

**APPLICATION FOR
CONDITIONAL USE PERMIT
FOR THE
IDA GROVE II
WIND ENERGY PROJECT**

Submitted By:

Invenenergy

IDA COUNTY, IOWA

August 24, 2018

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1.0 INTRODUCTION

1.1 OVERVIEW

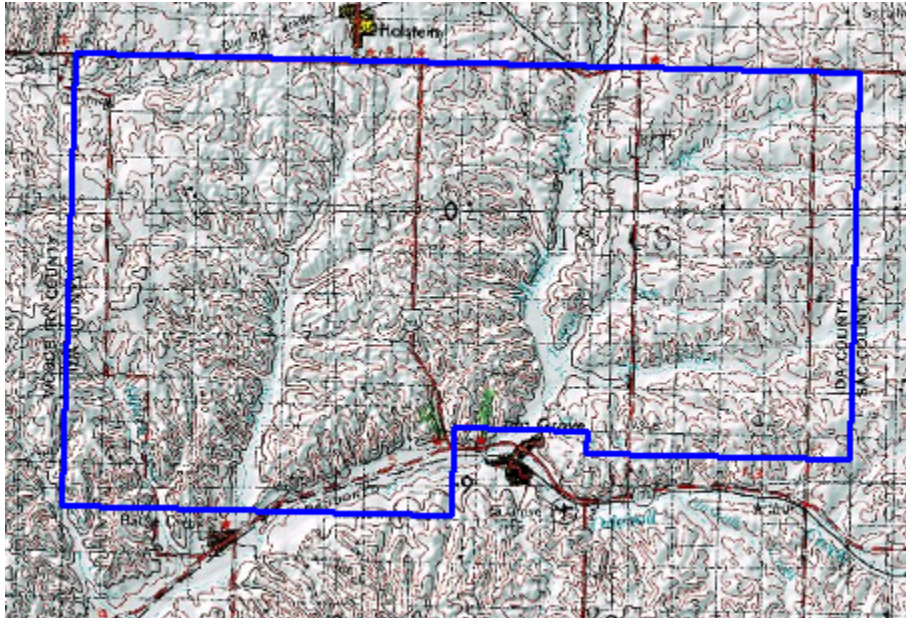
Ida Grove Wind Energy II LLC (“IGWE”) submits this application (“**Application**”) for a Conditional Use Permit (“**CUP**”) to construct and operate the proposed Ida Grove Wind Energy II Project (the “**Project**”) in Ida County, Iowa. The Project is to be located in the townships of Logan, Silver Creek, Corwin, Blaine, Battle and Maple in Ida County, Iowa (Figure 1.1) and will be approximately 200 megawatts (“**MW**”) in size.

This Application complies with and demonstrates that the Project meets all requirements of Section 31 - Wind Energy Regulations of the Ida County Zoning Ordinance for the Unincorporated Area of Ida County, Iowa (“**Ordinance**”), and that the Project is eligible for the requested CUP. As this Application and the attached information shows, the Project will be constructed and operated so as “to preserve and protect public health and safety without significantly increasing the cost or decreasing the efficiency of wind energy devices and associated structures,” see Ordinance Section 31.1.

The Iowa Legislature has provided that it is the policy of the state of Iowa “to encourage the development of alternative energy production facilities” - like wind - “in order to conserve our finite and expensive energy resources and to provide for their most efficient use.” See Iowa Code § 476.41. The Project will not only support state policy, it will provide extensive local benefits: An average of roughly \$1.6 million per year in new property tax revenue; approximately \$67 million in payments to Ida County landowners over the 40-year life of the Project; and approximately 200 construction and 8-10 new permanent jobs.

Based on IGWE’s compliance with all applicable provisions of the Ordinance, and the benefits it will provide Ida County and the state of Iowa, IGWE respectfully requests the Board approve the Application and grant a CUP for the Project as described below.

