

# Agricultural Impact Mitigation Agreements

*From legislation to law*

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# Background on Wind on the Wires

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**Non-profit Advocacy Organization launched in 2001** to overcome the barriers to bringing wind energy to market in the Midwest.

**Members** include non-profit environmental organizations, tribal representatives, farm groups, wind developers and manufacturers, American Wind Energy Association, businesses that provide goods and services to the wind industry.

## **Work in 3 areas:**

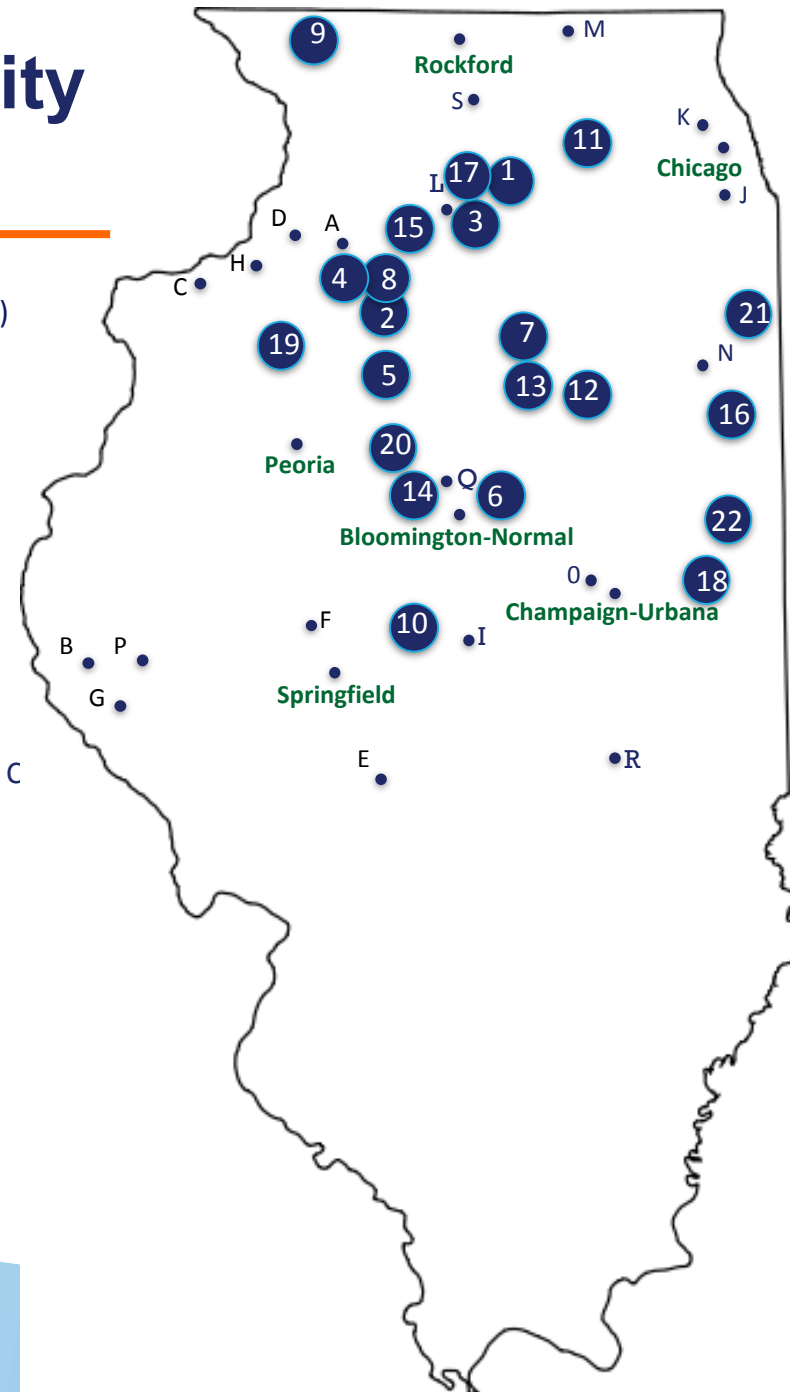
- **Technical** – work with electric utilities and Midwest Independent System Operator (MISO – regional “grid” operator) on transmission planning for wind, market and operational rules that treat wind fairly
- **Regulatory** – actively participate in cases where states are approving new transmission lines that will deliver wind energy and other dockets that affect wind development
- **State Policy education/outreach/advocacy** – work with governors, state regulators, legislators, local elected officials, regional groups, colleague organizations, general public on wind and transmission issues



