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1 JUDGE SLAVIN: Well, good evening  
2 everyone. Welcome back. I call out of recess  
3 Bureau County Zoning Board of Appeals hearing on  
4 111 sequential petitions, beginning with  
5 25-06-16-1CV, Braided Creek Wind, LLC's,  
6 requests for Conditional Use Permits and Zoning  
7 Variances to construct and operate a wind energy  
8 conversion system in the county.

9 I note the presence of ZBA members, its  
10 Chair, Mr. Welbers; its -- Mr. Jensen,  
11 Mrs. Smith, Mr. Stutzke.

12 I note the presence of Zoning Officer  
13 Donarski and her able assistant. Mr. Barry is  
14 here representing the Petitioners -- Petitioner.  
15 Our court reporter and myself.

16 I notice -- well, now I notice seven  
17 Interested Parties in the room, two  
18 representatives of the developer -- the  
19 Petitioner. So we have 18 folks in attendance.

20 When we left off, I recall that  
21 Ms. Stetson had finished her direct presentation  
22 of evidence. So it's time for cross-examination  
23 of her.

24 So if you want to -- I tend to say if you

1 want to take the witness stand, but the witness  
2 podium.

3 I now notice one more Interested Party  
4 present. So we have ten.

5 And you may inquire, Mr. Barry.

6 ATTORNEY BARRY: Do we need to re-swear  
7 the witness?

8 JUDGE SLAVIN: Yes. Thank you.

9 Connie, want to raise your right hand?

10 CONNIE STETSON,  
11 being first duly sworn, was examined and  
12 testified as follows:

13 EXAMINATION

14 BY ATTORNEY BARRY:

15 Q. Good evening. Good evening, Ms. Stetton  
16 (phonetic).

17 A. Stetton, like the hat.

18 Q. Good evening, Ms. Stetton.

19 Can you tell me what Scotland Against Spin  
20 is?

21 A. That is a report that -- it is a report that  
22 they gathered up all the information from the  
23 insurance companies and --

24 Q. Nope, I didn't ask what the report is. I asked

1 what Scotland Against Spin is.

2 A. Well, it's a group called Scotland Against  
3 Spin. Means they are against wind turbines.

4 Q. What is that group? I have never heard of it,  
5 so I'm asking you what it is.

6 A. It's referenced in the insurance, as they did  
7 the study.

8 Q. Who are "they"? I mean, how do we know it's  
9 not some guy sitting in Scotland sitting in his  
10 basement, wearing a kilt, posting on the  
11 internet? That's what I'm asking you: What is  
12 it?

13 A. Just a minute, let me find it in my -- what is  
14 the IP number?

15 Q. The report is Exhibit 23.

16 JUDGE SLAVIN: Thanks.

17 A. It is an environmental group. An environmental  
18 group, such as Scotland Against Spin, are  
19 working to raise awareness about potential risks  
20 associated with wind turbines and promote more  
21 sustainable and reasonable development of wind  
22 energy.

23 So it's an environmental group.

24 Q. (By Attorney Barry:) Okay. Thank you.

1           Do you have -- I only have one copy. So  
2 do you happen to have a copy of IP Exhibit  
3 Number 33 in front of you?

4 A. Yes, I do.

5 Q. Who prepared this document?

6 A. This is information found, and all the sources  
7 are up here, and this same information came out  
8 of the Metro -- the Meteorcomm. It's the same  
9 information out of there, it's just broke down  
10 into --

11 Q. Who prepared the document?

12 A. I did.

13 Q. And did you type it out?

14 A. Yes.

15 Q. And where did -- again, where did you get the  
16 contents that went into the document?

17 A. This information above tells you the different  
18 sources that they came out of, and the same  
19 information came out of -- it's in -- the same  
20 information is in IP Number 34. All the  
21 information is in there as well.

22 Q. Okay. Do you see at the bottom of Page 1  
23 there's a -- I don't know, a marker that goes  
24 across it? Something's blacked out?

1 A. Oh. I actually put a page number there.

2 Oh, you mean down here, below?

3 Q. Yeah. There's a black mark that goes across  
4 the document.

5 A. Yes, I put a comment there, and I decided not  
6 to put the comment there.

7 Q. Okay. Can you please put Exhibit 29, IP  
8 Exhibit 29, in front of you?

9 A. Yes.

10 Q. Who prepared this document?

11 A. I got that information off the website.

12 Q. Who prepared this document?

13 A. It's a cut-and-paste from the Google. Same  
14 information is in other things that we have read  
15 about health risks or risks from turbines, the  
16 danger.

17 Q. Who prepared the first sentence?

18 A. I did.

19 Q. That's your -- you typed that?

20 A. Yes.

21 Q. Okay. And the bullets, you said you cut and  
22 pasted those?

23 A. Yes.

24 Q. From Google?

1 A. Yes.

2 Q. Do you believe that the laws of the People's  
3 Republic of China should govern this proceeding?

4 A. No. Why would I say that?

5 Q. I'm asking the questions.

6 Do you believe that the laws of Germany  
7 should govern this proceeding?

8 A. No.

9 Q. Do you believe that the laws of France should  
10 govern this proceeding?

11 A. No.

12 Q. Do you believe that the laws of Finland should  
13 govern this proceeding?

14 A. No.

15 Q. Okay. Thank you.

16 ATTORNEY BARRY: That's all the questions  
17 I have, Judge.

18 JUDGE SLAVIN: Okay. Other Interested  
19 Parties in the room, questions of Ms. Stetson?  
20 Raise your hand if you have got a question of  
21 her.

22 (No response.)

23 JUDGE SLAVIN: All right. How about ZBA  
24 members. Mr. Welbers?

1 MR. WELBERS: Sure. I didn't expect you  
2 to get to me that fast.

3 JUDGE SLAVIN: Well, you're the closest  
4 and you were here the earliest.

5 MR. WELBERS: That's right. I guess there  
6 are some advantages.

7 EXAMINATION

8 BY MR. WELBERS:

9 Q. Connie, your IP 48 that you handed out, I'm  
10 just trying to clarify your reason for  
11 submitting that. And if I understand it  
12 correctly, you -- you're basically trying to do  
13 two things, correct me if I am wrong: you're  
14 trying to point out that all of these wind  
15 turbines listed here, which are in our county,  
16 are foreign-owned at this point; and the other  
17 thing I think you were trying to point out is  
18 that the current application hasn't reported to  
19 this Bureau?

20 Are those the two things you're attempting  
21 to accomplish with that?

22 A. Yes, they haven't --

23 JUDGE SLAVIN: Just answer the question,  
24 please.

1 A. Yes.

2 Q. (By Mr. Welbers:) Okay. IP Number 31.

3 A. I'm sorry, let me get it first.

4 Q. Go ahead.

5 JUDGE SLAVIN: I did not admit Number 31.

6 MR. WELBERS: You did not admit it?

7 JUDGE SLAVIN: Correct.

8 MR. WELBERS: So we can't talk about it?

9 JUDGE SLAVIN: Well, it's already in  
10 evidence because I admitted -- it's in the  
11 Petitioner's applications. It's one of those, I  
12 just am not going to fill up paper when it's  
13 already in evidence. You can ask her questions  
14 about it, that's fine.

15 MR. WELBERS: So it is already in. I  
16 thought you actually allowed that to stay in  
17 because it wasn't in the Petitioner -- is it in  
18 the Petitioner's application?

19 THE WITNESS: Yes, it is.

20 MR. WELBERS: So it is there and this is  
21 redundant.

22 Q. (By Mr. Welbers:) Okay. So tell me, to your  
23 understanding, you know, you highlight the Union  
24 Pacific Railroad, the BNSF on these license

1 frequencies. Is this basically -- this  
2 basically stating that these are the frequencies  
3 that the railroad is using through the County?  
4 Is that what you believe that the purpose of  
5 this is?

6 A. Yes, uh-huh.

7 Q. And it is part of the application --

8 JUDGE SLAVIN: Is that a yes or no? She  
9 can't take down --

10 THE WITNESS: Yes.

11 Q. (By Mr. Welbers:) All right. Let's move on  
12 from there. And you studied the passengers on  
13 the Carl Sandburg?

14 A. Yes, I did.

15 Q. And let me see what else we had.

16 Primarily in this group, which had to do  
17 with the railroad, you cite something, IP 36,  
18 which is something issued by Secretary of  
19 Transportation Sean Duffy.

20 A. Yes.

21 Q. And you highlight "a minimum setback distance  
22 of 1.2 miles from rail highway infrastructure  
23 will now be recommended while additional data  
24 are gathered"?

1 A. Yes.

2 Q. And that is the public domain that's out there.  
3 I have seen it too.

4 A. Yes.

5 Q. But is there any updates on the additional data  
6 they're gathering or anything that you have run  
7 across that indicated that they are intending to  
8 advance that to a regulation?

9 A. All I know is, they are doing a study now,  
10 another study, and that's all I have read.  
11 That's all I have read about it --

12 Q. Okay.

13 A. -- is the study is continuing. But there is  
14 that recommendation.

15 Q. All right. Okay. So that's a recommendation.

16 MR. WELBERS: I think that's all I have.  
17 I think I understand everything else that you  
18 presented, Connie. Thank you, Connie.

19 MS. STETSON: Thank you.

20 MR. WELBERS: Mr. Jensen?

21 MR. JENSEN: No questions.

22 JUDGE SLAVIN: Mrs. Smith?

23 MS. SMITH: None at this time.

24 JUDGE SLAVIN: Mr. Stutzke?

1 MR. STUTZKE: None.

2 JUDGE SLAVIN: How about you,  
3 Ms. Donarski?

4 MS. DONARSKI: I don't have any.

5 JUDGE SLAVIN: Okay. I think that's it  
6 then. Thank you. You may step down.

7 Other Interested Parties wish to testify,  
8 by raise of your hand? Now's the time. Forever  
9 hold your peace, as they say.

10 Yes, sir.

11 AUDIENCE MEMBER: I think the County is  
12 just trying to demonstrate that she's not  
13 a polished attorney, obviously, so she has a  
14 little trouble communicating some of the data  
15 that was here, like China and France and all  
16 those.

17 JUDGE SLAVIN: Wait a minute. I said any  
18 other Interested Parties want to testify? That  
19 means you get under oath, get on the witness  
20 stand, you testify to facts.

21 AUDIENCE MEMBER: No.

22 JUDGE SLAVIN: Okay. Yes, sir, come on  
23 up.

24 This is not the time to give arguments,

1 folks. This is to testify; facts.

2 AUDIENCE MEMBER: Testify only? Can I ask  
3 questions or not?

4 JUDGE SLAVIN: No. Testify. Put under  
5 oath and you testify to facts.

6 AUDIENCE MEMBER: We got it. We got it.  
7 Thank you, sir. Misunderstood, that's all.

8 JUDGE SLAVIN: That's fine. I just want  
9 to make sure we're clear.

10 AUDIENCE MEMBER: Thank you.

11 JUDGE SLAVIN: All right. So I don't see  
12 any hands raised. So that closes the Interested  
13 Parties' evidence.

14 Rebuttal evidence, Mr. Barry?

15 ATTORNEY BARRY: Yes. I'd like to call  
16 Jared Zvonar as a rebuttal witness.

17 We also have three exhibits, new exhibits,  
18 we would like to submit. So if you would like  
19 to pass those out now?

20 JUDGE SLAVIN: I would. That would be  
21 more efficient, please.

22 ATTORNEY BARRY: Good evening, Mr. Zvonar.

23 MR. ZVONAR: Good evening.

24 ATTORNEY BARRY: Can you --

1 Well, we need to have him re-sworn.

2 JUDGE SLAVIN: You may inquire.

3 ATTORNEY BARRY: Don't you need to swear  
4 him in again?

5 JARED ZVONAR,  
6 being first duly sworn, was examined and  
7 testified as follows:

8 REBUTTAL DIRECT EXAMINATION

9 BY ATTORNEY BARRY:

10 Q. Mr. Zvonar, can you remind everybody who you  
11 are and what your role is in connection with the  
12 Applicant?

13 A. Yes. My name is Jared Zvonar. I'm a  
14 development manager at Leeward Energy, which  
15 means I manage all parts of the project  
16 development process, starting from step zero,  
17 when we pick where the projects go, all the way  
18 until when construction starts.

19 I have been working on the Braided Creek  
20 Project for about three years now.

21 Q. Mr. Zvonar, have you had any communications  
22 with any railroad that operates railroad tracks  
23 and/or owns railroad tracks that are in the  
24 project footprint?

1 A. Yes.

2 Q. What railroads have you communicated with?

3 A. I have communicated with BNSF and Union  
4 Pacific.

5 Q. Let's start with BNSF -- and by the way, is  
6 BNSF -- are those tracks the ones that are used  
7 by Amtrak?

8 A. That's right.

9 Q. Can you tell us what the communications you --  
10 what's the initial communication you had with  
11 BNSF?

12 A. Yeah, I reached out to BNSF on October 31st of  
13 this past year to introduce them to the project,  
14 ask of any questions that they have for us and  
15 kind of talk through the material presented to  
16 date.