Figure 1.1



1.2 APPLICANT INFORMATION

IGWE is an indirect subsidiary of Invenergy LLC, a leading developer of renewable and other clean energy and cutting-edge energy storage solutions. Invenergy, North America's largest independent, privately-held renewable energy company and its affiliated companies have developed more than 17,500 megawatts of projects that are in operation, construction or contracted, including wind, solar, natural gas-fueled power generation and energy storage projects. Invenergy has successfully developed four other wind projects in Iowa and has two others under development. IGWE and Invenergy LLC and their affiliated entities are collectively referred to as "Invenergy."

Founded in 2001, Invenergy has an excellent track record in the energy industry and a highly experienced management team. The members of Invenergy's senior management team have an average of approximately 20 years of experience in diverse areas of the energy market, including development, engineering, construction, finance, operations, asset management and energy trading and contracting.

Invenergy is headquartered in Chicago, Illinois and has North American regional offices located in Denver, Colorado, Mexico City, Mexico, and Toronto, Ontario, Canada.

Invenergy has developed or has in development roughly 13,000 MW of wind; a complete list of projects is included as **Appendix A**.

1.3 PROJECT STRUCTURE AND CONTACTS

IGWE, a special-purpose limited liability company, was created in order to develop, permit, finance, construct, own and operate the Project. Contact information for each company (collectively, “Applicant”) is as follows:

Invenergy LLC
One South Wacker Drive
Suite 1800
Chicago, IL 60606
Phone: (312) 224-1400
Fax: (312) 224-1444

Ida Grove Wind Energy II LLC
One South Wacker Drive
Suite 1800
Chicago, IL 60606
Phone: (312) 224-1400
Fax: (312) 224-1444

The Project contacts are:

Jonathan Saxon
Vice President, Renewable Development
Ida Grove Wind Energy II LLC /
Invenergy LLC
One South Wacker Drive
Suite 1800
Chicago, IL 60606
Phone: (312) 224-1400
Fax: (312) 224-1444
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Manager, Renewable Development
Ida Grove Wind Energy II LLC /
Invenergy LLC
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nmatchen@invenergyllc.com

While these are the relevant entities at this time, it is common in the industry for wind projects to be sold in whole or in part or otherwise transferred at various stages of project development. Applicant agrees to provide notice to the Zoning Administrator at the time of any transfer of any assets of the Project, as contemplated by Section 31.4(14) of the Ordinance, including any transfer of the permit, and Applicant requests that a permit pursuant to this Application be expressly made transferrable as part of the Board’s approval.

2.0 PROJECT DESCRIPTION

2.1 PROJECT SUMMARY

The Project, as currently proposed, will consist of 81 turbines. The Project is anticipated to utilize 73 GE 2.5-127 model turbines as well as 8 GE 2.3-116 or similar model turbines (IGWE reserves the right to substitute turbines with similar attributes), with a total nameplate generating capacity of approximately 200 MW of power. Associated facilities include graveled roads to access each turbine, above ground ancillary electrical structures (transformers and junction boxes) and below ground electrical cabling to collect and transmit the power generated from each turbine (known as “gathering lines”) to a Project substation. Each gathering line will serve turbines with less than 25 MW in aggregate nameplate capacity. IGWE anticipates that the Project could begin construction in Fall 2018 and commercial operation as early as December 2019, pending completion of permitting, agency approvals, and other development and construction activities.

IGWE acknowledges that a change or replacement of an installed wind turbine with one that will materially change the height or noise output, or materially affect other applicable standards, will require an amendment to the CUP.

2.2 PROJECT LOCATION

The Project is located in the central portion of Ida County, between the cities of Ida Grove and Holstein (Figure 1.1) and currently encompasses an area of approximately 100,000 acres within the unincorporated areas of the Logan, Silver Creek, Corwin, Blaine, Battle and Maple townships (Table 2.2). Approximately 50,000 acres of land are currently under contract with landowners to host Project facilities. The Project area was selected based on a number of factors, including, but not limited to, the wind resource, land use, proximity to existing transmission infrastructure, and in accordance with Ordinance Section 31.4, the public interest and the natural environment.

