

## Rock County Board of Commissioner's Meeting

September, August 3, 2019

### **Juhl Energy Development in partnership with Agri-Energy/GEVO – Section 19 of Luverne Township (Kirk Gabrielson property)**

The applicant has requested a conditional use permit for the placement and operation of a wind turbine to be located in Section 19 of Luverne Township. The operation of the wind turbine will provide power to the GEVO Ethanol/Isobutanol facility in Luverne. The proposer for this has provided an in depth application and supporting documents for your review.

Please review this application prior to the hearing on August 26<sup>th</sup>.

Items for your review:

1. Copy of application
2. Copy of public notice
3. Aerial photo showing the proposed location for the turbine

Proposed conditions to be placed on the permit:

*“Prior to on-site construction being commenced, the following shall be provided:*

- 1. Evidence of a power purchase agreement and related documents with GEVO/Agri Energy, Missouri River Energy Services, the City of Luverne Municipal Utility, and Juhl Energy Development;*
- 2. Evidence of Decommissioning Security including the description, type of security, entity holding the funds, and the manner in which the funds can be accessed;*
- 3. Evidence of setback waiver agreements or presentation of Setback Waiver Agreements for each adjacent property owner within the Rock County Renewable Energy Ordinance property boundary setback of 3 Rotor Diameters in the East/West configuration and 5 Rotor Diameters in the North/South configuration from the location of the turbine;*
- 4. Evidence of Land and Wind Energy System site control (leases and easements), Rights of Entry for the turbine locations and the associated construction requirements;*
- 5. Evidence of Underground utility easements;*
- 6. An “operating agreement with Rock County for the terms and conditions and use of the County Roads, plus provisions if there should be damage for the restoration, repair or payment, and the permit the placement of underground utilities beneath the roads;*
- 7. Identify a key contact for both Wind Energy Conversion Systems;*
- 8. Evidence of all applicable federal, state, and local permits (FAA, MN PUC, MPCA, MnDOT, Rock County).”*

# ROCK COUNTY PLANNING AND ZONING

## Request for Conditional Use

### Permit Wind Turbines

**Applicant Name and Permittee:** Rock County Wind Fuel, LLC

**Address:** 470 West 78<sup>th</sup> St., Suite 250, Chanhassen, MN 55317

**Phone:** 952-923-1187 or 218-684-5814

**Project representative and Owner:** Juhl Energy Development, Inc.

**Address:** 470 West 78<sup>th</sup> St., Suite 250, Chanhassen, MN 55317

**Phone:** 952-923-1187 or 218-684-5814

**Application is hereby made for a conditional use permit for the following:**

An under 4.98 MW wind energy conversion facility using two (2) 2.49 MW wind turbines sited on agricultural land in Rock County, providing electricity directly through underground cabling to the Agri-Energy, LLC production facility located in the City of Luverne.

**Legal Description of the Property:**

**Turbine 2 Site:** Kirk Gabrielson, Parcel 06-0121-000

The East 1892.2 feet of the Northeast Quarter (NE 1/4) of Section Nineteen (19) Township One Hundred Two (102) North, of Range Forty-five (45) West of the 5th P.M., Rock County, Minnesota, containing 114.7 acres, more or less, subject to Highway Easement as to Interstate 90. Less that part of said Northeast Quarter acquired by the State of Minnesota for Interstate Highway Number 90 right-of-way.

**Property Currently Zoned:**

The parcel is zoned as A-2, General Agriculture with a portion. An area of the parcel, adjacent to the Interstate, outside of the proposed location, is zoned as A-1, Limited Agriculture.

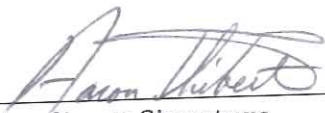
Applicant shall provide all information needed to grant the conditional use permit. Please attach exhibits as necessary.

If the conditional permit is granted, a certified copy must be filed with

the County Recorder.

I certify that all information submitted in this application (including attachments) is true and correct and that I have full legal authority to apply for this conditional use.

***A mailing fee for the actual mailing costs will be charged to the applicant prior to the mailing of the public hearing notifications.***

  
\_\_\_\_\_  
Applicant Signature

09 August 2019  
Date

Application fee: \$ 500.00  
Yearly License Renewal Fee: \$ 100.00



# *Rock County Land Management Office*

311 West Gabrielson Road Suite 5

Luverne, MN 56156

24 hour Fax: (507) 283-5006

*Soil & Water Conservation District \* Zoning \* Ag Inspection \* Environmental Office*  
(507) 283-8862

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## **Notice of Public Hearing for Conditional Use Permit**