17 Q. Okay. When you say you reached out to BNSF,  
18 did you reach out to an individual?

19 A. Yes. I reached out via e-mail to Julie  
20 Alexander, who's the director of permitting for  
21 BNSF.

22 Q. Did you get a response?

23 A. I did.

24 Q. And what happened after the -- was there an

1 email response?

2 A. Yes. We spoke on the phone. I had a  
3 conversation with a little more detail with --  
4 on my original email ask, and Julie subsequently  
5 responded with a message from her engineering  
6 team which stated that --

7 Q. Okay. Hang on. Not to interrupt you.

8 A. Sorry.

9 (Petitioner's Exhibit Number 14  
10 marked for identification.)

11 Q. I want to direct your attention to Petitioner's  
12 Exhibit 14.

13 Okay. What is that?

14 A. That is a screenshot of the email  
15 communications that I had with Julie Alexander.

16 Q. Okay. So let's start with, is your initial  
17 email dated October 31st shown on the document?

18 A. Yes.

19 Q. Okay. And then is there a response to it?

20 A. Yes.

21 Q. And what's the date of the response email?

22 A. November 26th, 2025.

23 Q. And again, is that response email from Julie  
24 Alexander --

1 A. Yes.

2 Q. -- at BNSF?

3 Can you read to us what the response says?

4 A. Yes. It says, "Hi, Jared. Per the attached  
5 email from BNSF Engineering, they have no issues  
6 at this time with your plans."

7 Q. Okay. Is the attach- -- is the email  
8 referenced in Ms. Alexander's email attached?

9 A. Yes.

10 Q. And included as part of Exhibit 14?

11 A. Yes.

12 Q. What does that show?

13 A. That email says --

14 Q. Well, wait. What is the email?

15 A. It is a thread with the BNSF engineering team  
16 who reviewed the microwave beam paths and  
17 communication paths for BNSF tracks in the  
18 project area.

19 Q. Okay. Well, is -- she refers to an email and  
20 you said it's a thread, but why don't you start  
21 at the top of the second page of Exhibit 14?

22 A. Sure. I'll start at the top and read down.  
23 This goes in reverse order, how we receive them.  
24 The top email is from Shawn Hall, who

1 works at Crossings for BNSF, who says, "I sent  
2 the proposed Braided Creek Wind Farm project to  
3 both BNSF Signal and Telecom teams. No issue  
4 with signal at this time."

5 Below that is an email from Praveen  
6 Krishnan, senior manager of Telecom at BNSF. He  
7 says, "We reviewed the attached wind farm  
8 microwave study form Comsearch (sponsored by  
9 Leeward Renewable Energy). Based on the  
10 analysis report, BNSF MW system is clear from  
11 the Braided Creek Wind development. This  
12 project can proceed with no concern to BNSF MW  
13 system operations between Galva, Illinois, and  
14 Dorr Hill, Illinois."

15 Q. And what's the date of that email again?

16 A. That is from November 14th, 2025.

17 Q. Okay. Thank you.

18 Did you have any follow-up communications  
19 with Julie Alexander at BNSF after the email  
20 that she sent you on November 26th?

21 A. I did not.

22 Q. All right. Now, you said you also had some  
23 communications with Union Pacific Railroad; is  
24 that correct?

1 A. That's correct.

2 (Petitioner's Exhibit Number 15  
3 marked for identification.)

4 Q. I would like to call your attention to what's  
5 been marked as Petitioner's Exhibit 15.

6 Do you see that?

7 A. I do.

8 Q. What is that?

9 A. That is an email that I sent to Jim Hild, a  
10 director of real estate at Union Pacific -- same  
11 email I had sent to Julie Alexander -- to  
12 explain the project, explain the discussions to  
13 date, give a little overview and help kick off  
14 the conversation with Union Pacific as well.

15 Q. Did you receive a response to this email?

16 A. I did not.

17 Q. Did you have any other communications with  
18 anyone at Union Pacific Railroad?

19 A. Yes. I reached out to Jim Hild, who this email  
20 is addressed to, on a number of occasions,  
21 probably close to half a dozen, if not more, via  
22 email, phone call and paper mail.

23 I additionally reached out to four other  
24 Union Pacific representatives through the same

1 methods, and I have not received a response yet.

2 Q. So you reached out to or attempted to  
3 communicate with four or five representatives of  
4 Union Pacific Railroad and you have not received  
5 a response yet; is that correct?

6 A. That is correct.

7 (Petitioner's Exhibit Number 16  
8 marked for identification.)

9 Q. Mr. Zvonar, I would like to direct your  
10 attention to Petitioner's Exhibit 16.

11 Do you have that in front of you?

12 A. I do.

13 Q. Can you explain what this document is?

14 A. Yes. This document is an analysis of the  
15 Department of Transportation's wind turbine  
16 setback recommendations from railroads and  
17 roads, and it ultimately determines that the  
18 setbacks are not warranted based on the  
19 scientific evidence to date.

20 Q. Okay. But who's the -- where did it come from?

21 A. It came from American Clean Power.

22 Q. Okay. Can you read the bottom three paragraphs  
23 in the document?

24 A. Yes.

1 "As was noted in a recent trade press  
2 article, quote, "If turbines are creating  
3 problems for railroads, the industry's main  
4 trade group hasn't heard about it. The  
5 Association of American Railroads is, quote,  
6 unaware of any instances of interference with  
7 rail communication systems, but we recognize  
8 that potential concerns have been raised," a  
9 spokeswoman said in an email.

10 ACP is unaware of any situation in which  
11 communications and data transmission from trains  
12 or vehicles has been lost or degraded due to  
13 wind turbines.

14 The National Transportation Safety Board,  
15 or NTSB, did a review of positive train control  
16 (PTC) technology in 2023. Importantly, the NTSB  
17 did not identify either wind turbines  
18 specifically or radio interruptions generally as  
19 a concern for PTC."

20 Q. All right. Thank you.

21 Mr. Zvonar, I, at this time, would like to  
22 direct your attention to an exhibit that was  
23 previously submitted by another party, and it's  
24 marked as IP 11.

1 Do you have that exhibit in front of you?

2 A. I do.

3 Q. Can you tell me what this exhibit is?

4 A. This is a memorandum of an agreement that we  
5 entered into with one of our participating  
6 landowners on the project for a wind energy  
7 development and operations agreement.

8 Q. Okay. Now, you said "we." So can you be a  
9 little bit more precise, please?

10 A. Yes.

11 Q. Who are the parties to this agreement?

12 A. The parties are Leeward Renewable Energy  
13 Development and Ronald D. Handley, Trustee of  
14 the Ronald D. Handley Trust.

15 Q. Okay. And what is the title of this document?

16 A. Memorandum of Wind Energy Development and  
17 Operations Agreement.

18 Q. Where can this document be found?

19 A. This document can be found at the recorder's  
20 office.

21 Q. So it's a recorded document?

22 A. That's right.

23 Q. And, again, what does it show? What is it a  
24 summary of?

1 A. It is a summary of the general terms, and  
2 providing a public record of the timing of an  
3 agreement that we entered into with Ronald D.  
4 Handley.

5 Q. Why did you file -- why did Leeward -- let me  
6 step back.

7 Who recorded this document?

8 A. Leeward Renewable Energy Development.

9 Q. Why did Leeward record it?

10 A. Leeward recorded it because it's part of real  
11 estate transactions. It is standard practice to  
12 record a document like this when you enter into  
13 any lease or purchase agreement.

14 Q. Okay. It's not the agreement itself though,  
15 correct?

16 A. That's correct.

17 Q. Can you tell us about the terms associated with  
18 this agreement?

19 A. Yeah. The agreement critically consists of two  
20 main periods. The first period is what we call  
21 a development term. The second period, which  
22 has to be actively triggered by Leeward, is a  
23 30-year operations term.

24 Q. And for this particular agreement, what period

1 is the agreement in?

2 A. This agreement, along with all the agreements  
3 on the Braided Creek Project, is in the  
4 development term.

5 Q. That's a good point. Is this agreement -- or  
6 this memorandum, does it reflect terms that are  
7 the same terms in terms of the periods involved  
8 for all the landowner agreements in the Braided  
9 Creek Wind Project?

10 A. Yes. All the agreements generally have the  
11 same structure.

12 Q. And so this agreement is currently in the  
13 development term, which means it's in the first  
14 seven-year period; is that correct?

15 A. That's correct.

16 Q. And are there any -- are all of the other  
17 agreements for the project in the development  
18 term as well?

19 A. Yes.

20 Q. Is there any agreement that's in the operations  
21 term?

22 A. No.

23 Q. And why is that?

24 A. Because the project is not yet in construction

1 or operational. We're still very much in the  
2 development term.

3 Q. Okay. So does the operations term start on the  
4 commercial operations date and continue for 30  
5 years?

6 A. Yes. The operations term begins on the  
7 commercial operations date, as defined in the  
8 lease and --

9 JUDGE SLAVIN: Excuse me just a minute.

10 Would somebody back by -- you already know  
11 what I'm going to say, don't you?

12 It was getting a little loud. Since  
13 they're the landlord, I can't go yell at them.  
14 Thank you.

15 Q. (By Attorney Barry:) Mr. Zvonar, has the  
16 operation -- has the commercial operations date  
17 for the Braided Creek Wind Project been  
18 achieved yet?

19 A. No.

20 Q. Why not?

21 A. We have not yet started construction. We  
22 are -- have a number of outstanding development  
23 items left for the project, including this  
24 permit.

1 Q. So the project hasn't started operating at all;  
2 is that correct?

3 A. That's correct.

4 Q. And just to close this out then, the agreements  
5 with landowners for the project are all  
6 currently in the development term, which is a  
7 seven-year period, correct?

8 A. Correct.

9 ATTORNEY BARRY: That's all the questions  
10 I have for this witness, Judge.

11 JUDGE SLAVIN: All right. Questions of  
12 this witness, Mr. Welbers?

13 MR. WELBERS: No.

14 JUDGE SLAVIN: Mr. Jensen?

15 MR. JENSEN: No.

16 JUDGE SLAVIN: Mrs. Smith?

17 MS. SMITH: Yes, I have one question.

18 EXAMINATION

19 BY MS. SMITH:

20 Q. Who is this American Clean Power? Can you give  
21 a little more explanation about who they are?

22 A. They are an industry organization that works in  
23 Washington D.C. They do a lot of education with  
24 the federal government on exactly what is

1 involved in clean power, whether or not it is,  
2 you know, wind/solar storage, clean, natural  
3 gas, geothermal, all sorts of different  
4 technologies.

5 Q. Is it connected -- government connected or just  
6 individual?

7 A. Separate from the government. More of kind of  
8 a lobbyist organization, I guess.

9 Q. Okay. This seven-year period, when did that  
10 start?

11 A. It started at a different time for all the  
12 agreements. It depends on when we sign the  
13 agreement with the underlying landowner.

14 Q. So each one, you may have 40 landowners and you  
15 may have 35 different --

16 A. That's right.

17 MS. SMITH: Okay. That's all. Thank you.

18 JUDGE SLAVIN: Mr. Stutzke?

19 MR. STUTZKE: Nothing.

20 JUDGE SLAVIN: How about you,

21 Ms. Donarski?

22 MS. DONARSKI: I do have a question.

23 EXAMINATION

24 BY MS. DONARSKI:

1 Q. On this Exhibit 16, on the American Clean  
2 Power, you said it was a lobbyist group. So  
3 then it is in favor of renewable projects then?

4 A. Yes.

5 Q. Okay. Is there a date on this report? I  
6 didn't -- it just said "on July 29th," and I  
7 didn't see any year.

8 A. Yeah, it's from 2025, after July 29th. I'm not  
9 sure I have the exact date on me though.

10 Q. Okay. So there's nowhere on the report though  
11 that tells what year it is? Just, you're just  
12 saying you think it's from 2025?

13 A. That's right.

14 MS. DONARSKI: Okay. Thank you.

15 JUDGE SLAVIN: How about Interested  
16 Parties, by the raise of your hand, questions of  
17 Mr. Zvonar?

18 Yup, Connie.

19 EXAMINATION

20 BY MS. STETSON:

21 Q. On the Exhibit 16, the American one, you said  
22 when was that written?

23 A. In the second half of 2025.

24 Q. And Sean Duffy -- you do know Sean Duffy put

1           that out on July 29th?

2   A.    Yes, that's what the -- "on July 29th" is how  
3           the document starts, as a discussion about that  
4           recommendation.

5   Q.    And you are aware that he stated that there is  
6           a study going on?

7   A.    Yes.

8   Q.    So there is a study -- you do -- you are aware  
9           of that, and this letter could mean -- what this  
10          group is, it's for turbines, correct?

11   A.    Yes.

12   Q.    Are you aware of Crescent Ridge next door of  
13          this one?

14   A.    I'm aware of it, yes.

15   Q.    How old are those leases?

16   A.    20, 25 years.

17   Q.    Okay.  And they are not -- are you aware that  
18          they're not entered into the agriculture foreign  
19          investment document?