Table 2.2 - Project Location

COUNTY	TOTAL AREA	POLITICAL TOWNSHIP	RANGE	SECTION(S)
Ida County	Approx. 100,000 Acres	Maple	T87N R41W	1-24
		Battle	T88N R41W	1-36
		Blaine	T87N R39W	1-18
		Corwin	T87N R40W	1-12, 16-21
		Silver Creek	T88N R39W	1-36
		Logan	T88N R40W	1-36

3.0 IDA COUNTY PERMIT REQUIREMENTS

3.1 COMPLIANCE WITH ORDINANCE SECTION 31.6

Section 31.6 of the Ordinance provides the requirements for an Application for a Conditional Use Permit for commercial wind energy devices. IGWE addresses below its compliance with each requirement.

3.1.1 DETAILED SITE PLAN

Provided as an attachment is a detailed **Site Plan** showing the site layout. The Site Plan is drawn to scale and includes turbines, property lines, access roads, and gathering lines. It also includes GPS coordinates for proposed wind energy devices and shows access points and entrances for roads. Additional construction details regarding roads and entrances will be provided in conjunction with the road agreement with the County Engineer, discussed further below.

3.1.2 LOCATION OF PROPOSED WIND ENERGY DEVICES (“WED” or “TURBINES”)

IGWE has worked extensively with local landowners, government officials and other affected parties to develop a preliminary site layout that optimizes wind resources while minimizing impacts on land resources and potentially sensitive areas. The County setback requirements, in addition to the topography of the site, wind resource assessment and the selected turbine technology dictate turbine spacing.

In compliance with the Ordinance, the location of each turbine will comply with the following minimum turbine setback requirements (unless written consent is granted as provided in Section 31.4(2) of the Ordinance):

- Human Occupied Dwelling 1,500 feet
- Residential Zoned District 5,280 feet
- Defined Recreational District 2,640 feet
- Public ROW 110% of the total height (550 feet)
- Overhead Utility Lines 110% of the total height (550 feet)
- Adjacent Property Lines 110% of the total height (550 feet)
(Not under the same ownership)

Note that the Ordinance requires a setback from Human Occupied Dwellings of 1,250 feet; IGWE has agreed with the County to use a greater setback distance of 1,500 feet. The calculated setbacks above were based on the maximum tip height of the GE 2.5-127 turbine model, which is 152.1 meters or approximately 499 feet (additional details are provided on turbines in Section 3.1.3 below). If other similar turbines are utilized for the Project, then the appropriate setbacks will be applied to those turbines based on the total height of that model.

The Site Plan attached demonstrates that each turbine conforms to the applicable County setback requirements set forth in the Ordinance or those described above, whichever is greater. As permitted under Section 31.4(2) of the Ordinance, participating landowners have waived the adjacent property line setback requirement for parcels under the same ownership. However, this setback will still be observed for parcels owned by non-participating landowners. The final location of the wind energy facilities will be determined after further consultation with landowners, state and federal agencies and the County, site-specific engineering study, and final construction planning and micrositing, and shall be confirmed with the submission to the County of as-builts. The final as-builts will include the locations of all turbines, access roads, underground gathering line trenches, and property lines of adjoining landowners. As required by Section 31.4(2) of the Ordinance, no final turbine location will be more than 300 feet in any direction from the location currently proposed and reflected in the Site Plan, except as any condition to the CUP or construction and/or occupancy compliance certificate may otherwise allow (in the event that a CUP and construction and/or occupancy compliance certificate is granted), while abiding by the setback requirements set forth in the Ordinance, without separate approval of the Board. The final location of the access roads and trenches for underground lines are not similarly restricted and may be relocated as Applicant, in consultation with the parties listed above, deems appropriate.

3.1.3 WIND ENERGY DEVICE SPECIFICATIONS

IGWE plans to utilize a combination of GE 2.5-127 and 2.3-116, or similar model turbines. The GE 2.5-127 has a 2.5 MW nameplate capacity; the 2.3-116 has a 2.3 MW nameplate capacity. The 2.5-127 has a maximum hub height of 89 meters (approx. 292 feet); the GE 2.3-116 has an 80 meter hub height (262.5 feet). The GE 2.5-127 model has a rotor diameter of 127 meters (416.7 feet); the 2.3-116 turbines have a rotor diameter of 116 meters (380.5 feet). The 2.5-127 has a maximum tip height of 152.1 meters (approximately 499 feet); the 2.3-116 as it will be configured for this Project has a lower maximum tip height of 138 meters (approx. 453 feet).