# Illinois' Wind Energy Capacity

## 2347 Turbines | 3841 MW

- |   |   |
|---|---|
| 1. Mendota Hills (Lee Co)<br>63 Turbines/51.66 megawatts            | 12. Cayuga Ridge Wind Farm (Livingston Co)<br>150 Turbines/300 megawatts      |
| 2. Crescent Ridge (Bureau Co)<br>33 Turbines/54.45 megawatts        | 13. Top Crop (LaSalle/Grundy Co)<br>200 Turbines/300 MW                       |
| 3. GSG (Lee/LaSalle Counties)<br>40 Turbines/80 megawatts           | 14. White Oak (McLean Co)<br>100 Turbines/150 MW                              |
| 4. AgriWind (Bureau Co)<br>4 Turbines/8.4 megawatts                 | 15. Big Sky (Bureau/Lee Co)<br>114 Turbines/239.4 megawatts                   |
| 5. Camp Grove (Marshall/Stark Co)<br>100 Turbines/150 megawatts     | 16. Pioneer Trail/Settlers Trail (Iroquois Co)<br>188 Turbines/300 MW         |
| 6. Twin Groves (McLean Co)<br>240 Turbines/396 megawatts            | 17. Shady Oaks (Lee Co)*<br>71 turbines/109.48 megawatts                      |
| 7. Grand Ridge (LaSalle Co)<br>140 Turbines/210 megawatts           | 18. California Ridge (Champaign/Vermillion C)<br>134 turbines/214.4 megawatts |
| 8. Providence Heights (Bureau Co)<br>36 Turbines/72 megawatts       | 19. Bishop Hill (Henry Co)<br>183 turbines/288.94 megawatts                   |
| 9. EcoGrove (Stevenson Co)<br>67 Turbines/100.5 megawatts           | 20. Minonk Wind Farm (Woodford Co)<br>75 turbine/191 megawatts                |
| 10. Railsplitter (Logan/Tazewell Co)<br>67 Turbines/100.5 megawatts | 21. Pilot Hill (Kankakee, Iroquois, Ford Co)<br>103 Turbines/175 megawatts    |
| 11. Lee-DeKalb (Lee/DeKalb Co)<br>145 Turbines/217.5 megawatts      | 22. Hoopeston (Vermillion Co)<br>49 Turbines/98 megawatts                     |



# Statewide Wind Siting

## *The Concerns*

### Opponents

- Local Control/County Sovereignty
- Simple Regulation
- Single Regulation (~~local AND state~~)
- Fair Regulation
- Positive Business Climate
- Regulatory Parity (coal vs wind)
- Landowner Property Rights
- Community Input

### Supporters

- Protection of Farmland
- Consistency vs Stringency
- Sufficiency of County Resources
- Neighboring Landowner Protection
- Sound/Flicker Mitigation
- Decommissioning funds availability

# Statewide Wind Siting Legislation

## Recent History

2012

### SB 3271 (Frerichs)

- Decommissioning Authority given to ICC
- No Grandfather Clause for operating projects
- 1400-ft setback from residences
- Limited county authority
- “Public health, safety and welfare shall be protected”
- Opposition from wind sector, wind opponents, county governments

2013

### SB 1469 (Sullivan)

- Decommissioning Auth at ICC/Dept of Ag (amdt)
- Grandfather Clause for operating projects
- Limited county authority
- Opposition from wind sector, wind opponents, county governments, utilities

2014

### SB 3263 (Sullivan)

- Grandfather Clause for operating projects
- Eliminated county authority
- Dept of Ag permit process
- “Public health, safety and welfare shall be protected”
- Opposition from wind sector, wind opponents, county governments. (110 opponents in committee).

# Statewide Wind Siting Statute

*Consensus Bill: HB 3523 (Public Act 99-0132)*

## Balance

- Landowner Rights & Responsibilities
- Local Permit Process & Control
- Uniformity & certainty
- Impact mitigation
- Good stewardship of our air, water and soil natural resources
- Favorable business climate

## Responsibilities\*

- Restoration of agricultural land
- Deconstruction plans and financial assurance
- Protection/repair of drainage tiles
- Interference with irrigation systems
- Prevention of soil erosion
- Compensation for damages
- Property Access
- Indemnification of landowners
- *Some developers already complying*

\*Not a full list. Bill requires additional protections

# Carpe Ventum!

*- Seize the Wind -*

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