

In The Matter Of:
McLEAN COUNTY ZONING BOARD OF APPEALS

WIND FARM
February 28, 2018

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1 McLEAN COUNTY ZONING BOARD OF APPEALS
 2 MEETING
 3
 4 Wednesday, February 28, 2018
 5 6:00 p.m.
 6
 7 at
 8 Government Center
 9 115 East Washington Street
 10 Bloomington, Illinois
 11
 12
 13 Case Number SU-18-02
 14
 15 ZONING BOARD MEMBERS PRESENT:
 16 Brian Bangert
 17 Chris Carlton - 1st Alternate
 18 Rick Dean
 19 James Finnigan - Chairman
 20 Michael Kuritz
 21 Mary Beth Taylor - 2nd Alternate
 22 Julia Turner
 23
 24 Court Reporter:
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 On Behalf of McLean County.

16 ALSO PRESENT:
 17 PHILIP DICK, Director of Building & Zoning
 18 LUKE HOHULIN, Assistant County Engineer
 19
 20
 21
 22
 23
 24

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1 I N D E X
 2
 3 WITNESSES:
 4 TONY O'BRIAN 822
 5 JEFF POWELL 827
 6 ALAN PETERSEN 835
 7 DUSTAN HAASE 842
 8 DONALD TROWITCH 858
 9 DARYL HANEY 879
 10 GARY BUTLER 898
 11 MATT ALDEMAN 905
 12 MARK DEKEERSGIETER 915
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 16 GARY DECLARK 949
 17 ERIC ELDER 969
 18 THEODORE HARTKE..... 979
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 23 Applicant's Exhibit 15 948
 24 Mr. DeClark's Presentation
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 26 Objectors Exhibit 9 879
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 31 Mr. Hartke's Presentation
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1 **CHAIRMAN FINNIGAN:** Call the McLean County
 2 Zoning Board to order. Will the Secretary call the
 3 roll?
 4 **MR. DICK:** Mark Judd?
 5 (No response.)
 6 **MR. DICK:** Brian Bangert?
 7 **MR. BANGERT:** Here.
 8 **MR. DICK:** Michael Kuritz?
 9 **MR. KURITZ:** Here.
 10 **MR. DICK:** Rick Dean?
 11 **MR. DEAN:** Here.
 12 **MR. DICK:** Julia Turner?
 13 **MS. TURNER:** Here.
 14 **MR. DICK:** Drake Zimmerman?
 15 (No response.)
 16 **MR. DICK:** Jim Finnigan?
 17 **CHAIRMAN FINNIGAN:** Here.
 18 **MR. DICK:** Chris Carlton?
 19 **MR. CARLTON:** Here.
 20 **MR. DICK:** Mary Beth Taylor?
 21 **MS. TAYLOR:** Here.
 22 **CHAIRMAN FINNIGAN:** We have a quorum. We
 23 are reconvening Case SU-18-02. I think we are at the
 24 point of public testimony. So Phil is going to call a

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1 name, and hopefully they are here.
 2 **MR. DICK:** Tony O'Brian?
 3 **MR. O'BRIAN:** Hello.
 4 **CHAIRMAN FINNIGAN:** Would you like to be
 5 sworn in?
 6 **MR. O'BRIAN:** Sure.
 7 (Tony O'Brian sworn.)
 8 **CHAIRMAN FINNIGAN:** State your name and
 9 address and spell your last name, please.
 10 **MR. O'BRIAN:** Tony O'Brian, O-B-r-i-a-n. I
 11 live at 103 Oak Street in Morton, Illinois.
 12 First off, I'd like to thank the Board for
 13 letting me speak tonight on behalf of my members.
 14 As I said, my name is Tony O'Brian. I am a
 15 business agent for the operating engineers. For those
 16 of you who don't know what that is, the heavy
 17 equipment operators, whether it be dozers, cranes,
 18 things of that nature.
 19 Just want to take a little bit of your time
 20 tonight. What I'm going to say is kind of twofold
 21 here, my experience of working on wind farms as well
 22 as being a business rep.
 23 I have worked on wind farms in McLean
 24 County, both at Carlock and Twin Groves, from building

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1 laydown yards, roads, tearing laydown yards up,
 2 tearing the roads up. I have dug holes. I've placed
 3 rebar in the holes. I have ran cranes that built
 4 rotors. I've set bases as well. Pretty much the only
 5 thing I haven't been a part of is topping out, setting
 6 the nacelles and the rotors.
 7 I just want to let you know what it's done
 8 for me. It's given me an opportunity not to be a
 9 burden to society. Provides a good wage, insurance,
 10 pension, annuity, things you've probably all heard
 11 about. Good wages is what this craft needs.
 12 Everybody knows what kind of shape the state
 13 is in. Not doing a lot of road work, which is 65 to
 14 70 percent of our work. These jobs are very well
 15 needed. The local is down 330,000 hours; so these
 16 jobs would be appreciated.
 17 The second part I want to talk about is
 18 being a business rep now. I don't any longer work in
 19 the field. I represent those people on wages, hours,
 20 and conditions. I represent the guys who are doing
 21 the maintenance now, the crane operators that are at
 22 Twin Groves right now replacing rotors or gear boxes,
 23 things of that nature. Those are still good jobs.
 24 Even though the wind farm has been built, we continue

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1 to get hours off of that. That's important.
 2 Also, too, the financial side of things,
 3 this insurance isn't guaranteed. You have to have so
 4 many hours per year to get that insurance; and you all
 5 know, when we work on wind farms, we work a lot of
 6 hours. That's helps us gain our insurance. It also
 7 helps us get a pension as well.
 8 The reason I bring all of this stuff up is
 9 because it gives us an opportunity to train. We're
 10 self-funded in our training. We pay \$3 per hour for
 11 every hour we work into our fund to train. So good
 12 wages, good insurance, training.
 13 The reason I bring that up is because I
 14 don't want you to think we are just people who come in
 15 here, take advantages of the wages, and just leave.
 16 That's not what happens. We take pride in our work.
 17 We continually train to do this kind of
 18 work. You know, I've heard some people say that we
 19 tear things up and we just leave it behind. We don't
 20 do that. We have respect in our work.
 21 We're also in the community as well, whether
 22 it be Christmas for the homeless or blood drives or
 23 Day of the Dozers and lots of other things, countless
 24 things.

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1 So, for those of you that don't know me or
 2 the members that I represent, I just want you to know
 3 that we appreciate the wages. We appreciate the
 4 insurance. And we appreciate the opportunity to give
 5 back in the community. So with that said, I'm pretty
 6 much done here.
 7 **CHAIRMAN FINNIGAN:** Thank you. Questions
 8 from the Board?
 9 (No response.)
 10 **CHAIRMAN FINNIGAN:** Staff?
 11 (No response.)
 12 **CHAIRMAN FINNIGAN:** Would anyone in the
 13 audience have questions of this witness?
 14 **MR. LUETKEHANS:** Just a couple of questions.
 15 You said you laid down road work or you work on --
 16 **CHAIRMAN FINNIGAN:** You still have to say
 17 your name.
 18 **MR. LUETKEHANS:** I'm sorry. Phil
 19 Luetkehans, L-u-e-t-k-e-h-a-n-s. You mentioned on
 20 prior wind farms you worked on access roads; is that a
 21 fair statement?
 22 **MR. O'BRIAN:** Correct.
 23 **MR. LUETKEHANS:** What did you do on the
 24 access roads?

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1 **MR. O'BRIAN:** When we were building them?
 2 **MR. LUETKEHANS:** Yes.
 3 **MR. O'BRIAN:** All the civil work, whether it
 4 be coring out for the roads, putting down the riprap,
 5 and then finalizing the roads. I also did tear some
 6 of those roads out as well.
 7 **MR. LUETKEHANS:** When you talk about riprap,
 8 you're talking about course aggregate that goes below
 9 the asphalt, correct?
 10 **MR. O'BRIAN:** Correct.
 11 **MR. LUETKEHANS:** And sometimes that's CA6.
 12 Sometimes it's CA5, CA7, whatever it may be?
 13 **MR. O'BRIAN:** Correct.
 14 **MR. LUETKEHANS:** Thank you.
 15 **MR. O'BRIAN:** Thanks for taking it easy on
 16 me. That's the first time an attorney has taken it
 17 easy on me.
 18 **CHAIRMAN FINNIGAN:** Any other questions?
 19 We're going to take it easy on you.
 20 **MR. O'BRIAN:** Thanks for caring about McLean
 21 County.
 22 **CHAIRMAN FINNIGAN:** Thanks for coming up.
 23 **MR. DICK:** Jeff Powell?
 24 **CHAIRMAN FINNIGAN:** Would you like to be

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1 sworn in?
 2 (Jeff Powell sworn.)
 3 **CHAIRMAN FINNIGAN:** State your name and
 4 address. Spell your last name, please.
 5 **MR. POWELL:** Jeff Powell. 32897 East 2700
 6 North, Chenoa, Illinois. P-o-w-e-l-l.
 7 Let me just start off with what has been
 8 bringing me to these hearings. I was kind of late to
 9 the game as to what was going on, but I felt compelled
 10 to act once I found out the size of these turbines. I
 11 was concerned about the unknown effects with the
 12 larger turbines versus the smaller ones that we
 13 already have in the County.
 14 At 548 feet and a 3.6 acre wind sweep, I am
 15 concerned with the effect that these turbines will
 16 have on my family, my friends, and my neighbors. To
 17 put that in perspective, that's 2.72 times the size of
 18 a football field. My property is only 1 1/2 acres; so
 19 it's more than double the size as far as the wind
 20 sweep, spinning around in the air close to our
 21 properties.
 22 Throughout the testimony, I've found that
 23 there are a lot more unanswered questions and
 24 concerns. We've talked about infrasound effects, and

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1 I'm concerned about a lot of the unknown effects that
 2 those may cause. Will anybody in my family be part of
 3 the percentage of people that are drastically
 4 affected?
 5 I'm concerned about the health effects that
 6 killing -- admittedly killing a large number of bats
 7 will have on the mosquito population in my area. I
 8 believe that is a health concern for the County.
 9 And I believe that the burden should lie
 10 with the Applicant. I believe that it is the
 11 County's, through this process, responsibility to
 12 protect the residents impacted. And I believe that
 13 this should be achieved before the application is
 14 recommended to the Board, not after the project is up
 15 and running.
 16 I believe that, especially in the state, it
 17 is very difficult to have these regulations enforced.
 18 The IPCB does not regulate, as far as I know. I'm
 19 concerned about what that process is as far as holding
 20 these turbines under the legal sound limit.
 21 I also believe there's so many variables
 22 when they're talking about impacted wildlife. It's so
 23 hard to really find what is really happening. They
 24 talked about using dogs to find bats and stuff; but I

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1 live in the country and I know that, if something is
 2 dead, it doesn't stick around very long. It's usually
 3 eaten up. You know, food is scarce, and it goes
 4 quickly.
 5 I'm trying to do what's best for my family.
 6 We are very comfortable where we are in our lives, and
 7 our worry is that this project will change the life
 8 that we love. It undoubtedly already has, spending
 9 time almost nightly attending hearings, meetings, and
 10 making phone calls, scrambling for info, trying to
 11 help make a difference.
 12 This is time I would much rather be spending
 13 with my daughter during the first months of her life,
 14 time that is crucial to her development. Things
 15 change when you become a father, and you have to weigh
 16 what's most important. That's why I'm here instead of
 17 at home with her.
 18 I am not a lawyer, but I know that I'm
 19 forced in this situation to play the game and try to
 20 be one. So I know that you don't want to hear that we
 21 don't want a wind project. I know that. I have to
 22 look for credible evidence to show that this project
 23 does not meet your standards for special use, and that
 24 brings me to what I believe here.

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1 Based on the testimony from Dr. Schomer and
 2 Dr. Punch, I believe that the standards of special
 3 use, number 1 and number 2, were not met. Number 1 is
 4 the proposed special use will not be detrimental or
 5 endanger the health, safety, morals, comfort, or
 6 welfare of the public.
 7 Dr. Schomer shared how, because EDP is
 8 modeling to the very edges of the IPCB limits, there
 9 will be annoyance. He said that going over the limit
 10 is a violation, like getting a speeding ticket. And
 11 the way the sound study is modeled, noise will
 12 inevitably exceed the limits. He said the Applicant
 13 should abide by the whole law and build the model so
 14 this doesn't happen. Adding 9 dB to the model would
 15 minimize these violations.
 16 Dr. Punch provided a lot of evidence, peer
 17 reviewed studies, which linked noise from turbines
 18 with annoyance, up to 30 percent of the population.
 19 He also shared the World Health Organization health
 20 risk of noise and shared research which linked sleep
 21 disturbance and the quality of life to low frequency
 22 noise. He concluded that, based on these studies,
 23 Bright Stalk project will undoubtedly expose a number
 24 of McLean County residents to extreme annoyance and

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1 adverse health effects.
 2 Standard Number 2 is: The proposed special
 3 use will not be injurious to the use and enjoyment of
 4 the property in the immediate vicinity for purposes
 5 already permitted or substantially diminish the
 6 property values in the immediate area.
 7 Again, based on expert testimony of
 8 Dr. Schomer and Dr. Punch, this project will be
 9 injurious to the enjoyment of those who will be living
 10 near the turbines. As Dr. Schomer said in his
 11 comments, wind farms will be in the position where
 12 they must stay -- or wind farms will be in the
 13 position where they must say we may affect some
 14 people.
 15 Regulators charged with protecting the
 16 health and welfare of the citizenry will not be able
 17 to say they know of no adverse effects. Rather, if
 18 they choose to support the wind farm, they will do so
 19 knowing that they may not be protecting the health and
 20 welfare of the citizenry.
 21 One last thing I wanted to go over, because
 22 I do believe it is important. I want to talk about
 23 what was brought up in the facts and findings of the
 24 Invenergy recommendation. Another concern I have is

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1 the use of that agricultural nuisance disclaimer in
 2 the findings and facts and recommendation as it was
 3 done in the Invenergy hearing.
 4 This is a disclaimer of a person's rights to
 5 bring legal judgment against a farmer who affects you
 6 as a homeowner while performing normal agricultural
 7 operations.
 8 **MS. ANTONIOLLI:** Object to referencing the
 9 Invenergy hearing. We are focusing on this hearing.
 10 **MR. POWELL:** I do believe it is important
 11 because I do believe that a lot of the process that
 12 happened with Invenergy will happen the same; so I do
 13 believe it's applicable here.
 14 **CHAIRMAN FINNIGAN:** Go ahead. That's fine.
 15 Kind of move it on though.
 16 **MR. POWELL:** This is a disclaimer of a
 17 person's rights to bring legal judgment against a
 18 farmer who affects you as a homeowner while performing
 19 normal agricultural operations. This disclaimer is
 20 signed only by a small segment of people, folks who
 21 want to build or own a home in the country. Farmers
 22 or folks who want to build on a parcel less than 3
 23 acres without special conditions are not required to
 24 sign.

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1 This disclaimer has no purpose for this
 2 special use application except to confuse the ZBA and
 3 the public into thinking that people living in the
 4 country have given up some of their rights under the
 5 standards of special use. It does nothing to protect
 6 the Applicant or the landowner where the turbine is
 7 placed from having a judgment filed against them from
 8 any homeowner because Mr. Dick verified operating a
 9 wind farm does not fall under the category of normal
 10 agricultural operations. To use this disclaimer as
 11 the ZBA did in the findings and facts and
 12 recommendations in the Invenergy hearing is misleading
 13 with the intent to diminish the rights of the people
 14 in an illegitimate way.
 15 I will ask you to please deny this
 16 application based on that it does not meet the
 17 standards of special use; and, like I said, I would
 18 ask that that agricultural nuisance disclaimer not be
 19 considered in your recommendation. Thank you.
 20 **CHAIRMAN FINNIGAN:** Thank you. Any
 21 questions?
 22 **MS. TURNER:** Can you show us on the map
 23 where you live or tell us what quadrant number up
 24 there? Can you see the numbers?

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1 **MR. POWELL:** Can I get up there and look?
 2 **MS. TURNER:** Sure.
 3 **MR. POWELL:** I believe it's 34.
 4 **MS. TURNER:** What's the nearest wind --
 5 **MR. POWELL:** I believe it would be directly
 6 behind me to the south.
 7 **MS. TURNER:** T33?
 8 **MR. POWELL:** Uh-huh. But that being said, I
 9 know there's some space in there. My concern is that
 10 once this project is approved, that it will open the
 11 door for more projects and add more turbines.
 12 **MS. TURNER:** Thank you.
 13 **CHAIRMAN FINNIGAN:** Questions from the
 14 staff?
 15 **MR. DICK:** No.
 16 **CHAIRMAN FINNIGAN:** Would anyone in the
 17 audience have questions of this witness?
 18 (No response.)
 19 **CHAIRMAN FINNIGAN:** Thank you.
 20 **MR. DICK:** Alan Petersen.
 21 **CHAIRMAN FINNIGAN:** Would you like to be
 22 sworn in?
 23 **MR. PETERSEN:** Yes.
 24 (Alan Petersen sworn.)

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1 **CHAIRMAN FINNIGAN:** State your name and
 2 address and spell your last name, please.
 3 **MR. PETERSEN:** Alan Petersen, A-l-a-n
 4 P-e-t-e-r-s-e-n. 23284 North 3300 East Road, Colfax.
 5 Forgive me. I'm a little nervous. I've
 6 lived in Lawndale Township my entire life, and our
 7 family has farmed and has owned farmland in Lawndale
 8 Township for over 100 years.
 9 The roads in our township are very important
 10 to us as it is our means to get to work, to move our
 11 grain, and so forth.
 12 As a resident farmer and a township trustee,
 13 I have every confidence that the roads that are
 14 affected by the project will be brought back to our
 15 satisfaction by EDP Renewables, if not better.
 16 My wife and I live within one quarter mile
 17 of the Henline Creek. The Henline Creek is in the
 18 Lawndale-Cropsey Drainage District, which is dredged
 19 out on a regular basis. It also takes out the tree
 20 saplings along the drainage ditch as needed.
 21 I have some pictures to hand out.
 22 **CHAIRMAN FINNIGAN:** You want these to be as
 23 an exhibit?
 24 **MR. PETERSEN:** Whatever. I just wanted you

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1 people to be able to see what Henline Creek looked
 2 like -- or looks like, I should say.
 3 **CHAIRMAN FINNIGAN:** We need to offer it as
 4 an exhibit to consider then.
 5 **MR. PETERSEN:** That's fine.
 6 **CHAIRMAN FINNIGAN:** I'll let Phil ask you
 7 questions.
 8 **MR. PETERSEN:** I'm listed as 4. Is that
 9 what you're looking for?
 10 **MR. DICK:** We'll call this Supporter's
 11 Exhibit 1.
 12 **CHAIRMAN FINNIGAN:** I guess no one has a
 13 problem with this being an exhibit? Nobody said
 14 anything. We'll put that in the record. Thank you.
 15 **MR. PETERSEN:** There's just three pictures
 16 in there. It's not a big deal. The pictures that I'm
 17 showing you, some are looking east from 3200 East
 18 Road, and another one is looking west from 3300 East
 19 Road. The other picture is from the Henline Creek in
 20 its original state. This picture is very close to
 21 where it runs into the Mackinaw River. As you can
 22 see, the original has a lot of wooded area around it.
 23 The pictures where the drainage district is
 24 is tax supported by the farmers and landowners that

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1 drain into it.
 2 As you can see, it has deep ditch banks to
 3 allow for good drainage. As you also can see in those
 4 pictures, there's no eroded ditch banks and no trees.
 5 It is a drainage ditch in a drainage district.
 6 I believe the 500-foot setback for this area
 7 would be appropriate. I also believe that the study
 8 that Dr. Shank and Mr. Capparella were talking about
 9 the other evening would be very beneficial for McLean
 10 County and the state of Illinois.
 11 My family and I are fully supportive of this
 12 project. Thank you for your time and patience.
 13 **CHAIRMAN FINNIGAN:** Thank you. Any
 14 questions from the Board?
 15 **MR. DEAN:** I appreciate these pictures
 16 because, being a farmer down south here, we have
 17 drainage ditches too. I was struggling with how
 18 Henline Creek, how it was described. When was the
 19 last time this was cleaned?
 20 **MR. PETERSEN:** Last time -- it's only been a
 21 couple of years ago. They did clean up the trees this
 22 past year. And they were just down there fixing, you
 23 know, where the tile gets broke off at the end.
 24 They've done a couple of that. But they made it

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1 fairly well with the tax base we have.
 2 **MR. DEAN:** I appreciate Mr. Capparella's --
 3 Dr. Capparella's comments too about the cool water and
 4 how it does benefit the life down there, but you would
 5 think the dredging would disrupt it.
 6 **MR. PETERSEN:** Well, I wouldn't think so,
 7 but that's not my expertise.
 8 **MR. DEAN:** I understand. Thank you.
 9 **CHAIRMAN FINNIGAN:** I know you're not an
 10 expert, but you've looked at that creek a lot, I'm
 11 sure, over the years?
 12 **MR. PETERSEN:** My whole life.
 13 **CHAIRMAN FINNIGAN:** Is there life in it? I
 14 mean, is there --
 15 **MR. PETERSEN:** There's fish, yes.
 16 **CHAIRMAN FINNIGAN:** So there is some fish in
 17 it?
 18 **MR. PETERSEN:** Oh, yes.
 19 **CHAIRMAN FINNIGAN:** They come back up
 20 through the Mackinaw?
 21 **MR. PETERSEN:** I would assume so. I'm not a
 22 biologist or whatever you want to call it that takes
 23 care of that. I've lived there, like I said, my whole
 24 life. I fished in it when I was a kid. When I was a

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1 kid, that creek was different.
 2 **CHAIRMAN FINNIGAN:** It was more meandering?
 3 **MR. PETERSON:** More meandering. It was not
 4 dredged out very regular. The tax base was very
 5 small. And being with all the farmers tiling anymore,
 6 it's been picked up very aggressive. Because of all
 7 the tiling that goes into the land, the drainage is
 8 quicker.
 9 **CHAIRMAN FINNIGAN:** Okay. Thank you very
 10 much. Questions from staff?
 11 **MR. DICK:** Do you have any turbines on your
 12 property?
 13 **MR. PETERSEN:** There is some proposed,
 14 correct. Yes.
 15 **MR. DICK:** Do you know how many?
 16 **MR. PETERSEN:** Right now, there is four.
 17 **MR. DICK:** How do you think this will affect
 18 your agricultural operation?
 19 **MR. PETERSEN:** I believe -- we farmed around
 20 that Henline Creek. We got a hedgerow around.
 21 Farming around an obstacle like that is not a big
 22 deal, to be honest with you. It's not the perfect
 23 scenario, but it is not a big deal for the big
 24 equipment anymore, not to me.

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1 **MR. DICK:** Do you use crop dusters on your
 2 fields?
 3 **MR. PETERSEN:** We have in the past sprayed
 4 our wheat with fungicide, which is like 40 acres; and
 5 that's about it. If we do any other, it is done by
 6 ground.
 7 **MR. DICK:** Thank you.
 8 **CHAIRMAN FINNIGAN:** Would anyone have
 9 questions of this witness?
 10 **MR. LUETKEHANS:** Real quick, Mr. Petersen.
 11 If the setback is enforced at the Henline Creek, how
 12 many turbines would you lose, if any?
 13 **MR. PETERSEN:** If it was set back to what?
 14 **MR. LUETKEHANS:** To half mile, I think is
 15 what they requested, right?
 16 **MR. PETERSEN:** If it was set back to half a
 17 mile, we would probably lose three.
 18 **MR. LUETKEHANS:** Okay. Thanks.
 19 **CHAIRMAN FINNIGAN:** Any other questions?
 20 **MR. DEAN:** Which turbines are you referring
 21 to in your area? 162?
 22 **MR. PETERSEN:** Yes, 162 and T60 and 61, I
 23 believe. We are clear on the far southern edge of the
 24 project.