20   A.    I don't work on the day-to-day work on Crescent  
21          Ridge, so I can't speak a ton to their filings  
22          and how that all works.  Again, I work mostly on  
23          development stage projects.

24   Q.    Are you aware that I gave the last report for

1 2024, IP Number 48, and they -- and did you see  
2 Crescent Ridge on there?

3 A. No.

4 Q. And Braided Creek Wind is not on there as well?

5 A. Correct.

6 MS. STETSON: That's all I have.

7 JUDGE SLAVIN: Any other Interested  
8 Parties, by raise of your hand?

9 Yup.

10 MS. BOELENS: I just have a few questions.

11 JUDGE SLAVIN: We can't hear you. That's  
12 why we use the mic.

13 MS. BOELENS: Yes, hi. I just have a few  
14 questions. Because I haven't been --

15 JUDGE SLAVIN: We have to start with your  
16 name. We don't know who you are.

17 MS. BOELENS: Linda Boelens.

18 JUDGE SLAVIN: And with regard -- do you  
19 live in Bureau County?

20 MS. BOELENS: Yes, I do.

21 JUDGE SLAVIN: Do you live within the  
22 footprint of the proposed project?

23 MS. BOELENS: Oh, yes, I do.

24 JUDGE SLAVIN: Go ahead.

1 MS. BOELENS: Am I okay now?

2 JUDGE SLAVIN: Yeah.

3 EXAMINATION

4 BY MS. BOELENS:

5 Q. Quick few questions. Number one, your company  
6 is supporting this new project; is that correct?  
7 You are the ones that are developing it and  
8 everything else?

9 A. Yes.

10 Q. Okay. And if there are any damages done to  
11 anything, your company will also take care of  
12 whatever happens to, you know, the piece -- to  
13 repair them, so to speak? Like, if something  
14 happens to one of --

15 JUDGE SLAVIN: That's a lot of questions.  
16 Just one at a time.

17 MS. BOELENS: Well, he just said yes to  
18 one of them.

19 JUDGE SLAVIN: I didn't hear him.

20 ATTORNEY BARRY: I'm just objecting  
21 because --

22 JUDGE SLAVIN: Well, wait. Let her --  
23 Start again, ask the question.

24 Q. (By Ms. Boelens:) Does your company repair the

1 mills when they break -- the windmills?

2 ATTORNEY BARRY: Judge, I'm -- my  
3 objection is that that -- I'm not sure what that  
4 has to do with the testimony he just provided.  
5 I mean --

6 JUDGE SLAVIN: Overruled.

7 ATTORNEY BARRY: Well, I want to get this  
8 for the record.

9 JUDGE SLAVIN: It's outside the scope of  
10 your rebuttal.

11 ATTORNEY BARRY: That's correct, and I  
12 think this -- we're on, what, night --

13 JUDGE SLAVIN: Noted.

14 ATTORNEY BARRY: But I would like to get  
15 it for the record.

16 I think it's completely inappropriate --

17 MS. BOELENIS: I'm not going to argue with  
18 this. I just had a few quick questions, but if  
19 it's not going to be, you know, accepted because  
20 it's not doing what -- the subject that he's  
21 talking about --

22 JUDGE SLAVIN: Just -- I make the  
23 decisions. Just --

24 ATTORNEY BARRY: And I'm not --

1 JUDGE SLAVIN: He's making an objection.

2 ATTORNEY BARRY: I'm objecting based on  
3 the idea that this proceeding has gone on for, I  
4 don't know, eight, nine nights now. The  
5 witness, this is his third time on the stand,  
6 he's been subjected to cross-examination three  
7 times now, and I think it's highly inappropriate  
8 to allow questions that relate to his prior  
9 testimony or anything else at this juncture, on  
10 the grounds that it -- you know, for one thing,  
11 for all I know it's a perjury trap.

12 So I'm not going to instruct you not to  
13 answer, Mr. Zvonar, but I would ask you to  
14 answer carefully and consider reviewing the  
15 testimony you gave previously if the questions  
16 are similar to those that were asked before.

17 JUDGE SLAVIN: Objection noted.  
18 Overruled.

19 Let's try again. Ask the question.

20 MS. BOELENS: All right. I do apologize  
21 for that. I'm not trying to get you on perjury  
22 charges or anything like that.

23 Q. (By Ms. Boelens:) I just have a few quick  
24 questions, just for my own benefit, because I

1 just want to make sure that I am going in the  
2 right direction on this.

3 Okay. And so again, you have already said  
4 that it doesn't interfere -- the trains and  
5 everything, that doesn't interfere, but I just  
6 have a question. Is your company going to be  
7 responsible for repairing the parts of the  
8 windmills if they break down?

9 A. Yeah, that's correct.

10 Q. Okay. And how many years are these windmills  
11 guaranteed to be able to stay up?

12 A. Typically they are up for 15 to 20 years.  
13 That's -- when we built the Crescent Ridge  
14 project back in 2005, it was about 15 years  
15 later that we repowered it and put new tops on  
16 those turbines.

17 Q. And you have already researched whether or not  
18 it's going to affect any of our wildlife, our  
19 birds, and so far I have the understanding that  
20 it will not do that.

21 JUDGE SLAVIN: Now you're telling him  
22 things. Questions, just questions.

23 A. Yeah, we have coordinated with IDNR and U.S.  
24 Fish and Wildlife quite a bit to date. The

1 details of that are in our application for the  
2 permit, and there's probably some additional  
3 coordination with them before we go ahead and  
4 break ground.

5 But to date, everything that we have  
6 coordinated with them is in the application.

7 Q. (By Ms. Boelens:) Just one more question.  
8 When the windmills do end up having to come  
9 down, will your company be responsible to bring  
10 them down?

11 A. Yes. We -- so before the project even goes  
12 operational, we have to post cash security or a  
13 letter of credit with the County for the total  
14 cost of decommissioning the project.

15 The County ultimately holds the power to  
16 do that. We can't touch it once it's posted.

17 Q. So the County will be holding on to the funds  
18 in order to take care of that?

19 A. Exactly. And per the Ordinance, those funds  
20 get refreshed every few years.

21 MS. BOELENS: Those are all my questions.  
22 Thank you very much.

23 JUDGE SLAVIN: Redirect -- any other  
24 Interested Parties, questions of this witness?

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(No verbal response.)

JUDGE SLAVIN: Redirect, Mr. Barry, if you have any?

ATTORNEY BARRY: Nothing. Thank you.

JUDGE SLAVIN: All right. You may step down.

Further rebuttal, Mr. Barry?

ATTORNEY BARRY: No, thank you.

JUDGE SLAVIN: Okay. Well, we have reached the close of the evidence. I think what I would like to do before we take a break and start closing remarks/public comments, I'd like to go through the exhibits, and particularly Ms. Stetson's, because I don't think I have ruled on a lot of those, and then the ones of the Petitioner tonight.

So let's go from top down with Interested Parties' exhibits. I will read the exhibit number and a quick definition -- or not definition -- a quick description of what it is.

IP Number 1, slate card encouraging a vote for the 2023 advisory referendum.

Mr. Barry, any objection?

ATTORNEY BARRY: No.

1 JUDGE SLAVIN: IP Number 2, verbatim  
2 written version of Laura Rose's testimony.

3 Any objection?

4 ATTORNEY BARRY: No.

5 JUDGE SLAVIN: IP Number 3, a copy of the  
6 purported results of the April 4th Bureau County  
7 consolidated election.

8 Any objection?

9 ATTORNEY BARRY: No.

10 JUDGE SLAVIN: IP Number 4, copies of  
11 December 3rd, 2022, petitions for Macon  
12 Township, Bureau County, Illinois, containing  
13 18 signatures to place the referendum on the  
14 ballot.

15 Any objection?

16 ATTORNEY BARRY: No.

17 JUDGE SLAVIN: IP Number 5 is not  
18 admitted, as I have already ruled as having been  
19 generated by AI. Same with 6. Same with 7.

20 Number 8, IP Number 8, a document  
21 containing prose copy-and-pasted from the  
22 Leeward Energy web pages --

23 ATTORNEY BARRY: No objection.

24 JUDGE SLAVIN: -- for LRE. I think that

1 means Leeward.

2 IP Number 9, Part 781 of the U.S. Code of  
3 Regulations.

4 ATTORNEY BARRY: I mean, no objection, but  
5 it's a regulation, it's publicly available.

6 JUDGE SLAVIN: Just "no objection" is  
7 enough.

8 IP Number 10, prose copy-and-pasted from  
9 the USDA purporting to remind foreign investors  
10 of their obligations.

11 ATTORNEY BARRY: I don't think I objected  
12 to that one.

13 JUDGE SLAVIN: IP Number 11, copy of the  
14 first page of Bureau County recorded Memorandum  
15 of Wind Energy Development and Operations  
16 Agreement.

17 ATTORNEY BARRY: No objection.

18 JUDGE SLAVIN: IP Number 12, copy of the  
19 first page of Bureau County Recorded Assignments  
20 and Assumption of Agreement Number 2.

21 ATTORNEY BARRY: No objection.

22 JUDGE SLAVIN: IP Number 13, printed pages  
23 from the Farm Service Agency of the USDA  
24 purporting to show certain foreign holdings of

1 U.S. ag land through December of '23.

2 ATTORNEY BARRY: No objection.

3 JUDGE SLAVIN: IP Number 14, not admitted,  
4 as being irrelevant.

5 IP Number 15, three pages of portions of  
6 the Illinois Secretary of State's web pages.

7 Any objection?

8 ATTORNEY BARRY: If that's the one that  
9 shows a picture of the guy, I think you did not  
10 admit that one.

11 JUDGE SLAVIN: Well, what I -- my note  
12 says "but not containing the last two pages,  
13 which were not admitted as being irrelevant."

14 ATTORNEY BARRY: Okay.

15 JUDGE SLAVIN: So no objection as to the  
16 first three?

17 ATTORNEY BARRY: No.

18 JUDGE SLAVIN: IP 16 I did not admit, as  
19 it was already admitted as part of the  
20 Petitioner's evidence.

21 IP Number 17, not admitted for lack of  
22 foundation of reliability.

23 Number 18, copies of LRE business cards  
24 for Jared Zvonar and Ben Lenet.

1           ATTORNEY BARRY: No objection.

2           JUDGE SLAVIN: IP 19, one source page of  
3 alleged reasons a foreign wind turbine company  
4 may choose not to disclose certain information.

5           ATTORNEY BARRY: I think I might have  
6 objected to that one.

7           JUDGE SLAVIN: Admitted.

8           IP Number 20, a six -- June 24th, '21,  
9 Swinhoe article on Amazon PPAs.

10          ATTORNEY BARRY: And I'm going to object  
11 to that one based on relevance. It doesn't have  
12 a thing to do with this project.

13          MS. STETSON: Object.

14          JUDGE SLAVIN: Overruled.

15          Whoever said -- please, please, let's keep  
16 quiet. We're dealing with admission of exhibits  
17 now.

18          Whoever offered these, you have made your  
19 case. Now I'm getting from the opponent whether  
20 they have any objections and what the objections  
21 are, if any.

22          IP 20 admitted.

23          IP 21, March 12th, 2016, Sustainable Power  
24 news article on Vestas and General Electric WTG

1 failures.

2 ATTORNEY BARRY: No objection.

3 JUDGE SLAVIN: IP Number 22, December 4,  
4 '24, Morgan Legal Corporation article on WTG  
5 accidents.

6 ATTORNEY BARRY: I'm going to object to  
7 this one because I don't think a proper  
8 foundation has been laid, and I suspect it could  
9 be -- could have been AI generated.

10 JUDGE SLAVIN: I didn't hear that, so  
11 that's -- your objection is overruled. It's  
12 admitted.

13 2025 Scotland Against Spin summary of wind  
14 turbine accident data up to March 31st of last  
15 year.

16 ATTORNEY BARRY: I object to that one  
17 because I don't think she -- the witness laid a  
18 foundation for who the organization is or  
19 anything about the organization. She called it  
20 an environmental group, that's all we know.

21 JUDGE SLAVIN: I understand. It's not  
22 that far from your Clean Energy article today.  
23 It's a close call, but admitted.

24 IP 24, Det Norske Veritas' technical

1 review of Vestas V-163 for 4.5 megawatts.

2 ATTORNEY BARRY: No objection.

3 JUDGE SLAVIN: 25, from Vestas website and  
4 Wikipedia about the source companies of WTG  
5 manufacturing companies.

6 ATTORNEY BARRY: No objection.

7 JUDGE SLAVIN: IP 26, map of the area  
8 generally south of Buda showing proposed  
9 placement of WTG's purportedly within a mile and  
10 a half of the municipal limit -- municipal line.

11 ATTORNEY BARRY: No objection.

12 JUDGE SLAVIN: IP 27, printout of the  
13 Village of Buda Facebook page purporting to show  
14 absence of notice about Braided Creek Wind Board  
15 action.