The turbine models proposed for the Project are three-bladed, horizontal-axis wind turbines. For all models, the turbine rotors and nacelles are mounted on top of a tubular, non-guyed tower. Specifications, drawings, and brochures with additional information for the proposed turbine models can be found in **Appendix B**. All turbines erected will conform to applicable local, state and national codes and relevant national and international standards, including those of the American National Standards Institute (“ANSI”).

The tower is a self-supporting, tubular steel tower, which will remain in its factory finish colored non-reflective, unobtrusive white. The nacelle is mounted on the turbine tower, which consists of three to four sections manufactured from steel plates. All welds are made in automatically controlled power welding machines and ultrasonically inspected during manufacturing per ANSI specifications. All surfaces are sandblasted and multi-layer coated for protection against corrosion. The tower has no external flanges or ladders and is designed so that it cannot be climbed from the outside. Access to the turbine is through a lockable steel door at the base of the tower. The steel door at the base of each tower will also include a high voltage warning sticker. Other than the stair to access the steel door at the base of each tower, no appurtenances will be connected to any tower except in accordance with the Ordinance.

3.1.4 FOUNDATION BLUEPRINTS

The wind turbines’ freestanding tubular towers will be connected by anchor bolts to an underground concrete foundation. Geotechnical surveys and turbine tower load specifications will dictate final design parameters of the foundations. The foundation design will be engineered for the turbine type, site soils, and subsurface conditions at the turbine locations. The foundation design will be stamped by a Registered Professional Engineer. A common foundation design is a spread footing type foundation which is typically an octagonal spread footing approximately 18 to 19 meters (59 to 62 feet) in diameter with an approximate 1-meter (3-to 4-foot) pedestal, rebar, and anchor bolts. **Appendix C** shows a typical wind turbine foundation that may be used for the Project depending on subsurface conditions.

3.1.5 DOCUMENTATION OF LAND OWNERSHIP/CONTROL

IGWE’s land ownership and control is documented by the sworn Affidavit attached in **Appendix D**. (The Appendix also includes the form of waiver language provided by individuals voluntarily waiving setbacks as permitted by Ordinance section 31.4(2).) Memoranda relating to each relevant parcel are also on file

in the County Recorder's office. This also satisfies the requirement in the Site Plan requirements of Section 31.6 regarding documentation of leasehold or ownership interests in building sites.

3.1.6 FAA PERMIT APPLICATION

IGWE will comply with all applicable FAA requirements, including height restrictions and proximity to public or licensed airports or airstrips. As indicated above, the maximum height of the turbines including the rotor in its highest position, will be less than 500 feet above the ground. The closest public airport to the Project is the Ida Grove Municipal Airport, located to the south of the eastern half of the Project. Under the proposed facility layout, all turbines have been located in compliance with FAA setback requirements from this airport.

To ensure compliance, proposed locations and elevations for each turbine have been submitted to the FAA in conjunction with the submittal of this Application. See **Appendix E**. The FAA will provide determinations as to whether the proposed turbines will obstruct or create hazards to air navigation. Turbines will not be built or will be modified if any location is determined to be a hazard. Final documents indicating no hazard determinations by the FAA will be provided to the County prior to the Zoning Administrator's issuance of a construction and/or occupancy compliance certificate.

IGWE will design a Project lighting plan that complies with the FAA determinations. A copy of such lighting plan can be provided to the County upon the FAA's approval of the plan.

3.1.7 APPLICATION FEE

With this application IGWE provides a check that includes payment of the \$500 fee required by Section 31.6 of the Ordinance.