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1 **MR. DEAN:** Okay. Thank you.
 2 **MR. BUTLER:** Gary Butler. Hi, Alan.
 3 **MR. PETERSEN:** Hi, Gary.
 4 **MR. BUTLER:** Alan, do you know anything
 5 about mussels?
 6 **MR. PETERSEN:** No, I do not.
 7 **MR. BUTLER:** Well, I didn't either, but my
 8 sister has walked every tributary, creek, and stream
 9 in the state of Illinois with a natural history. She
 10 works for the INDNR. Through a grant through US Water
 11 Service, I've learned a lot about mussels and what
 12 value they are to filter our water.
 13 **CHAIRMAN FINNIGAN:** I want you to talk, but
 14 this is just for questions. If you want to testify to
 15 that, you can come back and testify.
 16 **MR. BUTLER:** Okay. Well, 70 percent of the
 17 highly valued unique mussel resources are in the
 18 Henline Creek and Frog Alley.
 19 **CHAIRMAN FINNIGAN:** We're going to have to
 20 call you back. If you have a question for him, you
 21 can ask the question, but you're getting into
 22 testifying. You can come back and do that but not at
 23 this point.
 24 **MR. BUTLER:** Okay. I just was wondering if

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1 he knew how many mussels were in that creek.
 2 **CHAIRMAN FINNIGAN:** You can ask him that
 3 question.
 4 **MR. PETERSEN:** I do not know.
 5 **MR. BUTLER:** I don't either, but she did.
 6 Thank you.
 7 **MR. DEAN:** We'll look forward to you coming
 8 back.
 9 **CHAIRMAN FINNIGAN:** Any other questions? I
 10 think you're safe. Thank you for coming up. It will
 11 be easier next time.
 12 **MR. DICK:** Brian Beyers (phonetic)?
 13 (No response.)
 14 **MR. DICK:** Dustan Haase?
 15 **CHAIRMAN FINNIGAN:** Would you like to be
 16 sworn in?
 17 **MR. HAASE:** Yes, sir.
 18 (Dustan Haase sworn.)
 19 **CHAIRMAN FINNIGAN:** State your name and
 20 address. Spell your last name, please.
 21 **MR. HAASE:** Dustan Haase, D-u-s-t-a-n,
 22 H-a-a-s-e, 619 East Dodge, Farmer City, Illinois.
 23 So please forgive me. I'm a little nervous
 24 doing this, but I wanted to come up here and speak to

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1 it.
 2 I am a wind technician for EDP. I have
 3 worked on turbines for the last five years of my life
 4 and EDP the last eight months at Twin Groves.
 5 Through my experience -- I kind of wanted to
 6 give you my experience over the last years. For me
 7 personally, it has given me a lot better life, to be
 8 able to work and to give me a good job and also the
 9 opportunity -- I'm from rural Central Illinois, not
 10 McLean County, but I'm actually from -- I used to work
 11 on the California Ridge over on the other side of
 12 Champaign. I'm from that area.
 13 The turbines coming in and everything has
 14 really gave me a great opportunity that a lot of
 15 people that I grew up with weren't able to get, I
 16 suppose. I've been able to travel all over the
 17 country and do a lot of things that most people don't
 18 get to do because of the wind turbines coming in.
 19 I think I've been to 25 different wind farms
 20 in the last five years, traveling and working in the
 21 state.
 22 The bad experiences that I've had, I can't
 23 really tell you any, except for one was just a
 24 community issue that people didn't like us. I came

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1 out to my truck one morning, and somebody threw a bolt
 2 through my window because it had a wind turbine on it,
 3 on my truck.
 4 All the issues that have been spoken about,
 5 the shadow flicker, the noise, animals and everything
 6 to that extent, birds, bats, I tried to think of how
 7 many bats and birds that I've found at towers that had
 8 been hit or whatever, to that extent.
 9 I think, in the last five years, I've
 10 actually only seen or heard of about five to six bats,
 11 maybe two to three birds. And that's going across the
 12 entire US and 25 different farms.
 13 I believe there's a lot of misinformation
 14 that scares people out on the Internet. And we all
 15 know that everything on the Internet is true.
 16 Everyone believes everything on the Internet.
 17 But from my experience being around it,
 18 there's not a whole lot of negative impacts. As far
 19 as sound goes, you can hear them a little bit. But if
 20 it's windy, you hear the wind. It is something that
 21 you get used to, I would say. I don't even notice
 22 anymore. I might have noticed it the first couple
 23 times was around them, but then you just kind of
 24 attribute it to that's just what it sounds like

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1 outside when the wind blows. Then you have 100 other
 2 things that are making sound out there. You have the
 3 grain bins, the farm equipment, and everything to that
 4 extent.
 5 Shadow flicker, I think I've actually only
 6 had two experiences of it in the last five years. One
 7 of it was sitting in one of our offices. I seen it
 8 through the window for maybe five minutes. I know
 9 people have a lot of worries about it, but I think a
 10 lot of it comes down to something new coming in. I
 11 would urge people to not be afraid of change, I would
 12 say.
 13 I guess that's really all I have to say.
 14 Change is not always a bad thing.
 15 **CHAIRMAN FINNIGAN:** Thank you. Any
 16 questions?
 17 **MR. BANGERT:** I know you said you're from
 18 Farmer City. Have you ever lived near one or in
 19 proximity of a wind farm?
 20 **MR. HAASE:** I live in Farmer City right now.
 21 I've never actually lived in a house next to them.
 22 But like one of the other gentlemen said, we work a
 23 lot of long hours; so I kind of attribute a lot of my
 24 last five years to living in a turbine. I've spent 16

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1 hours working on one and being around them, 16, 18
 2 hours a day a lot of times, actually. But I've never
 3 actually lived right next to one.
 4 **MR. BANGERT:** So a brief description of a
 5 wind mill tech, what is involved there?
 6 **MR. HAASE:** I climb multiple times a day
 7 sometimes. Do the maintenance of them. I've done
 8 pretty much every aspect of maintenance on turbines,
 9 from troubleshooting to preventative maintenance to
 10 large correctives where we bring cranes in. I've even
 11 been involved in doing a bird and bat study when we
 12 were actually testing bat deterrent systems on another
 13 farm.
 14 There's a plethora of things, I would say,
 15 even maintaining the roads. I've done a little bit of
 16 trying to help maintain the roads and whatnot.
 17 **MR. BANGERT:** Thank you.
 18 **MS. CARLTON:** Have you ever worked on a wind
 19 turbine as big as these?
 20 **MR. HAASE:** I was going to mention that.
 21 I've worked on ones as small as the ones in Twin
 22 Groves, and I've worked on ones that are as big as the
 23 ones they are proposing for Bright Stalk.
 24 I will say the only difference that I can

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1 notice in them is that, when I get up to about 280
 2 feet, there's another 50 foot for me to climb. So
 3 that's kind of -- that's the only negative impact that
 4 I can tell about those.
 5 The extra 50 feet that it brings in is more
 6 of an impact to the technicians than, I'd say, anybody
 7 else. It sounds scary to a lot of people, talking
 8 about machines that are a lot bigger and whatnot; but
 9 if you look at the aspect of them, if you go look at
 10 one that is around an 80-meter hub height and compare
 11 it to one that is 99 meters, you really can't tell the
 12 difference a lot.
 13 I never actually realized how big they were
 14 until I sat up under one. You can't judge the height
 15 of it just by looking at it from underneath. There's
 16 really not a detrimental difference between the
 17 smaller ones to compare to the slightly bigger ones.
 18 **MS. CARLTON:** It's not a noticeable --
 19 **MR. HAASE:** No. I've never been able to
 20 notice it at all except for the fact I had another 50,
 21 75 feet to climb in them; so there's that.
 22 **MR. KURITZ:** So when they need maintenance,
 23 a gear box goes out or starts going out or something,
 24 how much noisier do they seem to get then?

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1 **MR. HAASE:** It depends on what the issue
 2 exactly is with it. You have times where bearings do
 3 go out. Gear boxes do go bad. As far as that making
 4 more noise, it's not something that normally brings
 5 the noise down to the ground. If I'm up inside of it,
 6 running it and testing it and trying to find the
 7 issue, I can hear it up there; but it's not something
 8 you can hear on the ground standing right under it, in
 9 my experience at least.
 10 **MR. KURITZ:** And how often or how likely do
 11 these issues come up, I guess?
 12 **MR. HAASE:** I would say, with the newer
 13 turbines, it's a lot less frequent. Over the last
 14 five years that I've noticed -- and I didn't even say
 15 it, but I even went to college for this before I got
 16 into it. So over the last seven years, I guess, of me
 17 actually paying attention to the manufacturers of the
 18 turbines and how they've been maintained and
 19 everything like that, if they're maintained well, they
 20 do last a lot better.
 21 The newer turbines of today are being
 22 manufactured to a lot higher standards because they
 23 have found issues in the way they've been designed
 24 over the last 10, 15 years, enough to mitigate the

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1 reasons why -- reasons for failure, I'd say; so it is
 2 a lot less common.
 3 **MR. KURITZ:** The new serrated tips on the
 4 blades, how much difference in the noise and the
 5 whoosh is there in the noise-attenuating blades?
 6 **MR. HAASE:** I haven't worked on the specific
 7 model that's being proposed, but I have worked on
 8 other towers that have similar systems. GE has a
 9 system like that. Siemens has a system like that.
 10 I've worked around both of those. It does make a
 11 noticeable difference, surprisingly, more than not,
 12 from my opinion.
 13 **MR. KURITZ:** Thank you.
 14 **MR. HAASE:** Yes, sir.
 15 **CHAIRMAN FINNIGAN:** You ever have to check
 16 for cracks in the blades?
 17 **MR. HAASE:** Yeah. I don't know the
 18 maintenance cycle of this turbine, but most have where
 19 we visit one to two times a year.
 20 The newer systems do have monitoring for,
 21 like, blade vibration, so to speak, that if the
 22 turbine was able to notice that there might be
 23 something going wrong with the blade, we will go out
 24 and inspect it, take pictures of it, get binoculars

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1 out, high-powered camera, scope, and everything. But
 2 on a normal basis, you do check the blades at least
 3 one to two times a year.
 4 Also, if a lightning storm comes through, we
 5 have lightning monitoring systems in most wind farms
 6 that can determine the closest strike to a tower. If
 7 it's within a certain distance from the turbine, we
 8 will get, like, work orders, so to speak, to go out
 9 and inspect that blade to see if it was hit by
 10 lightning, to double-check it.
 11 **CHAIRMAN FINNIGAN:** What's the fix for that?
 12 How do they repair them?
 13 **MR. HAASE:** There's multiple ways to repair
 14 blades, either by doing a full-blade replacement --
 15 I've been a part of a lot of those for another
 16 company. Their blades were manufactured a little
 17 differently than Vestas' are.
 18 There's full blade replacements, which
 19 involves bringing cranes in. Then you have rope
 20 access. People will actually scale down the blade and
 21 repair it in the air. There's also, like man lifts
 22 and baskets that we can drop down or like a -- call it
 23 a Brunt (phonetic) lift that will actually -- it's
 24 like a boom truck, I guess. People can go up and work

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1 on them.
 2 **CHAIRMAN FINNIGAN:** Thank you. Any other
 3 questions?
 4 **MR. DICK:** Have you had any experience with
 5 fires in the nacelle?
 6 **MR. HAASE:** No, sir.
 7 **MR. DICK:** Have you had any experience with
 8 a lot of heat in the nacelle?
 9 **MR. HAASE:** With the operation of the gear
 10 box, with it spinning a lot, you are going to get --
 11 it helps out in the winter a lot. It helps it be a
 12 little bit warmer up there when we're working, after
 13 they've been running, but nothing -- no heat that
 14 would actually cause, like, a fire.
 15 If you want to touch on, like, seeing
 16 turbines that have caught fire, a lot of the actual
 17 fire issues that come from turbines are from turbines
 18 that have transformers up tower. I don't believe the
 19 V 136 has that. I think it's -- they've figured out
 20 that issue and to leave the transformer down tower,
 21 along with cooling systems. We have more core cooling
 22 systems.
 23 As far as the radiators that you see up on
 24 top of the turbines, they have coolant that runs

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1 through them, that runs through the generators. And
 2 one half of it also has the oil for the gear box that
 3 runs through it to cool the oil off as well as it's
 4 going through the gear box.
 5 **MR. DICK:** Have you ever had any experience
 6 where a bad gear box or a bad bearing would cause a
 7 fire?
 8 **MR. HAASE:** No, sir.
 9 **MR. DICK:** That's all I have.
 10 **CHAIRMAN FINNIGAN:** Any questions?
 11 Mr. Luetkehans?
 12 **MR. LUETKEHANS:** You said you want to school
 13 for this as well?
 14 **MR. HAASE:** Yes, sir.
 15 **MR. LUETKEHANS:** So you're familiar with the
 16 specifications on these?
 17 **MR. HAASE:** As far as numbers go, I wouldn't
 18 say exactly.
 19 **MR. LUETKEHANS:** I'm not talking about
 20 sound, just in general. You work on them on a regular
 21 basis, correct?
 22 **MR. HAASE:** Yes, sir.
 23 **MR. LUETKEHANS:** Have you ever seen the
 24 safety zones that Vestas has put out that they

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1 recommend?
 2 **MR. HAASE:** I have not.
 3 **MR. LUETKEHANS:** Okay. Thank you.
 4 **CHAIRMAN FINNIGAN:** Any other questions?
 5 **MR. TAYLOR:** Travis Taylor. Have you ever
 6 seen where the gear boxes have become something wrong
 7 with them and it caused the turbine blades ever to be
 8 loose or wobbly or have any issues like that over
 9 time?
 10 **MR. HAASE:** No.
 11 **MR. TAYLOR:** Have you ever seen big damage
 12 from, like, storms, tornados, stuff like that, that
 13 have ever cracked or broke or had issues like that
 14 with them?
 15 **MR. HAASE:** I've seen different
 16 manufacturers' turbines have issues with that, but not
 17 specifically with Vestas' turbines.
 18 **MR. TAYLOR:** That was all my questions.
 19 **CHAIRMAN FINNIGAN:** Any other questions?
 20 **MR. POWELL:** Jeff Powell. I was just
 21 curious about some of the -- what are the industry
 22 standards as far as maintenance; and is there anybody
 23 that enforces, you know, your scheduling, like what
 24 you do as far as lubrication and your checks?

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1 **MR. HAASE:** Yeah, absolutely. I mean, if we
 2 have a tower that isn't maintained properly, it's not
 3 going to produce what we want it to produce. So we
 4 have a schedule that we have to keep to maintenance
 5 the turbines in a certain period. I think most places
 6 have, like, a 30-day allowance on your schedule that
 7 you have to have a service done in between that time
 8 period.
 9 **MR. POWELL:** Okay. I guess I'm just curious
 10 what government body -- do you know what government
 11 body enforces that that's done?
 12 **MR. HAASE:** I don't think there's a
 13 government body that would enforce that or enforce
 14 maintenance on any other type of equipment at all.
 15 But as far as I know, there isn't any government
 16 agency that would enforce anything like that. It
 17 mostly comes from higher-ups in a company that want to
 18 have their assets perform at the level that they're
 19 paying us to make them perform at.
 20 **MR. POWELL:** I know it's different; but I
 21 guess the reason why I was asking is because, like, an
 22 airplane has to go through checks to see it's
 23 maintained properly and certified.
 24 **MR. HAASE:** Right.

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1 **MR. POWELL:** There's people flying on that.
 2 That's different. I understand that.
 3 You said you worked for other companies
 4 before?
 5 **MR. HAASE:** The last part you were talking
 6 about, like comparing it to an airplane? There might
 7 not be people flying in these, but me and my coworkers
 8 are in them. We 100 percent want to have them
 9 maintained so we're not going to have an issue or a
 10 problem with them when we're working in them. We are
 11 300 feet in the air. We don't want to run into an
 12 issue that's going to hurt ourselves, let alone
 13 anybody else in the area, if that helps.
 14 **MR. POWELL:** Yeah. You said you've worked
 15 for other companies before?
 16 **MR. HAASE:** Yes, sir.
 17 **MR. POWELL:** Have you ever been a part of
 18 when one of these companies has bought another wind
 19 project from another company and then gone in and
 20 started, you know, taking over, as far as that goes?
 21 **MR. HAASE:** Not really. I was part of
 22 Invenergy when they sold out, like, half their asset
 23 of the farm to, I believe, TerraForm Power. As far as
 24 I know, there weren't any issues that derived from

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1 that at all, minus technicians having somebody else
 2 tell them how to operate the towers, I guess.
 3 **MR. POWELL:** What I'm trying to get at is --
 4 the reason why I'm asking the question is -- I know
 5 you guys are building this one, but the point I'm
 6 trying to make is: I have the concern that some of
 7 these companies -- I'm not accusing yours -- but they
 8 build it and might not maintain it correctly and then
 9 they sell it out.
 10 **MR. HAASE:** Right. Well, with my
 11 experience, I can't tell you how many different owners
 12 of wind farm projects that I've been to their
 13 projects. I mean, I've been to Invenergy, E.ON, EDP,
 14 Duke, a plethora of other companies that own farms.
 15 They all hold high standards, I guess. Even in my
 16 experience in the last eight months, I think EDP
 17 actually holds some of the highest standards out of
 18 the companies that I've been to.
 19 **MR. POWELL:** Just one last thing. I know
 20 you're out there in the field working a lot. Do you
 21 personally deal with, you know, if a neighbor has an
 22 issue, like as far as a concern? Do you deal with,
 23 you know, that? How does that process go?
 24 **MR. HAASE:** To an extent. If -- I mean,

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1 definitely we want to hear from you if you -- I mean,
 2 if you have a turbine near you and one day it sounds a
 3 little bit louder than the next or the last day and
 4 you hear some strange noise, that's something that we
 5 want to know about.
 6 When we hear public complaints from the
 7 areas, we do go out and address them and try to find
 8 if there is an issue and what we have to do to
 9 mitigate that. So that just -- that helps us.
 10 I've never dealt directly with somebody with
 11 a complaint, but I have gone out to, I guess, mitigate
 12 that complaint and fix the issue.
 13 **MR. POWELL:** Okay. Thank you.
 14 **CHAIRMAN FINNIGAN:** Any other questions?
 15 (No response.)
 16 **CHAIRMAN FINNIGAN:** I think that's it.
 17 Appreciate you coming up.
 18 **MR. DICK:** Matthew Cicero?
 19 (No response.)
 20 **MR. DICK:** Nathan Brefeld?
 21 (No response.)
 22 **MR. DICK:** Don Trowitch?
 23 **CHAIRMAN FINNIGAN:** Come on up and be sworn
 24 in.

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1 (Don Trowitch sworn.)
 2 **CHAIRMAN FINNIGAN:** State your name and
 3 address. Spell your last name.
 4 **MR. TROWITCH:** Donald Trowitch, 5 Carter
 5 Drive, Fairbury, Illinois. It's spelled
 6 T-r-o-w-i-t-c-h. I'm here on behalf of the Yates
 7 Drainage District.
 8 **CHAIRMAN FINNIGAN:** Do you have a handout?
 9 **MR. TROWITCH:** I have a handout here.
 10 **CHAIRMAN FINNIGAN:** Do you want it to be
 11 brought in as an exhibit for us?
 12 **MR. TROWITCH:** Yes.
 13 I first want to say that the Yates Drainage
 14 District is the Rooks Creek. It was established in
 15 1916 in McLean County Circuit Court. The Court at
 16 that time gave the rights to the individual people at
 17 -- or the commissioners of their district, which run
 18 in three-year terms, to dredge the ditch, maintain it,
 19 and also be able to tax the people within the drainage
 20 districts for the funds to maintain and correct
 21 problems within it and protect it, as it does drain
 22 about 9,000 acres of productive farmland.
 23 Since it's been established, it has been
 24 made deeper to carry a larger volume of water. It has

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1 improved the production of the farmland, and we want
 2 to keep it that way without any interference from any
 3 outside sources. So we've come up with a small list
 4 of things that need to be looked at and followed to
 5 maintain the integrity of the ditch.
 6 As it reads here -- do you all have your
 7 copies? "In efforts to maintain integrity of the
 8 drainage system and investment of time and effort by
 9 the drainage district, the Commissioners of the Yates
 10 Drainage District request the following parameters be
 11 considered and implemented in establishing the
 12 upcoming policy regarding wind tower improvements,
 13 including but not limited to the construction and
 14 installation of wind towers as follows:"
 15 The turbine setback from the spoil banks of
 16 the ditch be either 500 feet or the height of the wind
 17 tower to be placed at the parcel in question,
 18 whichever is greater.
 19 That basically is in case something falls
 20 off or whatever, you know, to violate the ditch, which
 21 would probably happen during a storm when it's raining
 22 and whatever. So we want to maintain that so the
 23 water does flow through the ditch and ends up in the
 24 Vermilion River.

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1 Also, if there is any power lines that are
 2 to cross the ditch, they can't be trenched through the
 3 ditch. They have to be bored underneath the ditch.
 4 They need to be bored 8 feet underneath the bottom of
 5 the ditch at the present time.
 6 We need permanent markers -- if the lines
 7 are put under the ditch, permanent markers like they
 8 mark pipelines and everything for roads so we know
 9 exactly where they go through, which will facilitate
 10 the cleaning of the ditch. Hopefully there will be
 11 enough safety measures in place that we won't ever get
 12 into a transmission line.
 13 We have to know when -- if in fact they do
 14 cross, we need to have notification, and then one of
 15 our commissioners needs to be on the job to make sure
 16 that they are following all the recommendations.
 17 That being said, the following pages just
 18 show where the drainage district is, which is outlined
 19 in black. We go in Yates Township and a little bit in
 20 Lawndale. The yellow line followed down to the red X
 21 on the Michael Cone farm, that's the exposed drainage
 22 ditch that we maintain; and maintenance is performed
 23 on it every five to seven years.
 24 In our district, anyway, we encourage the

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1 landowners or the tenants to remove all trees and
 2 sprouts and things. Ditch maintenance is basically
 3 cleaning out the islands and making so the flow of
 4 water goes through easily.
 5 There's another yellow line with a red line
 6 through it, and that is a district tile. That
 7 district tile starts out in Section 23. It's a
 8 30-inch clay tile. It was put in around 1949 and it's
 9 -- as you can imagine, it's very brittle. So as it
 10 heads down south, there are wind towers scheduled for,
 11 I think, in Section 34 and 33. And at that point, we
 12 advise not to have the cranes that erect these towers
 13 cross the tile at that point because they will
 14 collapse the tile. If it is collapsed and they don't
 15 know it, it could cause serious problems down the
 16 road, plus the cost to repair the tile.
 17 The next one would be page 4. That's where
 18 the wind towers are, and basically the ones in yellow
 19 are in the area where they theoretically could affect
 20 the -- or get involved with our drainage system,
 21 whether it be the tiles down south or the actual open
 22 ditch up to the north.
 23 I don't know if there would be any questions
 24 about putting it 8 feet under the drainage ditch, but

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1 the last page shows the picture of pipelines that were
 2 installed in 1926 under the drainage ditch at that
 3 time. I don't know exactly how far, ;but, as you can
 4 see now, they are exposed. They do cause a problem to
 5 the ditch. They hit that and erode it.
 6 They need to be -- well, I've been on the
 7 ditch commission for two years now, and we're going to
 8 send Magellan Pipeline pictures of it. People outside
 9 know it. Obviously they're not doing anything about
 10 it. But if that would ever rupture or spring a leak,
 11 it would be in the Vermilion River before they could
 12 ever do anything about it.
 13 That's one reason we want the transmission
 14 lines buried 8 feet under the ditch. That's about all
 15 I have.
 16 **CHAIRMAN FINNIGAN:** Okay. Thank you. Any
 17 questions?
 18 **MR. DEAN:** As a man from the area, are you
 19 familiar with Brooks Creek or Drainage District or
 20 whatever that is called?
 21 **MR. TROWITCH:** This is Rooks Creek. I'm
 22 not.
 23 **MR. DEAN:** You don't have anything to do
 24 with that?