16 ATTORNEY BARRY: No objection.

17 JUDGE SLAVIN: IP 28, Village of Buda  
18 May 8, 2025, Board minutes --

19 ATTORNEY BARRY: No objection.

20 JUDGE SLAVIN: And 11 pages of Facebook --  
21 it also includes 11 pages of Facebook messaging  
22 allegedly between the mayor and Jared Zvonar.

23 ATTORNEY BARRY: No objection.

24 JUDGE SLAVIN: IP 29, 30 and 31 are all

1 already not admitted as -- well, 29 and 30  
2 because they're nothing more than the Ordinance,  
3 which the ZBA has to consider, and law is not  
4 admissible as evidence.

5 31 is not admitted, as it was already  
6 admitted in part of the Petitioner's evidence.

7 IP Number 32, 2024 Amtrak and Illinois  
8 fact sheet.

9 ATTORNEY BARRY: No objection.

10 JUDGE SLAVIN: IP Number 33, 2009 Krug and  
11 Lewke energy article on possible electromagnetic  
12 interference by WTG's.

13 ATTORNEY BARRY: I object to that one  
14 based on foundation and possible AI generation.

15 JUDGE SLAVIN: Understood, but admitted.

16 20- -- IP Number 34, 2025 Meteorcomm  
17 Assessment of Wind Farm Interference Impact.

18 ATTORNEY BARRY: No objection.

19 JUDGE SLAVIN: IP Number 35, release from  
20 the United States Department of Transportation  
21 to reinstate recommendations for a 1.2-mile WTG  
22 setback.

23 ATTORNEY BARRY: No objection.

24 JUDGE SLAVIN: IP Number 36, July 30th,

1 '25, Industry News report on U.S. Department of  
2 Transportation recommendations for a 1.2-mile  
3 setback.

4 ATTORNEY BARRY: No objection.

5 JUDGE SLAVIN: IP Number 37 was not  
6 admitted, as the County Ordinance is not  
7 evidence.

8 Number 38, Stetson calculations of setback  
9 distances, WT foundation depth and concrete  
10 volume.

11 ATTORNEY BARRY: No objection.

12 JUDGE SLAVIN: IP Number 39, purported  
13 U.S. Environmental Protection Agency definition  
14 of a wetland and a map showing Coal Creek  
15 Riparian Zone A Wetland.

16 ATTORNEY BARRY: No objection.

17 JUDGE SLAVIN: IP Number 40 was not  
18 admitted, as the proffer was already admitted as  
19 part of the Bureau County Soil and Water  
20 Conservation District evidence.

21 Number 41, map of the location of proposed  
22 Stetson property and some attendant distance  
23 calculations from the Mautino State Fish and  
24 Wildlife Area and Bureau County's Walnut Grove

1 Woodland.

2 ATTORNEY BARRY: No objection.

3 JUDGE SLAVIN: IP Number 42 is not  
4 admitted, as previously admitted as part of the  
5 VanDeWalle testimony.

6 IP Number 43, Associated Press Report of  
7 ESI Energy's plea of guilty and subsequent  
8 sentence for death of 150 bald or golden eagles  
9 at 50 wind farms in eight states.

10 ATTORNEY BARRY: No objection.

11 JUDGE SLAVIN: 44 is not admitted, as a  
12 county ordinance is not evidence.

13 IP Number 45, as that proffer was already  
14 admitted as part of the Petitioner's evidence.

15 IP Number 46, a copy of texts sent by  
16 Connie Stetson to Jared Zvonar.

17 ATTORNEY BARRY: No objection.

18 JUDGE SLAVIN: IP number 47, July 7th,  
19 2025, U.S. Department of Energy Report on  
20 Evaluating U.S. Grid Reliability and Security.

21 ATTORNEY BARRY: No objection.

22 JUDGE SLAVIN: And IP Number 48, Bureau  
23 County portion of listing under the Agriculture  
24 Foreign Investment Disclosure Act.

1           ATTORNEY BARRY: No objection.

2           JUDGE SLAVIN: And I may have done some of  
3 these before, but I'm going to go over them just  
4 in case.

5           Interested Parties, we're going to go  
6 through Petitioner's exhibits.

7           Petitioner Number 1, any objection to the  
8 hard copy of Jared Zvonar's PowerPoint  
9 presentation?

10                           (No verbal response.)

11           JUDGE SLAVIN: Petitioner Number 2,  
12 executed AIMA agreement?

13                           (No verbal response.)

14           JUDGE SLAVIN: Petitioner's Number 3,  
15 Aaron Anderson -- hard copy of Aaron Anderson's  
16 PowerPoint presentation?

17                           (No verbal response.)

18           JUDGE SLAVIN: Petitioner Number 4, hard  
19 copy of Evan Markowitz's PowerPoint  
20 presentation?

21                           (No verbal response.)

22           JUDGE SLAVIN: Petitioner Number 5,  
23 stamped shadow flicker analysis?

24                           (No verbal response.)

1 JUDGE SLAVIN: Petitioner Number 6,  
2 stamped decommissioning plan?

3 (No verbal response.)

4 JUDGE SLAVIN: Petitioner's Number 7,  
5 VanDeWalle, hard copy of his PowerPoint  
6 presentation?

7 (No verbal response.)

8 JUDGE SLAVIN: Petitioner Number 8,  
9 Loomis, hard copy of his PowerPoint  
10 presentation?

11 (No verbal response.)

12 JUDGE SLAVIN: Petitioner Number 9, the  
13 Wegner sound study PowerPoint presentation, hard  
14 copy?

15 (No verbal response.)

16 JUDGE SLAVIN: Petitioner Number 10, hard  
17 copy of the Meyer PowerPoint presentation?

18 (No verbal response.)

19 JUDGE SLAVIN: Petitioner Number 11, hard  
20 copy of the Lines PowerPoint presentation?

21 (No verbal response.)

22 JUDGE SLAVIN: Petitioner Number 12,  
23 Zoning Officer approval of Evan Markowitz's  
24 ability to present?

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(No verbal response.)

JUDGE SLAVIN: Petitioner Number 13,  
Zoning Officer's approval of Aaron Anderson's  
qualifications to present?

(No verbal response.)

JUDGE SLAVIN: So Petitioner's -- hearing  
no objection, Petitioner's 1 through 13 are  
admitted.

I think I dealt with them, again, but I'm  
going to make sure. Does anyone -- and you can  
start, Mr. Barry, but anyone have any objection  
to any of the Soil and Water Conservation  
District exhibits? They are numbered SW 1  
through SW 63.

ATTORNEY BARRY: No objection from this  
side.

JUDGE SLAVIN: Any Interested Parties?

(No verbal response.)

JUDGE SLAVIN: They are all admitted. All  
right.

MS. DONARSKI: Can I ask a quick question?

JUDGE SLAVIN: Sure.

MS. DONARSKI: When you were going through  
the Petitioner's numbers, you stopped at 13.

1 Were you not going to do 14, 15 --

2 JUDGE SLAVIN: I'm getting there. I'm  
3 getting there. I'm going through my notes.

4 MS. DONARSKI: Okay. Never mind.

5 JUDGE SLAVIN: Then I think we ended up  
6 with today, Interested Parties, any objection to  
7 Petitioner's Number 14, an email string between  
8 Mr. Zvonar and Julie Alexander of BNSF?

9 (No verbal response.)

10 JUDGE SLAVIN: Hearing none, it's  
11 admitted.

12 Petitioner Number 15, a document purported  
13 to show attempted contact between Mr. Zvonar and  
14 Union Pacific Railroad?

15 (No verbal response.)

16 JUDGE SLAVIN: Hearing no objection, it's  
17 admitted.

18 Petitioner Number 16, American Clean  
19 Energy Power Analysis of the U.S. Department of  
20 Transportation setback requirements?

21 (No verbal response.)

22 JUDGE SLAVIN: All right. Hearing no  
23 objection, 14, 15 and 16 are admitted.

24 Anybody, did I miss ruling on any of them?

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(No verbal response.)

JUDGE SLAVIN: All right. Obviously I don't think so, but somebody can call attention to my mistake.

Okay. The evidence is closed, and we will take a break for closing arguments/public comment. How about ten after? Ten after 7:00.

(A recess was taken at 6:56 p.m. and proceedings resumed at 7:09 p.m.)

JUDGE SLAVIN: All right, Mr. Barry, Petitioner starts first. You may.

ATTORNEY BARRY: Thank you, Judge Slavin. Mr. Chairman, members of the Board, Ms. Donarksi, Callie, everyone else, thank you for participating in these hearings.

As you may recall, we have been at it for a while now. Since August 20th, to be exact. I really appreciate the dedication, showing up here through lots of different types of weather. We began when it was hot, now it's, of course, freezing outside.

When I was a kid, Saturday morning cartoons were a big deal, and one of those

1 cartoons that I used to like to watch was the  
2 Rocky and Bullwinkle show. You might remember  
3 it. In the Rocky and Bullwinkle show, they had  
4 different characters, and two of those  
5 characters that I remember are Sherman, and he  
6 had a dog named Mr. Peabody, and they would go  
7 back in time. They would go back in time  
8 through something called the Wayback Machine.

9 Well, I'm going to ask you to join me here  
10 tonight, to get into the Wayback Machine. We're  
11 not going to go back as far as Sherman and  
12 Mr. Peabody, but we're going to go back to  
13 August. I think that's probably necessary and  
14 appropriate because of all the witnesses that we  
15 have seen as part of these proceedings.

16 So on the screen here is a summary of the  
17 witnesses. As you can see -- I didn't count  
18 them up -- I think we have got about a dozen,  
19 and certainly more when you include the  
20 Interested Parties. I'm going to walk through  
21 those pretty briefly as a reminder, and then I'm  
22 going to discuss the evidence that was submitted  
23 by the Interested Parties, the applicable  
24 standards, including an Illinois Supreme Court

1 case called Living Word, the Illinois State  
2 siting standards, and then we'll go at the end  
3 to the Bureau County Wind Siting Ordinance and  
4 the Bureau County standards for issuing a  
5 Conditional Use Permit.

6 Because at the end of the day, as a  
7 reminder, again, it's been since August, this is  
8 an application for a Conditional Use Permit.  
9 There are three or four variants sought in  
10 connection with that application, but ultimately  
11 that's what we're asking the Board to make a  
12 recommendation on, as well as findings of fact  
13 in connection there with it.

14 So again, stepping into the Wayback  
15 Machine, back in August we kicked off the  
16 hearings with the first witness, Mr. Zvonar.  
17 This was round one of three rounds. And if you  
18 recall, Mr. Zvonar talked about the project. He  
19 gave an overview. He testified about what kind  
20 of input went into the design and the layout of  
21 the proposed turbines. He gave an overview of  
22 the project's requests, Conditional Use Permit  
23 and Variance requests. He testified that the  
24 project has -- or the Applicant has voluntarily

1       agreed to increase setbacks by 50 percent, as  
2       that's -- than what is required these days, to  
3       match Bureau County's previous long-standing  
4       Ordinance, and they also committed to using the  
5       ADLS to make the lights -- it's a technology  
6       that only makes the lights on top of the  
7       turbines come on when an aircraft is in the  
8       vicinity, so that they don't blink all the time.

9               He testified that the project will comply  
10       with the Bureau County Wind Siting Ordinance,  
11       and gave a summary of the studies associated  
12       with the application. He testified about  
13       project decommissioning and the AIMA  
14       commitments, and he talked about the economic  
15       benefits and community engagement that was done  
16       in conjunction with the permit application.

17              Next up was Aaron Anderson. And I have to  
18       admit, I forgot about -- I didn't necessarily  
19       remember everybody who had testified. So  
20       that's -- it was a good exercise for myself in  
21       going through this. Hopefully it helps you as  
22       well.

23              Aaron Anderson is with Burns and  
24       McDonnell. He's a civil engineer. He presented

1 the shadow flicker study, the decommissioning  
2 plan, and he provided a certification of the  
3 turbine foundations as an engineer.

4 You may recall next was Evan Markowitz,  
5 also with Burns and McDonnell, except he's an  
6 environmental engineer, and he testified about a  
7 wetland study that they conducted. One of the  
8 key points I want to make that he testified  
9 about was that the project will not -- will  
10 not -- site turbines in wetlands or streams.

11 Why? Because if you remember, and you can check  
12 the transcript, Mr. Markowitz said there's an  
13 incentive to avoid placing infrastructure in wet  
14 areas because it triggers additional permitting  
15 if you do it. Setting aside that there could be  
16 other problems associated with putting  
17 infrastructure in wet areas, he said, if nothing  
18 else, it requires additional permitting. So he  
19 testified that the project will avoid putting  
20 turbines and other infrastructure in wetlands.

21 He testified about stormwater permitting.  
22 He talked about the dealings with the Illinois  
23 SHPO, the State Historic Preservation Office,  
24 and he said there was -- those are the

1 archaeological and architectural studies. I  
2 believe he said they're doing a phase one in  
3 response to the SHPO's directive.