### **For Agri-Energy/GEVO**

Pursuant to the Rock County Zoning Ordinance, notice is hereby given that the Rock County Planning Commission that a public hearing shall be held on Monday, August 26th, 2019, at the Rock County Law Enforcement Center located at 1000 North Blue Mound Avenue, Luverne, Minnesota, at 7:00 pm. The purpose of this hearing is to hear public comments on the applications for Conditional Use Permit for the following:

1. The placement and operation of a 2.49 megawatt wind turbine in the north portion of the East 100.56 acres of the Northeast Quarter of Section 19 of Luverne Township, T102N, R45W. Said property is owned by Kirk Gabrielson.
2. The placement and operation of a 2.49 megawatt wind turbine in the northwest corner of the 116.46 acre portion of the Northeast Quarter Section of Section 17 of Luverne Township, T102N, R45W. Said property is owned by Greg Gabrielson.

The properties described are zoned A-2, General Agriculture. All persons interested may appear and be heard at said time and place, or submit views in writing or by representative.

Dated: August 15, 2019

By Order of the Rock County Planning Commission

Eric Hartman, Zoning Administrator

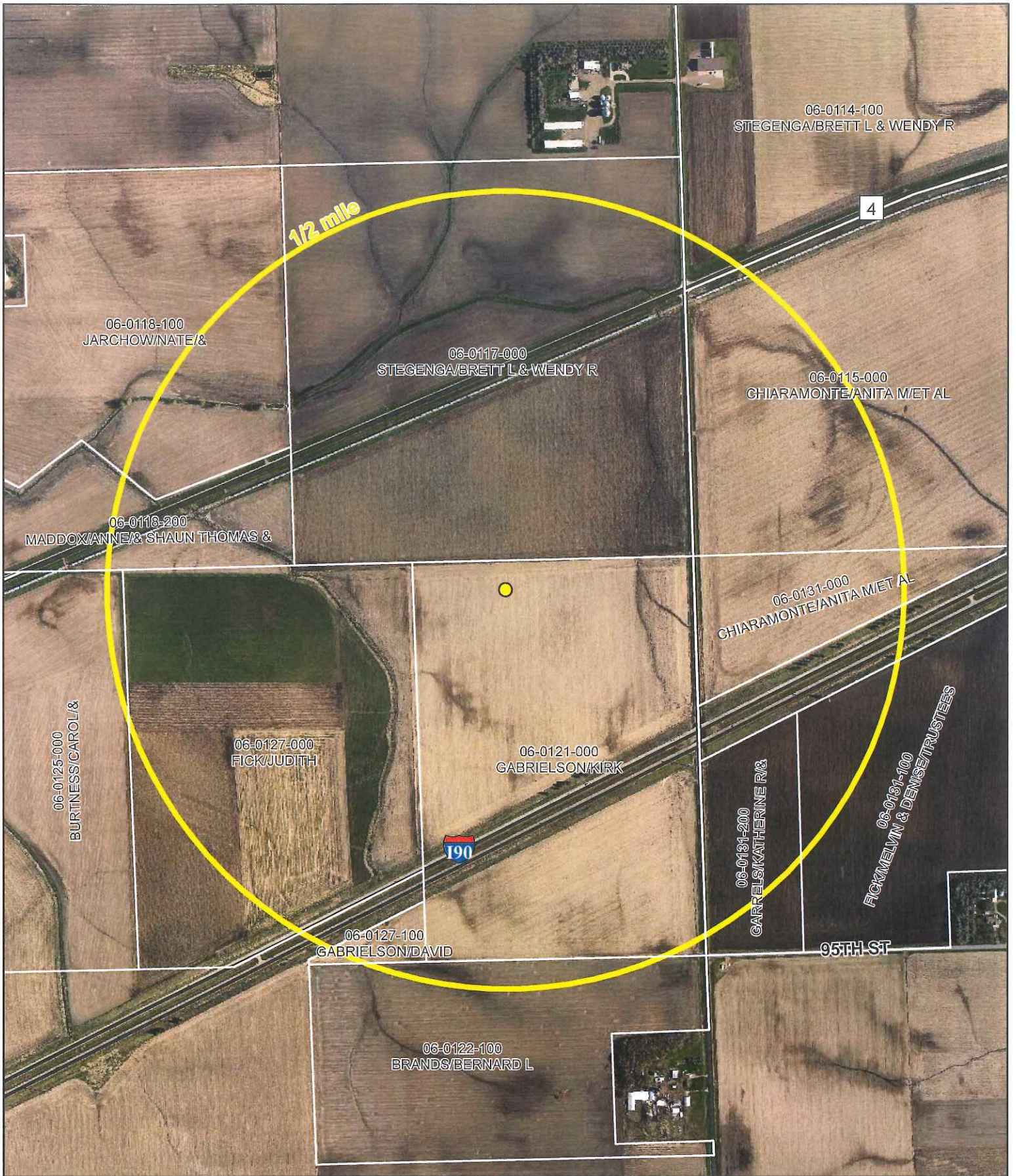
311 W. Gabrielson Road

Luverne, MN 56156

507-283-8862

(8/15, 8/22)