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1 **MR. TROWITCH:** No.
 2 **MR. DEAN:** This water is all flowing south?
 3 Am I correct in that statement?
 4 **MR. TROWITCH:** Flowing north.
 5 **MR. DEAN:** This water is going back north.
 6 **MR. TROWITCH:** Right.
 7 **MR. DEAN:** To the Vermilion?
 8 **MR. TROWITCH:** Yes.
 9 **MR. DEAN:** The Mackinaw is back down this
 10 way.
 11 **MR. TROWITCH:** Correct.
 12 **MR. DEAN:** Okay. Would you say, in 1916,
 13 whenever they dredged that, that was just all
 14 swampland, and there was no drainage pattern to it?
 15 **MR. TROWITCH:** No. It wasn't swampland, but
 16 it's like anything else. Water will find the lowest
 17 level and the easiest way out. You would have just a
 18 ditch, and I'm sure it was full of trees and whatever.
 19 At that time, it was deemed that you had to
 20 keep it clean and open it up and get the hazards out
 21 of the way. I don't know if you've been around
 22 drainage ditches. You get trees or anything growing
 23 in it like that and with all the trash that ends up in
 24 the drainage ditches from surface waters -- that's one

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1 of the biggest problems in the drainage ditches as far
 2 as keeping them clean is the surface water.
 3 It's not the tile water that causes the
 4 problem. It's the surface water, because it comes in
 5 so fast and it carries -- with the no till and minimum
 6 till and whatever, it carries so many stalks in there,
 7 they just get hung up.
 8 We have actually had to have excavators come
 9 out and clean out underneath road bridges because it
 10 actually plugs the ditch up. It doesn't happen very
 11 often. It will happen in the spring, usually right
 12 after the beans are planted with the no till planters.
 13 They disturb the stalks and break them off. Then they
 14 just float.
 15 So it's something that has to be maintained;
 16 and if it's not maintained, you've got -- just like in
 17 9,000 acres, we're only pulling the excess water that
 18 the soil cannot hold off. Everybody thinks tile is
 19 going to dry it out. It will ruin it with drought and
 20 stuff like that.
 21 The tiles only pull off what the soil can't
 22 hold. When that happens, we can get a rain of an
 23 inch; and if everything is saturated, down that ditch
 24 has to flow about 240 million gallons of water. So

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1 there's a lot of water down there. If you have ever
 2 been around one of these ditches when they are clear
 3 full, if you jump in that ditch, you'd be done.
 4 We want to maintain it, keep the banks up.
 5 If we do have any breach in the banks or whatever,
 6 we're right on it because you got to protect the
 7 farmland you got. It's the only land you got. And
 8 you've got to keep things moving.
 9 **MR. DEAN:** I believe we've had testimony
 10 that this is an IANI natural area. Are you area of
 11 that?
 12 **MR. TROWITCH:** The Henline is the only one
 13 that is.
 14 **MR. DEAN:** So yours is not deemed an IANI
 15 natural area?
 16 **MR. TROWITCH:** No.
 17 **MR. DEAN:** Okay. Thank you.
 18 **MS. TURNER:** Have you had any conversations
 19 with people from EDP?
 20 **MR. TROWITCH:** I have not, no. The other
 21 commissioners have and can't get any straight answers
 22 out of the deal about how close the towers were. They
 23 need to be back enough so that if something does
 24 happen, you don't destroy the spoil bank on it. If

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1 something that big falls, it's hard to get it
 2 rectified very quickly. We're kind of trying to
 3 protect what we have.
 4 **MS. TURNER:** Do you anticipate any
 5 conversations with EDP?
 6 **MR. TROWITCH:** Not unless they got a problem
 7 with this, and then I guess they'll be talking to me.
 8 **MS. TURNER:** Okay. Great. And of course
 9 they will be notifying you before they dig under?
 10 **MR. TROWITCH:** I certainly hope so, and I
 11 hope they stay the correct distance away because we
 12 will be checking on that.
 13 **CHAIRMAN FINNIGAN:** Any other questions?
 14 **MR. BANGERT:** The two exposed pipelines, you
 15 said there was some erosion involved there?
 16 **MR. TROWITCH:** Yes.
 17 **MR. BANGERT:** Were those ditches dug any
 18 deeper at any point? Is that why that -- did that
 19 contribute to that or --
 20 **MR. TROWITCH:** I think it's through natural
 21 erosion because we do not dig -- we just had them
 22 cleaned out, or they're in the process. They haven't
 23 quite finished.
 24 When the guy running that excavator -- when

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1 they had draglines, initially they were put deeper.
 2 The draglines went through before the pipeline went
 3 through. You know, I wasn't around in 1926 when they
 4 started. They came through back in -- I think it was
 5 1949 and put the second one in.
 6 So when the guys that run the excavators
 7 come in, they can actually feel when they hit the
 8 bottom because it's a harder surface. All they do to
 9 maintain it is take out what they call the islands.
 10 Would be like the loose dirt or whatever that flows in
 11 there. They build up. In dry season, in summer, the
 12 grass spouts in them and takes root.
 13 Then pretty soon you're meandering through
 14 there. And when you do that, when you get not
 15 necessarily a big rain, but if you get it where it's
 16 partially full, the effects of the flow of water will
 17 actually eat the bank out.
 18 So our purpose in cleaning them out and
 19 maintaining them is to keep as straight a flow of
 20 water as we can, an uninterrupted flow of water, so
 21 you keep the speed of the flow up and you're not
 22 working on the spoil banks to deteriorate and
 23 undermine them.
 24 We do have -- as far as wildlife in the

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1 ditches, I've seen mink out there. I've seen beavers.
 2 I have seen muskrats. Fish are in there. We pull
 3 clams out. You see clam shells when they clean the
 4 bottom of the ditch out. There's quite a bit of
 5 wildlife down in there.
 6 And we've got the cranes and herrings have
 7 come in in the last -- I've been farming there 30, 40
 8 years; and about the last 20 years, you see them come
 9 in there. Now you're actually seeing small ones show
 10 up where they're actually breeding down in there.
 11 **MR. BANGERT:** Thank you.
 12 **CHAIRMAN FINNIGAN:** When you go in and
 13 dredge like that, do you have to get a permit from the
 14 State or anybody?
 15 **MR. TROWITCH:** No.
 16 **CHAIRMAN FINNIGAN:** You're on your own?
 17 **MR. TROWITCH:** We're on our own.
 18 We are finally getting on the property tax
 19 bill now. We've been sending out and collecting our
 20 own taxes in order to support this. Right now, it
 21 costs us right about \$4,000 a mile to clean it out.
 22 It's a pretty hefty deal.
 23 The State came in and said: Well, we're a
 24 taxing body, and the most we can tax is \$10,000. And

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1 that would be to have -- we can have in our bank
 2 account or whatever up to 1.5 times as much. So it's
 3 \$15,000.
 4 We are in the process of going ahead in the
 5 Circuit Court and getting that raised. If we only
 6 have \$16,000 in there and it costs \$26,000 to dredge
 7 the ditch, it's not a good scenario.
 8 The guys we've talked to say you either have
 9 to borrow money or we have to go ahead -- they don't
 10 want to do just part of it. You do part of it, and it
 11 fills in; and then you do the other part. So it's
 12 best -- we have six miles of open ditch to clean in
 13 our drainage district.
 14 And there are other drainage districts. I
 15 farm over around Chenoa. There is Golden Rural
 16 Drainage District. There's different drainage
 17 districts.
 18 You know, I would hope that they would, you
 19 know, follow these rules in other drainage districts
 20 because basically they're all the same. We all want
 21 the same end result, and that's something to move our
 22 excess water out of the way.
 23 **MR. DICK:** We'll call this Neutral Exhibit
 24 3.

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1 **CHAIRMAN FINNIGAN:** Would anyone in the
2 audience have questions?
3 The Applicant has.
4 **MS. ANTONIOLLI:** Amy Antonioli, Schiff
5 Hardin, attorney for EDP Renewables. I just want to
6 ask you a question or two about the cover letter to
7 Neutral Exhibit Number 2.
8 **MR. DICK:** 3.
9 **MS. ANTONIOLLI:** 3. I'm sorry. Thank you.
10 The 500-foot setback from the spoil banks of
11 the ditch, does that come from a state statute or a
12 state regulation that you know of?
13 **MR. TROWITCH:** No. That's what the DNR guy
14 said.
15 **MS. ANTONIOLLI:** Who is that that you're
16 referring to?
17 **MR. TROWITCH:** Who was here last night?
18 **MR. DICK:** Mr. Shank.
19 **MR. TROWITCH:** He says that's an arbitrary
20 number or whatever. We just put that in there because
21 he stated it in the past. We feel that we need to
22 make sure that, if the tower does topple over, the
23 blade comes off or whatever, that it stays out of the
24 ditch or away from the spoil banks.

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1 **MS. ANTONIOLLI:** Would you be willing to
2 have a conversation with EDP's project manager, Ms.
3 Chapman, about your letter?
4 **MR. TROWITCH:** Sure.
5 **MS. ANTONIOLLI:** Okay. Thanks.
6 **CHAIRMAN FINNIGAN:** Any other questions?
7 **MR. POWELL:** Jeff Powell. Hi. I'm just
8 trying to understand some of the science behind this.
9 Forgive me if you touched on this. I live very close
10 to a waterway, and it can get -- you know, as it fills
11 up after a heavy rain, it can get really close to the
12 house. I'm actually in quadrant 34 on the north end
13 of it, where you talked about that tile.
14 Basically my question is: How does the
15 effect of these massive footings have on the water
16 runoff? You have a lot of space, soil that's being
17 taken out, the way I look at it --
18 **MR. TROWITCH:** Right.
19 **MR. POWELL:** -- that can absorb water.
20 That's no longer going to be there. Is it fair to say
21 that, without that area of absorption, there's going
22 to be more runoff in the waterways?
23 **MR. TROWITCH:** I'd say there would be a
24 little bit. It's not like you got a parking lot out

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1 there, like Mitsubishi came and covered up 80 acres.
2 We run into that on -- the engineers that we talked to
3 -- putting culverts in and stuff like that.
4 **MR. DICK:** Mr. Trowitch, could you talk
5 right into the mike?
6 **MR. TROWITCH:** Sorry. Yeah, it's -- I don't
7 think that the surface area that's nonpermeable -- it
8 will have a little effect, but I don't think it will
9 have a catastrophic effect on it.
10 The worst part about it is -- you know, I've
11 talked to other guys where these wind towers are put
12 in other locations; and a lot of times, they don't pay
13 attention to where you've got a ravine or, you know,
14 where the water runs when it does get excess moisture.
15 I mean, let's put it this way. If you've got any roll
16 to your ground or not, it's not all going to run down
17 the side of the hill. It's going to run to the lowest
18 spot, and eventually it's going to create a gully.
19 A few of these people that I've talked to
20 where they've put roads in or towers in, and just this
21 is where it goes. They don't pay attention to that.
22 I've talked to several farmers where the actual water
23 comes down so much it takes the gravel off the road
24 and washes it in the field.

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1 Well, the answer for the wind companies is
2 put a buffer strip there. Well, then that's taking
3 more farmland out of production. You've got to have a
4 grass strip there to slow the water down as it comes
5 across these so it doesn't move the gravel.
6 That could be the only -- you know, the only
7 thing I can see is, if they do put it in one of these
8 ravines -- and it's not like, you know, a 6-foot
9 ravine or anything like that. It can be a gradual
10 slope where the water flows. If in fact they do set
11 their pad in there, that water has got to go
12 somewhere. It's going to go around it. I doubt if it
13 goes over it because I'm sure the pad is higher than
14 what the surrounding ground is where it sits. So you
15 got to change the flow of water. It depends on which
16 way it goes.
17 Under a given scenario, it could actually
18 flow it towards a different part of the field. It
19 could change the direction of that particular water
20 flow completely, even though it's only when you do get
21 excess rain.
22 Normally -- I've got a couple of farms where
23 we farm through it, but we don't -- we plant through
24 it, but we don't actually till through it. And that's

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1 the way -- if you get 3 or 4 inches of rain, it goes
 2 down there.
 3 If they came out and put a tower in that,
 4 it's going to dam the water up, and it's going to find
 5 another place to run. Water is a very powerful
 6 source, and it moves things.
 7 **MR. POWELL:** My concern is for my basement.
 8 My question is: Basically, would you agree that it's
 9 fair to say that once the project is in or under
 10 construction, we won't know what impacts or effects
 11 that it has on drainage until it's too late, until I
 12 already got water in my basement?
 13 **MR. TROWITCH:** You could. I mean, it could
 14 damage tile that they don't know about, and it could
 15 change the natural flow of the water itself.
 16 Then there are sand veins in some of this
 17 ground where it's not tiled, but it actually finds
 18 it's way. You'll find that in the drainage ditch
 19 along the side walls where there's actually water
 20 coming out of there where there's no tile. That's
 21 strictly the underground sand vein. Until you get
 22 into it, you don't know it.
 23 If they do happen to get into one where it
 24 is, like, what you call quicksand or whatever,

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1 bottomless, they may have to drive pilings down to
 2 support this. I mean, I'm no engineer, but it's up
 3 500 feet with the wind blowing against it. You've got
 4 to have a pretty good base on it. If they go out and
 5 test drill them and go deep enough, they could
 6 probably figure that out before.
 7 I've heard of places where they have
 8 actually changed -- where they have driven these
 9 pilings down where they've muddied up people's wells
 10 and things like that because they're into the ground
 11 water that they use for their well. Sometimes in the
 12 country, you go out 500 feet to hit water. Other
 13 places, you know, 35 feet, and you got all the water
 14 you need.
 15 A lot of it depends on that. I mean, these
 16 cranes they've got, the weight on them is tremendous.
 17 I don't know the exact weight. But when they have to
 18 haul the tracks in on each individual semi and the
 19 counterweights take two or three semis for the
 20 counterweights, that's a lot of weight.
 21 When they drive across the field, everybody
 22 thinks: Well, it's going to freeze and thaw out.
 23 Well, the compaction gets so deep, it never does come
 24 out. I guess if you used a tile plow that could go

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1 down 6 feet, you might be able to take it out. But a
 2 normal tillage drill on a farm, it won't touch it. So
 3 I mean, they're doing more -- I don't know if you call
 4 it damage, but harm to the soil.
 5 A lot of these newer tile systems are
 6 plastic; so they don't crack. They can crush them,
 7 but they don't crack. The old ones are all clay. A
 8 lot of these were installed in the '20s and '30s and
 9 '40s. Dug by hand. Some are them only have 2 foot of
 10 cover on them. So whenever they do run something with
 11 that much weight across it, it's going to, you know,
 12 come in and break.
 13 Just as a side bar, when they came out and
 14 they raised these electrical towers, the high-tension
 15 wires, I call them -- they had to raise them up
 16 because they were sagging because of so much power
 17 going through, and they were heating up. It was about
 18 every other tower.
 19 One thing I noticed is that the power
 20 company or whoever was hired to do it actually laid
 21 railroad ties out there to run their cranes on so they
 22 did not damage the soil. They took that much
 23 precaution so they did not harm the soil getting out
 24 to and raising the towers.

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1 It does damage. It's hard to predict how
 2 much and where.
 3 **MR. POWELL:** Thank you.
 4 **CHAIRMAN FINNIGAN:** Any other questions?
 5 **MR. O'BRIAN:** Tony O'Brian. How you doing?
 6 **MR. TROWITCH:** Good.
 7 **MR. O'BRIAN:** I think you've pretty much
 8 answered my question. My question was in terms of
 9 your 30-inch tile that you were concerned about.
 10 **MR. TROWITCH:** Yes.
 11 **MR. O'BRIAN:** You talked about those power
 12 lines. By the way, I worked on those. Those railroad
 13 ties are called "crane mats." Are you familiar with
 14 crane mats and what they do?
 15 **MR. TROWITCH:** I guess I am now. I didn't
 16 know what they called them.
 17 **MR. O'BRIAN:** They distribute the weight of
 18 those heavy cranes. Do you think if they used crane
 19 mats above the tiles in that 30-inch clay tile, do you
 20 think you would be okay with that?
 21 **MR. TROWITCH:** Let's put it this way. If
 22 they did, we would have to dig down to the tile and
 23 dig up a tile and visually see if in fact they
 24 flattened it or anything like that.

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1 You can damage a tile. You can quarter it,
 2 and it won't be completely shut off. But when you
 3 find out it's shut off or damaged in a big rain, the
 4 water is going to go until it goes down and you can
 5 usually fix it.
 6 I would assume, if they're going from tower
 7 to tower, it would be just a one-shot deal across
 8 there. Any precaution you can take to salvage that
 9 tile would be greatly appreciated. Our purpose is to
 10 keep the water moving and, you know, that's -- we're
 11 the keepers of the gate at the moment. That's what we
 12 want to do is make sure it stays intact.
 13 **MR. O'BRIAN:** Thank you. That's all I have.
 14 **CHAIRMAN FINNIGAN:** Any other questions?
 15 (No response.)
 16 **CHAIRMAN FINNIGAN:** Thanks for coming up.
 17 **MR. DICK:** Jim Killian?
 18 (No response.)
 19 **MR. DICK:** Ted Hartke?
 20 (No response.)
 21 **MR. DICK:** Daryl Haney?
 22 (Daryl Haney sworn.)
 23 **CHAIRMAN FINNIGAN:** State your name and
 24 address. Spell your last name, please.

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1 **MR. HANEY:** Daryl Haney, 31631 East 3100
 2 North Road, Chenoa. H-a-n-e-y.
 3 I do have an exhibit, too.
 4 **CHAIRMAN FINNIGAN:** You going to be a
 5 neutral or opponent? How do you want it classified?
 6 **MR. HANEY:** Opposed.
 7 **MR. DICK:** We'll call this Exhibit 9,
 8 Objectors Exhibit 9.
 9 **MR. HANEY:** I've got several things to cover
 10 tonight, depending on how the time works out here.
 11 First thing I want to touch base on is
 12 pertaining to the photograph you have in front of you.
 13 That's our Centennial farm that started back in 1885.
 14 I'm the fifth generation farmer that lives there and
 15 farms the ground in the surrounding areas there. Of
 16 course, over the years, we've tried to be stewards of
 17 the land. My grandfather moved to this farm and this
 18 house in 1922.
 19 We became aware of the situation a while
 20 back. When this map first hit the Pantagraph, I
 21 guess, is where we first come across this. Nobody
 22 said a word to us.
 23 3160 is going to be the main road as far, as
 24 I know, down to the layout staging area. That means

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1 every turbine head, every tube, every blade, and
 2 whatever else you throw in there, rebar or whatever,
 3 is going to be going down this road.
 4 As you can see, my house and my center of
 5 farming operation sits right smack dab on that corner.
 6 The reason it looks like that and sits like that, back
 7 in 1957 or '58, when they rebuilt the road, the
 8 highway, I lost half of my front yard. I had two nice
 9 big maple trees sitting out in the front yard.
 10 There's a well out there that's right on the border of
 11 the State property right now because they took all of
 12 that when they widened the road and raised it and all
 13 that stuff. I have now a great big 8-foot ditch out
 14 in front of the house that's a bugger to mow.
 15 The way that all came out, my yard to the
 16 west/northwest of the house is mighty close to the
 17 highway. And where you see the two little dots and
 18 the angles there, those are State right-of-way posts
 19 where those little dots are at the end of each one of
 20 them little lines that angle to the northwest and
 21 angle to the northeast.
 22 And that one that runs to the northeast runs
 23 right along the edge of my bushes. There's a
 24 telephone line that comes from the north side of the

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1 highway straight across into that ditch and up through
 2 my yard at an angle there as well.
 3 I would assume -- nobody has approached me
 4 on this -- but I would assume, in order to get these
 5 long 220-some-foot blades around the corner, even with
 6 their hydraulic steering, and tubes and everything
 7 else, they're going to be widening that intersection
 8 out tremendously. I'm very concerned about all the
 9 traffic and other disturbances at that intersection.
 10 I do have two driveways. However, my front
 11 driveway is not adequate for all the traffic that goes
 12 in and out of my farm. My so-called back driveway
 13 enters and exits on the 3160. It's about a 30,
 14 35-foot wide driveway. Just about anything and
 15 everything comes and goes out of that driveway. I got
 16 farms to the south. I got farms to the north -- and
 17 also to get out on the highway to go to the west and
 18 east.
 19 I've got a lot of concerns, with everything
 20 going on around there, of having access as well as
 21 noise issues all hours of the day and night with
 22 whatever traffic there might be from the wind farm
 23 people.
 24 I mean, it's -- that corner post up there in

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1 my yard is probably somewhere around 30 feet from the
 2 corner of my house. It's just mighty, mighty close.
 3 I would propose an alternate route,
 4 preferably down the Pontiac-Colfax blacktop there at
 5 Weston. It's a much, much easier intersection to
 6 widen out because it's flat. It don't have a ditch to
 7 fill in to speak of at all, and it's a nice straight
 8 80,000 pound road that will take you all the way down
 9 to the township line. Hang a right, and you'll go
 10 right over on the township line right to the area.
 11 It's just an eighth of a mile north of the township
 12 line down there then. I don't see why they couldn't
 13 do something like that.
 14 The one particular house down there, if
 15 they're concerned about that, is vacant. The landlord
 16 that was living there has moved out. I don't know
 17 what his future is for that house, but it is empty at
 18 the present time.
 19 That was my one big concern. I have some
 20 other concerns too with the turbines that are close to
 21 me. If you're bound and determined these turbines are
 22 going to be in our area, we've got to have larger
 23 setbacks. There's just no two ways around it.
 24 They're not adequate as to what they are right now.