4 He also testified about the EcoCAT review  
5 that's done with IDNR, or it's the endangered  
6 species review. He described the IDNR one-mile  
7 setback to the Mautino State area, and he  
8 indicated that the project is still consulting  
9 with IDNR on that recommended distance. In  
10 other words, trying to figure out where it  
11 starts from and where it stops, and the  
12 discussions are ongoing about that because the  
13 statute requires a consultative process, and  
14 that's what they continue to do.

15 Terry VanDeWalle from Stantec, who's a  
16 wildlife biologist, was the next witness, and he  
17 testified about the wildlife bird study that was  
18 done, the Avian Impact Study. As a reminder,  
19 Mr. VanDeWalle said that there's no -- they  
20 found no raptor or eagle nest within the project  
21 area. He said the study followed the U.S. Fish  
22 and Wildlife Agency's guidelines and rules, both  
23 land-based wind energy guidelines and the eagle  
24 conservation plan guidelines.

1           If you remember, he testified in response  
2           to, I think, some questions from the Board that  
3           bald eagles are good at avoiding wind turbines.  
4           They scan the horizon up and down and sideways.  
5           He concluded that the current layout of the  
6           project follows the guidelines and is  
7           sufficient, in his opinion, to avoid issues with  
8           eagles.

9           Dr. David Loomis was the next witness to  
10          testify. He presented the economic impact  
11          study. As a summary, he discussed how the  
12          project is projected to generate 48 million --  
13          over \$48 million in property tax revenue, and  
14          over 110 jobs during construction, and 22  
15          long-term jobs associated with the project.

16          The next witness was Gabriel Weger. He's  
17          an acoustician with Burns and McDonnell. He  
18          prepared the sound study. He testified that the  
19          study shows that the project will comply with  
20          the Illinois Pollution Control Board sound  
21          limits, and those are the applicable rules for  
22          sound when it comes to wind projects.

23          David Meyer was the next witness. He's  
24          from Comsearch. If you recall, he did the

1       communications study; he did an AM/FM radio  
2       study; he did a land, mobile and emergency  
3       services communication study, microwave study,  
4       TV study; and he also discussed the railroad and  
5       highway setbacks.

6               But those first -- those studies indicated  
7       that they are either -- he didn't anticipate any  
8       problems, that with the project's layout it  
9       wouldn't -- he didn't anticipate any  
10       interference. And to the extent there is any  
11       interference with things like TV, if you recall,  
12       he said that there are ways to mitigate that by  
13       either installing repeaters or other  
14       infrastructure.

15               So let's talk about how he testified about  
16       the railroad and highway setbacks that we have  
17       heard a lot about from the Interested Parties,  
18       the recommendation from the Secretary of  
19       Transportation -- and I want to emphasize that,  
20       it's a recommendation. It's not a regulation.  
21       It's a recommendation made by the U.S.  
22       Transportation secretary. It's not binding and  
23       it's not the law.

24               And it's telling that the U.S. Department

1 of Transportation has not filed to create a new  
2 regulation at this point, which is something  
3 that could become binding later on.

4 One of the reasons they haven't filed, in  
5 addition to the fact that they may not believe  
6 that they have the evidence to support it, but  
7 another reason might be because there's -- the  
8 president had issued an executive order at one  
9 point last year that said for every one new  
10 regulation that an agency files, that agency has  
11 to eliminate ten other regulations. In other  
12 words, if you want to file one, you've got to  
13 show that you have eliminated ten. I don't know  
14 that that's always easy to do.

15 So, again, where we sit right now is that  
16 it's only a recommendation.

17 Mr. Meyer also testified that the study  
18 does not support the recommendation for a  
19 1.2-mile setback anyway. He said that that  
20 setback is -- doesn't apply to a modern wind  
21 project, modern wind turbines like Braided  
22 Creek. If you recall, the study that was done  
23 in support of the recommendation looked at one  
24 wind project in California, which is one of the

1 oldest ones in the country, and those turbines  
2 are much closer, they are much shorter and much  
3 more numerous, closer together, and it's just  
4 not -- it's apples and oranges compared to this  
5 project.

6 He also pointed out that the study does  
7 not request a 1.2-mile setback. He said that  
8 for everything under 0.3 miles, the study only  
9 recommends additional inquiry. It also did not  
10 examine roads and did not recommend setbacks  
11 from roads.

12 Finally, Mr. Meyer testified that over  
13 4500 wind turbines have been operating for  
14 decades near railroad tracks, with zero reported  
15 problems when it comes to communications.

16 And I will add that, as you heard  
17 Mr. Zvonar testify about this evening, I believe  
18 it's Petitioner's Exhibit 14, he has an email  
19 exchange with BNSF Railroad, the railroad that  
20 the Amtrak travels on, and they said they didn't  
21 have any issues. They had no concerns. Their  
22 engineering department looked at it and said "no  
23 concerns." Don't take my word for it. Read the  
24 email.

1 Andrew Lines was the next witness to  
2 testify. He testified about the property value  
3 impact study he had prepared. As a reminder, he  
4 is an MAI-designated real estate appraiser.  
5 That's the highest designation that a real  
6 estate appraiser can obtain.

7 He said that his study, the study's  
8 conclusion shows that there's no negative impact  
9 on the values of properties close to wind farms.  
10 If you go through that study, you'll see that  
11 they examined matched pairs, they actually  
12 looked at data sales, they looked at other  
13 studies, and they called county assessors, both  
14 in Illinois and elsewhere. There's just no  
15 impact, when you boil it all down, on property  
16 values.

17 The next witness was Mr. Zvonar. This was  
18 round two. He presented the executed  
19 Agricultural Impact Mitigation Agreement, which  
20 is a requirement. He also answered some  
21 clarifying questions about the Ordinance. He  
22 confirmed that the project will involve new  
23 equipment, the substation lighting will be  
24 downcast, he defined associated infrastructure

1 and discussed the access roads.

2 Kris Donarski was the next witness to  
3 testify. And if you remember, Kris talked about  
4 the letters she received back from all the local  
5 governments in the County that were -- that mail  
6 was sent to. So all of them came back with  
7 letters of no objection.

8 Macon Township, Indiantown Township, no  
9 objection.

10 Macon Township Road Commissioner, no  
11 objection. He said they want a Road Use  
12 Agreement, which is appropriately appropriate.

13 IDOT and Bureau County Engineer Road  
14 Districts said no objection. They also -- I  
15 believe the County requested the Road Use  
16 Agreement.

17 The school districts, I think there were  
18 five of them, all of them said no objection.

19 Then the Village of Buda said no  
20 objection.

21 Letters of support for the project were  
22 also read into the record by Ms. Donarski. She  
23 also, if you recall, presented the report of the  
24 Regional Planning Commission, which had voted to

1 recommend approval of a permit for the project  
2 as long as a list of conditions were satisfied.  
3 I believe they certainly found that the project  
4 is consistent with the County's Comprehensive  
5 Plan. I believe they also found that the  
6 project meets the applicable standards for  
7 issuing a permit.

8 The next witness was Rebecca Taylor from  
9 the Soil and Water Conservation District. As a  
10 reminder, we had to wait for her testimony  
11 because the government was shut down, but she  
12 finally was able to testify. She made some  
13 setback recommendations based on her opinions.  
14 She said that she wanted certain -- I think up  
15 to three miles, she wanted turbines to be set  
16 back up to three miles from certain things.

17 But if you recall, she said that her --  
18 the basis for those recommendations were  
19 arbitrary. She said, "This is what I think."  
20 She had no basis for providing them. She  
21 testified that she's not a wildlife biologist,  
22 and she also acknowledged that the  
23 recommendations that she was making weren't  
24 necessarily allowed by State statute. In fact,

1 they're not.

2 With respect to Walnut Grove, she also  
3 admitted that her setback recommendation is not  
4 legally enforceable. She said, There's no legal  
5 holding to that, quote-unquote.

6 So again, she also testified about  
7 wetlands. She said the project must follow  
8 applicable regulations. She referred to the  
9 U.S. Army Corps of Engineers. I believe that  
10 Mr. Markowitz said the same thing, that they had  
11 been in discussions with them and that they will  
12 follow or obtain all the permits necessary, to  
13 the extent they are required. So that was the  
14 Soil and Water Conservation District.

15 The next witness was this evening,  
16 Mr. Zvonar, round three. Again, he talked about  
17 the emails with the railroads. He testified,  
18 read a quote from one of the exhibits from the  
19 Railroad Association indicating that they had --  
20 they were not aware of any communication issues  
21 that were generated by wind turbines.

22 He also testified about the way that the  
23 landowner agreements are set up. I'll come back  
24 to that, because the way that's set up is

1 important.

2 Okay. So let's talk -- so I just provided  
3 you a summary of all the evidence that was  
4 presented at the hearings, but let's remember  
5 that before the hearings began the Applicant  
6 submitted a lot more documentary evidence. I  
7 think some of it is in the bag next to the  
8 Chairman. There are two or three binders of  
9 materials.

10 And I'm -- you know, if you want to go  
11 through them, I'm sure Kris has plenty of copies  
12 of them in her office. But it is a lot of  
13 material. And all of that evidence, we submit,  
14 shows that the project will meet the standards  
15 that are applicable for issuing a Conditional  
16 Use Permit for this project.

17 So let's talk about the evidence that  
18 was -- so that evidence was submitted and it was  
19 admitted. Let's talk about what evidence was  
20 submitted to counter that. There's been a lot  
21 of stuff that's been talked about, but there's  
22 not much that was evidence that's applicable to  
23 this proceeding and certainly to this project.

24 Fortunately -- even though, you know, we

1 deal a lot with stuff that's on the internet,  
2 you can't always tell what's true and what's  
3 not -- for this proceeding, because it's a quasi  
4 public hearing, evidence matters. And this  
5 evidence that was submitted, submitted by the  
6 Applicant, matters, and it was authenticated by  
7 witnesses and it's entitled to a lot of weight  
8 in that regard.

9 So let's talk about the evidence that was  
10 submitted. We have lots of spaghetti that was  
11 thrown against the wall, but nothing really has  
12 stuck. The vast majority of the evidence  
13 presented by the opponents has nothing to do  
14 with this application or Braided Creek Wind.

15 Judge Slavin went through a number of  
16 different exhibits that were submitted, some of  
17 which were admitted, some of which weren't, but  
18 let's take a few examples.

19 Amazon, there's an Exhibit Number 20 that  
20 relates to something Amazon is doing. Again,  
21 doesn't have anything to do with this project.

22 Exhibit 21, it's an article about a wind  
23 project in Missouri that's owned by Ameren.  
24 Again, nothing to do with Leeward or Braided

1 Creek.

2 Exhibit 22, I think it is, or 23, talks  
3 about stuff that's happening in Europe and  
4 Canada.

5 Exhibit 23, in particular, was this  
6 exhibit by this Scottish environmental group, I  
7 guess. Now, you may have wondered earlier why I  
8 asked Ms. Stetson if she thought that the laws  
9 of other countries should apply here. Well, I  
10 pointed that -- I was pointing that out because  
11 if you look at that exhibit, it talks about the  
12 rules in other countries, the rules in other  
13 states. They are not applicable to this  
14 proceeding. I don't think I can emphasize it  
15 any more.

16 I mean, it's a discussion of how things  
17 are done in other parts of the world, and I  
18 believe that's the thrust of that exhibit by  
19 this Scottish entity. Again, doesn't have any  
20 evidence to this proceeding, certainly shouldn't  
21 have any impact.

22 The Next Era exhibit was Exhibit 43, an  
23 exhibit about something a company called Next  
24 Era Energy has done. They are a competitor of

1 Leeward. Has nothing to do with this  
2 proceeding.

3 Let's talk about some of the discussion  
4 about how this -- how Leeward is a foreign  
5 country -- company, excuse me. Mr. Zvonar, I  
6 think it was, testified that Leeward is actually  
7 an independently-operated company that's based  
8 in Dallas, Texas. Yes, they have an investor  
9 that primarily owns Leeward and it's based in  
10 Canada. It's a pension fund. It's a public  
11 employee pension fund. They invest in things,  
12 conservative investments, so they can make money  
13 for their -- so that pension fund can grow.

14 Do they exercise independent -- do they  
15 exercise authority over Leeward? Maybe. But  
16 not on a day-to-day basis for operations.

17 The last thing I'll say is, you know,  
18 calling it a foreign company is somewhat  
19 misleading as well because they are already  
20 operating in this county and they have been for  
21 years. They operate two wind projects, and  
22 those -- the people who work there are not  
23 foreigners. They live -- most of them at least,  
24 it's my understanding, live in this county.

1           So I mean, I just don't -- I don't  
2 understand the point of that. It's not  
3 relevant. It doesn't pertain to any of your  
4 standards. But, again, it's spaghetti.

