

**Prairie County Land Planning Board**  
**Terry Community Center, October 30<sup>th</sup>, 2024 5:30 p.m.**  
**Meeting with NextEra Wind Company**  
**Public Question and Answer Session**  
**Audio and Minutes can be found at [www.prairiecounty.org](http://www.prairiecounty.org)**

Land Planning Board Chair, Lon Reukauf acted as facilitator for the meeting.

Lon Reukauf introduced various people in the audience including Prairie County Commissioners Todd Devlin, Christine Keltner, and Dennis Teske. Also introduced Wibaux County Commissioners, and a Custer County Commissioner, and BLM Representatives.

Minutes and Audio recording conducted by Prairie County Administrative Assistant to the Commissioners.

Ross Feehan with NextEra Energy introduced himself and his team this evening. He is the lead developer of this project. Trever Martins is the developer of land acquisition for the project. Amanda Nickademaus is the permitting expert for NEPA requirements, Mack Fuller environmental services team.

Ross understands there are lots of questions and he will do his best to answer as we go. He first introduced his company and the project (Glendive Wind Projects) and that they are a part of Florida Energy Company. They developed the Clear Water Project. They will build in Prairie, Dawson, Rosebud County, with hopes of finishing in 2028, as a target date. Construction starts 2026 with heavy construction in 2027/2028. It is proposed to push 800 megawatts a year. He also referenced the Economic Impact Statement for Prairie County. The project stands to produce an estimated \$265,000,000 in property taxes over 20 years. Impact fees would be about 5 million dollars a year for three years and in addition there will be a road use agreement to pay for the roads during and after construction.

Lon wanted to lay out ground rules for asking questions and answering questions. The question should be less than 2 minutes, and the response would be 3 minutes. He is also introducing BLM members, and commissioners and state representatives.

First 10 questions from Prairie County Citizens, then from out of area.

**Q:** Emergency response in prairie county due to increase in constructions, is NextEra willing to provide impact fees for emergency services.

**A:** NextEra: There are three funding sources for impact fees provided from the start of the project. There are about 400 construction jobs, and then economic development, the life of the project is provided through real estate taxes.

**Q:** BLM representatives have blocked cell towers, electric towers, wash outs etc. Federal developments of wind towers, spoiled view sheds. How can these towers be put on federal land?

**A:** BLM: Appreciate your comment, there is currently no application from NextEra on wind turbines, there is nothing going on in this project yet. With NEPA proposed projects, BLM creates a team, and they have a resource management plan that Mile City office uses to make decisions. The land use plan is used to make decisions for specific actions and use the land use plan to make decisions. Restricting actions during certain times of year, etc. If they put in an application, they would require surveys, and other requirements as well as a plan of development for the public to view. After all that, they have a public comment period to provide concerns etc.

**A:** Federal Permitting Expert with NextEra. There are NO GO areas, and in this project, they are just starting the discussion of what may need done, and the development of visual analysis of the project. The NextEra's BLM applications would be submitted in 2026.

**Q:** A survey needs to be submitted, how is the surveyor selected?

**A:** BLM: It is a third-party surveyor, and NextEra would pay for the survey.

**Q:** To the BLM: How many of these projects have been proposed, how many have you approved of or disapproved of if any?

**A:** BLM: This would be the first for Miles City Field Office, I can get it later if you provide information.

**Q:** Who was in charge of the Clear water project?

**A:** NextEra: There is no BLM or Federal Land in the Clear Water Project?

**Q:** Who cleans up or who does the decommissioning? In Ohio a blade broke off and in oceans debris has been reported of being left behind. How does bonding work?

**A:** NextEra: How does decommissioning work for their company? It is very important for them to do a good job at decommissioning. They want to see it through from the beginning to the end. How does it work for decommissioning through Bonding? Bonding, there is BLM DNRC and DEQ requirements. They Bond with all three.