3.2 REQUIREMENTS OF ORDINANCE SECTION 31.4

In addition to the Application requirements in Ordinance Section 31.6, the Ordinance also imposes certain restrictions on wind energy developments themselves. While there is some overlap in the regulations, IGWE demonstrates below that the Project will comply with all requirements of Section 31.4.

3.2.1 LOCATION

As is reflected on the Site Plan, all turbines are proposed for distances more than 5,280 feet from any area zoned Residential, and more than 2,640 feet from any area zoned Recreational.

3.2.2 SETBACKS

As is reflected on the Site Plan and described in Section 3.1.2 above, each turbine is proposed to be more than 1,500 feet from any human occupied dwelling, and each will be at least 110% of the total height (in this case, 500 feet) from public rights of way, or overhead lines. Each turbine will also be

110% of total height from or adjacent property lines except with the consent of the owner or where the adjacent property has the same owner as a parcel voluntarily hosting a turbine.

3.2.3 PLACEMENT/SPACING

Ordinance Section 31.4(3) requires an applicants to “consider the public interest and natural environment” in determining the placement of turbines. Consideration of the natural environment is part of the agency consultation process described below; IGWE has consulted with the Iowa Department of Natural Resources (“IDNR”) and Ida County Conservation Board (“ICCB”) in development of this process. IGWE has also shown consideration of the public interest not only in the benefits the Project will generate, but also in going above and beyond siting requirements and operating regulations: IGWE has agreed to a larger, 1,500 foot setback from human occupied dwellings; a limit on shadow flicker as indicated by pre-construction modeling; and to a complaint resolution process to address citizen concerns.

3.2.4 PUBLIC LANDS, WATERWAYS - PRELIMINARY REVIEW

In accordance with the Ordinance, prior to submitting the Application, IGWE contacted the IDNR and ICCB to notify the agencies of the Project and to invite each agency to conduct a preliminary review of the Project. Copies of the correspondence with both agencies are provided in **Appendix F**.

The ICCB, in a response email dated April 24, 2018, suggested that IGWE consider certain setbacks. The ICCB expressed a preference that turbines are no closer than two miles from Moorehead Park and Crawford Creek Recreation Area. IGWE was able to design the Project in a manner that provides the two-mile setback from Crawford Creek Recreation Area and Moorehead Park requested by the ICCB.

IGWE has had a series of communications with IDNR, including letters in 2015 and 2017, and IGWE has been engaged in direct discussions with IDNR in 2018. IGWE has been able to accommodate substantially all of IDNR’s recommended setbacks. Note that these are recommendations and are not requirements.

3.2.5 ACCESS

Ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.

3.2.6 ELECTRICAL WIRES

All gathering lines for the Project will be located at least four feet underground.

3.2.7 LIGHTING

No WED will be lit except to the extent required by the FAA.

3.2.8 APPEARANCE, COLOR

As discussed in more detail in Section 3.1.3 above, the WED will be in its factory finish colored non-reflective white.

3.2.9 SIGNS

Only 911 identification, manufacturer identification, and relevant warning signs will be installed. A high voltage warning sign or sticker will be placed on the base of each tower, at pad mounted transformers and at the Project substation.

3.2.10 CODE COMPLIANCE

All WED, related electrical lines, and accessory structures will be built in compliance with state and local construction and building codes, as well as the National and Iowa Electric Safety Codes.

3.2.11 UTILITY NOTIFICATION/INTERCONNECTION

IGWE submitted a 200 MW interconnection request to the Midcontinent Independent System Operator (“MISO”). The interconnection request was assigned queue position J412. Following receipt of this queue position, IGWE entered the MISO August 2015 Definitive Planning Process cycle. The process was considered completed and IGWE, MISO and MidAmerican Energy (the transmission owner) entered into a Generator Interconnection Agreement effective August 23, 2017. The point of interconnection of the Project to the electric transmission grid will be along the existing Lehigh-Raun 345 kV transmission line. The proposed location for the Project substation is shown in the Site Plan.