5           One exhibit that we talked about this  
6 evening and Judge went through, Exhibit  
7 Number 47, which is the Department of Energy  
8 Report, in my opinion actually supports --  
9 supports -- issuing a permit for this project  
10 because it says, We're worried that there's not  
11 going to be enough electric generation and we  
12 ought to have more.

13           Well, this project will generate more  
14 electricity.

15           To the extent that there's other evidence  
16 that relates to this application, it addresses  
17 issues that go beyond the purview of this body.  
18 I mean, we have talked about federal agencies,  
19 permittings and filings at the federal level,  
20 State agencies and permitting and things like  
21 interconnection issues and, again, power  
22 purchase agreements. They have nothing to do  
23 with the standards associated with -- that you  
24 have to consider when you're going to be doing

1 your deliberations and going through the Judge's  
2 list to vote on findings of fact and  
3 recommendations to evaluate whether to issue a  
4 permit.

5 So I want to talk about a couple other  
6 things, including the Village of Buda. As a  
7 reminder, the Village provided a No Objection  
8 letter. They didn't object to the project.

9 There was an agreement that was an  
10 exhibit, a draft agreement. If you look at it,  
11 it's undated and it wasn't signed. It was never  
12 finalized. Mr. Zvonar, back in August,  
13 testified that there's no signed agreement  
14 between the company and the Village of Buda.

15 I don't want to spend a lot of time on  
16 this, but the Village has no zoning, and  
17 therefore there is no legal zoning jurisdiction  
18 anyway. So it's kind of a -- it's kind of a red  
19 herring, in my opinion.

20 Another issue I want to talk about that  
21 was brought up was this USDA AFIDA filing. So  
22 there's been several nights we have had the  
23 discussion about how Braided Creek is not listed  
24 with the USDA's website for AFIDA and it hasn't

1 made filings because, again, it's based -- it's  
2 a foreign company.

3 Well, the reason it's not -- hasn't made a  
4 filing yet is because it's not required to.  
5 What wasn't presented to you is, if there's an  
6 exemption under the federal regulations -- and I  
7 believe that citation is  
8 7 CFR Section 781.2.12 -- that provides an  
9 exemption for agreements that are less than ten  
10 years old.

11 If you recall Mr. Zvonar's testimony this  
12 evening, that's -- the agreement period, or the  
13 period that all agreements -- the landowner  
14 agreements for the project are currently in, it  
15 is the development stage, which is a seven-year  
16 agreement. The operation phase hasn't been  
17 entered into because the project hasn't started  
18 operating.

19 As a matter of federal regulations,  
20 therefore, they are not required to file  
21 anything. So we spent a lot of time talking  
22 about that, but it is just not something that's  
23 required.

24 We spent a lot of time talking about

1 eagles. Again, Mr. VanDeWalle, the expert, the  
2 wildlife biologist, said that the proposed  
3 layout is okay and complies with U.S. Fish and  
4 Wildlife Guidelines.

5 I think everyone understands and agrees  
6 that federal law prohibits anyone -- if you're  
7 driving your truck down the road and you hit an  
8 eagle, you violated federal law even though you  
9 didn't do it on purpose. So it's not allowed.

10 And so this project will be subject to  
11 those laws, and this project will, to the extent  
12 they build the turbines and site them, they're  
13 going to do so carefully because they don't want  
14 to kill an eagle. Because if they do, it's a  
15 violation, arguably, of federal law. So, again,  
16 just want to close that out.

17 And the last issue on this slide is -- I  
18 have already kind of covered it -- BNSF, again,  
19 they own the tracks that host -- they operate  
20 the tracks that host Amtrak. They said they are  
21 not concerned about any communication issues.

22 Union Pacific, Mr. Zvonar, testified that  
23 he reached out to four or five different people  
24 and they didn't respond. One would think that

1 if they were concerned, they would respond in  
2 some kind of way. And as I said earlier, in any  
3 event, this is a recommendation, not a  
4 regulation or binding law.

5 All right. Last page. Let's talk about  
6 the legal standards that are applicable.

7 I think the first one to understand is  
8 that since 2001 the Illinois Supreme Court,  
9 after it issued a decision that year, has set  
10 forth some rules that govern the issuance of  
11 Special or Conditional Use Permits.

12 Okay. Now, I do work in a lot of  
13 different counties for various types of  
14 projects. And when it comes to wind and solar,  
15 the County Boards are upset about the State  
16 Siting Law. I get it. That's been in place now  
17 for three years.

18 But I think what a lot of those County  
19 Board members don't understand is that even  
20 before that law, they didn't have unfettered  
21 ability to turn down a permit application when  
22 it relates to a Special or Conditional Use.

23 Here's what I mean by that. Since 2001,  
24 the Illinois Supreme Court has said that a

1 Special or a Conditional Use is an activity that  
2 the County has already determined is compatible  
3 with and appropriate for the Zoning District  
4 that the use is proposed for. In this case,  
5 that's agriculture.

6 Since I -- some of you may remember, I  
7 have worked on other projects in the county  
8 before that State Siting Law went into effect.

9 The law is, and has been for 25 years,  
10 that a county may only deny the proposed use if  
11 it would result in an adverse effect upon  
12 adjoining and surrounding properties that is  
13 unique and different from the adverse effect  
14 that would otherwise result from the development  
15 of the activity located anywhere else in the  
16 county within that zoning district.

17 So in other words, what that case stands  
18 for is if you declare something is a Special Use  
19 or a Conditional Use, you, as a County, cannot  
20 deny a permit because someone's proposing to do  
21 that use. In other words, you can't just turn  
22 it down because you don't like it. It has to be  
23 something about the particular proposed  
24 location.

1           And that's why you have the standards you  
2           have for evaluating Conditional Use Permits.  
3           And that's important to recognize, because I  
4           hear, again, a lot that the State took away  
5           discretion. It did. And I will just tell you  
6           that they didn't consult me with it when they  
7           took away discretion.

8           And I checked on -- so, you know, I didn't  
9           have anything to do with it, is what I'm saying,  
10          and they didn't consult with me. I checked  
11          around. They didn't consult with an attorney in  
12          Peoria who represents a lot of counties. They  
13          didn't consult with other lawyers who do the  
14          type of work that I do.

15          I don't know who they consulted with.  
16          Maybe the General Assembly? But I think that  
17          may be the reason why they tweaked that law  
18          three or four times now. Because one would  
19          think you would want to talk to somebody who  
20          practices in the space.

21          Because I agree that these decisions  
22          should be made at the local level and not at the  
23          State level. Like cell phone towers, that's  
24          done at the State level. Hog confinements,

1 those are approved at the State level. So I  
2 hope that the State continues to do it at the  
3 local level.

4 But, again, the discretion that was taken  
5 away was more about the setbacks than anything  
6 else. The discretion that exists -- has existed  
7 for 25 years is not as broad as many people  
8 think it was. So that's an important thing to  
9 remember when you're evaluating, in my opinion.

10 So the project, the Applicant, if you go  
11 through the documents, the application  
12 materials, and you look at the testimony, I  
13 think it's -- you will find, and we certainly  
14 submit, that the project has met all the  
15 standards in the Siting Ordinance.

16 And I put on the screen here the standards  
17 for issuing a Conditional Use Permit. Now,  
18 I'll -- I won't spend a lot of time on them  
19 because you will -- members of the Board, you  
20 will be going over these standards at some point  
21 over the next few hearings, but I think you'll  
22 find that the evidence is not contradicted.

23 The evidence submitted that shows that the  
24 project won't be detrimental to or endanger

1 public health, safety and general welfare hasn't  
2 been contradicted. In fact, the project will  
3 promote the general welfare by increasing taxes  
4 and employment levels.

5 I discussed Mr. Line's testimony about the  
6 property values. I won't go through that again.  
7 But the project -- what the second point means  
8 is, the project is not going to interfere in  
9 neighboring properties -- with the uses on  
10 neighboring properties.

11 I think that's where the setbacks come  
12 into play. As I said earlier, this project --  
13 this Applicant has agreed to go 50 percent  
14 beyond what the normal setbacks are. The  
15 project's not going to impede the normal and  
16 orderly development of surrounding properties.  
17 Again, setbacks will -- it's just not going to  
18 interfere with activities on neighboring  
19 properties.

20 The fourth standard is adequate utilities,  
21 access roads, drainage or necessary facilities  
22 will be provided.

23 Well, the project will have to  
24 interconnect with the local utility. It will

1 have adequate access roads. There was testimony  
2 given about that. Drainage issues will be  
3 subject to the Agricultural Impact Mitigation  
4 Agreement, and including repairs of any drain  
5 tile if drain tile is disrupted during  
6 construction.

7 Then the last thing is there will be  
8 adequate measures to provide ingress and egress  
9 to minimize traffic congestion. Again, the  
10 project layout includes the access roads to the  
11 turbines.

12 So the last thing is, there are Variance  
13 requests. The primary one relates to the filing  
14 of the FAA determinations "no hazards." They  
15 are not seeking to avoid that requirement. It's  
16 a question of timing.

17 As Mr. Zvonar explained during his  
18 testimony, that's totally out of their control.  
19 They don't control what federal agencies do,  
20 like the FAA. So they have asked for relief in  
21 terms of the timing of that but not the  
22 requirement. Otherwise, it will impose a  
23 hardship for no reason.

24 Then other requests relate -- the other

1 Variance requests relate to waiving the setbacks  
2 for -- if you remember, the town of Providence  
3 still -- proposed town of Providence, Illinois,  
4 was laid out at one time. It's still a planned  
5 community. It's been around for a hundred years  
6 and was never developed. So that's one of them.

7 Again, it would impose a significant  
8 hardship if those were -- the setbacks are  
9 imposed. I'm -- you know, I don't even think  
10 that those setbacks can be enforced because  
11 of -- I think it would be inconsistent with the  
12 State law.

13 So to summarize here, first of all, I  
14 appreciate your hard work. I served on a school  
15 board for four years. I know what it's like to  
16 sit here and listen to somebody like me go on.

17 But we submit that if you look again at  
18 the evidence in the Chairman's bag and the  
19 transcripts from the testimony, which I have  
20 gone back through a couple times, and the  
21 exhibits that were submitted in the hearings,  
22 that this Applicant has met the applicable  
23 standards for the -- for the siting law, the  
24 County's Siting Ordinance, the State Siting Law,

1 the standards for issuing a Conditional Use  
2 Permit, and the standards for issuing a  
3 Variance, and we respectfully ask this Board to  
4 make a recommendation that the County Board  
5 approve a Conditional Use Permit for the project  
6 and grant the Variances as requested.

7 Again, thank you for hanging with us for  
8 these six months, more or less. We know you  
9 still have got a lot of hard work to do, but we  
10 appreciate the opportunity and for your hard  
11 work and in taking all of this in.

12 JUDGE SLAVIN: Thank you, Mr. Barry.

13 All right. Interested Parties, closing  
14 remarks, public comment, call it what you want,  
15 by raise of your hand.

16 Yes, sir, come on up.

17 MR. SKAGGS: Where do you go, here or over  
18 there?

19 JUDGE SLAVIN: Right there, where  
20 Mr. Barry was.

21 I'll help you get started. When you get  
22 to the microphone, if you'll state your name and  
23 tell us what your relationship to this county is  
24 and if you live in the footprint.

1 MR. SKAGGS: I'm Ron Skaggs. I live south  
2 of Buda, about a quarter mile, right on 40.

3 JUDGE SLAVIN: S-C-A-G-G?

4 MR. SKAGGS: S-K.

5 JUDGE SLAVIN: S-K.

6 MR. SKAGGS: S-K-A-G-G-S.

7 Why would the turbines -- why would the  
8 company want to put them, these wind turbines,  
9 positioned to where they could possibly harm  
10 someone or property or the railroad? Why would  
11 they want to put them in the wetlands that are  
12 predicted -- that are all around a pretty good  
13 number of these? Why would you want to put your  
14 company at that kind of a risk, let alone our  
15 families that have been here for generations?

16 These are multi-generational homes. These  
17 are not people that have moved in and out. We  
18 have lived here, passed them on, fought for our  
19 ground and what have you.

20 I'd like to know who your insurance  
21 company is that's going to allow you to do that?  
22 Because you're putting yourself at a tremendous  
23 amount of risk.

24 A tornado hits one of these -- I asked you

1 guys the last time I was here. Look those up  
2 and see what a tornado does to one of these  
3 windmills. It will suck them out of the ground  
4 and carry them for miles. They are only a mile  
5 away from Buda, 4- or 500 people. They are less  
6 than a mile from my home. You know that it  
7 takes about three seconds for a tornado to cover  
8 that amount of ground? They weigh 250-some-  
9 thousand pounds. It's going to kill everybody  
10 in sight. It may never happen. It may happen  
11 in our next tornado season.

12 And why was Buda, the City of Buda,  
13 allowed to tell -- to allow you guys to move in  
14 an extra half of a mile when it's out of their  
15 city limits? He said that they have no say-so  
16 over the eagles and the wetlands. He said Buda  
17 should not be allowed to have a voice in that.  
18 But why are they able to do that? And then  
19 offer them money just so they can do that, move  
20 in an extra half mile? Why not abide by the  
21 rules? My first statement was, stay back away  
22 from these things. Those setbacks are there for  
23 a damn good reason: people's safety.