**Q:** Who is responsible for cleaning up failed towers.

**A:** NextEra: There is compensation and clean up.

**Q:** What is the life expectancy of a tower?

**A:** NextEra: 30 years. There are extensions and updates used to extend the project after that, if there is newer technologies that work better, often old towers are replaced with newer ones.

**Q:** Bonding: Montana bonding before 15 years, When will state and private bonding will start?

**A:** NextEra: Yes and No! For DEQ for private lands, the contract states it must be bonded on the 10<sup>th</sup> year. They can produce the bond sooner if requested.

**Q:** Companies have walked away from these projects due to cost.

**A:** NextEra: NextEra owns and operates its projects, and other customers may own part of it. They see the project through to the end of the project. We are the oldest and Largest in the country.

**Q:** Commissioner Devlin, possible consequences to Prairie County. Talk through the consequence through delinquency of taxes.

**A:** Commissioner Devlin: Prairie County would be in deep trouble without taxes, and that after the 4<sup>th</sup> year of no payment the county can sell it, at the current prices, if possible, but may be lower. NextEra, bonds are only used if the company is not around in the future.

**Q:** What happens if NextEra is not around in the future or sells the project.

**A:** NextEra: They project could be sold with the requirement to remove. They are committed to staying it though and don't plan on selling.

**Q:** Is it true that NextEra bought the easement for this project. How many more companies will buy this project?

**A:** NextEra: Yes we purchased the land agreements, we acquired them back in 2019, some not all. The company wants to own or co-own the project all the way through. Foreign ownership is not a reality.

**Q:** There are disagreements in general over if the cost to produce a windmill is higher than the return from operation. Do windmills ever produce enough energy to offset the cost. How much subsidies are used to support, and how many households will this support?

**A:** NextEra: The citizens of the area know energy well, and I do not have the information to give you, we can talk later. Subsidies are part of the business models, and it has government backing now and in the future. Ruff estimates would be 400,000 thousand homes.

**Q:** How many federal subsidies, how much would that be.

**A:** NextEra: Federal support is only received after operating the towers.

**Q:** Clear water projects have how many federal subsidies?

**A:** NextEra: We can talk about that afterwards.

**Q:** Maybe it should go into the Terry Tribune.

**Lon: Out of county folks can ask questions.**

**Q:** Contracts show towers 1000ft away from a residents, others have been 1/4" mile, is there anything that protects me from the wind towers, or ruined wells?

**A:** NextEra: 1000ft is standard for minimum. Nonparticipating lands there are 9 landowners, average distance is ½ mile away from property line. There are 4 homes within 1 mile, the average distance is 3900ft from the closest turbine.

**Q:** These are just words, what goes into contracts.

**A:** NextEra: Good neighbor agreements, they offer compensation to next door properties if they agree to the contract.

**Q:** Note that he is blowing smoke, I have 315 around me. I ranged and one is 607ft from his border of his property. I have been there since the beginning. No offers made to me or my surrounding property neighbors. They are loud and too close to his property. If you want to call and speak to me, call, "Don't Believe what they are saying".

**A:** NextEra: Would like to speak to you afterward.

**Q:** One concern North of Terry, you can see red lights for ever. Bright red lights are 15 miles away and would be horrible 2 miles away. Killing off wildlife and birds.

**A:** NextEra: One thing that most cell towers and wind farms use to not do. There is an ADS Automatic Detection System which detects planes and turns on lights. Should only go off during detection of aircraft. (Crowed responded that, lights are on all the time, blinking).

**Q:** Were will the electricity going? Are there any plans to stay in Montana. Wildlife Impacts? Have surveys been done before and after showing wildlife impacts?

**A:** NextEra: West coast states take most of the energy. We do surveys before a project. They locate Lex locations and buffers are required. Avian use surveys are done to better understand, and how to determine where towers go etc. There are requirements to do post project surveys, to see how wildlife has been affected.

