

2-27-17

PSC
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Dear ND PSC Commissioners:

My name is Andy Buntrock from Menoken, ND and I am here today to personally support the language you have proposed, to add a requirement for aircraft detection and lighting systems for wind energy conversion facilities in Chapter 69-06-08 section 6 part n. As well as the language in Chapter 69-09-09 to strengthen the decommissioning rules for wind facilities, prior to construction.

I am really glad to see the commission starting to level the playing field for energy in our state. I believe in a blended portfolio of energy sources, but we need to ensure those sources are competing on a level playing field. Despite your efforts here, wind is still enjoying a ~~subsidy~~ subsidy from the Federal government according to the EIA. This is drastically impacting coal dispatch and we have already seen shutdowns and possible job losses in the newspapers. You will have wind lobbyists that will tell you with new regulation, they will have to pull out of the state or that this will greatly hamper the build out in our state. If putting some simple restrictions on to help ensure that wind facilities are decommissioned properly similar to coal, natural gas, and oil will hurt them financially, we should probably be taking a closer look at the financials, ~~and the impact on the state~~. Or if putting increased setback limits in place means site selection will cost slightly more, then we need to do that to ensure those not participating in the facility are treated fairly.

We are standing at the threshold of a wind facility build out that will change our landscape for our and our kids' lifetimes. We will see massive towers 600-700' high according to GE's website that will span tens of thousands of acres of North Dakota's native pastures, fertile fields and next to rural homes. If not sited properly you will see these facilities hamper future development of our larger metropolitan areas like Bismarck. On top of the natural and physical impacts of these towers, there is a human impact as well and I would like to tell you about that first hand.

My wife KariAnn and my two little girls of three and one year old live on the front lines of a proposed project just southeast of Bismarck. We purchased this land back in 2006 with our savings and have poured sweat equity and all of our pennies into it to make it a home for our kids to raise a few calves and learn the important lessons that a farm affords. We built a home out there and now are facing the nightmare of a potential wind project that began after we were owners. Could we have signed up; yes we could have, but we have a special situation on our hands, in that my wife KariAnn has epilepsy and we aren't able to control her seizures with medications anymore. Our land borders one of the few participating landowners in our area and just to the south of us a few miles we have another neighbor who has also been diagnosed with epilepsy as well and whom has similar concerns. The current setbacks in 69-06-08 from both dwellings and nonparticipating lands are not sufficient to protect us.

Did you know that right now in our county a hog facility setback limit from a dwelling is 1.5 miles! That's nearly 8,000 feet compared to a setback of 1,750 feet for a 600-700 foot wind tower. These commercial facilities emit significant audible noise, can be seen for almost 50 miles away, and can potentially throw ice. They have been documented to emit both shadow flicker and flash that has been proven to stimulate seizure activity, according to a study in Epilepsia, the Official Journal of the International League Against Epilepsy. This study was done by Graham Harding at the Neurosciences

Institute Aston University and goes on to note, "...that the risk of seizures does not decrease appreciably until the viewing distance exceeds 100 times the height of the hub...".

Tell me commissioners if you had a family member with an illness and the very place you lived in became poisonous for them, what would you do? Sell the place perhaps, then again who would want to purchase a place that has neighboring wind towers over it? This is what my family is dealing with these days and I would like your support in striking a balance between non-participating landowners and wind facilities before it is too late and this build out is finished. To do this I would like to recommend the following amendments for consideration:

- Uphold the changes you are proposing today, these will help reduce light pollution and ensure bonding and financial assurances prior to construction, so that we won't have a boneyard of unused turbines around our landscape. This will help hold wind facility owners accountable to similar standards as other energy sources such as coal.
- Increase setbacks based on nonparticipating landowners' borders, not just dwellings. We need setbacks that will still allow wind build out, while protecting property rights of those that do not sign. Just because someone doesn't have a dwelling on their property now doesn't mean their property rights should be infringed upon if they want to construct at a later date, but are then surrounded by wind towers within 1.1x the height of the tower from their property. In most counties and townships you would not be able to obtain a building permit at these distances. A setback of 10 times the height of the tower would allow for sufficient setback for those not participating while not overly impeding potential siting locations for the facilities.
- Impose a penalty and enforcement action for coercion and false statements by wind facilities and their representatives. Burleigh County has rulings on this, but this should be moved to a state wide level to ensure those being asked to sign contracts are being treated fairly and just.
- Step up violation and penalties for those facilities that are violating the very rules that are in place. There are too many reports of decibel levels that are above the allowable levels, damaged roads that are not repaired, issues with maintenance on the towers that are not handled quickly by the wind facility owners. There needs to be accountability for those that are not being the good neighbors that we all strive to be.

I sincerely appreciate your time and consideration on this matter. These thoughts come from me and my family personally and we truly think there is middle ground that would support a strong North Dakota economy with many different energy sources, while protecting the livelihood and property of those of us that live here.

Andy and KariAnn Buntrock


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