3.2.12 SOUND

Section 31.4.12 of the Ordinance requires that sound produced by wind energy devices not “produce a sound level that would create a nuisance” when measured at the property line, and specifically does not exceed 50 decibels-A weighted [dB(A)] at any human-occupied dwelling, subject to certain exceptions as set out in the Ordinance. Sound levels produced by maximum turbine operations were modeled using WindPro Software, a software application designed to analyze the predicted level of sound experienced at each receptor. The model utilized octave band sound power levels plus a 2.0 dB uncertainty factor at the average maximum level provided by the turbine manufacturer (GE). Conservative ISO 9613-2 algorithms estimate the sound propagation to residences located within one mile of the proposed turbines. Modeling results were compared with the maximum allowable sound level under the Ordinance. The results showed that all turbines would be compliant with the Ordinance. A summary of the analysis methods and results is included in **Appendix G**.

3.2.13 CLIMBING

The turbine towers have no external ladders and are designed so that they cannot be climbed from the outside; therefore, no anti-climbing device will be necessary.

3.2.14 CHANGE OF OWNERSHIP

As is contemplated by the Ordinance and as is common in the industry, it is anticipated that ownership of all or part of the Project may change during or after development. Should such a change of ownership occur, IGWE will promptly notify the Zoning Administrator in compliance with the Ordinance.

3.2.15 ELECTROMAGNETIC INTERFERENCE

The Project has been designed to avoid and will be constructed to avoid causing radio or television interference. IGWE contracted with Comsearch, a communications consultant, to evaluate the potential for effects of the Project on existing non-federal government microwave communication systems. Comsearch submitted reports on July 18, 2017 (surveying communications towers) and January 9, 2018 (studying microwave paths) and summarizing their findings on the potential impacts of the Project on microwave transmissions. The Project was designed taking this information into account and setting turbines back from identified towers and paths to avoid interference. Copies of the reports are provided as **Appendix H**.

IGWE will submit the Project location to the National Telecommunications and Information Administration (“NTIA”) prior to construction to confirm that no federal agencies have any concerns regarding blockage of their radio frequency transmissions. A copy of the NTIA response letter, when received, can be provided to the County if requested.

In addition, Iowa One Call will be contacted prior to construction to locate and avoid underground facilities. To the extent Project facilities cross or otherwise affect existing telephone or fiber optic lines or equipment, IGWE will coordinate with service providers to avoid interference with their facilities.

In light of the above, IGWE does not anticipate that the Project will have any impact on television, radio or broadband wireless internet service. Nevertheless, IGWE will work with local broadcasters along with any affected landowners within the Project area to remedy degradation, if any, in their television, radio or broadband wireless internet service that is shown to result from the Project.

3.3 ADDITIONAL REQUIREMENTS OF ORDINANCE SECTIONS 31.7, 31.8, 31.9 AND 31.10

3.3.1 ABTRACTOR OR ATTORNEY CERTIFICATE

Section 31.7 of the Ordinance requires an attorney or abstractor certificate showing all names and addresses of owners of land within 2,640 feet of the Project’s perimeter boundary to be obtained for the purpose of providing notice of the public meeting. That certificate must be presented to the County at the time of the Application. The certificate is provided at **Appendix I**.

3.3.2 PROOF OF PUBLICATION, MATERIALS FOR PUBLIC MEETING

Section 31.8(1) of the Ordinance requires a pre-application public meeting and establishes notice requirements for that meeting. The pre-application meeting was held on May 29, 2018. Notice was provided in compliance with the Ordinance on May 23, 2018. A copy of the notice is attached as **Appendix J**.

3.3.3 AGENCY NOTICE/REVIEW STATUS

Ordinance Section 31.8(2) requires certain notice to various regulatory and community agencies. Because not all agencies will be relevant to every project, the Ordinance provides that the Applicant and the County will agree to a list of the relevant agencies and a consultation plan. Moreover, in many cases the need for consultation is not known, or the agency prefers it be deferred, until closer to construction or other post-Application milestones. IGWE sent a letter to the Ida County Attorney on February 13, 2018 to confirm that its consultation list and activities are in compliance with the notice requirements set forth in the Ordinance prior to commencing the permitting process. A response letter from the County Attorney, dated February 22, 2018, confirmed compliance with the Ordinance (both letters are provided as **Appendix K**). As confirmed in the correspondence in **Appendix K**, no permit or notice was required for the agencies indicated with an asterisk (“*”); accordingly there is no further documentation included with this Application for those entities. The approved agency notice and review process is summarized briefly below; additional detail is available in the February 13, 2018, letter.