# GEVO / Juhl Energy Conditional Use Permit Notifications



0 500 1,000 1,500  
Feet

Luverne Township  
Section 19  
Rock County Minnesota



**Juhl Energy Development in partnership with Agri-Energy/GEVO – Section 17 of Luverne Township (Greg Gabrielson property)**

The applicant has requested a conditional use permit for the placement and operation of a wind turbine to be located in Section 17 of Luverne Township. The operation of the wind turbine will provide power to the GEVO Ethanol/Isobutanol facility in Luverne. The proposer for this has provided an in depth application and supporting documents for your review.

Please review this application prior to the hearing on August 26<sup>th</sup>.

Items for your review:

1. Copy of application
2. Copy of public notice
3. Aerial photo showing the proposed location for the turbine

Proposed conditions to be placed upon the permit:

*“Prior to on-site construction being commenced, the following shall be provided:*

- 1. Evidence of a power purchase agreement and related documents with GEVO/Agri Energy, Missouri River Energy Services, the City of Luverne Municipal Utility, and Juhl Energy Development;*
- 2. Evidence of Decommissioning Security including the description, type of security, entity holding the funds, and the manner in which the funds can be accessed;*
- 3. Evidence of setback waiver agreements or presentation of Setback Waiver Agreements for each adjacent property owner within the Rock County Renewable Energy Ordinance property boundary setback of 3 Rotor Diameters in the East/West configuration and 5 Rotor Diameters in the North/South configuration from the location of the turbine;*
- 4. Evidence of Land and Wind Energy System site control (leases and easements), Rights of Entry for the turbine locations and the associated construction requirements;*
- 5. Evidence of Underground utility easements;*
- 6. An “operating agreement with Rock County for the terms and conditions and use of the County Roads, plus provisions if there should be damage for the restoration, repair or payment, and the permit the placement of underground utilities beneath the roads;*
- 7. Identify a key contact for both Wind Energy Conversion Systems;*
- 8. Evidence of all applicable federal, state, and local permits (FAA, MN PUC, MPCA, MnDOT, Rock County).”*

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**Project representative and Owner:** Juhl Energy Development, Inc.

**Address:** 470 West 78<sup>th</sup> St., Suite 250, Chanhassen, MN 55317

**Phone:** 952-923-1187 or 218-684-5814

**Application is hereby made for a conditional use permit for the following:**

An under 4.98 MW wind energy conversion facility using two (2) 2.49 MW wind turbines sited on agricultural land in Rock County, providing electricity directly through underground cabling to the Agri-Energy, LLC production facility located in the City of Luverne.

**Legal Description of the Property:**

***Turbine 1 Site: Greg Gabrielson, Parcel 06-0112-200***

All that part of the Northeast Quarter (NE 1/4) of Section Seventeen (17), Township One Hundred Two (102) North, Range Forty-five (45) West, of the 5th P.M., lying North of railway right of way of the Chicago, St. Paul, Minneapolis and Omaha Railway Company, and subject to highway easements excepting therefrom the following described tracts: Commencing at the Northeast corner of Section 17, Township 102 North, Range 45 West, of the 5th P.M., thence going in a Southerly direction on the East side of said Section 17 1,320 feet, thence going in a Northwesterly direction to a point 594 feet West of the Northeast corner of said Section 17, thence going in an Easterly direction along the North side of said Section 17 594 feet to the point of beginning, AND Commencing at a point on the north side of the right of way of the Chicago, St. Paul, Minneapolis and Omaha Railway Company on the East side of said Northeast Quarter; thence going in a Southwesterly direction 1100 feet on the north right of way line of the aforesaid railroad; thence going in a Northerly direction 303 feet parallel to the east side of said Northeast Quarter; thence going in a Northeasterly direction 559 feet parallel to the north side of the aforesaid railroad right of way; thence

going in a Northerly direction 352 feet parallel to the east side of said Northeast Quarter; thence going in a Northeasterly direction 541 feet parallel to the north line of the aforesaid railroad right of way; thence going in a Southerly direction on the east side of said Northeast Quarter 655 feet to the point of beginning.

**Property Currently Zoned:**

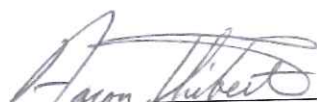
The parcel is zoned as A-2, General Agriculture.

Applicant shall provide all information needed to grant the conditional use permit. Please attach exhibits as necessary.

If the conditional permit is granted, a certified copy must be filed with the County Recorder.

I certify that all information submitted in this application (including attachments) is true and correct and that I have full legal authority to apply for this conditional use.

