubert is not overly trusting of wind turbine companies, is concerned of electrical and tile lines that can be hard to find and fix, and access roads taking up crop land.

Another public listening session will be held on February 21, additional listening sessions will be scheduled as needed and Robbins is working on an ordinance draft for Commission and Board workshop meetings. Robbins explained the hearing process before the ordinance can go into effect. Some counties have ordinances in place and some, like Chickasaw County who does not have a zoning ordinance, entered into an agreement with Invenergy. Auditor Carr mentioned that a moratorium on turbines is in place until May 20, 2024 with an option to extend until July 1, 2024; Kuhn added that if the Commission has not made a recommendation to the Board, the county has a right to enter into a development agreement with the developers. Erecting meteorological towers are part of the process to gather wind information and are exempt from the moratorium. Tjaden commented that he is in agreement with the Board to not let this drag out. Mike Carberry, Bright Futures, mentioned resources for sample ordinance with language that everyone wins: the taxpayers, utilities, and developer.

Recycling and repurposing of decommissioned turbines were discussed. Swati Dandekar, Bright Future, mentioned Fairfax, IA now has a recycling plant for blades. Bean mentioned that about 95% of the blades are broken down to use for other manufacturing purposes. Robbins spoke of a 55-turbine redevelopment project near Clear Lake where concrete was crushed to use for aggregate, steel was recycled, and blades went to landfills.

Angie Johnson questioned the benefit of wind energy to the developers and consumers. Lamppa responded that Invenergy's 16 projects in Iowa have always stretched for wins to the landowner, the community, and the developer. MidAmerican Energy has the fifth lowest energy prices in the country and most of their load comes from generating wind energy, demonstrating that it is cost effective and rates are lower. Tjaden commented that he is paying \$0.096 per kilowatt to REC and his California friends are paying over \$0.37 per kilowatt.

Johnson asked how long the turbines last and how long it takes to pay for a turbine. Lamppa responded that Invenergy's easements are for 40 years, turbines last about 20-30 years, and they would hope for a repower project. Tom Treharne, Nextera Energy representative, added that technology changes which causes to weigh the value of investing in turbines, as in the example with the Clear Lake redevelopment project where the smaller turbines were removed after about 15 years and replaced with 16 turbines. Treharne provided a brief overview of how certain powers come offline and others go on. Carberry commented on subsidies in every form of energy that incentivizes the type of behavior we want to see. Wind energy in Iowa has held rates steady which is one of the reasons why Iowa is getting data farms and other businesses that want to come to Iowa. In response to Johnson's question on how much is subsidized by the government, Treharne said there are subsidies included in recent legislation and Nextera would be doing wind energy with or without subsidies.

Treharne commented that the projects take a lot of time to pull together and encourages people to ask about what is being regulated in an ordinance. Nextera Energy has developed 12 projects across the state, wants to see a balanced ordinance, wants to work with the county and would be happy to bring in maintenance or other staff to meetings to be as transparent as possible with the project. The number and size of Nextera's project is yet to be determined until the ordinance is in place.

Larson inquired about environmental standards for migration of birds, waterfowl, and setbacks for bald eagles. Treharne said they work with all regulations required. Lamppa added that DNR reviews are conducted, each project is unique with its own conditions, and they sensitive to flood plains, wetlands, and wildlife areas.

Jorgensen questioned how the two companies happened to be working on projects at the same time. Treharne responded that the resources are good in the county. Lamppa added that the goals of the two companies

are aligned on responsible development. Merlyn Bartz, Invenergy representative, mentioned it is likely more coincidence and there are numerous projects adjacent to each other.

Carr asked if there is such a thing as too many turbines in an area. Treharne responded that the grid dictates how much power can go to it. Carberry added that transmission is harder to build than wind or solar farms and currently work is being done to allow use of right-of-ways for transmission lines. Robbins mentioned companies are building transmission lines to connect regions which allows power shift. Nextera and Invenergy representatives both said they have no plans to tie to the Soo Green transmission line.

Brandau-Larson questioned how leases are paid, by energy generated or regardless if the blades turn. Nextera pays based on a set amount. Invenergy pays based on capacity of the turbine, e.g., per megawatt.

Schubert asked how many turbines are in a fence line and why aren't they pushed to a fence line to be farmer friendly. Lamppa responded that every project is different, every landowner has their own needs, and pending easements, setbacks, and layout shifts, determines where turbines can go. Bartz added that non-participating landowners and setbacks may be a reason to not follow a fence line. Carberry added that the turbine and access road only takes about a half acre and lease payments more than covers the non-production land. Ben McCandless has ground where the access road will be on the fence line but the turbine, because of setbacks, cannot be on the fence line but the compensation more than makes up for it. Robbins mentioned the county ordinance will not cover everything, a landowner may have a private agreement, and a landowner should never feel forced to enter into a contract.

Kuhn mentioned the next listening session is scheduled for February 21 at 6 p.m. at the Courthouse Emergency Operating Center.

Keifer/Jorgensen moved to adjourn the meeting. Motion carried 3-0.

With no further questions, Commissioner Tjaden declared the Zoning Commission meeting adjourned.

Minutes respectfully submitted by Gloria Carr, Floyd County Auditor