24 Those are my points. Again, they do

1 devalue your property. I don't care if somebody  
2 did a study over in Indiana. That has nothing  
3 to do -- these are multi-generational farms and  
4 families that have lived here and friends. You  
5 guys are putting us all at -- combatting each  
6 other. We have lost -- didn't lose friends, but  
7 we argue over these things. Some want them.  
8 Some don't. Most of them don't. The only ones  
9 that want them are the ones that are going to  
10 benefit by the revenue that you guys are going  
11 to pay them just by putting them on their  
12 ground.

13 But the rest of us had no say-so. We  
14 didn't even get a letter until you guys had  
15 already got the maps out, it's all set up, then  
16 I got a letter with a map telling us you're  
17 putting it that close to us and the rest of my  
18 neighbors, who most of them are afraid to speak  
19 up because they farm the ground that the  
20 farmer -- the landowners own. They don't want  
21 to speak up because they may lose their rented  
22 ground.

23 There's several big places. The only ones  
24 that I see that really want them are the guys

1 that got a lot of money, big-money people, and  
2 they're the ones that want them. Apparently  
3 enough money is not enough money.

4 Mr. Handley wants them. I want you to  
5 take them all down there and put them on his  
6 property.

7 Why is this legal to be done without the  
8 consideration to us before all this was done,  
9 all the families that are out there? There may  
10 only be a handful, but we matter.

11 You're going to be pretty damn close to  
12 the railroads. I don't understand -- I talked  
13 to two of the supervisors, one from Burlington  
14 Northern and Union. They are the regional  
15 supervisors. I showed them the map that you  
16 guys sent us and the letter, and they were  
17 absolutely livid. They said, "Well, they can't  
18 do that. They can't be within a mile of our  
19 railroad, simply because of the danger of  
20 landing on the track, let alone the  
21 electromagnetic waves." Things that you guys  
22 think you have addressed that.

23 They won't mess up their communications.  
24 I can't argue that because I don't know, but I

1 do know that these things do fall down and they  
2 can end up on the railroad or on the highway.  
3 They are too close to 40, too close to the  
4 railroads, especially Union Pacific.

5 And the ones you put down through Coal  
6 Creek, all along Coal Creek, that's all wetlands  
7 and flood zones, that whole area down there.  
8 There's at least 20 of them.

9 You know, I am not against the things.  
10 They just need to be in a better spot, like  
11 North Dakota, where there's nobody for 300  
12 miles. They can't affect anybody. Obviously  
13 you're not going there.

14 And we all voted against these windmills  
15 in, like, four of our townships here, but yet  
16 you guys are here anyway. So how does that  
17 happen?

18 I guess that's it.

19 JUDGE SLAVIN: All right. Thank you.

20 Anybody else, by raise of your hand?

21 Want to help us by stating your name and  
22 if you live within the proposed -- the footprint  
23 of the proposed project or outside of it?

24 MS. ROSE: Laura Rose. I live within the

1 project. I live in rural Buda.

2 JUDGE SLAVIN: Okay. Go ahead.

3 MS. ROSE: I would like to address the  
4 Zoning Board of Appeals this evening, and I  
5 would like to also thank you all for your time,  
6 and Mr. Barry and Mr. Zvonar and your staff for  
7 being here, and allowing us to go through this  
8 process, which, in my opinion, does matter in  
9 that we have the right to come and voice our  
10 opinion and present what we feel is evidence.  
11 And so I thank you for that time and the, as  
12 Mr. Barry pointed out, the weather that we have  
13 had. So I would like to thank you for giving  
14 the public the opportunity to speak.

15 Today I'm asking you to look directly at  
16 the facts -- not the promises, not the marketing  
17 language, not the broad national averages, and  
18 not the analyst paid by the wind company -- but  
19 the real, measurable, documented impacts that  
20 industrial wind facilities impose on rural  
21 communities like ours.

22 Because the truth is simple: The people  
23 who stand to lose the most from this project are  
24 the people sitting in this room; your neighbors,

1 your taxpayers, your community. The losses are  
2 not hypothetical, they are not speculative, they  
3 are not feelings; they are documented,  
4 quantified, peer-reviewed and repeatedly  
5 confirmed across appraisal reports, legal  
6 filings and economic analyses.

7 And while the information I submitted  
8 regarding the negative impact of industrial wind  
9 turbine projects on property values was  
10 rejected, dismissed and excluded from the  
11 official record solely because of where I  
12 obtained it, it does not erase the underlying  
13 reality. The facts exist. The research is  
14 established. The economic harm to nearby  
15 property owners is demonstrated again and again  
16 in the very studies these hearings chose not to  
17 acknowledge.

18 Rural Communities Bear the Burden.

19 Rural communities bear nearly the entire  
20 burden. 94 percent of all wind capacity in the  
21 United States is built in counties with fewer  
22 than 250,000 people. 88 percent are in counties  
23 under 100,000 people. That means projects like  
24 this are overwhelmingly placed in small, rural

1 communities, communities with the least  
2 political power and the fewest resources to  
3 fight back. Do not be sold on the terminology  
4 "wind farm." These projects are commercial,  
5 industrial corporations using farmland; land  
6 that is already zoned Agricultural.

7 The Harm is Severe.

8 The introduction of industrial turbines  
9 near homes creates what appraisers call external  
10 obsolescence; an incurable loss of property  
11 value caused by forces outside the landowner's  
12 control. The research is unequivocal:

13 Properties inside the project footprint  
14 have experienced up to 35 percent value loss;

15 Homes one mile away still show around  
16 22 percent loss;

17 Visibility alone, simply being able to see  
18 the turbines, can reduce asking prices by  
19 9 percent -- 9 to 14 percent, with measurable  
20 affects extending up to five miles;

21 Shadow flicker imposes an additional,  
22 distinct economic penalty;

23 Noise, including low-frequency noise and  
24 infrasound, is a documented nuisance that

1 contributes to property stigma and legal claims.

2 These are not small impacts. These are  
3 not temporary inconveniences. These are  
4 life-changing, financial injuries to families  
5 who never asked for an industrial facility next  
6 to their home.

7 Non-Participants Receive Nothing.

8 Participating landowners receive lease  
9 payments, developers receive tax credits,  
10 counties receive revenue, but nonparticipating  
11 neighbors -- the majority of residents --  
12 receive nothing but the loss:

13 Loss of property value;

14 Loss of peaceful enjoyment;

15 Loss of developmental potential;

16 Loss of control over their own land.

17 This is not shared benefit. This is not  
18 community progress. This is a forced transfer  
19 of wealth from rural homeowners to a private  
20 corporation.

21 Regulations Do Not Protect Us.

22 Most setbacks are based on minimum safety  
23 distances, not economic protection. A 2500-foot  
24 setback -- which sounds large on paper -- still

1 falls well within inside -- well inside the zone  
2 where the most severe losses occur. It does  
3 nothing to protect against:

4 The 1- to 2-mile radius where major  
5 devaluation is documented;

6 The 5-mile radius where visibility impacts  
7 property values;

8 The low-frequency noise that travels far  
9 beyond property lines.

10 When setbacks are smaller than the  
11 distance at which harm occurs, the regulation is  
12 not protection; it is permission for damage.

13 Across the country property owners have  
14 argued that placing turbines too close to homes  
15 constitutes a regulatory taking, an  
16 uncompensated invasion of property rights. When  
17 a turbine's safety buffer or noise contour  
18 overlaps a neighbor's land, it creates a de  
19 facto no-build zone. That is an easement, and  
20 easements must be compensated.

21 If the Board approves a project that  
22 imposes uncompensated burdens on neighboring  
23 properties, you are not just making a zoning  
24 decision, you are exposing the County to legal

1 and financial risk.

2 You are not required to approve a project  
3 that harms residents. You are not required to  
4 accept setbacks that are proven inadequate. You  
5 are not required to ignore the documented  
6 economic losses that fall on nonparticipating  
7 landowners.

8 You have the power to say:

9 The setbacks are not sufficient;

10 The economic harm is unacceptable;

11 The burden on nonparticipating residents  
12 is too great;

13 The developer must internalize the costs  
14 they impose.

15 This is not anti-renewable energy. This  
16 is pro-community.

17 If this project were truly beneficial, it  
18 would not require rural homeowners to absorb  
19 tens or hundreds of thousands of dollars in  
20 losses. It would not require families to  
21 sacrifice their property rights. It would not  
22 require neighbors to live with permanent  
23 industrial nuisances for someone else's  
24 financial gain. It would not require the

1 multitude of meetings and hearings we have all  
2 been subject to for the last six to eight  
3 months.

4 This is not just an economic issue. It is  
5 a fairness issue, a justice issue, a property  
6 rights issue. The nonparticipating neighbor --  
7 the person who never gets a signed lease, never  
8 agreed to host a turbine, never asked for an  
9 industrial facility next to their home -- is  
10 left with the bill.

11 That is why communities across the country  
12 are calling for property value guarantees;  
13 policies that simply ensure that if a wind  
14 project reduces a neighbor's property value, the  
15 developer, not the homeowner, bears the cost.  
16 This is not radical. It is responsible. It is  
17 fair. And it is already being done in some  
18 jurisdictions.

19 We are not here to debate the merits of  
20 renewable energy. We are here to insist that  
21 rural families should not be collateral damage  
22 in the pursuit of it. We are here to insist  
23 that the economic harm documented in study after  
24 study -- harm that is severe, localized and

1 permanent -- must be acknowledged and addressed.

2 We Are Asking For Fairness.

3 The facts are clear:

4 The losses are real;

5 The impacts are measurable;

6 The burden is unequal;

7 And the current regulations are  
8 inadequate.

9 We deserve policies that reflect reality,  
10 not industry talking points, not broad  
11 statistical averages that wash out the suffering  
12 of the few, but the living experience and  
13 documented losses of the people who live closest  
14 to these projects.

15 Rural communities matter. Rural property  
16 rights matter. The people who stand to lose  
17 most deserve to be heard, respected and  
18 protected.

19 And to guide you in your decisionmaking  
20 process, I will remind you that in the April  
21 2023 consolidated election, a proposition  
22 appeared on the ballot asking whether Macon  
23 Township should adopt a 10-year moratorium on  
24 industrial wind power. The exact wording was:

In Totidem Verbis, LLC (ITV)  
815.453.2260

In Totidem Verbis, LLC (ITV)

1 "Shall a 10-year moratorium on the construction  
2 of industrial wind power in Macon Township be  
3 approved, halting development and construction  
4 of any large or significant industrial wind  
5 power project?"

6 A total of 40 votes were cast: 28 voted  
7 yes, 12 voted no. That's a 70 percent majority  
8 in favor of halting industrial wind development.

9 This vote was lawful, valid and part of  
10 the public record. The petitions were submitted  
11 and the ballot certified before the State's  
12 moratorium ban was enacted. This vote reflects  
13 the will of the people who live here -- not  
14 absentee landowners, not developers, but the  
15 residents who will live with the consequences.

16 So I ask, why is a project with  
17 application for Conditional Use and Variations  
18 on 58 turbines, plus substations, laydown yards  
19 and transmission lines, being pursued in direct  
20 contradiction to the expressed will of the  
21 voters?

22 You have a responsibility to consider, not  
23 only Zoning Standards, but also the democratic  
24 voice of the people. The voters said "halt."

1 The voters said "no." The voters said "not  
2 here, not now, not for the next ten years."

3 We are asking for fairness, we are asking  
4 for protection, we are asking for zoning  
5 decisions that reflect the reality of rural  
6 life, not the assumptions of distant analysts  
7 who will never live next to a 600-foot turbine.

8 And above all, we are asking you to stand  
9 with the people who are your neighbors, friends,  
10 acquaintances, relatives, your community and  
11 fellow taxpayers; not with corporations, not  
12 with the consultants, not with the promises of  
13 economic benefit that never seem to reach the  
14 people most affected.

15 Stand with the families who will live with  
16 the consequences of your decisions long after  
17 the developer has moved on and long after you  
18 are no longer on this Board.

19 Thank you.

20 JUDGE SLAVIN: Thank you.

21 Other Interested Parties?

22 You may have the podium, Mrs. Stetson.

23 MS. STETSON: Yes.

24 JUDGE SLAVIN: And you may.

1 MS. STETSON: First I would like to talk  
2 about the Agricultural Foreign Investment  
3 Disclosure Act. They -- Leeward stated that  
4 they own Lone Tree Wind. Lone Tree Wind is on  
5 this report as Canadian. So they are a foreign  
6 company. That is IP 48.

7 Fact: The following statement is on the  
8 applications submitted to Bureau County,  
9 Illinois: The Applicant, Braided Creek Wind,  
10 LLC, is a Delaware limited liability company  
11 acting itself and not as the agent, alter ego or  
12 representative of another. The application is  
13 owned a hundred percent by Leeward Renewable  
14 Energy Development, LLC.