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1 The one to the south of me is not far enough away.
 2 It's too close.
 3 These measurements to the center of your
 4 house is ridiculous. We live outside that house, and
 5 they're just not adequate. I've heard more and more
 6 testimony all the time, and there's plenty of articles
 7 to read that have facts backing it up that they're
 8 just too close.
 9 I also have had some experience with EDP
 10 about ten years ago when they were here trying to put
 11 turbines in our township. It was a little different
 12 layout back then, but they put in a mile and three
 13 quarters of service road on the half-mile line south
 14 of me.
 15 I went round and round with them about what
 16 they were going to do about water issues running
 17 across that gravel road. The gravel road was on my
 18 neighbor's side of the fence, but I got two grass
 19 waterways that butt up to his property line and then a
 20 waterway down through me of about 3 acres, which ends
 21 up going underneath Route 24 and on north into Rooks
 22 Creek and so forth.
 23 I was very concerned about the water running
 24 across and washing these great big course rock all

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1 down through my waterway. Luckily, the short time
 2 they were there before they tore it out again and left
 3 town, we didn't get any big rains; so it never
 4 happened. But it does because there's always water
 5 that comes down through there in a big rain. Who is
 6 going to clean that rock up and get it out of my
 7 waterway? The waterway has to be there. It was built
 8 with cost-sharing with the soil and water people ten
 9 years ago.
 10 The other issue I had was on west of there
 11 with them when they took the road out. They came back
 12 in, scooped up all the gravel, and picked up this
 13 plastic net material they used to lay in between the
 14 rock and dirt surface, which incidentally they tore up
 15 as they were cleaning and left scraps of it all over
 16 the place that snags on equipment.
 17 But come -- they cleaned that road up in
 18 December and left town. Everything disappeared. And
 19 I thought they would come back and finish the job, and
 20 they left a big pile of dirt down at the end this road
 21 in my field and never did anything with it. And it
 22 sit there and sit there and sit there.
 23 Finally, somewhere around the 1st of April,
 24 second week of April, it was getting close to farming

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1 season. So I went down in there with my skid loader
 2 and started moving part of that dirt. It was a bunch
 3 of mucky stuff. You couldn't hardly shake it out of
 4 the bucket.
 5 I had to do this in three or four hitches as
 6 it dried. It was pure white snow in the middle of
 7 that dirt pile all insulated throughout these months.
 8 Then of course you got to let it dry and disk it and
 9 everything else. But nobody touched it. They were
 10 nowhere to be found to come back in and do anything.
 11 So here I am messing with this stuff, and I shouldn't
 12 have had to touch it at all.
 13 So that's an experience I had with them.
 14 They never give me an answer, like I say, on the rock
 15 situation. I tried to work with them. I don't know
 16 how many times I asked them at the time. Of course,
 17 we got all new people in there now that don't know
 18 anything about this situation.
 19 I was going to touch on some other things,
 20 but I see one fellow is here tonight that is going to
 21 touch on this more so than me. I'm also concerned
 22 about -- we have low power microwave high speed
 23 Internet in our area coming off the grain elevators.
 24 We get excellent high-speed wireless Internet in our

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1 township. I'm concerned about turbines chopping the
2 signal.
3 We also have a microwave link between the
4 schools, and I'm not going to go into any more of that
5 because I know the fellow is going to touch on that
6 tonight.
7 Then there's also another microwave link
8 that's very important to public safety that has not
9 been addressed either in this situation.
10 I'm also a little concerned about some
11 people that hasn't been touched on. We have some RTK
12 base stations for auto steer in the area on various
13 systems. Some of them it's going to affect, I think.
14 Some of them it's not. But anything that's up around
15 1000 megahertz or higher is going to be an issue,
16 chopping signals. There's no two ways about it. I
17 don't think anybody has even touched on this.
18 Other than that, I don't have anything else.
19 Time's out. Thank you for listening.
20 **CHAIRMAN FINNIGAN:** Thank you. Any
21 questions?
22 **MR. DEAN:** On the microwave Internet
23 service, have you talked to people who have had
24 issues? Is EDP aware of potential issues?

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1 **MR. HANEY:** I mentioned it to EDP. I also
2 called our supplier, and they said there very
3 definitely could be problems. I'm not sure what
4 frequency that one operates on. I did not ask them
5 that.
6 I do know, on the school system, at 11
7 Gigahertz, they flat out told me that it cannot stand
8 any interruption whatsoever. It has to be a clear
9 path. And I would assume -- I'm going to take a wild
10 guess and say ours is somewhere in the 6 or 7
11 Gigahertz area, which is probably just as adverse
12 effects can happen there.
13 It's one of these things where you're going
14 to have to know where a turbine is and where you're
15 setting. You know, it's a point-to-point thing.
16 And the bad thing is, especially on some of
17 these more critical links, there's no fix for it
18 because you got to have that clear path on a
19 point-to-point thing. The answer to fix it: You got
20 to move something to one side or the other.
21 Well, are you going to move the turbine, or
22 are you going to move the other system, the tower on
23 each end? Something has to give somewhere. With the
24 diameter of these blades, you're covering a pretty

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1 wide swath.
2 I see possible potential problems with where
3 I'm sitting because of the ones that are east of my
4 house, because I'm getting my Internet signal out of
5 Fairbury. Depending upon the path, I can see
6 definitely one of them as a potential problem.
7 I can't speak for everybody else in the
8 township. I mean, we got signals coming off of Chenoa
9 elevator. We got them coming off of Lexington.
10 There's some off of Fairbury. There's several places.
11 And there's more than one company in the
12 area too; so I can't say where all of them are, but
13 that's how the bulk of us get our Internet out in the
14 country.
15 **MR. DEAN:** Okay. Thank you.
16 **MR. HANEY:** You're welcome.
17 **MR. BANGERT:** Do you know how far away your
18 residence is from where the proposed closest towers
19 are?
20 **MR. HANEY:** Yes. I measured it the other
21 day. It's approximately 3100 feet.
22 **MR. BANGERT:** To the closest tower?
23 **MR. HANEY:** As far as I know. And that's
24 not far enough.

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1 **MR. BANGERT:** The RTK, you just mentioned
2 you think it's possible it might interrupt the RTK
3 signal. Could you expand on that? You mentioned
4 something in 1,000 hertz.
5 **MR. HANEY:** 1,000 megahertz.
6 **MR. BANGERT:** 1,000 megahertz. Are we
7 talking sound waves?
8 **MR. HANEY:** No, RF. Sound is not up in
9 those frequency ranges at all.
10 **MR. BANGERT:** Have you visited with anyone
11 that has had any such interruptions on their RTK or
12 microwave?
13 **MR. HANEY:** No. I know where you're going
14 with this. I'm sorry, I just don't have time to chase
15 everybody down. I got two full-time businesses, and
16 I've spent hours and hours on this subject already
17 with -- I mean the wind farm subject. I just cannot
18 take the time to run around and check every little
19 tidbit thing.
20 Some of this is for other people to do. I
21 mean, it's just like EDP. I found out yesterday that
22 they had -- as of 3:00 or 4:00 yesterday afternoon,
23 they hadn't even touched base with anybody on this
24 stuff, even though there's stuff on their application

1 that's on your County website. They are aware of it,
2 but they had never touched base with these people.

3 If it wasn't for me making a phone call to a
4 person that's in the room here that's going to talk
5 about some of this tonight -- he flat out told me that
6 nobody from EDP has even bothered to contact him yet.
7 He was very concerned about this situation and thanked
8 me for calling him.

9 **MS. ANTONIOLLI:** Mr. Haney, can I have
10 clarification too on what this stuff is that you're
11 referring to and who you spoke with?

12 **MR. LUETKEHANS:** I'm sorry, the Board is
13 still asking questions. She has a chance to ask
14 afterwards. I'd like to have the Board finish what
15 they're doing. I have questions too, but I wouldn't
16 do it at this point.

17 **MS. ANTONIOLLI:** Just thought it would
18 clarify the record.

19 **CHAIRMAN FINNIGAN:** Anything else, Brian?

20 **MR. BANGERT:** No. Thank you.

21 **MS. TURNER:** Have you looked at the
22 microwave beam path report that they have in their
23 application?

24 **MR. HANEY:** No, I did not look at that part.

1 there's a potential for a problem, if I was the owner
2 of the system, I would sure want to know. They were
3 totally in the dark that something was even remotely
4 going to take place.

5 **MS. TURNER:** What I am asking is: Could EDP
6 find out this information without talking to whatever
7 this person is you're talking about?

8 **MR. HANEY:** You'll have to ask EDP where
9 they got the call signs.

10 Somebody in their department was smart
11 enough to know where to look. That's what I'm getting
12 at. There's some other radio services in their
13 application, and that's the only place they would have
14 found them, was the same place. It's all public
15 record. I mean, you can check the license. You can
16 check longitude, latitude. You can check transmitter
17 power, when they expired, the whole bit. That's all
18 there.

19 **MS. TURNER:** So what I want to discern here
20 is what your concern is, that they're aware of these
21 and that they are planning around them; is that
22 correct?

23 **MR. HANEY:** Yes.

24 **MS. TURNER:** Okay. Thank you.

1 **MS. TURNER:** Are you aware that they do look
2 at that and are to take that into consideration?

3 **MR. HANEY:** I realize why that's there, but
4 the one party involved there had never been contacted
5 by them whatsoever.

6 **MS. TURNER:** Is a lot of this information on
7 public record?

8 **MR. HANEY:** Yeah. It's on your website.

9 **MS. TURNER:** I mean, would they need to
10 contact him to know where these paths are?

11 **MR. HANEY:** No. You take the call signs
12 that are listed on -- I don't know what page it is of
13 the application. You can look at them on the FCC
14 database. That's all public record. That's how I
15 found out who owned what.

16 **MS. TURNER:** So they could have done that
17 and found out this information

18 **MR. HANEY:** Oh, yeah, everybody can. Every
19 one of you can look it up tonight on your computer.

20 **MS. TURNER:** Is there a need to talk to
21 somebody then if they could find it through public
22 sources? Is there a need for them to talk to somebody
23 about these paths that could be interpreted?

24 **MR. HANEY:** Oh, yeah. I would say so. If

1 **MR. HANEY:** Like I said with him a while
2 ago, when you got a dedicated point-to-point path and
3 you throw a turbine in there and it's already in the
4 ground and operating, it's a little late to move.

5 **MS. TURNER:** Okay.

6 **MR. HANEY:** I won't go into -- the second
7 party that's in there is very --

8 **MS. TURNER:** Thank you.

9 **MR. HANEY:** -- very critical on that one.

10 **CHAIRMAN FINNIGAN:** Questions by the staff?

11 **MR. DICK:** No.

12 **CHAIRMAN FINNIGAN:** Applicant have
13 questions?

14 **MS. ANTONIOLLI:** Just one question. I know
15 one of the first issues you mention was your front
16 yard and the corners there. Do you recall having a
17 conversation with EDP Renewables representatives in
18 which they told you they would not have to dig up your
19 front yard?

20 **MR. HANEY:** Nobody told me that they would
21 not have to dig the front yard up.

22 **MS. ANTONIOLLI:** Would you be willing to sit
23 down and have a conversation with EDP maybe later
24 tonight?

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1 **MR. HANEY:** We've attempted to meet in my
2 yard, and it didn't happen.
3 **MS. ANTONIOLLI:** My question is for you.
4 Tonight, would you be willing to talk about it?
5 **MR. LUETKEHANS:** Objection, relevance. It's
6 either in the application and they've applied to it or
7 not. This concept of we're going to fix it later
8 doesn't give you an opportunity to know whether
9 something has actually been done or not. That's the
10 problem we're having here.
11 They keep saying, "Will you talk to us?"
12 Well, we don't ever actually hear what they say.
13 **MS. ANTONIOLLI:** That's not the issue. The
14 issue is that --
15 **MR. LUETKEHANS:** The issue is whether you
16 meet the seven standards.
17 **MS. ANTONIOLLI:** There is a misunderstanding
18 of what will happen in Mr. Haney's front yard.
19 **CHAIRMAN FINNIGAN:** She just asked a
20 question. He can answer the question if he wants to.
21 If he doesn't, he doesn't have to.
22 **MR. HANEY:** I will have to agree with Phil.
23 There's seven standards, and I went over them before.
24 The first three are in violation.

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1 **MS. ANTONIOLLI:** That's not the question
2 that I asked.
3 **MR. HANEY:** I know that's not the question.
4 **MS. ANTONIOLLI:** Okay.
5 **MR. HANEY:** Nobody has ever said a word to
6 us about this situation until I saw this map in the
7 Pantagraph.
8 **MS. ANTONIOLLI:** I am specifically asking
9 about your front yard.
10 **MR. HANEY:** What about it?
11 **MS. ANTONIOLLI:** Would you be willing to
12 have a conversation?
13 **MR. LUETKEHANS:** Objection, relevance.
14 **MS. ANTONIOLLI:** Okay. That's all I have.
15 **CHAIRMAN FINNIGAN:** Push the button, please.
16 **MR. LUETKEHANS:** Mr. Haney, you obviously
17 have some experience in electronics. Could you give
18 the Board a little bit of that background, please?
19 **MR. HANEY:** Yes, sir. For the last 46
20 years, I've been into mobile two-way radio sales and
21 service. I cover a pretty good-sized area,
22 responsible for approximately 1,000 radios scattered
23 around about three counties.
24 I'm also -- ever since a senior in high

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1 school, I got my amateur radio license. So I've been
2 around a little bit. I'm not a know-it-all. There's
3 always something to learn every day, but that's part
4 of my expertise. And I've got, like I say, a pretty
5 good-sized customer base.
6 **CHAIRMAN FINNIGAN:** We're not going to let
7 you ask questions of your own witness.
8 **MR. LUETKEHANS:** Okay. Fair enough.
9 I have a motion. I would move to strike
10 Appendix 20 of the Microwave Beam Path Study. Your
11 board has no ability to rely on that. Your rules say
12 that these reports have to be -- can only be admitted
13 if there's a foundation for the document based on
14 personal knowledge. We've not had one person come in
15 and testify about this microwave study.
16 The Board is asking this witness about a
17 study that has never been properly put into evidence,
18 cannot be put into evidence because there's been no
19 foundation laid for it.
20 We have a land use study that's eight years
21 old that Mr. Krakauer doesn't even know -- was done by
22 Alan Krakauer. He doesn't even know it's being used.
23 So these studies have to have someone -- if
24 we're going to rely on them, they have to have someone

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1 put them into evidence, and they haven't done that. I
2 would ask that the study be stricken and cannot be
3 discussed at this hearing as far as a study that no
4 one has been here to testify. It's absolutely
5 inappropriate.
6 **MS. ANTONIOLLI:** I object. The studies are
7 a part of the application submitted with the intent to
8 fulfill the seven special use standards that we are
9 required to meet in our application.
10 **MR. LUETKEHANS:** You can't get away from the
11 foundation -- the necessity to lay a foundation by
12 saying it was in our application. No one was here to
13 testify as to whether any of the truth or gave us an
14 opportunity to cross-examine as to the truth or
15 veracity of any of the statements in that report or
16 Mr. Krakauer's report, who hasn't even been hired by
17 them.
18 **CHAIRMAN FINNIGAN:** My counsel says we are
19 taking it under advisement, and that's what it's going
20 to be tonight.
21 **MR. LUETKEHANS:** Unlike in the Invenergy
22 hearing, I would actually ask for a ruling on this at
23 some point because, in the Invenergy hearing, I did
24 the same thing and never received a ruling.

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1 **CHAIRMAN FINNIGAN:** Any other questions? I
 2 think you're free. Thanks for coming up.
 3 **MS. ANTONIOLLI:** Can we take a break?
 4 **CHAIRMAN FINNIGAN:** Yeah. This is a good
 5 spot. Ten minutes.
 6 (Recess in proceedings.)
 7 **MR. DICK:** Gary Butler?
 8 (Gary Butler sworn.)
 9 **CHAIRMAN FINNIGAN:** State your name and
 10 address and spell your last name.
 11 **MR. BUTLER:** Gary Butler, B-u-t-l-e-r.
 12 28355 North 3260 East Road, Chenoa.
 13 **CHAIRMAN FINNIGAN:** This is testimony that
 14 we were trying to avoid the last time.
 15 **MR. BUTLER:** Some of it. I'm an odd duck, I
 16 guess. I've been in the county all my life. Born and
 17 raised in Arrowsmith. I moved to Chenoa 40 years ago.
 18 I'm a graduate of Saybrook-Arrowsmith High school and
 19 ISU with a BS in ag.
 20 I'm a farmer and a contractor, and I work
 21 with Mr. Dick and his staff quite a bit, building
 22 houses in the rural county; and I've been glad to work
 23 with him.
 24 I do have a few concerns about the wind

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1 farm, especially in Yates Township. I cross-examined
 2 Mr. Petersen earlier. He's a great farmer. He does a
 3 lot of good things with cover crops. The reason I did
 4 that is because of my sister. She's a tree hugger.
 5 She works for IDNR. She's over at the fish hatchery
 6 with her husband. Her name is Diane Shasteen.
 7 Before she got that job, she was employed by
 8 the University of Illinois through the Illinois
 9 Natural History Survey to study mussels. I didn't
 10 know anything about mussels; but she taught me quite a
 11 bit, and she wants me to pass this along.
 12 The U of I got a grant from the US Fish and
 13 Wildlife Service. They studied 33 of the river basins
 14 in the whole state of Illinois. She has walked every
 15 stream in the state with her team, and they have
 16 picked up these mussels. They studied the water, the
 17 fish.
 18 They've written -- this was a three-year
 19 program. This is available through the IDNR, and it's
 20 on their website. She told me to look this up and
 21 read it, which I did. It's kind of interesting where
 22 there's 300 species of mussels that 25 percent -- no,
 23 wait a minute -- 62 -- I better put my glasses on
 24 here. 70 percent of the 300 North American mussel

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1 species are extinct and 25 of 62 extinct species are
 2 threatened or endangered.
 3 She calls them the "livers of the river."
 4 The Mackinaw is a tributary to the water supply in
 5 this town. What those mussels do is they actually
 6 filter some of our chemicals, nitrates, before it gets
 7 to that public water system. She's very adamant about
 8 not hurting the mussel population, which has already
 9 been hurt.
 10 I've listened to testimony, and I'm probably
 11 part of problem since I do farm. You know, we dredge
 12 these ditches, and we pull them mussels out of the
 13 bottom. Some are them are dead species, and some of
 14 them are alive.
 15 I think to move a turbine closer to Henline
 16 Creek might be a problem to these mussels because they
 17 are sensitive to vibrations, water temperature, things
 18 like that.
 19 You can go online and read this. It talks
 20 about -- out of these 33 river basins that have been
 21 studied, it talks about the Mackinaw River. There's a
 22 report here about the fresh water mussels in the
 23 Mackinaw River. And it talks about Henline Creek and
 24 how the water is in that river to supply the necessary

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1 habitat for these creatures.
 2 70 percent of the sites of the Mackinaw
 3 River Basin are classified as moderate, highly valued,
 4 or unique mussel sources under the current NCI
 5 classification system.
 6 Three sites of the Mackinaw River --
 7 southeast of Colfax, Henline Creek, Frog Alley --
 8 stand out as unique resources due to the presence of
 9 intolerant species, the number of mussels collected,
 10 and the species richness of the site.
 11 In this -- you can go online, and you can
 12 look at all of these reports. From the testimony last
 13 night, the way I summarized his testimony is there's
 14 not enough studies; but she says every river basin in
 15 the state has been tested every five years since 1977,
 16 when the Clean Water Act was put into effect by the
 17 United States government.
 18 That's my pitch for her.
 19 But I got -- my main concern is our water
 20 system where we live in Yates Township. As I say, I
 21 moved up to Yates Township 40 years ago; and I farm in
 22 Blue Mound, Lawndale, Yates, and Chenoa Township. I
 23 own land in Blue Mound and Arrowsmith Township.
 24 I witnessed the construction and operations

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1 of Twin Groves Wind Farm. I believe in global
 2 warming. And I'm glad we're, as a nation, trying to
 3 do something about our emissions, but I've seen some
 4 of the problems during construction and after
 5 construction down at Twin Groves.
 6 You know, the roads, the tiles, the traffic,
 7 the sound, the flicker, I've heard all that testimony.
 8 But in my area, I want to know if there's been a
 9 geological survey study in Yates Township and in this
 10 project area.
 11 We live in Yates Township close to a
 12 limestone bed. Our wells can vary from 20 feet to 50
 13 feet. A lot of them are hand dug, brick laid, or
 14 bored wells. And we have bored wells because
 15 underneath our topsoil and our clay and our blue clay,
 16 we have a layer of limestone. Our water is supplied
 17 up there, not through a bored well, which goes 100,
 18 200 feet; it's on top of this lime rock.
 19 When they construct these wind mills, which
 20 I've witnessed, it's a big dome of concrete. And
 21 around the towers is 10 to 30 feet of rock. And I'm
 22 guilty, but I've been down to my brother's that farms
 23 my farm in Arrowsmith, and I've sprayed chemicals on
 24 top of this rock.

