

Bills would expand government authority over development, siting

## Wind farm regs take shape

By MATT JOYCE - Associated Press writer | Posted: Thursday, February 11, 2010 12:15 am |



A forest of wind turbines is seen near Rock River in this photo from May. State lawmakers presented two bills Wednesday that address standards for wind farm development. (Ken Driese/Star-Tribune correspondent)

CHEYENNE -- Wyoming legislators presented two bills Wednesday that would establish statewide standards for wind energy development and expand county and state permitting authority over such development in the state.

The Legislature's Joint Mineral Committee took no formal action on the proposals Wednesday morning because both bills were awaiting introductory approval in their chamber of origin.

The bills are the product of a legislative task force that met over the past eight months to set the state's priorities for governing wind development as more companies take interest in harnessing Wyoming's wind resource and selling the power to populous markets.

Rep. Tim Stubson, R-Natrona County, outlined House Bill 72. It would give counties permitting authority over wind farms and set minimum standards for development, regardless of whether counties have planning or zoning laws.

The bill would not limit counties from holding developers to more stringent requirements, but would also allow counties that can't handle a permit application to defer to the state Industrial Siting Council, regardless of the project's size.

"We, I think, have a pretty well balanced bill that recognizes the interests of local government, that recognizes the need of industry to have certainty and to be able to prosper into the future, and that recognizes the rights of landowners who don't have wind farms to have some protection of their own property rights," Stubson said.

The bill spells out rules for the county permitting process and requirements such as road, emergency and waste management plans. It also requires companies to make plans to take down and clean up their project sites when the wind farm's life is over.

The bill requires that a wind turbine be placed at least 110 percent of its height from any public road, and it sets minimum setbacks of one-quarter mile from houses and one-half mile from city or town limits.

Representatives of the Wyoming County Commissioners Association spoke in favor of the bill.

Sen. Drew Perkins, R-Natrona County, outlined a bill to expand the state's Industrial Information and Siting Act to cover more wind farms and related collector transmission lines. The Industrial Siting Division of the state Department of Environmental Quality issues permits for projects with construction costs of at least \$175.5 million.

Senate File 66 would expand the act to cover any wind farm consisting of at least 30 turbines. It also lowers the threshold for transmission lines subjected to the act from 500 kilovolts to 160 kilovolts. However, the act would not cover major export transmission lines or their substations.

Perkins' proposal would also require the Industrial Siting Council to make rules for decommissioning and reclaiming spent wind farms, as well as require financial assurance for the clean-up.