**Q:** Any surveys on sage grouse/grouse, breeding and sustainability.

**A:** NextEra: We have studied the area for two years in the Glendive area.

**Q:** Power lines for these towers are underground? What if I want to put in a pipeline or water line across land?

**A:** NextEra: Can not speak for BLM, but if you wanted to put in a line on your own line, I believe we can work that out.

**Q:** Who is the owner/stockholder of NextEra? If power was profitable without subsidies, could you publish those results. Heard that summer help was let go for counting dead birds that were not wanted to be counted by NextEra.

**A:** NextEra: Last question “no knowledge of that” could investigate it. Shareholders are various and stocks are public knowledge online.

**A:** Wibaux County Commissioner: Just got done dealing with all kinds of clean energy issues. They took a proactive approach that protected both sides. Some towers can reduce prices on property due to views on the other side of the fence. Sent out scoping surveys on zoning and got positive reviews to go forward. They have drafted zoning proposals. Positive about the Prairie County folks that came to the meetings over zoning.

No ag or business will be impacted via zoning that have been working for many years. It comes with some issues, its not easy. More zoning will come in the future, we don't know. The process is not fun to do. If Prairie County chooses to do it, it is difficult. They had many phone calls about trespassing during surveys, phone service etc. We are here to help if you want to go down that road. They had a 4-hour public comment period, where questions were written, and then they answered everyone at that time.

**Q:** What are set back on your zoning plan?

**A:** Wibaux County Commissioner: There is a 1 mile set back on any residents. In our plan we are setting wind rights, 1250ft from land borders. Each tower must be 2500ft apart in order to properly function.

**Q:** Lon explained how tax collection and abatement are calculated within the property tax estimates. Tax abatements do not have to be approved.

**Q:** Commissioner Devlin: Offsite litigation with BLM? Concerned that money may be given to a project to protect landscapes.

**Q:** Trevor for NextEra: Folks are worried about devaluation of property next to a wind farm.

**A:** NextEra: (Ross) Studies have been done that don't indicate that. Participating landowners show an increase in land value due to income. Neighboring lands show no decrease, this is what he has seen in his research.

**Q:** Transmission lines are Eminent domain? (NextEra “NO”). Why are they not putting the towers up in their towns, in the western states.

**A:** NextEra: There are lots of towers in Western states. Montana has incredible wind production, so that is why these projects are interested in here. We are independent power producer, and do not hold the Montana Certification to be a power company with Eminent domain power.

**Q:** Are cattle sustainable around wind turbines?

**A:** NextEra One benefit is that there are multi-use projects, farmers use their land to grow crops, run livestock etc.

**Q:** BLM will cut your AUM's.

**A:** BLM because of surface disturbance per allotment. Not all allocations have full allotments. AUM's are looked at how many acres are disturbed, to determine how many AUM's. What will the land's health be with this disturbance and afterwards, but is only considered per disturbed area.

**Q:** Who compensates the permit holder for loss in AUMs?

**A:** BLM: If the AUM's are removed, you would not be charged for the lost AUM's. (NextEra), should provide an impact fee for the loss of those AUM's. (BLM), you will know up front before the start of construction or impacts, of what AUM's will be changed or if no change happens.

**Q:** If you are building roads on BLM is that not a public road?

**A:** BLM: if that segment is public access, that would become a public road. If that part of the road is not publicly accessible, then it is not a public road. It must connect to a county road, if there is a private road between the county and the BLM then it is not public road.

**Q:** BLM: When energy companies say a reclamation bond, is their proposal less than what they require for a bond, or more?

**A:** BLM: Bonds are performance and reclamation bonds. These bonds are for construction and decommission process, it depends on how many acres, or infrastructure (could result in high bonds).

**Q:** NextEra: How much of the bonding will you provide and will there be enough?

**A:** NextEra: These are determination affidavits of bonding with state, DEQ, etc. Bonding Depends on the footprint.

**Q:** Will everything be removed from a foundation of the tower?

**A:** NextEra: 3 ft below surface or whatever is required for post operations uses. The depth depends on the landscape of foundation is 9-10 ft deep.