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1 If you're driving a big sprayer and it's got
 2 its booms out here and you're circling around those
 3 towers, you're spraying a high concentration of spray
 4 where that boom is not moving very fast and a lesser
 5 concentration of spray as you make that radius.
 6 I've done this. And I've seen it done by
 7 experienced operators. We get run-in into our ground
 8 water in especially Yates Township. As this
 9 concentration of Atrazine, PPOs, AIs sinks through
 10 this rock, gets to our dome of concrete -- which I
 11 don't know how deep these towers will be -- will it
 12 get down to where we have a concentration of chemical
 13 into our ground water? Sometimes we have our ground
 14 wells up there within 5 feet of the top of the ground.
 15 I wanted to know if the Applicant has to get
 16 a health permit to know how far these wells are away,
 17 if they're dug, if their bored, if they're drilled.
 18 It makes a big difference if you've got a drilled
 19 well. Where my brother lives at Arrowsmith, those
 20 wells are deep. Makes a big difference if you get
 21 water from an aquifer or water that's actually setting
 22 30 feet down.
 23 I would like to see, if this project goes
 24 through, a buffer strip around these towers of grass

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1 maintained by the company that we could, you know,
 2 spray out further. Thank you.
 3 **CHAIRMAN FINNIGAN:** Thank you. Any
 4 questions?
 5 **MR. DEAN:** We'll have to check into that. I
 6 don't believe there's anything in the regulations that
 7 require the Applicant to -- I can ask Phil this
 8 question. Is there any requirements in the
 9 application for the Applicant to monitor ground water?
 10 **MR. DICK:** There is not.
 11 **CHAIRMAN FINNIGAN:** How long has it been
 12 since you've run a sprayer? Recently?
 13 **MR. BUTLER:** Whenever the crop goes in.
 14 **CHAIRMAN FINNIGAN:** I just wondered: Do you
 15 have Swath Pro on your sprayer?
 16 **MR. BUTLER:** Yes, I do have a Swath. But as
 17 you're going around something, a circumference that
 18 tight --
 19 **CHAIRMAN FINNIGAN:** Swath Pro should shut it
 20 off or take care of that overlap.
 21 **MR. BUTLER:** If it's not sprayed earlier,
 22 would it be covered?
 23 **CHAIRMAN FINNIGAN:** Well, I don't want to
 24 testify, but Swath Pro won't let you overlap if it's

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1 set up right.
 2 **MR. BUTLER:** Okay.
 3 **CHAIRMAN FINNIGAN:** Any questions from
 4 staff?
 5 **MR. DICK:** No.
 6 **CHAIRMAN FINNIGAN:** The Applicant?
 7 Mr. Luetkehans? Anyone else in the audience?
 8 (No response.)
 9 **CHAIRMAN FINNIGAN:** Thank you for coming up.
 10 Press the button, if you would.
 11 **MR. DICK:** Cheryl Prairie-Steber from
 12 Lexington?
 13 (No response.)
 14 **MR. DICK:** Darrell Cambron?
 15 (No response.)
 16 **MR. DICK:** Matt Aldeman?
 17 **CHAIRMAN FINNIGAN:** Would you like to be
 18 sworn in or affirmed?
 19 **MR. ALDEMAN:** Sworn is fine.
 20 (Matt Aldeman sworn.)
 21 **CHAIRMAN FINNIGAN:** Would you state your
 22 name and address and spell your last name, please?
 23 **MR. ALDEMAN:** My name is Matt Aldeman,
 24 A-l-d-e-m-a-n. Address is 2870 Grayhawk Drive in

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1 Normal.
 2 I actually want to start out -- I want to
 3 give a brief disclaimer because of my job. I'm
 4 actually a professor of renewable energy and
 5 engineering technology at Illinois State University.
 6 I want to clarify that I'm speaking not on behalf of
 7 Illinois State University. I'm a private citizen of
 8 McLean County. I'm speaking in that respect tonight.
 9 I've been working in and around renewable
 10 energy for the last ten years and in the energy
 11 industry for a bit longer than that.
 12 So when I say that it's probably not
 13 surprising, I think it's important and it's necessary
 14 for us as we shift away from fossil fuels towards
 15 renewable energy. I think this is important. I think
 16 it's necessary that we show leadership in this regard
 17 at the local level, which of course is why we're all
 18 here in the first place.
 19 Mainly what I want to do in this testimony,
 20 I wanted to present myself personally as evidence of
 21 the economic impact of wind farms. Truly the only
 22 reason why my family and I are currently living and
 23 working and paying taxes in McLean County is because,
 24 ten years ago, actually EDPR built the Rail Splitter

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1 Wind Farm in Tazewell and Logan Counties.
 2 At that time ten years ago, I was just
 3 getting out of the military. I was in Seattle,
 4 Washington. And I was looking all over the country.
 5 I was looking at jobs in Kansas and Michigan, Iowa.
 6 I found and took a job with GE, where I was
 7 managing the Rail Splitter Wind Farm. Specifically, I
 8 was on the operations and maintenance aspect; so I was
 9 technically a subcontractor of EDPR. EDPR was my
 10 customer as the site manager for GE.
 11 I picked up my family. At that time, we
 12 only had one kid; but we picked up the family, and we
 13 drove halfway across the country to live in McLean
 14 County. I don't have any other family that lived in
 15 Illinois; so I had no reason to come here aside from
 16 the wind farm where I took a job.
 17 I worked at the Rail Splitter Wind Farm and
 18 for GE for a while. Then I left that job for a job at
 19 ISU in a different role than what I'm currently there
 20 for. Then I went back to school. And I'm now in my
 21 current job at ISU.
 22 But I just want to stress that the only
 23 reason why I'm here in McLean County instead of Kansas
 24 or Nebraska or Iowa is because EDPR built the Rail

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1 Splitter Wind Farm in particular. That's why I'm
 2 here. So I guess I'd like to think McLean County has
 3 benefited economically as a result -- not from me.
 4 I'm probably a net detriment, honestly; but I can
 5 think of a lot of other people that are kind of in my
 6 same situation. I'd like to think that the County has
 7 benefited as a result of them.
 8 So I'd like to put my support behind the
 9 project because I'd like to see that economic growth
 10 continue in the County and the State and in this
 11 country. That's mainly what I wanted to say.
 12 A few other real brief comments. I've spent
 13 a lot of time -- it's been a few years ago; but in
 14 2011, I spent a lot of time studying the impact of
 15 wind farms on school districts and the revenue. In
 16 fact, I wrote a report about it. I'm not going to try
 17 and enter it as evidence or anything, but I'll just
 18 offer that in -- it's been about seven years since I
 19 wrote it, but I reviewed it really quickly today. I
 20 can tell you that it's about a half a million dollars
 21 per year per 100 megawatts. I honestly don't recall
 22 the size in terms of megawatt capacity of this
 23 proposed project is, but it is assessed based on the
 24 power capacity, based on megawatts. So the net -- and

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1 I stress net -- benefit to schools is about a half
 2 million dollars per year.
 3 I also looked specifically at the Ridgeview
 4 School District just northeast of here. This was in
 5 regards to the Twin Groves I and II project. They've
 6 received about a half a million dollars per year net
 7 benefit from the Twin Groves 1 and II Wind Farm.
 8 I'd also bring up one other thing. There
 9 was testimony last night regarding property values
 10 where he used an economic regression analysis, which
 11 is basically to say a multivariable analysis. And the
 12 topic came up whether that had been done in McLean
 13 County. And the answer, I think, at the time was no.
 14 I just want to point out -- I'm not going to
 15 try and enter it as evidence. I was not an author on
 16 that study, just to be clear; but there was actually
 17 -- in 2010, we had a master's student at ISU who wrote
 18 her master's thesis regarding an economic
 19 multivariable regression analysis on residential
 20 property values in McLean County regarding Twin Groves
 21 1 and II. It's 143 pages long.
 22 I haven't read the entire thing. I could
 23 tell you basically a summary of the results, but I was
 24 not an author; so I'm not prepared to delve deeply

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1 into it or, frankly, answer any real detailed
 2 questions about the methodology. But it is a
 3 multivariable regression analysis, which I think is
 4 the right approach, because that basically separates
 5 lots of different attributes of the property and tries
 6 to tease out effects of those specific attributes of
 7 the property.
 8 I could summarize it. Basically what the
 9 conclusion was was that there was a measurable impact,
 10 a negative impact, on property values during the
 11 preconstruction and the construction phases of the
 12 project. But then after the construction phase had
 13 ended and it went into the operation phase, the
 14 residential values went back to what they were.
 15 Honestly, that's about all the details that
 16 I know. Like I said, I was not an author. I was not
 17 the advisor. My colleague in the Economics Department
 18 -- I am not an economist. I'm an engineer by
 19 training. But my colleague in the Economics
 20 Department was the thesis advisor for that, and I
 21 trust that he did a good job in advising his graduate
 22 student.
 23 That's all I have. Thank you very much for
 24 your time.

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1 **CHAIRMAN FINNIGAN:** Thank you. Questions?
 2 **MR. BANGERT:** As a professor of the
 3 renewable energies, these towers, as the technology
 4 changes -- and we've heard testimony that they're
 5 extremely inefficient -- what can you say to the
 6 efficiency of the older versus the newer ones or the
 7 ones that are coming? Do you have any insight into
 8 that?
 9 **MR. ALDEMAN:** That actually brings up
 10 something that I decided I wasn't going to bring up.
 11 But there had been testimony that said that these
 12 things only operate 30 percent of the time. I heard
 13 that yesterday.
 14 That's kind of misconstrued. In my
 15 experience -- and I've done quite a bit of wind
 16 resource analysis in this area -- the turbines produce
 17 about 85 percent of the time. Roughly 15 percent of
 18 the time -- that's very rough, but something like that
 19 -- they're not producing.
 20 What that means though is that about -- it's
 21 the low 30s -- it's 30 to 35 percent -- is called net
 22 capacity factor. And that means that, on average,
 23 it's operating at about 30 to 35 percent of its rated
 24 power production. So if it's a 1 megawatt wind

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1 turbine, then, on average over the whole year, it's
 2 operating at 300 to 350 kilowatts.
 3 In terms of the efficiency, I would
 4 definitely say they have improved. Generators have
 5 gotten more efficient. Wind turbine blades in
 6 particular have gotten quite a bit more efficient.
 7 Actually, a really big thing is the variable
 8 RPM. Some of the older designs, quite a bit older,
 9 would operate at a fixed RPM; but now all the modern
 10 turbines operate at very low RPM. That has had a big
 11 impact because it maintains the blades at optimum
 12 angle of attack and keeps them operating as
 13 efficiently as probable.
 14 There's something called the coefficient of
 15 performance, and there's a theoretical limit to the
 16 efficiency of a wind turbine blade. It's calls the
 17 Betz limit, and it's about 59 percent.
 18 The coefficient of performance varies over
 19 the range of the turbine's operation, but it's not
 20 unusual to see coefficients of performance in the 45,
 21 even close to 50 percent range.
 22 **MR. BANGERT:** Thank you.
 23 **CHAIRMAN FINNIGAN:** Questions from staff?
 24 **MR. DICK:** Do you have any opinion as to the

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1 effect of a foundation of a turbine on ground water?
 2 **MR. ALDEMAN:** I definitely am I qualified to
 3 address that. Ground water and geology are not in my
 4 scope of knowledge.
 5 **MR. DICK:** Thank you.
 6 **CHAIRMAN FINNIGAN:** Does the Applicant have
 7 questions?
 8 **MS. ANTONIOLLI:** Yes. Hi. I'm Amy
 9 Antonioli from Schiff Hardin, attorney for EDPR.
 10 Professor Aldeman, are you familiar with
 11 Fresnel Zone analysis and what that shows?
 12 **MR. ALDEMAN:** No.
 13 **MS. ANTONIOLLI:** You're not?
 14 **MR. ALDEMAN:** No.
 15 **MS. ANTONIOLLI:** Okay. Thank you.
 16 **MR. LUETKEHANS:** Before I start, I made this
 17 objection earlier, but I would just ask for a
 18 continuing objection on anything regarding economic
 19 impact because it is not one of the seven standards.
 20 I've not wanted to interrupt people testifying, but I
 21 do want to make that continuing objection.
 22 Rail Splitter was not in McLean County
 23 correct, Mr. Aldeman?
 24 **MR. ALDEMAN:** Correct.

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1 **MR. LUETKEHANS:** Unfortunately, I have read
 2 all 140 pages of that study. It's not published as a
 3 peer-reviewed study, correct?
 4 **MR. ALDEMAN:** That's correct.
 5 **MR. LUETKEHANS:** That's one of the things
 6 you hear often from the wind farm is that it doesn't
 7 matter if it's not peer-reviewed. Have you heard that
 8 often?
 9 **MR. ALDEMAN:** Have I heard --
 10 **MR. LUETKEHANS:** The wind energy companies
 11 make a big deal out of peer-reviewed, correct?
 12 **MR. ALDEMAN:** I think peer review is an
 13 important process.
 14 **MR. LUETKEHANS:** This study was not
 15 peer-reviewed, correct?
 16 **MR. ALDEMAN:** Yeah. I can tell you why.
 17 **MR. LUETKEHANS:** That's not my question. My
 18 question, however, is: Having read that study, do you
 19 recall what really happened in that study was, yes, it
 20 got back to the original values, but it never actually
 21 made up for those years of lost value. Do you recall
 22 that in that study?
 23 **MR. ALDEMAN:** I do not recall that.
 24 **MR. LUETKEHANS:** Okay. Nothing further.

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1 **CHAIRMAN FINNIGAN:** Any other questions?
 2 (No response.)
 3 **CHAIRMAN FINNIGAN:** Thanks for coming up.
 4 **MR. DICK:** Mark DeKeersgieter?
 5 **CHAIRMAN FINNIGAN:** Would you like to be
 6 sworn in?
 7 **MR. DEKEERSGIETER:** Sure.
 8 (Mark DeKeersgieter sworn.)
 9 **CHAIRMAN FINNIGAN:** Will you state your name
 10 and address and spell your last name, please?
 11 **MR. DEKEERSGIETER:** Mark DeKeersgieter.
 12 Address is 912 Ironwood Drive in Normal. The last
 13 name is spelled D-e-K-e-e-r-s-g-i-e-t-e-r.
 14 **CHAIRMAN FINNIGAN:** Go ahead. Thank you.
 15 **MR. DEKEERSGIETER:** I am the Executive
 16 Director for CIRBN. I appreciate you taking a few
 17 minutes to let me speak. I'd also like to thank Katie
 18 Chapman from EDP because she's been following up with
 19 me as well.
 20 After reviewing the site plan in the permit
 21 application, we wanted to draw your attention to the
 22 proposed sites of turbines T 101 an T 167 on the site
 23 map. Their installation is basically on -- one is on
 24 each side of our microwave link that runs from Chenoa

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1 to Fairbury.
 2 To provide some background information,
 3 CIRBN, LLC, is an Internet service provider who owns
 4 and operates the Central Illinois Regional Broadband
 5 Network, and we provide Internet service throughout
 6 Central Illinois to K through 12 schools, colleges,
 7 universities, libraries, museums, municipalities,
 8 emergency responders, et cetera.
 9 We own and operate an FCC-licensed microwave
 10 link that runs from Chenoa to Fairbury and provides
 11 Internet service to the Prairie Central High School
 12 located in Fairbury. It's service that we are
 13 delivering to the school district, and then they take
 14 that and redistribute that to multiple sites in the
 15 school district itself. We are their primary service
 16 provider for them for the Internet.
 17 The microwave beam path report was
 18 referenced earlier for being in the application. So
 19 the beam path, when you look at that and you look at
 20 the site plan, basically shows the path running
 21 between the T 101 and T 167.
 22 We were introduced to Katie from the energy
 23 company, and we've been working with her to try and
 24 determine if, where they're placed, if that will cause

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1 any interference with the microwave link.
 2 Microwave link has to have a line of sight,
 3 and there's been a reference to the Fresnel path. And
 4 basically the easiest way to explain that is that,
 5 even though it's line of sight, think about it as line
 6 of sight through a football; so in the center of path,
 7 it's the widest.
 8 Just in the last two days, we haven't had a
 9 chance basically to examine the Fresnel path and where
 10 that's at, where the towers may be located. And then
 11 the site plan that's in the permit application does
 12 not provide enough information to allow us to
 13 determine there would be no conflict.
 14 I'm here just to make you aware that we are
 15 working through that. We want to ensure that there's
 16 no interference with the link because that is the
 17 school's primary means to receive Internet, and they
 18 rely a lot on that for education-based curriculum and
 19 cloud services to run and operate the school district
 20 on a daily basis.
 21 One thing that we're working with Katie on
 22 is to get some detailed engineer drawings that would
 23 allow us to ensure that the path would remain intact
 24 and not interfered.

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1 In the meantime, in a perfect world, if we
 2 could wave a magic wand, we would say there would be
 3 1,000 feet basically zone between the center of our
 4 path and the center of their turbine, the base of
 5 their turbine.
 6 When you think about the rotor on the
 7 turbine being the size that it is and then you see the
 8 Fresnel zone on the path, you start to see how that
 9 buffer zone would be eaten up by those two things. We
 10 just want to ensure that there's plenty of room there.
 11 **MR. DEAN:** So you can model or map the zone,
 12 the Fresnel zone, very accurately?
 13 **MR. DEKEERSGIETER:** Typically when we get
 14 into situations like this, you look at engineer
 15 drawings of what's going to be installed and where
 16 it's at and the link itself. We give those to an
 17 engineer, and then they'll make a determination if
 18 there's any conflict or not.
 19 **MR. DEAN:** Okay. Thank you.
 20 **MS. TURNER:** Have you worked with other wind
 21 farms in the area on this? I know you guys are fairly
 22 new getting going, but there have been a few --
 23 **MR. DEKEERSGIETER:** Yeah. There are no
 24 other wind farms -- we're primarily fiberoptic, and we

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1 only have a few wireless links. It was because just
 2 getting there with fiber was much more cost than what
 3 we had in the budget. So that was one situation
 4 there. The few wireless links that we have do not run
 5 through any of the other wind farms that are in the
 6 area.
 7 **MS. TURNER:** Are you hopeful that there is
 8 enough space? Does it look like there is going to be
 9 enough space, or does it look like there is not going
 10 to be enough space?
 11 **MR. DEKEERSGIETER:** I am hopeful there is
 12 enough space. I'm new to this process. Usually we
 13 work with public works, people that are sending road
 14 improvements and the drawings for that. We have to
 15 determine do we have to raise a manhole or a handhold
 16 lid, and we work through things like that. This is
 17 the first time I'm working through this with a wind
 18 farm.
 19 **MR. BANGERT:** Can you repeat the area? You
 20 mentioned 1,000 feet from the center? Could you
 21 repeat that?
 22 **MR. DEKEERSGIETER:** Yeah. I suggested 1,000
 23 feet from the center of our microwave link to the
 24 center of the turbine base. That would allow -- you

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1 know, because our -- back to the football example, if
 2 you think of our line of sight, the Fresnel zone would
 3 go out from there into that thousand feet, and their
 4 rotor as it's spinning will go out into that thousand
 5 feet. Between those two distances, we believe that
 6 would allow -- you know, is it 500 feet? Is it 400
 7 feet? Is it 600? We would have to have an engineer
 8 take a look at it to determine for sure. But for
 9 tonight's purposes, that's what we feel comfortable
 10 with.
 11 **MS. TURNER:** Is that an industry standard,
 12 or is that -- I'm sorry, Brian. Did I butt in?
 13 **MR. DEKEERSGIETER:** That's what my wireless
 14 person told me at about 5:00 this afternoon.
 15 **MS. TURNER:** Okay. Great.
 16 **MR. DEKEERSGIETER:** As I said, I didn't know
 17 the exact timeline of how long these meetings would
 18 last. So my -- you know, we just want to ensure the
 19 school district service is not interrupted. There's
 20 about 1,900 students in the school district, and it
 21 supports a number of varying communities throughout
 22 Central Illinois.
 23 **MR. BANGERT:** So in this investigation
 24 process, how long do you feel it will take to figure

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1 this out? You said you've been talking with Katie.
 2 How long do you think it will take? Do you think
 3 there will be a --
 4 **MR. DEKEERSGIETER:** Once we have some --
 5 once we have a map that we can share with an engineer
 6 and -- you know, I would expect that once we provide
 7 that information to an engineer, it would be anywhere
 8 from a few days to five business days and we'd have an
 9 answer.
 10 **MR. BANGERT:** Okay. Thank you.
 11 **CHAIRMAN FINNIGAN:** How far off the ground
 12 is your line of sight?
 13 **MR. DEKEERSGIETER:** I appreciate you asking
 14 that because that was in my notes and I forgot to
 15 share that.
 16 Our tower on one end where our equipment is
 17 mounted is about 100 feet off the ground. And the
 18 Fairbury link, the radio is higher. It's at 130. So
 19 we are well below -- I believe the height of their
 20 turbine with the blade at the highest point is 548
 21 feet, if I have that right.
 22 **MR. DICK:** That microwave is in effect right
 23 now. It's operating. Is that correct?
 24 **MR. DEKEERSGIETER:** It's been operating

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1 since the middle of 2013, and the School District has
 2 been a client that whole time.
 3 **MR. DICK:** Did their microwave beam path
 4 analysis identify your microwave?
 5 **MR. DEKEERSGIETER:** Yes. It's the one on
 6 the north part of that map that runs from east to west
 7 at a slight upgrade to the northeast.
 8 **MR. DICK:** So it adequately showed your beam
 9 path that they would have to stay off of and not
 10 interfere with; isn't that correct?
 11 **MR. DEKEERSGIETER:** That is correct.
 12 **MR. DICK:** Do you find any reason why they
 13 wouldn't stay off your beam path?
 14 **MR. DEKEERSGIETER:** I would think that they
 15 would probably do their best to do that, yeah.
 16 **MR. DICK:** They would have to do that,
 17 wouldn't they?
 18 **MR. DEKEERSGIETER:** Umm --
 19 **MR. DICK:** That's what we would --
 20 **MR. DEKEERSGIETER:** That's what the County
 21 would want them to do, I hope.
 22 **MR. DICK:** That's why we make them do the
 23 microwave beam path thing, to make sure it's not going
 24 to interfere. I was wondering whether or not we

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1 failed there in not identifying yours.
 2 **MR. DEKEERSGIETER:** I'm sorry, could you
 3 repeat the question?
 4 **MR. DICK:** I was just wondering whether the
 5 microwave study failed by not identifying your beam
 6 path.
 7 **MR. DEKEERSGIETER:** No. Our path is
 8 identified.
 9 **CHAIRMAN FINNIGAN:** Any questions?
 10 **MR. LUETKEHANS:** The application in this
 11 case was filed on January 12, 2018, and that included
 12 the Appendix 20, which is the microwave beam study.
 13 When did EDPR actually first contact you?
 14 The last couple days? Is that true?
 15 **MR. DEKEERSGIETER:** We were contacted by a
 16 citizen that brought this to our attention.
 17 **MR. LUETKEHANS:** So you weren't originally
 18 contacted by EDPR at all?
 19 **MR. DEKEERSGIETER:** No.
 20 **MR. LUETKEHANS:** Even now, you still don't
 21 have a map that you can share with your engineers?
 22 **MR. DEKEERSGIETER:** Well, we have the
 23 information that's in the application.
 24 **MR. LUETKEHANS:** That's not sufficient for

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1 you to be able to share with your engineers and
 2 actually specifically spot the wind turbines. That's
 3 your problem, correct?
 4 **MR. DEKEERSGIETER:** That's correct.
 5 **MR. LUETKEHANS:** So you don't know right now
 6 if there's actual interference or not. Even if they
 7 listed it, you have no idea if there's actual
 8 interference?
 9 **MR. DEKEERSGIETER:** It's not built yet; so I
 10 wouldn't know.
 11 **MR. LUETKEHANS:** But your engineers have not
 12 been able to tell if this will interfere or not --
 13 **MR. DEKEERSGIETER:** That's correct.
 14 **MR. LUETKEHANS:** -- because you don't have
 15 the correct information?
 16 **MR. DEKEERSGIETER:** Correct.
 17 **MR. LUETKEHANS:** Nothing further. Thank
 18 you.
 19 **CHAIRMAN FINNIGAN:** Any other questions?
 20 (No response.)
 21 **MR. DICK:** Gregory Scott?
 22 **CHAIRMAN FINNIGAN:** Would you like to be
 23 sworn in?
 24 **MR. SCOTT:** Affirmed, please.

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1 (Gregory Scott affirmed.)
 2 **CHAIRMAN FINNIGAN:** Would you state your
 3 name and address and spell your last name, please?
 4 **MR. SCOTT:** Name is Gregory Scott. My
 5 residency is Texas, but my local address is 55
 6 Vermilion Estates in Pontiac, Illinois. Vermilion,
 7 just like the river.
 8 I just wanted to read a statement I put
 9 together in support of wind energy in general, not
 10 just specific for the Bright Stalk, but all wind
 11 energy.
 12 I've been involved in wind energy for over
 13 12 years. I've worked in 37 states across the country
 14 and a lot of it basically as my job as an
 15 electrical/mechanical fuel energy technician. I've
 16 done a variety of work as far as being a commissioning
 17 technical assistant, construction mechanical
 18 superintendent, construction supervisor, site managers
 19 and project assistant project managers.
 20 So a lot of the information that I'm reading
 21 about here is from my own personal experiences, not
 22 from the studies and, you know, information that's
 23 been brought forth through the legal systems.
 24 I am currently employed by EDPR as a

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1 technician at Twin Groves Wind Farm. During
 2 construction, depending on the project needs, upwards
 3 of 100 people will be brought in in addition to the
 4 local people to help with aspects of construction.
 5 These people provide revenue for the local
 6 communities through hotels, restaurants, grocery
 7 stores, gas stations, and general commerce and
 8 purchases.
 9 After the construction, when operations and
 10 maintenance begin, managing the wind farms, many of
 11 the positions are filled by local residents, giving
 12 them good jobs, whether as a technician, office
 13 managers, parts specialist, or even sponsoring college
 14 students with internship programs.
 15 Technicians are provided with extensive
 16 training and certificates to include first aid CPR,
 17 AED, OSHA 10, which is general industry safety, NFPA
 18 70E, electrical safety, tower rescue and rescue at
 19 heights, confined space training, and many other
 20 certifications and training as necessary by the
 21 company and also some specific for the training of the
 22 technicians for advancement and career opportunities.
 23 When it comes to the concerns of local
 24 residents and landowners, there are designated points

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1 of contact for any issue that may arise. On our
 2 farms, most likely, during operations maintenance, it
 3 would be the site manager or somebody that is
 4 appointed for that position. This has to do with
 5 anything that's positive or negative. It can go
 6 either way.
 7 With regards to some of the points brought
 8 up by residents in the area about the end of life
 9 expectancy of the wind farm, companies such as McLean
 10 County Asphalt and Landscape Materials, which
 11 specialize in materials that may be used to build wind
 12 farms, may also benefit with materials at the end of
 13 the project as they have a concrete recycling program.
 14 I know -- I believe it was mentioned last
 15 week that somebody was asking about recycling
 16 material, and they didn't know about the concrete.
 17 They specialize in concrete recycling.
 18 I am not a part of any of the contracts and
 19 negotiations. I'm just using my general knowledge and
 20 experiences to let you guys know, let everyone know,
 21 there's plenty of benefits for the wind farms during
 22 the entire life span.
 23 One of the benefits the local residents and
 24 community will receive as the construction phase draws

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1 to a close are the cut-ins and turn-outs for large
 2 tractor trailers brought in for the properties to the
 3 laydown yards, where they're going to be bringing in a
 4 lot of heavy compaction material and gravel and rock
 5 to support the weight of these turbine components as
 6 they're coming in.
 7 Depending on the specifics and layouts -- as
 8 I say, the engineers deal with this stuff, but these
 9 things will be coming in reinforced. That way they
 10 can have adequate paths and everything is safe.
 11 At the end of the project, when we start
 12 doing reclaims, this material is removed. The
 13 majority of what I've seen, everything has been
 14 donated to the locals, whether it's been for --
 15 majority of them have been for, like, driveways. I
 16 have seen where they have actually given to the
 17 farmers so they can take the gravel and rock and
 18 reinforce or add to what they already have in their
 19 land. We're talking, you know, millions of tons
 20 because it's a lot of stuff going all the way around.
 21 In one case I witnessed, a small local
 22 business made an offer to take the gravel and rock
 23 with the proceedings being donated to the local school
 24 district.