FEDERAL AGENCIES

- Federal Aviation Administration (“FAA”)
- Army Corps of Engineers (“USACE”)*
- Bureau of Land Management (“BLM”)*
- U.S. Fish and Wildlife Service (“USFWS”)*
- U.S. Department of Agriculture (“DOA”)
- Environmental Protection Agency (“EPA”)*
- Federal Communications Commission (“FCC”)*

IGWE has developed a turbine layout, which will be submitted to the FAA (see further discussion of FAA applications for “no hazard” determinations above) for their review in conjunction with the submittal of this Application. A copy of the FAA determinations will be provided to the County upon receipt. IGWE has consulted with USFWS and commenced pre-construction bird surveys to verify compliance with the Endangered Species Act, Migratory Bird Treaty Act, and Bald and Golden Eagle Protection Act. A copy of the environmental Site Characterization Report is attached as **Appendix L**. Other pre-construction studies and surveys have been required to determine if any further consultation is necessary, and additional consultations will be timely undertaken if required by applicable agency regulations.

STATE AGENCIES

- Iowa Department of Transportation (“IDOT”)
- Iowa Department of Natural Resources (“IDNR”)
- Iowa Utilities Board (“IUB”)*
- Office of the State Archaeologist (“OSA”)

IGWE coordinated with the OSA regarding the Project, sending an initial letter on February 26, 2018. The OSA responded by e-mail on March 14, 2018. IGWE’s consultant, Stantec, revised its desktop site search report, which was again provided to OSA. By e-mail of March 27, 2018, Dr. Noldner of the OSA stated that the revised report “looks good,” and provided no further comments. If potential burial sites are encountered during construction activities, work will stop and the OSA will be contacted. All correspondence with the OSA to-date, including the desktop site search report, is included in **Appendix M**. Consultation with IDOT and further consultation with IDNR is anticipated after final design and prior to construction. Nothing is required before the IUB where a wind development has less than 25 MW of capacity connected to each gathering line, as is the case here.

LOCAL AGENCIES

- Ida County Engineer’s Office
- Ida County Conservation Board (“ICCB”)
- Local EMS Fire and Rescue

Notification letters to the ICCB (Appendix F) and the Ida County Engineer’s Office (**Appendix N**) are included in Appendices, per the Ordinance. Per its agreement with the County, IGWE will consult with the local EMS Fire and Rescue Districts prior to construction.

A notification letter was mailed to the Ida County Engineer on February 26, 2018 via certified mail. The County Engineer’s Office confirmed receipt on or about February 27, 2018. All correspondence with the County Engineer’s Office is included in Appendix M. IGWE has not received a response from the County Engineer to-date. Pursuant to Section 31.8.2 of the Ordinance: “If any agency does not act within 60 days, the plan may be deemed approved by the agency that failed to act upon proof of notice.” Such 60-day window expired on April 27, 2018.

3.3.4 FEE OF \$1000 PER TOWER PRIOR TO APPROVAL

Section 31.8(5) of the Ordinance requires payment of a permit fee of \$1,000 “per wind energy device to be erected” in addition to the \$500 Application fee. IGWE proposes to construct 81 turbines but is seeking to permit 88 sites. While the permit fee is required “prior to approval,” a check is provided with this Application in the total amount of \$87,500.

3.3.5 ROADS AGREEMENT

During the construction phase, several types of light, medium, and heavy-duty construction vehicles will travel to and from the site. Private vehicles will also be used by the construction personnel. The

balance of the large loads will be comprised of cranes, construction equipment, concrete, aggregate, and miscellaneous delivery trucks. Temporary improvements in the form of turnout locations will be utilized during construction, as needed, at existing public road intersections and proposed turbine access road/public road intersections. IGWE acknowledges that Ordinance Section 31.9(1) requires a separate roads agreement between Ida County and IGWE, the completion of which will be a condition of the permit. A sample Roads Agreement is included as **Appendix O**.