**Q:** Custer County Commissioners: Share what you have seen positive or negative in your communities.

**A:** Custer County Commissioner: Last to develop, impact fees don't start till after operations. Look at marketable value, etc. The economic impacts were good, high income. Increase traffic, some crime along with it. NextEra is strict on this and removed any convicted employees. Emergencies and environmental impacts from construction. The commissioner spoke directly with construction supervisors. Increase traffic on roads. Taxable value is determined by taxes, and developments. His county gets about \$288,000 per year from 75 Wind Turbines and some transmission lines.

**Q:** Complicated, there is a war on coal, dams, etc. 15-20 years from now, where we are getting our electricity?

**A:** NextEra: How does wind fit into the bigger picture. This is part of the mix but not the ultimate solution, some day it will be more productive.

**Q:** Commissioner Teske: How much concrete yards will be used minimum and maximum for the foundation.

**A:** NextEra: Ross doesn't have the information.

**A:** NextEra: Back to commissioners' comments on taxes. There are large differences between us and Custer County. Impact fees are larger, and investments are much larger here, \$1,000,000,000 for the Glendive project in Prairie County.

**Q:** Commissioner Devlin, Coal is taxed up to 15%. What is the tax on Wind? Second, what is the difference in property tax?

**A:** Commissioner Devlin, explained taxable value. Note (Wind is taxed at 3% market value).

**Q:** Commissioners in the county would not give the abatement. Can we stop them now or is it too far?

**A:** Lon: Since contract have been signed, it is much more difficult to stop.

**Q:** What would BLM require for decommission of concrete foundations:

**A:** BLM would most likely require 100% removal of concrete. If money comes into federal land activities it would not go to the counties. FLIPMA property right away. Would the county get 25%? No.

**Q:** Possibilities of wind towers on BLM land. What happens if they make extra roads on BLM land, what happens when they leave, and no one is allowed to maintain.

**A:** BLM: Right of ways must be requested, and they will be responsible for the life of the project? When it is over and it is reclaimed, they may have the roads removed as well. If after decommissioning, the BLM may ask that that road be removed in reclamation.

**Q:** Commissioner Teske: Bank Head Jones Act; 25% would come back to the counties, it just seems that its is not upholding its end on taxes.

**Q:** To NextEra: Secondary road 253, would you maintain that road as well?

**A:** NextEra: Has not set up any road use agreements: and yes it would be included in a road use agreement. Lots of planning goes into the road use agreement, nothing is in place at this time.

**Q:** What is the chain of command, who decides if it happens, commissioners? Etc.

**A:** Lon: Land planning board does the homework and gives it off to the commissioners. It starts with land planning then provides it to the commissioners. Commissioner Devlin: Basically would be recommended by the public to review if zoning is needed or useful. Then the planning

board will provide a recommendation. BLM: There is a planning process through NEPA, and determination through public comments, assessments etc.

**Q:** Are there any regulations that push for a faster process for these projects.

**A:** BLM: Yes: It can be up to a year and only 75 pages, the larger one is 2-3 years.

**Q:** Bird surveys and no go areas? Are the towers going onto BLM or Private? Reproductive success of birds, livestock etc?

**A:** NextEra: The buffers are established around breeding sites are designed to protect those sites. What about ungulates: Largely they are looking at migration corridors, designation breeding areas etc. Our experience is that after operations begin, large game and livestock come back and use these areas. There has not been any large-scale impacts.

**Q:** The BLM maps is not correct on allotments etc. How can you produce a map that is not accurate, for a public meeting like this one?

**A:** NextEra: If that map is wrong, they did what they could to get it correct.

**Q:** Received a letter to check the site on BLM, has called BLM and NextEra. It was micro sitting surveys by NextEra. No one called to confirm when they would be on the property. And when I called BLM no one knew anything about it.