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1 I'm not a realtor. I'm not in the business
 2 of property evaluations; but having fresh gravel and
 3 rock added to the driveway may potentially have some
 4 kind of added value to the residence, whether it could
 5 be something that's just adding what's called the
 6 "curb appeal," making it look better, or if it even
 7 may have potential later to add value because, instead
 8 of having just a couple of ruts going through there
 9 from driving over a few decades, you actually have
 10 solid gravel going across. So it can be a benefit as
 11 well. Bottom line is that the local people are
 12 benefactors.
 13 As an interim site manager, I've had the
 14 privilege of being able to help with cleanup details,
 15 dealing with scrap metals and cable after a project
 16 was finished.
 17 Most of the material typically gathered at
 18 each turbine is brought to a centralized location,
 19 usually around the laydown yard. At one time, it was
 20 like utilizing eight three-quarter-ton pickup trucks
 21 and making several trips to a regional recycling
 22 facility. We accumulated just over \$114,000 of scrap.
 23 After the deposit was made, I began writing
 24 checks for several entities. As interim site manager,

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1 I was doing the budgeting on this. After calculating
 2 what was needed to clear our own expenditures for time
 3 and fuel consumption for the operation budgets, I had
 4 the honor to look upon the faces of each recipient of
 5 the checks that were made out to a few churches, the
 6 local food bank, emergency services to include fire,
 7 rescue, and ambulance, and mostly to the School
 8 District as being the biggest benefactor.
 9 This was money that was given, and it had no
 10 bearing on anything to do with the taxes that are a
 11 part of the contracts and agreements. This was just
 12 like a bonus.
 13 This is like a PR gesture towards the local
 14 community to show our appreciation for what we were
 15 allowed to do and being allowed to be brought in to be
 16 able to do these things.
 17 In total, 93 percent of the funds for the
 18 recycled material was donated. Again, this was all in
 19 addition to what the taxes are going to provide over
 20 the next 20 years.
 21 In addition to recycling materials, we also
 22 provide volunteer work, meaning police calls, where we
 23 would actually go on the main roads, secondary roads,
 24 tertiary roads, and do police calls, picking up trash,

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1 trying to beautify the area as we're going. Anyplace
 2 that we need to use travel, we were picking up trash
 3 on a weekly basis. If something like storms come
 4 through, like that, we would actually make extra
 5 trips, all to make sure that the entire -- that not
 6 only the project, but also the residents were content
 7 and happy.
 8 During a project, where I was a client
 9 advocate and representative, it lasted approximately
 10 11 months. Our responsibilities included being sure
 11 that the work was done in an acceptable standard for
 12 civil work, construction, commissioning, and property
 13 reclamation at the end of the project and that all
 14 parties accountable -- all the parties be accountable
 15 and that the work was being properly documented.
 16 An additional ability bestowed upon me for
 17 the client was to be a designated point of contact for
 18 the local residents and property owners. I hand-
 19 delivered hundreds of business cards to all previously
 20 mentioned and assured them that, if they had any
 21 questions or concerns, I was the person they needed to
 22 talk to. I met every one face to face. It took me
 23 several days and a few tanks of gas.
 24 I let them know that the best way to reach

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1 me is by email. That way we could have -- there was
 2 documentation for it, and we had something in writing.
 3 Make sure everything was documented, their concerns;
 4 and if it was an emergency, to call me.
 5 With all the locations I've been to across
 6 the country, one of the benefits to provide has been
 7 for the local community's education. Sites have been
 8 available for group tours, most of which involved kids
 9 and teens. Many of the teens, being high school
 10 students, show up interested and wanting to be able to
 11 work on the turbines and ask about the work we do as
 12 technicians and what they can do to work on them as
 13 far as what kind of classes they can take either in
 14 high school or college.
 15 One myth I would like to address regarding a
 16 print I've seen about the power distribution of the
 17 wind farms: I read in a local column online that a
 18 project was providing power to a specific number of
 19 homes. This statement is inaccurate.
 20 The wind turbines can provide a specific
 21 amount of energy, which is specified numbers. They
 22 use it as a reference to how many turbines -- or how
 23 many homes it can power, but the turbines do not
 24 supply power directly to the homes. They couldn't

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1 handle it. Instead, the energy is produced, goes
 2 through a substation, connected to the main stations,
 3 and distributed to the grid.
 4 Another concern I wanted to address contends
 5 with the amount of noise being generated by the
 6 towers. Any energy-producing component will provide
 7 some noise. Even solar generates a certain amount of
 8 noise from the power inverters or converters and from
 9 the transformers, at very low levels.
 10 Wind turbines generators in the area already
 11 in operation do not have the noise levels audible
 12 until you are standing within an approximate area or
 13 distance, which in some places -- even in Texas, they
 14 say that if you can hear the turbines running, you are
 15 trespassing. That's not everywhere, but it's just
 16 what some of the landowners have said.
 17 **CHAIRMAN FINNIGAN:** Sorry, but your time is
 18 up, unless you have something just to finish up with?
 19 **MR. SCOTT:** No. Actually, that was it.
 20 **CHAIRMAN FINNIGAN:** Thank you very much.
 21 Questions?
 22 **MS. TURNER:** When you were the client
 23 representative and you interacted with the citizens,
 24 so to speak, at what point did you show up on the job,

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1 and how long were you there?
 2 **MR. SCOTT:** I was there for 11 months. I
 3 showed up before they even started breaking ground. I
 4 was probably there between two and three weeks before
 5 any heavy machinery started coming in, when survey
 6 crews were coming out and started marked the ground.
 7 Before all the machinery came in place, I
 8 had already been to all the residents and some of the
 9 smaller businesses, everybody that was affected by it,
 10 to hand out my business cards, letting them know who I
 11 was, what I was doing, and making sure I was
 12 addressing their concerns that they had.
 13 **MS. TURNER:** Was that project completed in
 14 that 11 months that you were there?
 15 **MR. SCOTT:** Yes.
 16 **MS. TURNER:** Is that pretty typical for
 17 projects, that the representative would be there
 18 before the project started and stay through the entire
 19 project?
 20 **MR. SCOTT:** I can only tell you what I
 21 experienced with the company I was working for at the
 22 time. Basically all the project managers, senior
 23 management, and everybody showed up weekends
 24 beforehand to start getting things set up as far as

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1 the trailers for construction, getting everything
 2 marked out, and started getting all the ducks in a row
 3 so they could get things started.
 4 On that project, I was brought in maybe a
 5 week after they were for this purpose, to be that
 6 advocate and to be able to do what I was doing as far
 7 as reaching out to local people and letting everybody
 8 know who I was.
 9 **MS. TURNER:** Thank you.
 10 **CHAIRMAN FINNIGAN:** Anyone have any
 11 questions of this witness?
 12 **MR. TAYLOR:** Travis Taylor. You said this,
 13 I'm sure. I might have missed it. How long have you
 14 been here working for EDP?
 15 **MR. SCOTT:** I started working with EDP
 16 Renewables at Twin Groves at the end of May.
 17 **MR. TAYLOR:** Have you done any preliminary
 18 work for them with this project that we're talking
 19 about specifically?
 20 **MR. SCOTT:** No, sir.
 21 **MR. TAYLOR:** This is a personal question.
 22 You can choose to answer it or not.
 23 Is there a specific reason that you choose
 24 to live in Livingston County and work in McLean County

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1 right now, or is it just the way the housing worked
 2 out? I know there's been a lot of talk of wind farms
 3 in Livingston County.
 4 **MR. SCOTT:** As a traveling technician for
 5 over 12 years, I became a full-time RV'er. I chose to
 6 come back to Illinois because of where I grew up, up
 7 in Rockford three hours north of here. My parents are
 8 elderly, and I wanted to be within a certain distance
 9 to be able to help with them. So when the
 10 opportunities came, this is one that did come up.
 11 The reason I'm in Pontiac is because places
 12 for me to park my rig are limited. There's plenty of
 13 them during the summertime, but most of them shut down
 14 by around the beginning of November because of water
 15 lines. I found a place that's open year around for
 16 me; so I have to commute.
 17 **MR. TAYLOR:** I think that's all my
 18 questions. Thank you.
 19 **MR. SCOTT:** No problem.
 20 **CHAIRMAN FINNIGAN:** Any other questions?
 21 (No response.)
 22 **CHAIRMAN FINNIGAN:** Thanks for coming.
 23 **MR. DICK:** John Demlow.
 24 **CHAIRMAN FINNIGAN:** Would you like to be

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1 sworn in?
 2 **MR. DEMLOW:** Sworn in, please.
 3 (John Demlow sworn.)
 4 **CHAIRMAN FINNIGAN:** State and spell your
 5 name.
 6 **MR. DEMLOW:** John Demlow, D-e-m-l-o-w.
 7 Address is 107 West North Street in Ellsworth.
 8 I just wanted to testify in favor of the
 9 wind farm, the Bright Stalk project. I've been a
 10 resident of Ellsworth about eight years now. I've
 11 been a service tech at Twin Groves for approximately
 12 four years.
 13 My wife and I don't have any issues as far
 14 as noise complaints. We drive our four-month-old son
 15 all throughout the park all the time, to and from his
 16 day care; and again we have no issues.
 17 So in Ellsworth, there really isn't a whole
 18 lot there. There's just a few local businesses, and
 19 that's it. There really isn't a lot of revenue there.
 20 What I have noticed since I have lived there
 21 is our fire department has grown. We've got a newer
 22 fire house. It's approximately three years old now.
 23 They have a bunch of newer up-to-date equipment, newer
 24 fire trucks, and it's the same thing for

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1 Saybrook-Arrowsmith Fire Protection District as well.
 2 We tend to work with both departments at
 3 Twin Groves when we do rescue training scenarios. We
 4 kind of do our thing, which is to get -- if there's a
 5 rescue situation, we would -- it's our job to get that
 6 person out of the tower and then on up to the
 7 paramedics and EMTs. So we work with them on site.
 8 Usually once a year, we try to do a big
 9 drill with everybody involved. Ellsworth Fire
 10 Department does provide our first aid, CPR, and AED
 11 training, which -- we usually do that once a year; so
 12 we kind of see the benefits with that.
 13 There has been one time since I've lived out
 14 there where we had a turbine just to the north of us
 15 that was making some pretty good noises. My neighbor
 16 actually reported it to EDPR.
 17 As a technician, I also know this is our
 18 practice. If there is a noise complaint, we shut the
 19 turbine down until we can get out there and
 20 investigate it. And then if it's something that can't
 21 be immediately fixed, we usually leave the tower down
 22 until it can be addressed, whatever that is, whether
 23 it's a major issue, minor issue, or if we're waiting
 24 on parts.

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1 Some of the more noticeable things I noticed
 2 as far as noise -- I know that's a lot of the concern.
 3 For me, like I said, we're not really bothered by the
 4 wind turbines. It's more annoyance as far as when the
 5 freight train comes in at 2:30 in the morning every
 6 other night, in the summertime with cropdusters flying
 7 in and around Ellsworth in the fields.
 8 And to kind of go along with that, when we
 9 are working in the summer in the towers there at Twin
 10 Groves, anytime a cropduster is scheduled to be
 11 anywhere around the towers, they communicate with us
 12 so we know, hey, we're not going to be in that area
 13 until it's safe so we are not exposed to any kind of
 14 chemicals.
 15 Lost my train of thought. Give me a second.
 16 I have noticed, as far as being a resident
 17 of Ellsworth, the Dawson Township Roads have been a
 18 lot better. They continue to be improved as far as
 19 different various projects, resurfacing, ditches, all
 20 of that kind of stuff.
 21 Dawson Township has benefited from the wind
 22 farm as far as equipment. I don't have the specifics,
 23 but we do have newer plow trucks and equipment for
 24 maintaining the roads.

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1 Pretty much in the four years I've worked at
 2 Twin Groves, I've witnessed the benefits as far as
 3 local patronage to all the local businesses, whether
 4 it's just from we have training and we bring in food,
 5 cater in food, or whatever or we go out to lunch or
 6 whatever. Local gas stations, local restaurants in
 7 LeRoy, Saybrook, Coatsville area all benefited.
 8 With that in mind with this project, with
 9 the potential of jobs coming in, just imagine the
 10 positives for local restaurants in and around Chenoa
 11 or Lexington like Kelly's on 66, Kemp's Upper Tap, the
 12 Shake Shack, McDonald's, local gas stations, Chenoa
 13 Family Restaurant.
 14 That's pretty much all I have to say.
 15 **CHAIRMAN FINNIGAN:** Thank you. Questions?
 16 **MR. DEAN:** Maybe you can clarify. How far
 17 do you live from the closest tower?
 18 **MR. DEMLOW:** I don't have the exact
 19 estimate. It's approximately a half mile to
 20 three-quarters of a mile to the north of us.
 21 **MR. DEAN:** Ellsworth would not have the same
 22 -- this question is for Phil -- the same setback that
 23 Lexington had? Would that be different for Ellsworth?
 24 **MR. DICK:** Do you live in town?

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1 **MR. DEMLOW:** Yes, sir, I live in town.
 2 **MR. DICK:** It would be more than 1,500 feet
 3 from there.
 4 **MR. DEAN:** I was thinking, in Lexington,
 5 they were dealing with a mile and a half.
 6 **MR. DICK:** They didn't have that requirement
 7 back then.
 8 **MR. DEAN:** Okay. Thank you.
 9 **CHAIRMAN FINNIGAN:** You have any questions,
 10 Phil?
 11 **MR. DICK:** No.
 12 **CHAIRMAN FINNIGAN:** Anyone in the audience
 13 have questions?
 14 (No response.)
 15 **CHAIRMAN FINNIGAN:** I think you're safe.
 16 Thanks for coming.
 17 **MR. DICK:** Andrew Ehrhardt?
 18 **CHAIRMAN FINNIGAN:** Would you like to be
 19 sworn in or affirmed?
 20 **MR. EHRHARDT:** Sworn in is fine.
 21 (Andrew Ehrhardt sworn.)
 22 **CHAIRMAN FINNIGAN:** State your name and
 23 address. Spell your last name, please.
 24 **MR. Ehrhardt:** Andrew Ehrhardt,

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1 E-h-r-h-a-r-d-t. 3297 Town Hall Road, Delavan,
 2 Illinois, 61734.
 3 So I wanted to start out by telling you a
 4 little bit about myself. I'm a lead technician at
 5 Rail Splitter Wind Farm in Hopedale. I was raised in
 6 Chenoa. My grandparents actually live in the middle
 7 of this project, and I've worked in the wind industry
 8 for a total of eight years now, the past four of which
 9 have been with EDPR. In addition to this, my family
 10 and I have purchased and currently live within a wind
 11 farm.
 12 The main reason I wanted to testify or tell
 13 you today is give my firsthand experience with this
 14 company. We are more than just a wind company. We
 15 strive to be involved with the communities that we
 16 operate in, and I have a few examples I'd like to
 17 share with you all.
 18 Just in the past few months, my team and I
 19 have given presentations to all faculty members at
 20 Delavan Middle School, 40 FFA members from three
 21 surrounding schools. We provided a Kid Wind
 22 competition for a Girl Scout troop, and we have
 23 scheduled a Kid Wind competition with Delavan's fifth
 24 grade science class next month. These are just a few

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1 examples from one of our wind farms, but they all can
 2 share similar stories.
 3 In addition to helping locally, EDPR did
 4 something that made me proud of this company I worked
 5 for this past year. They increased all of our
 6 volunteer hours to help restoration efforts with
 7 Hurricane Harvey. They paid for flights and hotels
 8 for our local employees in this area and employees
 9 throughout the United States to travel down to Houston
 10 in order to help the affected communities. I believe
 11 this shows a lot about this company and the culture
 12 that we promote.
 13 Switching gears, I'm not an expert when it
 14 comes to the development and initial stages of the
 15 project, but I am very knowledgeable about the
 16 operations and what you can expect from us during the
 17 long-term commitment we make with the landowners,
 18 surrounding communities, and the County.
 19 My position within the company primarily
 20 focuses on scheduling and maintaining these towers
 21 with a strong preventative and proactive approach to
 22 quickly address the issues and provide long-term
 23 reliable solutions to problems that we encounter.
 24 I also deal directly with landowners, and

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1 I'm sure these same principles are followed when an
 2 issue or complaint is received.
 3 It is the operations team that will be the
 4 point of contact for the life of the project and is
 5 comprised of local individuals such as myself. This
 6 is a commitment we are making together. We are here
 7 to listen to and address any concerns within our
 8 control that you may have, not only now but through
 9 the life of the project.
 10 I am proud of what I do. I believe in this
 11 company, and I ask that anyone here feel free to come
 12 out to any of our wind farms. Doesn't necessarily
 13 have to be scheduled or anything. You just walk in
 14 the door, and you can talk to any one of us. We would
 15 be happy to share any information.
 16 If time is available, we would even be
 17 willing to tour you through the site. We've done that
 18 multiple times. When Rail Splitter was first built, I
 19 know that my neighbor that I live with actually gave
 20 tours for the wind farm.
 21 Now that it's been around, we just haven't
 22 had the request for that anymore. But starting out,
 23 that was a big requested item. A lot of the local
 24 landowners came out and went through the tour. It's

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1 just something that hasn't continued, I guess. But if
 2 the need was there, we definitely would support that.
 3 But I would be happy to talk to anybody
 4 about my experiences both as a resident in the wind
 5 farm and an employee in the industry. Thank you for
 6 your time.
 7 **CHAIRMAN FINNIGAN:** Thank you. Questions?
 8 You live within a wind farm; so you have
 9 wind towers around you? How many?
 10 **MR. EHRHARDT:** At least nine, probably.
 11 **CHAIRMAN FINNIGAN:** How close are they to
 12 you?
 13 **MR. EHRHARDT:** Closest one is -- I don't
 14 know the exact feet, but within a half mile.
 15 **CHAIRMAN FINNIGAN:** Okay.
 16 **MR. EHRHARDT:** That's to north, south, east,
 17 west. I'm surrounded.
 18 **CHAIRMAN FINNIGAN:** All right. Thank you.
 19 Anyone in the audience have questions?
 20 (No response.)
 21 **CHAIRMAN FINNIGAN:** Doesn't look like it.
 22 You're okay. Thank you very much.
 23 Last night the Applicant -- we have one
 24 witness that has come two nights; so we would like to

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1 get that out of the way tonight if we can. So at this
 2 time, if you want to bring your witness up.
 3 **MS. ANTONIOLLI:** Yes. Thank you for
 4 accommodating Mr. DeClark, who has come back now, as
 5 you mentioned for a second night. He's here to
 6 address -- last week some testimony showed there was
 7 -- his testimony showed there was no significant
 8 change in property values for homes located closer to
 9 existing wind farms in McLean County.
 10 To address any potential misconception that
 11 Mr. DeClark's property research could have been
 12 skewed, because it did not identify whether the
 13 increasing property values shown to have occurred
 14 closer to the Twin Groves Wind Farm were attributable
 15 solely to the fact they are participating properties,
 16 we've called him back tonight to present additional
 17 evidence.
 18 **MR. LUETKEHANS:** We would object. This is
 19 not rebuttal testimony. As even his report says, it's
 20 supplemental. As Ms. Antoniulli said, it's
 21 supplemental. It's not rebutting anything we did.
 22 It's not rebutting anything that was in our Case In
 23 Chief, and that's what rebuttal is.
 24 This is something he had the opportunity to

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1 do in their Case In Chief. They failed to. And now
 2 they are trying to supplement his testimony that they
 3 had the opportunity to present. They don't get two
 4 bites at the apple.
 5 This is not a response to anything that
 6 occurred with Mr. Kielisch. This is an attempt to
 7 say: Hey, we got messed up on cross-examination, and
 8 we want to fix it.
 9 **MS. ANTONIOLLI:** That's absolutely untrue.
 10 We are directly addressing testimony that
 11 Mr. Luetkehans asked of his witness about our
 12 testimony.
 13 **MR. LUETKEHANS:** The only question that came
 14 up about your witness was the R squared. 90 percent
 15 of the supplemental report is not about the R squared.
 16 It's about what happens when you take participating
 17 property owners out. That was asked about him. He
 18 had no idea whether they were participating or
 19 non-participating, and now it's an attempt to try and
 20 fix what he didn't know. That is not rebuttal
 21 testimony.
 22 **MS. ANTONIOLLI:** So this is directly
 23 addressing that issue of what happens when you look at
 24 participating versus non-participating landowners.

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1 **MR. LUETKEHANS:** Correct. And that wasn't
 2 in Mr. Kielisch's testimony at all. He never
 3 mentioned that. That was in our cross-examination of
 4 Mr. DeClark. That is not rebuttal testimony. He had
 5 the opportunity on redirect to clean it up. He
 6 didn't. This is not that opportunity.
 7 **MS. ANTONIOLLI:** We do have -- we have a
 8 right to rebut that testimony. And I think it's very
 9 important information for the Board to hear.
 10 **MR. LUETKEHANS:** And they are not rebutting
 11 testimony. That's the problem.
 12 **CHAIRMAN FINNIGAN:** I think we're going to
 13 let it start, and you can -- if it's not what -- I
 14 don't know how to phrase it. If it's not rebuttal, we
 15 can stop you at any time.
 16 **MS. ANTONIOLLI:** Okay.
 17 **CHAIRMAN FINNIGAN:** So just keep that mind.
 18 Okay?
 19 **MS. ANTONIOLLI:** I will. Then I would move
 20 to enter copies of his presentation into the record as
 21 Applicant's Exhibit 15.
 22 **MR. LUETKEHANS:** Objection. We don't --
 23 this is -- that's the exact same thing I'm having a
 24 problem with here.

