
DTE Energy®



Lake Township Wind Zoning Ordinance

DTE Energy Comments

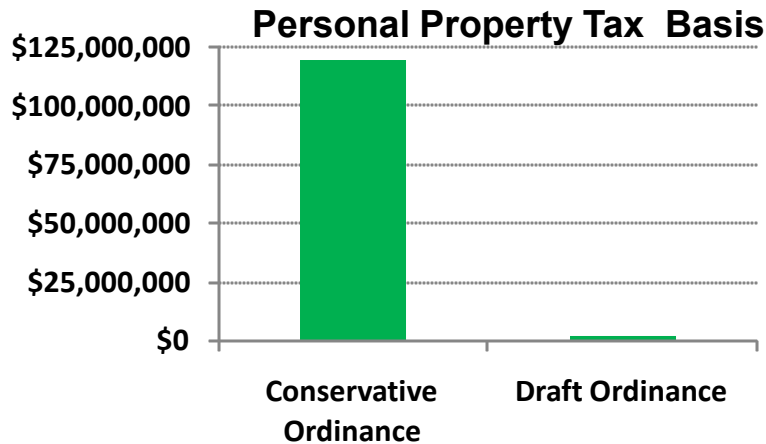
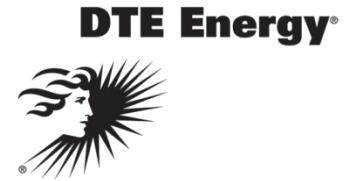
June 24, 2009



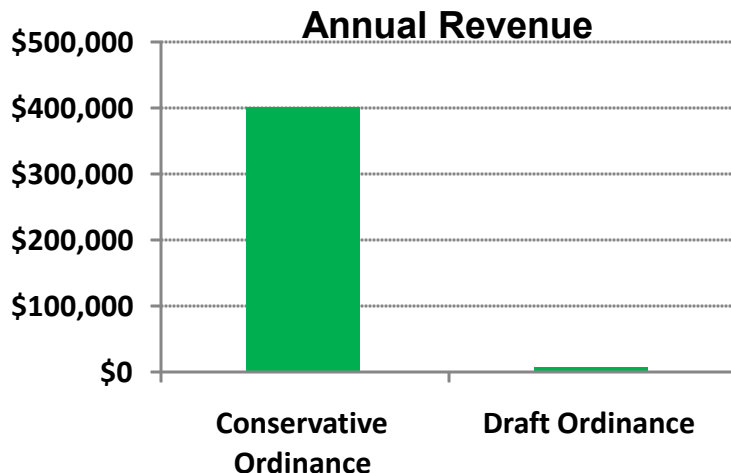
Overview

- As written, the draft wind zone ordinance is bad for the residents of Lake Township
- The draft ordinance is far more restrictive than any of the 25 wind ordinances reviewed and summarized by the U.S. Department of Energy's National Renewable Energy Laboratory in its December, 2008 report "An Overview of Existing Wind Energy Ordinances"
- The draft ordinance places unreasonable and unworkable limitations on wind development, effectively preventing wind development in Lake Township
- The draft ordinance is confusing, exclusionary, lacks scientific basis and needs to be rewritten to be respectful of Lake Township's shoreline and agricultural heritages while allowing responsible wind development