**A:** It is a survey by NextEra, and BLM has given a onetime use to access BLM property for purposes of the survey. BLM explained the best she could about casual access, and bad communication between BLM and the private property owner. There was no Ranger available at the time of the call to BLM. Sheriff Kieffer is willing to come out at any time to help and deal with these issues.

**Q:** Will that tax rate change or remain ag, or do you become commercial rate?

**A:** NextEra: will cover the increase in taxes for the development.

**Q:** What is the difference between Assessment and an EIS. Do they take into account hydrology? Some say the foundations can affect the ground water, springs or wells. What does it do about burrowing animals, prairie dogs, badgers, etc. Does the environmental assessment look at subterranean animal? What about dark sky tourism?

**A:** BLM: when we look at the documents and look at all animals. They also look at hydrology, source water, and water consumption, erosion control etc. They use all their resources and studies to look and understand the use of these resources.

**Q:** Lot of concerns with health, view, and tourism. Montana is an easy place to buy wind and sell somewhere else. Commissioner Devlin, shared stats on Coal strips energy. We need to take a good look at what we are being sold. Studies with health effects and dehydration from the wind farms.



**A:** Commissioner Devlin: Noted that there is a website that gives the footprint of energy development. Solar and wind make up a large footprint on energy development.

**Q:** Commissioners to Custer County: How many local jobs were created.

**A:** Customer County Commissioner: Jobs that would be created for locals would be about 2 dozen to maintain the towers. Most construction workers were out of state. Also Miles City Community College has added courses for Wind Turbine Technician training.

**Q:** Thanks to all the commissioners from Wibaux County. Wildlife is changing, due to wind turbines changing the migration patterns.

**A:** NextEra: no studies that I know of have studied the migration patterns of birds or the winds streams.

**Q:** Success rate of sites after environmental studies have been done.

**A:** NextEra: We have less than 5 projects created on BLM. Typically, they due extensive review of property before they apply with BLM.

**Q:** NextEra: are you putting large white X on the land?

**A:** NextEra: We pay a company to due the EIS and we submit it to the BLM. Those X are from NextEra and remove when the survey is done.

**Q:** Commissioner Teske: Discovery, what can we do better? How is this going to work, etc? The economic study provided by NextEra; are those numbers true and accurate?

**A:** NextEra: We do not want to over promise and under preform? They do not assume a 25% to BLM. It accounts for inflation, from the department of Montana. These are the best forecasted numbers that we can provide.

**A:** Clearwater project, what has happened, and could you go back let them know it has not been held up. Come up with ideas on how to treat the neighbors better. Ross thanked the people for coming to the meeting and providing feedback. Also there is a office in Glendive, and they post when they are coming to town, to answer questions and visit with people.

**Q:** Who makes the decision the BLM field office, upper management, congress etc?

**Q:** There was a meeting scheduled at 11 o'clock with the commissioners, and you showed up early instead.

**A:** NextEra: Ross apologized to all who were effected and explained why it had changed the times.

**Q:** A couple of weeks ago, there was a meeting in Dizzy Dinner. That kind of a meeting it is a public meeting, and it concerns me that you had this meeting without public involvement. You are head quartered out of Florida, you have talked about research, and not knowing other stories

etc. What is it about NextEra that we can trust that what you are saying is true? Along with scientific data, how often do you actually walk and talk with people in the communities?

**A:** Lon said it was in part his fault, and two commissioners. Commissioner Teske, explained his visit to Dizzy dinner, that he takes full responsibility and apologize for it. Commissioner Ketlner nothing was done or decided during that meeting. NextEra, said they are more than willing to have conversations and meetings. Why NextEra: The county doesn't benefit via Taxes, and landowners don't get paid. We have a history of following through on these projects successfully.

**Q:** What amount do you pay for landowners? Is it all the same?

**A:** Can not talk about contracts, they are confidential.

**Lon:** its going on 8:30 p.m. is there any more question? If you want zoning, you have to let the commissioners know and get on the agenda.

Ross with NextEra: Thanked everyone for hosting this event.