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1 **CHAIRMAN FINNIGAN:** I think, you know, in
 2 the past, you haven't given us the stuff until the end
 3 anyway. Let's just wait and see where it's going to
 4 go.
 5 **MS. ANTONIOLLI:** Okay.
 6 **MR. DECLARK:** Good evening. Further
 7 analysis of McLean County sales records focused on
 8 non-participations and non-participants and sales
 9 close to wind turbines.
 10 **MR. LUETKEHANS:** Again, this is further
 11 analysis. It's not rebuttal. We would object.
 12 **MR. DECLARK:** Sales involving properties
 13 with revenue-producing land agreements between Twin
 14 Groves I and II were confirmed and eliminated. Only
 15 non-participant sales were considered.
 16 Sales outside the five-mile radius of Twin
 17 Cities (sic) I and II were excluded to minimize the
 18 risk of including participants with other wind farms.
 19 **MR. LUETKEHANS:** Again, we would object and
 20 ask for a ruling on this first page. There's nothing
 21 in here that is rebuttal to anything that Mr. Kielisch
 22 said last night.
 23 **MS. ANTONIOLLI:** I object. We are not going
 24 page by page. The intent was to listen to the

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1 testimony and then --
 2 **MR. LUETKEHANS:** That's not what the Chair
 3 said.
 4 **CHAIRMAN FINNIGAN:** What does the Board want
 5 to do? Do you want to hear this or not?
 6 **MR. DEAN:** Not necessarily.
 7 **MS. TAYLOR:** I'd like to hear it.
 8 **MS. CARLETON:** I'd like to hear it.
 9 **MR. KURITZ:** I'm kind of neutral on it.
 10 **MS. TURNER:** I do think that this would
 11 answer some questions that I asked about the specific
 12 participating and non-participating and the specific
 13 questions that I asked. It looks like this may answer
 14 that. That is why I would like to hear it.
 15 **CHAIRMAN FINNIGAN:** I guess we are pretty
 16 lenient. Maybe Mr. Luetkehans doesn't think so. Most
 17 of the time we let things come in, and we can decide
 18 in our own minds whether we're going to use it or not.
 19 So you can testify to things. I'm not saying we are
 20 going to use the information. Is that fair?
 21 **MS. ANTONIOLLI:** That's fair.
 22 **MR. LUETKEHANS:** I'm still objecting, but I
 23 understand the ruling of the Chair.
 24 **MR. DECLARK:** The next page of the overhead

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1 shows a chart of non-participant sales. What we
 2 looked at here, again, were plottages of sales. There
 3 were 16 of them, of non-participants between 2004 and
 4 the present. The R-squared factor indicates that
 5 there is no statistically significant decline in unit
 6 prices of non-participant properties since Twin Groves
 7 I and II were built.
 8 The vertical axis is dollars per square
 9 foot. The horizontal one is the sales year, and these
 10 were within five miles of the turbines. The R-squared
 11 factor was .0057, as noted in the chart in the upper
 12 right-hand corner.
 13 Of the 16 properties -- on the next slide,
 14 of the 16 properties in the previous graph, only 5
 15 properties have had sales occur before and after Twin
 16 Groves I and II were built in 2007 and 2008
 17 respectively. A summary of the sale data is shown
 18 below.
 19 We have five sales noted here, their pin
 20 numbers, their township location, and the gross
 21 acreage of land, and the various sale dates that
 22 occurred.
 23 The property number 1 had three sale dates,
 24 the earliest being 1999, the second, 2006, and the

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1 last, 2008, showing a range in 1999 of \$166,500, in
 2 2006, \$180,000, and in 2008, \$160,000.
 3 Property 2 had a sale date in 2005 of
 4 \$210,000 and then one in 2010 at \$85,000.
 5 Property number 3 showed a sale date in 2000
 6 of \$7,175 and then, in 2013, of \$95,000.
 7 Property number 4 showed a 2004 sale of
 8 \$255,000 and, in 2014, \$280,000. And lastly, property
 9 number 5, there were three sales that were noted
 10 there: 2001 being the first at \$93,500, 2014 at
 11 \$135,000, and then \$165,000 in 2016.
 12 The last -- or the next chart here is a
 13 representation graphically of what occurred and also
 14 notes as to the actualities. Property number 1 was a
 15 tax sale, effectively a non-arms-length tax sale.
 16 Number 2, there was a foreclosure action
 17 there. Again, not an arms-length sale in a typical
 18 buyer-and-seller scenario.
 19 Property number 3, there was an increase in
 20 resale value between 2000 and 2013 at approximately 22
 21 percent per year. Only includes, however, farmland.
 22 No residence was included.
 23 Sale number 4, the increase in resale value
 24 between 2004 and 2014 at approximately 1 percent per

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1 year was noted.
 2 And then lastly, number 5, an increase in
 3 resale value between 2001 and 2016 showed an
 4 approximate 4 percent per year escalation.
 5 The commentary on the last slide is that,
 6 based on the further analysis of the non-participant
 7 properties and resale information available for McLean
 8 County, it is concluded that nearby property values
 9 were not substantially diminished as a result of the
 10 siting of the Twin Groves Wind Farms. It can
 11 therefore be inferred that the Bright Stalk project
 12 will also not diminish nearby property values.
 13 End of my commentary.
 14 **MS. ANTONIOLLI:** So Mr. DeClark, taking out
 15 the foreclosure and the tax sale, did all of the
 16 remaining resale values of the nonparticipant resales
 17 increase?
 18 **MR. DECLARK:** Yes.
 19 **MS. ANTONIOLLI:** Okay. And did you also
 20 deliberately skew your data to find -- try to find a
 21 significant decrease?
 22 **MR. DECLARK:** Well, by including the issues
 23 here that were clearly non-arms-length, we tried to
 24 include everything effectively looking at that as a

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1 potential problem, but therein lies nothing else.
 2 **MS. ANTONIOLLI:** Okay. That's all. Thank
 3 you.
 4 **CHAIRMAN FINNIGAN:** Questions from the
 5 Board?
 6 **MS. TURNER:** So you state that there were 16
 7 sales, and only 5 of those had had prior sales; is
 8 that correct?
 9 **MR. DECLARK:** Only five were resales,
 10 correct.
 11 **MS. TURNER:** Was this typical of -- or do
 12 you know if this was typical of other sales in rural
 13 areas that wind farms weren't present on? Did you
 14 look at that at all? Did you look at any comparisons?
 15 **MR. DECLARK:** I think, in general, we have
 16 to recognize, over the course of time, there are ups
 17 and downs in the real estate cycle.
 18 Is it our recollection -- of course it is --
 19 that the great recession occurred in 2009. There were
 20 potential implications there. So really, aside from
 21 that, there seemed to be just normal.
 22 **MS. TURNER:** But you didn't really look --
 23 did you do a comparison, say, of the Lexington area
 24 that we're looking at now that had no wind farms? Did

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1 you do any comparison in the number of sales in the
 2 same square mileage?
 3 **MR. DECLARK:** No. We tried to get down to
 4 this level. no.
 5 **MS. TURNER:** Okay.
 6 **CHAIRMAN FINNIGAN:** Staff have any
 7 questions?
 8 **MR. DICK:** No.
 9 **CHAIRMAN FINNIGAN:** Mr. Luetkehans?
 10 **MR. LUETKEHANS:** Oh, yes. How you doing,
 11 Gary? Obviously this isn't our first rodeo together
 12 over the years.
 13 **MR. DECLARK:** True.
 14 **MR. LUETKEHANS:** I will be honest. My
 15 questions are probably going to be disjointed. I had
 16 about four hours before this hearing started, and half
 17 of that was in the car; so please excuse me for
 18 jumping around a little today.
 19 You're familiar with USPAP, correct?
 20 **MR. DECLARK:** I am, yes.
 21 **MR. LUETKEHANS:** That's Uniform Standards
 22 for Professional Appraisal Practice?
 23 **MR. DECLARK:** I do.
 24 **MR. LUETKEHANS:** In fact, you follow USPAP

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1 when doing appraisals, correct?
 2 **MS. ANTONIOLLI:** He did not testify about
 3 appraisals in his testimony.
 4 **MR. LUETKEHANS:** What you did here does not
 5 meet the USPAP standards for appraisals, does it?
 6 **MS. ANTONIOLLI:** Again, he did not testify
 7 about appraisals today.
 8 **MR. LUETKEHANS:** I don't care if he
 9 testified about appraisals today or not. He's an
 10 appraiser, and has to comply with USPAP.
 11 **MS. ANTONIOLLI:** We're talking about what we
 12 presented on rebuttal.
 13 **MR. LUETKEHANS:** It's not rebuttal either.
 14 It's a supplemental report.
 15 **CHAIRMAN FINNIGAN:** I think it's a valid
 16 question.
 17 **MR. LUETKEHANS:** What you did here does not
 18 meet the USPAP standards for appraisals, does it?
 19 **MR. DECLARK:** Correct. It's not an
 20 appraisal.
 21 **MR. LUETKEHANS:** A matched pair analysis
 22 would be an appraisal, correct?
 23 **MR. DECLARK:** If you're estimating a value,
 24 that could be.

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1 **MR. LUETKEHANS:** Let's talk about your R2.
 2 Your R 2 here, if you look at slide 3, I think it is,
 3 0.0057, correct?
 4 **MR. DECLARK:** That's correct.
 5 **MR. LUETKEHANS:** Your R2 on page 27 of your
 6 first slide of 0.0686 is better -- is higher than the
 7 current one, correct?
 8 **MR. DECLARK:** Are we talking only about
 9 the --
 10 **MR. LUETKEHANS:** Let's go to the five miles.
 11 Let's compare five miles to five miles. That's an
 12 appropriate comparison.
 13 Your R2 on the five miles before this was
 14 0.0116, correct?
 15 **MS. ANTONIOLLI:** Where are you referring to?
 16 **MR. LUETKEHANS:** His prior study.
 17 **MS. ANTONIOLLI:** We're not talking about his
 18 prior study today.
 19 **MR. LUETKEHANS:** We're comparing -- trying
 20 to compare what he did before versus what he did now.
 21 This is cross-examination, and I have absolutely every
 22 right to do that. We just talked about how we were
 23 going to be more lenient than less.
 24 **CHAIRMAN FINNIGAN:** I think we opened up

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1 this can of worms. We're going to have to see where
 2 it goes, okay?
 3 **MS. ANTONIOLLI:** Okay.
 4 **MR. LUETKEHANS:** So your R2 for five miles
 5 in your first study was 0.0116, correct?
 6 **MR. DECLARK:** Correct.
 7 **MR. LUETKEHANS:** Okay. And that -- you said
 8 that that indicated that there was no statistically
 9 significant trend. 98.9 percent of the data is not
 10 explained by the trend line, correct?
 11 **MR. DECLARK:** Correct.
 12 **MR. LUETKEHANS:** And the higher the R2, the
 13 better, correct?
 14 **MR. DECLARK:** For?
 15 **MR. LUETKEHANS:** For trend lines.
 16 **MR. DECLARK:** For generating a one-to-one
 17 correspondence or a cause and effect, that's correct.
 18 **MR. LUETKEHANS:** And your R2, however, when
 19 you come down to this five miles after you've deleted
 20 your data, gets even worse, correct?
 21 **MR. DECLARK:** It is a lower number.
 22 **MR. LUETKEHANS:** In fact, at this point
 23 99.99 percent of the data is not explained by the
 24 trend line, correct?

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1 **MR. DECLARK:** Correct.
 2 **MR. LUETKEHANS:** Let's talk about your
 3 sales. You said one of the sales was a tax sale on
 4 property number 1. What sale was that?
 5 **MR. DECLARK:** The most recent one at 2008.
 6 **MR. LUETKEHANS:** You would agree that you
 7 would not -- in any appraisal, you would not use
 8 property 1 or 2 because they're not arms-length,
 9 correct?
 10 **MR. DECLARK:** In an appraisal, that's true.
 11 **MR. LUETKEHANS:** How far is property 3 from
 12 the wind turbine, closest wind turbine?
 13 **MR. DECLARK:** They're all within five miles.
 14 **MR. LUETKEHANS:** Do you have any idea how
 15 far property 3 is from the closest wind turbine?
 16 **MR. DECLARK:** Not specifically, no.
 17 **MR. LUETKEHANS:** Do you have any idea how
 18 far property 4 is from the closest wind turbine?
 19 **MR. DECLARK:** No.
 20 **MR. LUETKEHANS:** How about property five?
 21 **MR. DECLARK:** No.
 22 **MR. LUETKEHANS:** So all of these could be
 23 between four and five miles from the nearest wind
 24 turbine, correct?

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1 **MR. DECLARK:** They could.
 2 **MR. LUETKEHANS:** All these may have no
 3 ability to see the wind farm from their residence,
 4 correct?
 5 **MR. DECLARK:** That's a possibility too.
 6 **MR. LUETKEHANS:** At four and a half miles,
 7 you don't see wind farms, correct?
 8 **MR. DECLARK:** I have not witnessed that
 9 myself.
 10 **MR. LUETKEHANS:** You didn't do a matched
 11 pair analysis here, correct?
 12 **MR. DECLARK:** I did not.
 13 **MR. LUETKEHANS:** And you have done that
 14 many, many, many times in your career, correct?
 15 **MR. DECLARK:** Matched pairs analysis has its
 16 place, yes, I would agree.
 17 **MR. LUETKEHANS:** And you've done those
 18 numerous times?
 19 **MR. DECLARK:** I have done them before, yes.
 20 **MR. LUETKEHANS:** Let's talk about property
 21 3. Have you ever been inside property 3?
 22 **MR. DECLARK:** I have not been in any of
 23 these properties.
 24 **MR. LUETKEHANS:** Have you ever seen any of

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1 these properties?
 2 **MR. DECLARK:** Driven past them, yes.
 3 **MR. LUETKEHANS:** I'm sorry. Say that again?
 4 **MR. DECLARK:** Driven past them, but that's
 5 it.
 6 **MR. LUETKEHANS:** So you have no idea if
 7 there were any improvements made between the times of
 8 sale?
 9 **MR. DECLARK:** Correct. I do not.
 10 **MR. LUETKEHANS:** You don't know if anybody
 11 added a kitchen. You don't know if anybody added a
 12 garage. You don't know if anybody added a barn,
 13 correct?
 14 **MR. DECLARK:** All of that is correct.
 15 **MR. LUETKEHANS:** Let's talk about property
 16 3. That one really -- are you sure that the August
 17 2000 transaction was arms-length?
 18 **MR. DECLARK:** I'm sorry. Repeat that?
 19 **MR. LUETKEHANS:** Let's talk about property
 20 number 3. We have an August 1, 2000, sale of 13.6
 21 acres for \$7,000?
 22 **MR. DECLARK:** Yes.
 23 **MR. LUETKEHANS:** Do you believe that is an
 24 arms-length transaction?

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1 **MR. DECLARK:** It is a low number, but as far
2 as I know, it is.
3 **MR. LUETKEHANS:** Did you look at the green
4 sheets?
5 **MR. DECLARK:** I did not.
6 **MR. LUETKEHANS:** So you have no idea if it
7 actually is or is not an arms-length transaction,
8 correct?
9 **MR. DECLARK:** I did not look at the green
10 sheet.
11 **MR. LUETKEHANS:** My question is: Do you
12 have any idea whether it's arms-length or not?
13 **MR. DECLARK:** I don't.
14 **MR. LUETKEHANS:** You would not put in any
15 appraisal a -- you would not use a sale like this in
16 any appraisal if you did not know the sales were
17 arms-length, would you?
18 **MR. DECLARK:** True. But I didn't do any
19 appraisal work here.
20 **MR. LUETKEHANS:** Well, that's become very,
21 very clear.
22 In your original study, it was only those
23 sales within -- let's go back for a second.
24 The original study, the increases at 10

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1 miles was \$2.68 a square -- the trend, I'm sorry, of
2 increase was \$2.68, correct?
3 **MR. DECLARK:** \$2.68, correct.
4 **MR. LUETKEHANS:** And at five miles, it went
5 down to \$2.49, correct?
6 **MR. DECLARK:** Correct.
7 **MR. LUETKEHANS:** And at 2 miles, it went
8 down to \$2.16, correct?
9 **MR. DECLARK:** Correct.
10 **MR. LUETKEHANS:** At one mile, it went up to
11 \$7.25, correct?
12 **MR. DECLARK:** Correct.
13 **MR. LUETKEHANS:** Now, none of those sales
14 within one mile are in this supplemental report,
15 correct?
16 **MR. DECLARK:** Correct.
17 **MR. LUETKEHANS:** And you took those out
18 because they were all participating property owners
19 when you looked, didn't you?
20 **MR. DECLARK:** Correct.
21 **MR. LUETKEHANS:** So to your knowledge, there
22 has been -- well, let's go back to your original
23 one-mile turbine.
24 Between 2012 and 2018, you have no sales

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1 that were above the trend line, correct? From 2013 to
2 2018, you have no sales within a mile of the turbine
3 that were actually above the trend line, correct?
4 **MR. DECLARK:** Off of this graph. But
5 recognize that the trend line is a result of the
6 graph.
7 **MR. LUETKEHANS:** Okay. Between 2013 and
8 2018, you have seven sales that are below the trend
9 line, correct?
10 **MR. DECLARK:** In this depiction, correct.
11 **MR. LUETKEHANS:** And the only two above the
12 trend line were participating property owners?
13 **MR. DECLARK:** That's correct.
14 **MR. LUETKEHANS:** So it completely skewed the
15 number. If you redid your percentage that we just
16 talked about, you would not come up with \$7.25 within
17 a mile, correct, of an increase?
18 **MR. DECLARK:** It would likely be less.
19 **MR. LUETKEHANS:** It would likely be less
20 than \$2.16, correct?
21 **MR. DECLARK:** Didn't do it. I don't know.
22 **MR. LUETKEHANS:** Just so I'm clear, there
23 are no resales between 2008 and 2018, to your
24 knowledge, within a mile of the wind turbines?

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1 **MR. DECLARK:** Yes.
2 **MR. LUETKEHANS:** So as we sit here, we have
3 no idea whether non-participating residents within a
4 mile of the trend line would increase or decrease in
5 value based on the information you presented to us,
6 correct?
7 **MR. DECLARK:** I'm sorry. Repeat that.
8 **MR. LUETKEHANS:** So based on the information
9 you provided to us, within a mile of the wind
10 turbines, we have no examples of increases in value
11 between 2013 and 2018, correct?
12 **MR. DECLARK:** Because there's no sales or
13 resales. That's true.
14 **MR. LUETKEHANS:** Have you heard anyone ever
15 suggest that property values go down between four and
16 five miles from a wind turbine?
17 **MR. DECLARK:** Have I heard that? I have
18 heard that.
19 **MR. LUETKEHANS:** Who have you heard that
20 from?
21 **MR. DECLARK:** In testimony. I can't
22 remember exactly the numbers, but in previous
23 testimony here, the numbers went down.
24 **MR. LUETKEHANS:** Between four and five

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1 miles?
 2 **MR. DECLARK:** Oh, between four and five
 3 miles?
 4 **MR. LUETKEHANS:** Yes.
 5 **MR. DECLARK:** No, not that I remember.
 6 **MR. LUETKEHANS:** So let's make sure we know
 7 what the study doesn't tell us. This study does not
 8 tell us what wind turbines do to property values
 9 within one mile for non-participating owners, correct?
 10 **MR. DECLARK:** Correct.
 11 **MR. LUETKEHANS:** It also does not tell us
 12 what it does to property values if a residence can see
 13 the wind turbine, correct?
 14 **MR. DECLARK:** Correct.
 15 **MR. LUETKEHANS:** Nothing further.
 16 **CHAIRMAN FINNIGAN:** You got anything else?
 17 **MS. ANTONIOLLI:** A few clarifications, yes.
 18 So what you did in this study is a simple
 19 comparison of before-and-after data, correct?
 20 **MR. DECLARK:** That's it.
 21 **MS. ANTONIOLLI:** It's a study that is with
 22 publicly available information?
 23 **MR. DECLARK:** From, yes, the McLean County
 24 Assessor, yes, sales transactions.

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1 **MS. ANTONIOLLI:** And any person could
 2 replicate?
 3 **MR. DECLARK:** Anybody.
 4 **MS. ANTONIOLLI:** And you looked at zero to
 5 five miles because is it something that you heard
 6 before?
 7 **MR. DECLARK:** We tried to do that to
 8 alleviate any sort of clutter, so to speak, from
 9 anything outside that -- which could come about from
 10 other turbines.
 11 **MS. ANTONIOLLI:** Was that distance something
 12 that was mentioned in testimony yesterday?
 13 **MR. DECLARK:** I think it was.
 14 **MS. ANTONIOLLI:** Correct? By Dr. --
 15 **MR. LUETKEHANS:** Objection, leading.
 16 **MR. DECLARK:** To my recollection, it was the
 17 opposing appraiser.
 18 **MS. ANTONIOLLI:** Okay. That's all.
 19 **CHAIRMAN FINNIGAN:** Okay. Any other
 20 questions out there? Looks like we're okay.
 21 Do you have any other experts that came
 22 tonight that you need to take care of or not? Can we
 23 go back to where we were?
 24 **MS. ANTONIOLLI:** We do have Ms. Allison Poe

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1 here to do wildlife.
 2 **CHAIRMAN FINNIGAN:** That's for this right
 3 here?
 4 **MS. ANTONIOLLI:** Yes. That's right.
 5 **CHAIRMAN FINNIGAN:** Why don't we take care
 6 of that because that's about as much time as we have.
 7 **MR. LUETKEHANS:** If I may, Ms. Poe has been
 8 here, I think, pretty much every night; and she can
 9 come back tomorrow. We have residents who have to
 10 keep coming back as well and who have been here at
 11 least the last several nights who are hoping to
 12 testify as well.
 13 **CHAIRMAN FINNIGAN:** Well, but you objected
 14 to Ms. Poe, this study; so we are just trying to get
 15 that clarified.
 16 **MR. LUETKEHANS:** If all she wants to do is
 17 put in that one page -- that's not what she wants to
 18 do. That's not what Ms. Antoniolli has provided to me
 19 for testimony tonight. She has gone much further than
 20 that.
 21 **MS. ANTONIOLLI:** Ms. Poe has additional
 22 rebuttal testimony; but if we just enter the exhibit
 23 into the record tonight, we can do that as well.
 24 **MR. LUETKEHANS:** If she's coming back, why

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1 are we doing it tonight?
 2 **CHAIRMAN FINNIGAN:** We're just wasting time
 3 here.
 4 **MR. LUETKEHANS:** Correct. I'm not the one
 5 wasting it. I'm sorry.
 6 **MS. ANTONIOLLI:** Also, you might clarify; we
 7 don't have the room scheduled for tomorrow. Is that
 8 correct?
 9 **CHAIRMAN FINNIGAN:** We're going to go back
 10 to where we were then. We're going to call the names
 11 and try and get this taken care of.
 12 **MR. DICK:** Mr. Elder?
 13 **MR. ELDER:** I'm Eric Elder. I live at 25615
 14 East 3000 North Road, Chenoa, Illinois.
 15 **CHAIRMAN FINNIGAN:** Would you like to be
 16 sworn in?
 17 **MR. ELDER:** Yes. Swear me in, please.
 18 (Eric Elder sworn.)
 19 **MR. ELDER:** Thanks. Here we go again.
 20 Again, I'm here to make your life as easy as possible.
 21 I just want to make it very clear so that you can make
 22 an easy decision. This is not complex. It's not
 23 complicated at all.
 24 When I read the decision from the last wind

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1 farm hearing four weeks ago, I had to laugh out loud.
 2 7 to 0 unanimous decision for the wind farm. I had to
 3 wonder if we were even at the same hearing. From what
 4 I saw, the vote should have been clearly 7 to 0
 5 against the wind farm.
 6 When I watched of the video of your
 7 deliberations, I finally understood how you came to
 8 your conclusions. I say this respectfully. It's
 9 because you interpreted the County Code in a way that
 10 was radically different from the way that I and many
 11 others in these hearings have interpreted the County
 12 Code.
 13 In looking at the staff report for this
 14 proposal for the Bright Stalk project, the
 15 Lexington-Chenoa wind farm, I see you've come to the
 16 same conclusions already in the staff report on this
 17 report as you did for the last one. Unfortunately,
 18 there are several important items missing or misplaced
 19 in both of those reports.
 20 If you could take those out, I would really
 21 like to point those out to you. There's three
 22 especially. If you can take out your staff report if
 23 you have that. If you don't, please look at it later.
 24 A difference in interpretation number 1

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1 about property values. This is a simple question.
 2 The County Code is quite clear in Standard B that a
 3 special use permit cannot be issued if it
 4 substantially diminishes the property values in the
 5 immediate area.
 6 In the staff report under standard B -- take
 7 a look -- there's no mention whatsoever of property
 8 values. For all we talked about it, you didn't even
 9 mention it in the staff report or the recommendation
 10 to the County on the last project.
 11 This is a noticeable omission given the fact
 12 that we heard testimony just last month from some of
 13 the most credible witnesses available, real-life home
 14 buyers and sellers who live in the footprint of a
 15 proposed wind farm project in Lexington and Chenoa.
 16 One woman testified that she's trying to
 17 sell her home, had just lowered the price by \$10,000,
 18 but a potential buyer said after touring the home they
 19 liked the house but weren't sure what is going on with
 20 the wind farms.
 21 Another one testified she was 100 percent
 22 certain she would never have bought this property had
 23 she known there was going to be a wind farm
 24 surrounding it.