The Draft Ordinance Is Bad For Lake Township; Eliminates Potential Benefits



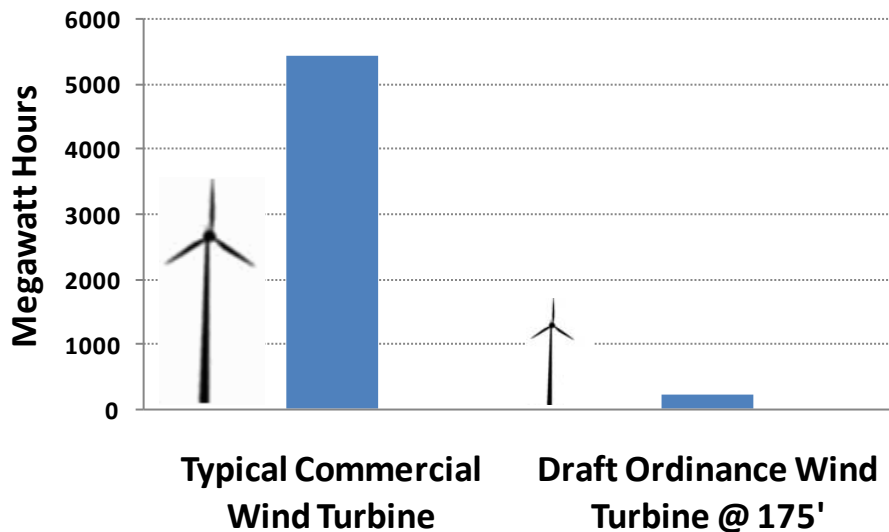
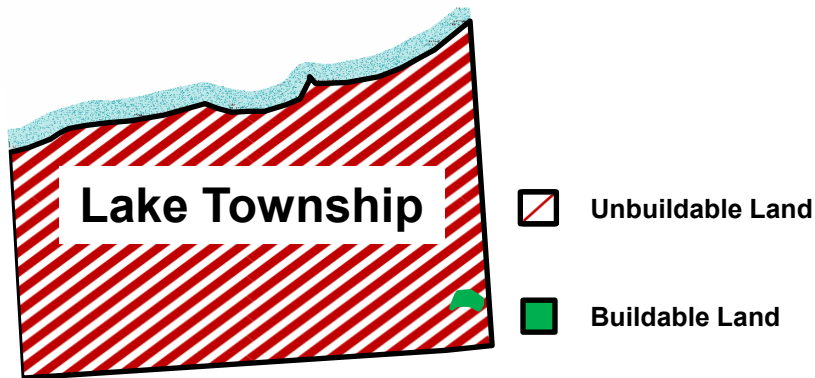
- Eliminates opportunity for Township to help reduce greenhouse gasses, create jobs, and benefit from significant taxes and revenues.
- Lost taxes and revenues result in lost benefits for the community.
- With the draft ordinance, wind turbine personal property tax base in Lake Township will be a meager **\$500,000** or less compared to a potential **\$120,000,000**
- With the draft ordinance, wind revenues in Lake Township will be a meager **\$500** per year or less instead of the potential **\$400,000** per year



Based on a conservative ordinance that is 40% more restrictive than Huron County's wind ordinance

Tax value based on Huron Co. Economic Development data escalated to probable in service date

The Draft Ordinance Is Unreasonable, Does Not Work and is Exclusionary



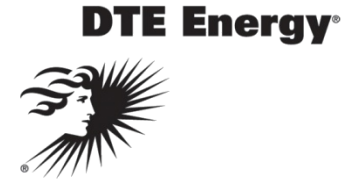
- A 2,640 foot setback from houses and a 3 mile setback from the shoreline eliminates almost the entire township from any wind development
- The setbacks in the draft ordinance restrict wind turbines to only one small area in Lake Township, representing less than 0.5% of all the agricultural land in Lake Township
- The draft wind ordinance restricts height to 175 feet. A 175 foot turbine is about half the size of a commercial turbine but would only produce 3% of the energy output of a commercial wind turbine.



The Draft Ordinance Lacks Scientific Basis

- The three mile setback from a Great Lakes shoreline is dated guidance to be used in the absence of specific studies and is not based on any known scientific study, nor is it a U.S. Fish and Wildlife (USFWS) regulation. The USFWS is expected to issue new guidelines in 2009 that will revise and take precedent over the 2003 interim guidelines.
- The noise section of the ordinance is vague, confusing, with redundant sections, includes definitions that do not apply to wind turbines, and is not based on scientific data.
- The five mile setback from a bald eagle's nest is not based on any known scientific study, nor is it a U.S. Fish and Wildlife regulation. In fact, current field analysis indicates that raptors practice avoidance flight behavior around wind turbines.

Key Reasons To Rewrite Draft Ordinance



- The draft ordinance prohibits commercial wind development in Lake Township, eliminating a tremendous opportunity to generate taxes and revenues that can benefit the Township
- The draft ordinance has unreasonable financial and operating requirements that would prevent a potential wind developer from getting funding
- The language in the draft ordinance is confusing, with requirements that are difficult or impossible to enforce
- Restrictions in the draft ordinance are arbitrary and lack scientific basis
- The draft ordinance ignores the legitimate interests of the agricultural sector of Lake Township. Wind energy is very compatible with agricultural use, and 64% of the land in Lake Township is zoned agricultural. The Commission Chair, in the May 27, 2009 Planning Committee minutes, stated: “. . . . the entire zoning ordinance is based on the lakefront area.”
- There are other substantial problems with the draft ordinance. Many of these problems are addressed in the attachment to this presentation



Recommendations

Lake Township would realize a greater benefit with a balanced ordinance respectful of its shoreline and agricultural heritages, while allowing for responsible, commercial wind development.

- Establish a wind ordinance task force with balanced representation of the shoreline and agricultural interests, including those interested in wind energy development.
- Instruct the task force to base restrictions on science, not opinions.
- Invite DTE Energy and others to provide input prior to formalizing a new draft.



APPENDIX