3.3.6 DECOMMISSIONING PLAN

In accordance with Section 31.10 of the Ordinance, IGWE has prepared a decommissioning plan (the “Decommissioning Plan”) to be used in the event that it must remove the Wind Energy Devices. The Decommissioning Plan (**Appendix P**) describes how the Project will be decommissioned and provides an estimate of the cost of, and confirms the availability of financial resources to pay for, decommissioning. In addition to the Decommissioning Plan, IGWE will enter into a Decommissioning Agreement with the County prior to construction; a sample of such agreement is included with the Plan in Appendix P.

Under the terms of the easement agreements, IGWE has a contractual obligation to the landowners to remove the wind turbines and the foundations (down to four feet below grade) upon the Project’s decommissioning. Any decommissioning agreement with the County that exceeds these terms will be implemented and will supersede the terms of the easement agreements.

3.4 ADDITIONAL COMMITMENTS OF IGWE

IGWE looks forward to continuing a mutually beneficial relationship with the County. In an effort to minimize any concerns regarding the Project, in addition to compliance with all provisions of the Ordinance, IGWE has agreed with the County to additional permit conditions beyond those requirements in the Ordinance. Specifically, those additional conditions include:

Enhanced Setbacks from Residences

As is discussed above, while the Ordinance requires a setback of 1,250 feet from any human occupied dwelling (as that term is defined in Section 31.4(2) of the Ordinance), IGWE has agreed to use setbacks of 1,500 feet.

Shadow Flicker

While the Ordinance has no limitation on shadow flicker, IGWE has agreed that no human occupied dwelling (as that term is defined in Section 31.4(2) of the Ordinance) will be subjected to more than thirty (30) hours per year of shadow flicker based on modeling and analysis completed for the Project under planned operating conditions. The amount of expected shadow flicker was calculated by Stantec using industry standard modeling software. The report is attached in **Appendix Q**, and shows that no residence is expected to be subject to more than 30 hours per year of shadow flicker from the turbines in the Project under planned operating conditions.

Complaint Resolution

IGWE has also agreed to the following complaint resolution process. Prior to the commencement of construction of the Project and during the entire operating life of the Project, the Project owner/operator shall establish a telephone number hotline for the general public to call with any complaints or questions. The hotline number shall be publicized in order to insure that the general public is aware of the hotline number. The hotline number shall be conspicuously posted at the Project site, and at the Project owner/operator's office in the County. Each call shall be logged, and such log shall identify the name, address and reason for the call. The Project owner/operator shall provide the designated County representative with the call log on a monthly basis and upon reasonable request, to the extent allowed by law, and the Project owner/operator shall retain copies of the log for a minimum of two years. The Project owner/operator shall respond of all complaints within a reasonable time, not to exceed 72 hours, and shall take necessary actions to resolve all objectively verified complaints. During the construction of the Project, the Project owner/operator shall maintain updated contact information on file with the designated County representative for addressing complaints related to construction activities. The Project owner/operator shall designate a contact person who will respond to inquiries from the designated County representative. Once the Project has reached commercial operation following the conclusion of construction activities, the Project owner/operator shall maintain permanent contact information with the designated County representative, including a designed representative of the Project owner/operator along with a phone number and email address, and a 24-hour emergency contact phone number.

4.0 CONCLUSION

By this Application and the attached appendices, IGWE has demonstrated compliance with all permit requirements in the Ordinance, and all requirements to construct and operate a WEDs in Ida County. As required, prior to this Application a properly-noticed public hearing was held. A certified check for \$88,500 is presented with this Application. All requirements for IGWE to obtain a CUP have been met. Granting a CUP for the Project will bring investment, jobs, tax revenues and revenues for landowners in Ida County, while supporting the express policy of the state of Iowa to promote additional wind energy development.

Accordingly, IGWE respectfully requests the County set this matter for hearing and, after proper hearing, grant the requested CUP.