***A mailing fee for the actual mailing costs will be charged to the applicant prior to the mailing of the public hearing notifications.***

  
\_\_\_\_\_  
Applicant Signature

09 August 2019  
Date

Application fee: \$ 500.00  
Yearly License Renewal Fee: \$ 100.00





# *Rock County Land Management Office*

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2. The placement and operation of a 2.49 megawatt wind turbine in the northwest corner of the 116.46 acre portion of the Northeast Quarter Section of Section 17 of Luverne Township, T102N, R45W. Said property is owned by Greg Gabrielson.

The properties described are zoned A-2, General Agriculture. All persons interested may appear and be heard at said time and place, or submit views in writing or by representative.

Dated: August 15, 2019

By Order of the Rock County Planning Commission

Eric Hartman, Zoning Administrator

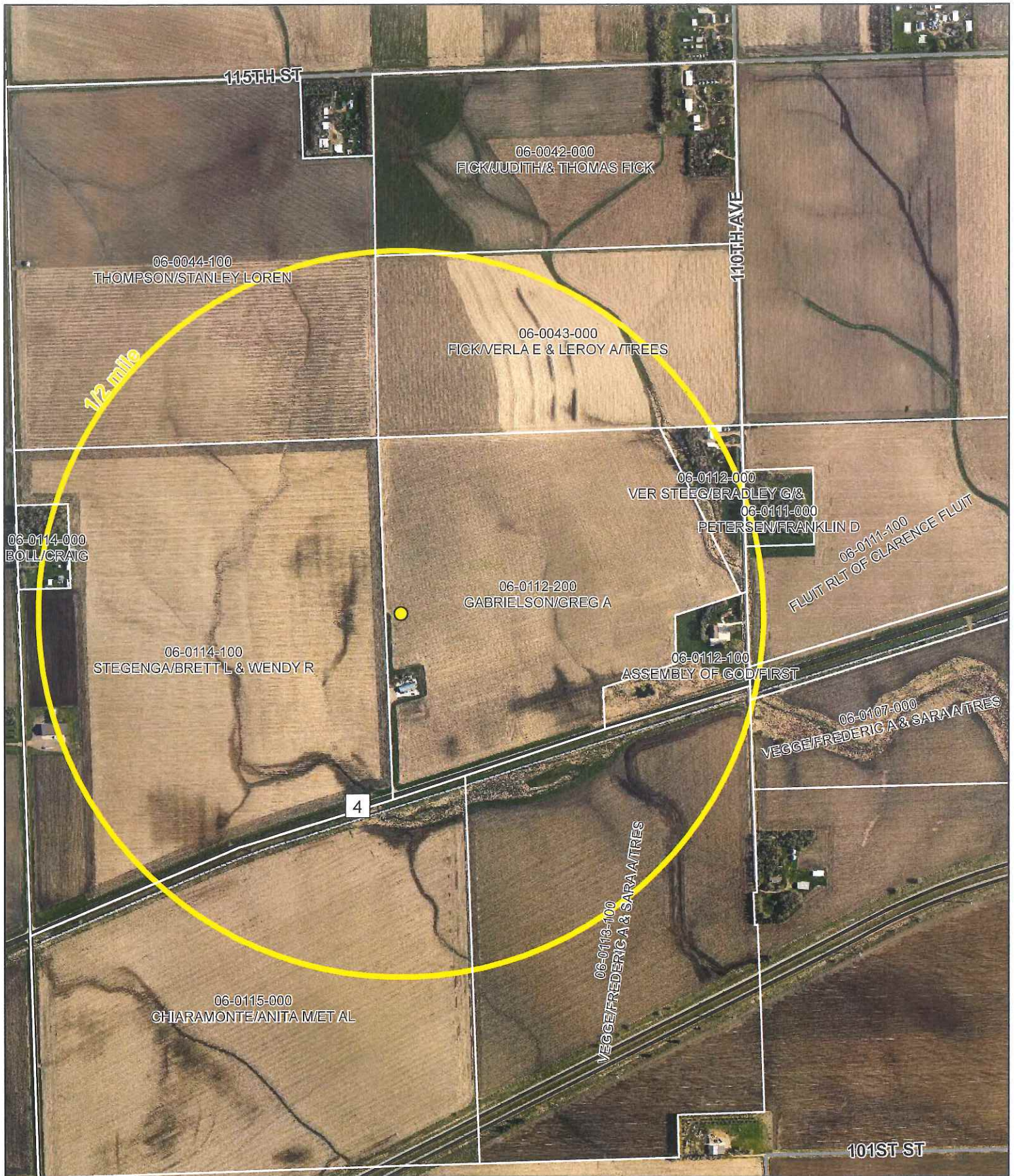
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Section 17  
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