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1 A third man testified that now that he knew
 2 why he got such a good deal, quote/unquote, on his
 3 house, meaning his house was undervalued compared to
 4 what he thought it should have been.
 5 In response to these concerns, one of the
 6 board members during the Zoning Board of Appeals, the
 7 ZBA, said this during the deliberations regarding the
 8 property values -- and I quote -- regarding the
 9 declining property values: "We haven't found that
 10 that's been true over a very long period of time.
 11 Short term, absolutely that can happen, mostly from
 12 fear, I suppose."
 13 Since we have no other written record to go
 14 on, because nothing was said in your recommendation,
 15 we have to go with what was said in the deliberations
 16 as to being your thinking, at least what some of you
 17 think, regarding Standard B about how someone
 18 distinguishes between short-term and long-term
 19 property values.
 20 But the way I and many others in this room
 21 read this, the standard clearly addresses whether a
 22 project does or does not diminish property values
 23 regardless of whether that decline is over 3 years or
 24 30 years.

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1 So does it or does it not diminish property
 2 values? That's the question of Standard B. And at
 3 least one of your board members -- and even here
 4 tonight we have heard, yes, in the short term, it may;
 5 and that short term could be up to three years until
 6 construction begins. So does it or does it not?
 7 That's the way I interpret it, not is it short or long
 8 term. This is a simple question.
 9 Difference number 2: Use and enjoyment.
 10 The County Code is also quite clear in Standard B that
 11 a special use project cannot be "injurious to the use
 12 and enjoyment of other property in the immediate
 13 vicinity for purposes already permitted."
 14 Unfortunately again, the staff report for
 15 this project tonight and the recommendation to the
 16 County Board in the last project makes no mention
 17 whatsoever regarding the injury to the use and
 18 enjoyment of neighboring properties in regards to the
 19 residences and the people who live there. Residences
 20 are one of the two main things that are permitted in
 21 agricultural district, ag projects and residences; yet
 22 there is no mention of it.
 23 The only mention of the words "injury" and
 24 "neighbors" is in regards to the noise levels, saying

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1 that this project will not injure nearby residents.
 2 But that's actually misplaced in Standard B. That
 3 should be under Standard A, which is a health and
 4 safety concern.
 5 Once you remove that paragraph and put it in
 6 the right place, there's no mention whatsoever on the
 7 use and enjoyment of the properties of the neighboring
 8 residences, which many of us testified was a problem
 9 for us.
 10 The question is: Will it or will it not be
 11 injurious to the use and enjoyment of other properties
 12 and those who live there? Many of us testified that
 13 this would be an impact on our own properties and the
 14 use and enjoyment of it.
 15 And I'm sorry you say that emotion may not
 16 carry the day here, but joy, enjoyment, is actually an
 17 emotion. If you see people emotional, it's because
 18 you're taking away their joy. The decisions you're
 19 making are impacting us in a way that makes us sad,
 20 hurt, frustrated. So if you are talking about
 21 impacting the use and enjoyment of the people on the
 22 neighboring properties, you're talking about an
 23 emotion. And, yes, this will. Let me just explain
 24 why.

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1 You're talking about structures being built
 2 behind our houses that are taller than any structures
 3 ever built or seen in the history of McLean County.
 4 And in this project tonight, 550 feet, that's as tall
 5 as the Washington Monument minus 5 feet -- I shared
 6 before. I will see these things outside my front
 7 porch, 58, the equivalence of the Washington Monument.
 8 I can't build my house in the Ag District
 9 taller than 35 feet. I can't build a structure on my
 10 property taller than 150 feet. I'm not sure why a
 11 wind farm gets a pass when it's not even agricultural
 12 and it's not a residence, which are permitted uses,
 13 and it's going to be as tall as the Washington
 14 Monument less 5 feet.
 15 Do you think this affects the use and
 16 enjoyment of the property that I have when I have to
 17 look at these, not just for a year, not just during
 18 the day, but every day and every night with a blinking
 19 light that goes on and off on now 158-some turbines
 20 between the two projects every night likely for the
 21 rest of my life? Tell me that doesn't affect my use
 22 and enjoyment and actually the very reason why I've
 23 chosen to live in the Ag District.
 24 This is a dramatic impact to me. But here

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1 is what was said during the deliberations by one of
 2 the County Board -- one of the Zoning Board Members.
 3 And I quote -- you can check the tape. I have the
 4 links to it.
 5 "I'm not sure that this is an absolute
 6 standard, that it will not be injurious to the use and
 7 of enjoyment of other people's property rights. It's
 8 not saying it's not going to have any impact
 9 whatsoever, but it's not such a dramatic impact that
 10 it isn't acceptable within this range. It's not 100
 11 percent standard; so I'm okay with number 2." This is
 12 standard B.
 13 By the way, did you know the Washington
 14 Monument, when it was built in 1884, was the tallest
 15 building in the world? That's just the last century.
 16 Well, two now. And it's still the tallest building in
 17 Washington DC to this day. And you're going to put 58
 18 of them outside my front porch if you approve this
 19 project.
 20 If you really believe this -- and maybe this
 21 is what you believe, the rest of you on this board --
 22 we have nothing written because you never mention the
 23 use and enjoyment in the report. Since we have no
 24 mention, all we have is this deliberation and what

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1 you've said.
 2 If you really believe this is not an
 3 absolute standard but rather only applies to dramatic
 4 impact that is not within some acceptable kind of
 5 range, how much more dramatic can you get than 58
 6 Washington Monuments out your back window, not
 7 counting the 100 that are only 50 feet shorter at 500
 8 feet. On whose range is that even acceptable?
 9 As I was watching the deliberations, I felt
 10 like I was watching a scene from the Pirates of the
 11 Caribbean. I don't know if any of you have seen the
 12 Johnny Depp movie the Pirates of the Caribbean with
 13 Keira Knightley. There's a scene where Captain
 14 Barbossa goes back on his word that he's given to
 15 Elizabeth Swann.
 16 She appeals to the Pirate's Code, which she
 17 says he abides by, saying that he has to adhere to the
 18 Code. Captain Barbossa responds: "The Code is more
 19 what you call a guidelines than actual rules." And
 20 then he takes her captive on his pirate ship.
 21 My question for you tonight is: Are these
 22 standards that are on the County website and that you
 23 say are the seven standards that must be addressed --
 24 are they standards? Are they absolutes? Or are they

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1 what you would maybe call guidelines, and you have
 2 ranges within you could distinguish between short term
 3 and long term? You can distinguish between dramatic
 4 and not dramatic?
 5 I'm not saying those aren't feasible. If
 6 that's the way you want to interpret it, that's the
 7 way you want to interpret it. I would beg to differ,
 8 and I would ask the County Board to listen to what I'm
 9 saying and to review what you said and to review
 10 what's in your report and what is glaringly omitted
 11 from your report. And I ask on these bases, because
 12 it fails Standards A and B, that you deny the permit
 13 for this project just like I wish you would have
 14 denied it last time.
 15 **CHAIRMAN FINNIGAN:** Questions?
 16 **MR. ELDER:** I'm here. I've got another ten
 17 minutes.
 18 **CHAIRMAN FINNIGAN:** Applicant? Anyone in
 19 the audience?
 20 (No response.)
 21 **MR. ELDER:** Thanks for your time. Please
 22 know I'm not trying to call anyone out. I'm just
 23 trying to call you up to the standards.
 24 **CHAIRMAN FINNIGAN:** Theodore Hartke?

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1 **MR. HARTKE:** I have some handouts, just some
 2 highlighted pages to hand out. This is a full copy of
 3 my entire presentation as a hard copy.
 4 **CHAIRMAN FINNIGAN:** Start on this end.
 5 Bring them down this way.
 6 Do you have any objection to admitting this?
 7 **MS. ANTONIOLLI:** I don't see anything in
 8 here about McLean County, although I've had just a
 9 minute to look at it. With that -- I would object
 10 just to the fact that it's not testimony relevant to
 11 the application.
 12 **CHAIRMAN FINNIGAN:** We'll admit it. We can
 13 put our weight on it, what we want to put on it.
 14 **CHAIRMAN FINNIGAN:** We'll call this
 15 Objectors Exhibit 10.
 16 Would you like to be sworn in?
 17 **MR. HARTKE:** Sworn in.
 18 (Theodore Hartke sworn.)
 19 **CHAIRMAN FINNIGAN:** You know the process.
 20 **MR. HARTKE:** Okay. Ready.
 21 **CHAIRMAN FINNIGAN:** Name and address.
 22 **MR. HARTKE:** My name is Theodore Phillip
 23 Hartke, H-a-r-t-k-e. My address is 117 Southeast
 24 Avenue, Ogden, Illinois, 61859.

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1 This front cover page is information I've
 2 presented before. It's just some of my background
 3 information. One thing I want to point out here is
 4 the wind turbines next to my house are the largest
 5 wind turbines to ever be constructed in all of
 6 Illinois and all of Indiana.
 7 This is my family, my daughter Sophia --
 8 that's me -- my wife Jessica, and my son Phillip
 9 before they turned on wind turbines that were
 10 constructed near our home.
 11 In the 1970s, we thought smoking was okay in
 12 restaurants. The entire restaurant was a smoking
 13 area. In 1980s, people preferred not to sit in
 14 smoking sections; so, therefore, we segmented and kept
 15 smoking areas away from a lot of the public. And in
 16 2008, Illinois passed a law requiring all smoking
 17 areas 15 feet outside the front door.
 18 Going back, I believe that McLean County is
 19 here today, where we have wind turbines everywhere.
 20 Eventually, you'll put them in this location. And
 21 where they need to be is 15 feet outside the front
 22 door, which would translate probably to perhaps a mile
 23 from homes.
 24 So this is Mary Barra. She is President of

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1 GM that cleaned up a big mess when they had ignition
 2 switches go bad. Her thing was to fix problems
 3 immediately because problems will grow if you don't
 4 take care of them. She said hope is not a strategy.
 5 A lot of times I heard during these
 6 hearings: Hopefully I'll be able to still sleep in my
 7 home when they build these turbines. Hopefully they
 8 hire local contractors, local help to build the
 9 project, hopefully. Hopefully they pay their taxes.
 10 I looked at some of the materials that were
 11 submitted on earlier meetings. One of them stuck out.
 12 It was glaring to me. It was a Burns & McDonnell
 13 decommissioning presentation. I want to tell you what
 14 they put in the presentation when Apex had Burns &
 15 McDonnell present to my county, Vermillion County.
 16 It said: "In the preparation of this
 17 decommission obligation cost evaluation, Burns &
 18 McDonnell has relied upon information provided by the
 19 client. While Burns & McDonnell has no reason to
 20 believe that the information provided to and upon
 21 which Burns & McDonnell relied is inaccurate or
 22 incomplete in any material respect, Burns & McDonnell
 23 has not independently verified such information and
 24 cannot guarantee its accuracy or completeness."

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1 I would like for to you very carefully look
 2 at your decommissioning study and make sure it has no
 3 disclaimer like this included; and if it does, I would
 4 classify that decommissioning study as bogus, where
 5 Burns & McDonnell didn't take any responsibility for
 6 it.

7 In Vermilion County, an individual named
 8 Marshal Newhouse checked on the Burns & McDonnell
 9 decommissioning study. His independent research
 10 showed that \$550,000 per turbine would be the cost to
 11 decommission. Pattern Energy told Ford County at a
 12 meeting last summer that it was \$700,000 per wind
 13 turbine to tear them down.

14 Moving forward, I'll go back to my own
 15 personal problems. This is a picture of my home in
 16 Vermilion County. That is a wind turbine that is 495
 17 feet tall to the top of the blade. It has a 2-acre
 18 sweep area. This wind turbine and up to four others
 19 were shut down on 51 nights so we could sleep inside
 20 of our homes. That nearest turbine is 1,665 feet
 21 away. The third nearest is over 3,100 feet away.

22 These are the turbines across the road from
 23 my house in front of my home. The closest one
 24 southwest of my house is 2,225 feet away. That

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1 turbine is the most problematic one for us because we
 2 are downwind of it. The prevailing winds comes
 3 through this turbine and heads directly to our home,
 4 and this was the turbine that caused severe shadow
 5 flicker inside my home.

6 This is my daughter, Sophia, in bed during
 7 the summer of 2013. She had gone to her toy box. She
 8 had retrieved a set of headphones, and she wore these
 9 some nights and kept them on her head post on her bed
 10 in her bedroom up until the time we abandoned our home
 11 in December of 2013.

12 This is a view from her bedroom window.
 13 That's the nearest turbine about 1,700 feet away from
 14 that window.

15 In the fall of 2013, we moved all of our
 16 beds from our bedrooms and put them in our living
 17 room. We lived this way for the next two or three
 18 months until we left our home.

19 This is a map of the layout of the wind farm
 20 and the turbines nearest to our home. On two
 21 occasions, Invenergy shut down all four of these wind
 22 turbines only so we could sleep in our home. After
 23 they refused to turn off wind turbines at night, we
 24 tried to convince them to allow us to sleep in our

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1 house. I was very embarrassed and ashamed that I had
 2 been asking the wind company permission to sleep in
 3 our own home.

4 For my family, it was all about the noise.
 5 We talked about a lot of frequency, the magnitude and
 6 the duration. For us, it was about the duration.
 7 People don't think typing on a computer would cause an
 8 injury, but we have something that's called carpal
 9 tunnel injuries and carpal tunnel issues.

10 This noise, it does not go away. You can't
 11 control it. You can't repair it on your own. We are
 12 at the mercy of the wind company to allow us to sleep
 13 inside of our home.

14 I added a statement on the bottom of here:
 15 "Never allow an acoustician or anyone else to convince
 16 you that allowing the maximum Illinois noise limits to
 17 be continuous at the window pane 24 hours 7 days a
 18 week 365 days a year is going to allow the occupants
 19 to be able to sleep inside their home."

20 This is a noise chart created by Steven
 21 Ambrose. It talks about the community reaction of
 22 noise levels. I think this chart is self-explanatory.
 23 I discussed this chart in detail at my last
 24 presentation.

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1 Before they built the wind farm next to my
 2 house, they had a company called ACR Engineering
 3 submit this noise analysis. In this analysis, they
 4 have a statement in here which I believe is correct.
 5 It says: "With the conservative additions, the
 6 analysis indicates the majority of locations will
 7 experience sound levels of less than 40 dBA." It
 8 says: "This level is sufficiently low to minimize or
 9 eliminate a potential for sleep interference."

10 That 40 dBA is very similar to Dr. Paul
 11 Schomer's testimony where he said don't exceed 39 dBA.
 12 That's a not-to-exceed number. If this was true, then
 13 I don't understand why the sleep deprivation issues
 14 persisted for us in my home.

15 This is a letter from Apex. It's a good
 16 neighbor agreement. I want to zoom in on part of it.
 17 They talk about a \$1,000 per year payment. This was
 18 offered to some citizens in Vermilion County. These
 19 good neighbor agreements have a lot of stuff in here
 20 that makes me wary.

21 The same company, Apex, for homes that
 22 people refused to sign the good neighbor agreement,
 23 they came in and purchased this house. They also
 24 purchased this home, called the Eyrich property, for

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1 \$295,000. Apex turned around and sold it, offering a
 2 \$2,500 per year good neighbor agreement. This is the
 3 listing. It sold for \$117,500 after Apex sold it one
 4 year later. That was about a 60 percent decrease in
 5 property value.
 6 I want to talk about ingenious. That is
 7 ingenious. It's a unique building. This is my
 8 daughter's image of a wind turbine and what she's gone
 9 through when she was 7. This is her letter, and it
 10 talks about how you can't sleep in your own room
 11 because of engine noise. And nobody could sleep.
 12 And that's not ingenious. That's engine noise.
 13 This is my abandoned home. I realize I'm
 14 out of time. May I please continue?
 15 **CHAIRMAN FINNIGAN:** Let's wrap it up.
 16 **MR. HARTKE:** I'll wrap it up quickly. This
 17 is my abandoned home in Vermilion County. I do not
 18 want anyone in this county to go through what I did.
 19 Having a wind farm built up next to my house put me in
 20 an impossible position. I could not get wind turbines
 21 shut off. I could not get them moved. It was too
 22 late for my county.
 23 My county board didn't do anything to help
 24 me because nobody told them ahead of time. It was not

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1 their fault when it happened. They said that's
 2 between you and the wind company.
 3 **CHAIRMAN FINNIGAN:** Questions from the
 4 Board?
 5 **MR. HARTKE:** Thank you for letting me speak
 6 to you.
 7 (No response.)
 8 **CHAIRMAN FINNIGAN:** Staff?
 9 (No response.)
 10 **CHAIRMAN FINNIGAN:** Applicant?
 11 **MS. ANTONIOLLI:** Just a few. I know it's
 12 after 10:00.
 13 No, no questions.
 14 **CHAIRMAN FINNIGAN:** Anyone in the audience?
 15 Come forward.
 16 **MR. TROWITCH:** I'll state my name again.
 17 Don Trowitch. After they turned the four turbines
 18 off, you could sleep at night then?
 19 **MR. HARTKE:** Yes. On some nights, they
 20 would turn off one or two or three or four. On two
 21 occasions, they turned off all four of them; so then
 22 we were able to be able to sleep.
 23 **MR. TROWITCH:** When they turned the four
 24 off, what was the next closest one to you?

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1 **MR. HARTKE:** So you would say, like, the
 2 fifth?
 3 **MR. TROWITCH:** Yes.
 4 **MR. HARTKE:** The fifth one away -- I would
 5 like to approximate that the fifth one is right at one
 6 mile.
 7 **MR. TROWITCH:** So in other words, you're
 8 saying that, if they were a mile from your home, you
 9 could have existed in your home, theoretically?
 10 **MR. HARTKE:** After we left our home, we
 11 moved to a town called Collison? Collison is where my
 12 in-laws live. We moved into my wife's deceased
 13 grandmother's double-wide mobile home that's next to
 14 her parents.
 15 When we lived there, we lived there for a
 16 year and a half before we could move. And at that
 17 house, the closest wind turbine was 1.25 miles away.
 18 And about once or twice a week, we were awakened in
 19 our beds in that house, which was about a mile and a
 20 quarter away.
 21 Had I not lived immediately next to wind
 22 turbines, I would have not been able to recognize what
 23 was causing our awakenings at the double-wide trailer.
 24 If we lived at the double-wide or a mile and a quarter

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1 away the whole time, I probably would have easily
 2 tolerated and never would have complained. I would
 3 not have associated the problem with the wind turbines
 4 had it been a mile and a quarter.
 5 I don't know if a mile would have been
 6 enough. But a mile and a quarter I felt would be.
 7 **MR. TROWITCH:** So do you think you could --
 8 like if you were in a house like you had to evacuate
 9 or whatever, would it be more tolerable at the mile
 10 because it's a better structure than a double-wide?
 11 **MR. HARTKE:** Yeah. I think that a mile
 12 would probably be just about right as far as as close
 13 as I would want to be there. If I had been a mile
 14 from a wind turbine, we would not have abandoned our
 15 home.
 16 **MR. TROWITCH:** So in your -- not
 17 professional opinion, but your --
 18 **MR. HARTKE:** In my living experience
 19 opinion, from my experience, what we've been through,
 20 we would be a mile away. I would never purchase a
 21 house within -- I would never purchase a house that
 22 was potentially going to be an expansion of a wind
 23 farm or a future wind farm area. I bought a house
 24 that's immediately on a river to make sure that I

1 would never have to go through this again.
 2 **MR. TROWITCH:** Okay. That's all I got.
 3 **CHAIRMAN FINNIGAN:** Any other questions? I
 4 think we're free.
 5 **MR. HARTKE:** Thank you for your patience and
 6 letting me go over 30 seconds.
 7 **CHAIRMAN FINNIGAN:** We're going to reconvene
 8 March 6, this coming Tuesday. We have two -- it's a
 9 regular meeting night; so we have two regular meetings
 10 -- or two on the schedule. We're going to probably be
 11 done by 7:30, quarter of 8:00, somewhere in there. So
 12 we're going to reconvene this until Tuesday night at
 13 7:30, March 6. Everybody got that?
 14 **MR. LUETKEHANS:** Can you advise? I thought
 15 we were going tomorrow night. I was obviously wrong.
 16 What I'm trying to figure out is what -- if we're
 17 starting at 7:30, my thought process is we're probably
 18 not going to finish; so I'm trying to figure out what
 19 the next night is. I'm trying to figure out
 20 schedules. The 6th and then the 8th?
 21 **CHAIRMAN FINNIGAN:** March 8th, I guess, is
 22 our next night after the 6th.
 23
 24 (Proceedings concluded at 10:08 p.m.)

1 STATE OF ILLINOIS }
 2 COUNTY OF DeWITT } ss
 3
 4 I, BRENDA ZEITLER, CRR, RPR, and CSR,
 5 License No. 084-004062, in and for the state of
 6 Illinois, do hereby certify that the foregoing meeting
 7 was taken on the 28th day of February, 2018, before
 8 the McLean County Zoning Board of Appeals and that
 9 said meeting was taken down in stenograph notes,
 10 afterwards reduced to typewriting by me, and that this
 11 transcript is a true and accurate transcription of the
 12 testimony.
 13 I do hereby certify that I am a
 14 disinterested person in this cause of action, that I
 15 am not a relative of any party or any attorney of
 16 record in this cause or an attorney for any party
 17 herein or otherwise interested in the event of this
 18 action, and that I am not in the employ of the
 19 attorneys for either party.
 20
 21 IN WITNESS WHEREOF, I have hereunto set my hand
 22 this 21st day of Mary, 2018.
 23
 24

 Brenda Zeitler, RPR, CRR, CSR

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