15 OMERS, a Canadian company, purchased  
16 Leeward Renewable Energy Development, LLC, in  
17 March of 2018.

18 LRE is a foreign company. Then Braided  
19 Creek Wind, LLC, should also be classified as  
20 foreign. Instead, it is organized as a domestic  
21 Delaware LLC and is not registered to do  
22 business in Illinois.

23 Fact: Leeward Renewable Energy  
24 Development, LLC, owns Lone Tree Wind, which

1 appears in the USDA Agriculture Foreign  
2 Investment Disclosure Act of 1978 as a  
3 Canadian-owned company.

4 Fact: Leeward Renewable Energy owns  
5 Crescent Ridge, LLC, which it repowered in 2021.  
6 Crescent Ridge, LLC, does not appear in the USDA  
7 AFIDA report as of 12/31/2024.

8 Crescent Ridge is organized as a domestic  
9 Delaware LLC in 2001, not registered in  
10 Illinois. When OMERS, a Canadian company,  
11 acquired LRE in March 2018, Crescent Ridge  
12 should have been re-filed as a foreign LLC in  
13 Illinois, but no such filing was made.

14 Braided Creek Wind does not appear on the  
15 landowners' -- appear on any of the landowner  
16 lease agreements for this project. Only LRE is  
17 listed. The project is also absent from the  
18 USDA Agriculture Foreign Investment Disclosure  
19 Act of 1978.

20 The most recent lease, recorded in October  
21 2024 according to the public records at the  
22 Bureau County Courthouse, should appear in the  
23 AFIDA report dated 12/31/2024. All associated  
24 leases are required to be included, yet none of

In Totidem Verbis, LLC (ITV)  
815.453.2260

In Totidem Verbis, LLC (ITV)

1           them appear in the report. Evidence is IP  
2           Number 48.

3           Braided Creek Wind is organized as a  
4           domestic Delaware LLC and has never been filed  
5           as a foreign LLC in Illinois.

6           Lease agreements involving a foreign  
7           company must be filed with the USDA under AFIDA  
8           within 90 days of signing.

9           These questions should be addressed before  
10          a Conditional Use Permit is issued:

11          Why are LLCs that are a hundred percent  
12          owned by Leeward Renewable Energy Development  
13          classified as domestic when LRE itself is  
14          classified as a foreign company?

15          Why are the LLCs under LRE not filed in  
16          Illinois?

17          Why hasn't LRE entered their foreign  
18          status with the USDA Agriculture Foreign  
19          Investment Disclosure Act?

20          Crescent Ridge, LLC, has not been updated  
21          since OMERS purchased LRE. It remains  
22          classified as a domestic Delaware LLC dated  
23          2001, even though it should be filed as a  
24          foreign LLC in Illinois. The project is also

1 missing from the USDA AFIDA report. Under  
2 Part 781, Disclosure of Investment -- Foreign  
3 Investment in Agricultural Land, violations can  
4 result in fines up to 25 percent of the land's  
5 fair market value.

6 The Crescent Ridge, LLC, project consists  
7 of 2,500 acres. The signed lease agreements,  
8 land in this area, is between 13,000 to 18,000  
9 per acre.

10 Let's use 13,000 per acre times 2500  
11 acres. That's 32,500,000. Times 25 percent,  
12 that's 8,125,000 worth of fines that could be  
13 happening.

14 Braided Creek Wind, LLC, has 9,200 acres  
15 on the signed lease agreements.

16 At \$13,000 per acre, 9,200 acres, equals  
17 119,600,000. Times that by 25 percent.  
18 29,900,000 worth of fines that could be  
19 happening.

20 All facts regarding the LLC filings and  
21 the USDA AFIDA report are part of the record.  
22 IP 8 through IP 19 and IP 48.

23 The question is whether Bureau County is  
24 prepared to be drawn into further investigation

1 if one arises.

2 I am bringing up both Crescent Ridge, LLC,  
3 and Braided Creek Wind, LLC, because LRE has  
4 already failed to follow federal reporting  
5 requirements with Crescent Ridge with the AFIDA  
6 reporting, and that noncompliance has continued  
7 since 2018.

8 Is LRE using a domestic LLC classification  
9 to access subsidies available only to U.S.  
10 companies? If so, would they be required to  
11 repay State and federal funds? These questions  
12 must be answered.

13 And, fact, both federal and State have  
14 been notified of the LLC filing and the USDA,  
15 Agricultural Foreign Investment Disclosure Act  
16 reporting.

17 A PPA. Crescent Ridge, LLC, has a  
18 corporate PPA with Amazon, announced in June  
19 2021. The announcements stated Amazon's goal of  
20 powering 100 percent of its operations with  
21 renewable energy by 2025, including facilities  
22 in the southwest Bureau County townships of  
23 Mineral, Neponset, Macon and Concord.

24 According to Jared Zvonar from LRE, they

1 do not yet have a buyer but are actively seeking  
2 one, which indicates the project will ultimately  
3 be sold under a corporate PPA.

4 A corporate PPA locks a negotiated energy  
5 price with a corporation, and that price remains  
6 fixed for the full contract term, which can run  
7 10 to 25 years.

8 Under a corporate PPA, residents of Macon  
9 Township and Indiantown Township receive no  
10 direct benefit from the proposed turbines.  
11 Local power bills will continue to rise  
12 regardless, while the surrounding residents are  
13 all are left to bear the impacts of the turbines  
14 without any corresponding advantage.

15 Three turbines collapsed in 2024 owned by  
16 Ameren Missouri, and they began this operation  
17 in 2020. First was April 29th, 2024; second,  
18 August 25th, 2024; third, November 1st, 2024.  
19 All were Vestas turbines. Local farmers have  
20 expressed worry about agricultural disruptions  
21 as debris from turbine failures could impact  
22 crop harvesting and livestock operations.

23 This was brought up because if it happened  
24 at Ameren in Missouri, it can happen here.

1           General Electric also experienced  
2           collapsing in Oklahoma. Safety measures for the  
3           entire wind sector need to be looked at, per the  
4           article.

5           Wind turbines are a controversial topic.  
6           While some claim that they are a clean and  
7           efficient energy source, others assert that they  
8           are dangerous and ineffective.

9           A summary of the wind turbine accidents to  
10          March 31st, 2025 -- that's the Scotland For  
11          Spin (sic) -- that is worldwide information put  
12          together in Finland, China, and Germany and the  
13          U.S. is put in there.

14          Wind turbine -- let's see. There are more  
15          fatalities than accidents, as some accidents  
16          have caused multiple fatalities. Of the  
17          fatalities, 149 were wind energy industry and  
18          direct supporter staff or small turbine  
19          operators, while 100 were public fatalities,  
20          including workers not directly dependent on the  
21          wind industry (firefighters, transport workers  
22          and fishermen).

23          Human injuries: 621 wind industry or  
24          construction/maintenance workers and 88 members

1 of the public.

2 235 incidents of wind turbines impacting  
3 upon human health are recorded.

4 Blade failure results in either whole  
5 blades or pieces of blades being thrown through  
6 the turbine -- from the turbine. Pieces of  
7 blade are documented as traveling up to a mile.  
8 Pieces of blades have gone through the roofs and  
9 walls of nearby buildings.

10 The main fires are due to electrical  
11 failure and lightning strikes. The fire  
12 department is advised to let them burn and  
13 control places around the area. A turbine fire  
14 is likely to cause significant damage before the  
15 fire department can even reach the site.  
16 Someone must first notice and report the fire,  
17 and if it occurs in the middle of the night,  
18 nearby homes and fields could be destroyed  
19 before help arrives.

20 Structural failure. I have discussed a  
21 few incidents already. There have been 281  
22 structural failures reported. If turbines are  
23 placed on and around buildings, the accident  
24 frequency is expected to rise.

1           Ice throwing. Throws occur when large  
2 chunks of ice are thrown from the turbine blades  
3 and land on nearby homes, businesses or people.  
4 There have been several reports of ice throws in  
5 recent years, and the problem is getting worse  
6 as more and more turbines are built in cold  
7 climates. Incidents that have occurred: ice  
8 going through a windshield of a car, hit in the  
9 head. Some Canadian turbine sites have warning  
10 signs posted, asking people to stay at least  
11 1,000 feet from the turbines during icy  
12 conditions.

13           We have the environmental damage,  
14 including bird deaths. For a technology which  
15 is supposed to be environmentally friendly,  
16 environmental accidents and incidents are the  
17 third most common type of accident at  
18 operational wind turbine sites. 457 cases of  
19 environmental damage have been reported.  
20 Deaths, however, are known to be far higher.

21           At the Altamont Pass Wind Farm alone, 2400  
22 protected golden eagles have been killed in 20  
23 years and about 10,000 protected raptors. In  
24 Germany, 32 protected white-tailed eagles were

1 found dead, killed by wind turbines, and a total  
2 of 158 dead sea eagles were found between 2002  
3 and 2019, as victims' collision with wind  
4 turbines. In Australia, 22 endangered Tasmanian  
5 eagles were by a single wind farm. Up to a  
6 million bats are estimated to be killed annually  
7 by the turbines across Canada and the United  
8 States. 1.4 million bird fatalities per annum  
9 are estimated. If the U.S. reaches its  
10 20 percent target for wind generation, between  
11 2 million and 4 million birds and bats are  
12 estimated to be killed annually by wind  
13 turbines.

14 Some countries are finally accepting that  
15 industrial wind turbines can pose a significant  
16 public health and safety risk. A report of the  
17 Finnish Ministry of Health called for a minimum  
18 distance of 6,561 feet from homes. In 2023,  
19 Buffalo County, Nebraska, voted to have a  
20 three-mile separation between wind turbines and  
21 churches, hospitals and agricultural residential  
22 property, and a five-mile separation distance  
23 between wind turbines and villages/towns.

24 There's a 334-page detailed accident list

1 available. These are detailed accidents: how,  
2 where and what occurred. Information was handed  
3 out for evidence, IP 23, Page 8.

4 You need to stop and consider that some of  
5 these wind turbines are located within one and a  
6 half miles of the Village of Buda and near  
7 Highway 40, as well as the railroad corridor.  
8 And we cannot overlook the nonparticipating  
9 homeowners and landowners who will be left to  
10 bear these impacts.

11 A majority of the wind turbines are  
12 manufactured in China; approximately 60 percent  
13 of global production. The manufacturer holds  
14 all technical specifications for each turbine.  
15 If LRE was able to -- has the ability to  
16 remotely turn turbines on and off, the  
17 manufacturer inherently has the same capacity.

18 Vestas experienced a cyber attack in  
19 November 2021, IP 24. Even when the company  
20 believes an incident is under control, the risk  
21 of another breach remains. If it happens once,  
22 it can happen again. For instance, OSF here got  
23 hacked. They didn't think that that was going  
24 to happen. They thought everything was great,

1 but they got hacked.

2 No letters were sent to Village of Buda  
3 residents notifying them that wind turbines were  
4 being proposed for the area. Someone at the  
5 Village Hall decided that posting a single sign  
6 on the Village Hall door was sufficient notice  
7 for the May 8, 2025, meeting about this project.  
8 That was the only notification provided to the  
9 residents. Nothing was shared on the Buda  
10 Information Facebook page, and the meeting  
11 minutes do not indicate how many residents  
12 attended, if any did at all.

13 From the meeting on May 8th, 2025, Village  
14 Council minutes, it appears discussions occurred  
15 before the public meeting. The Village had  
16 already prepared a list of funding needs for  
17 future projects, and Board members outlined a  
18 proposed donation structure of \$25,000 per  
19 turbine and \$50,000 per turbine for the first  
20 year.

21 It certainly gives the impression that  
22 discussions were made before the special meeting  
23 was even held on March 8th, 2025.

24 The agreement to the donations, as they

1 want to call it, was already finalized.

2 According to the map, nine turbines are  
3 proposed within the 1.5-mile radius. The two  
4 nonparticipating homeowners were never informed  
5 of the Village meeting, and they do not live  
6 within the Village limits. Yet, the mayor and  
7 the Village Council still voted to remove the  
8 1.5-mile setback requirement. They granted this  
9 Variation solely because of the so-called  
10 "donation" agreement: \$50,000 when the  
11 agreement gets signed, \$50,000 within 60 days  
12 after the project starts construction, \$35,000  
13 for each turbine within one and a half miles  
14 when the project is operational, and \$17,500 for  
15 each turbine within one and a half miles each  
16 year after operating.

17 According to her text, the mayor and a few  
18 others -- with no indication that anyone besides  
19 the Village Council attended the meeting --  
20 appear more concerned about Mautino State Fish  
21 and Wildlife than about the nonparticipating  
22 residents who will actually have to live next to  
23 these turbines. IP Number 28.

24 I care deeply about Mautino State Fish and

1 Wildlife. My greater concern is for the  
2 nonparticipating residents who will be forced to  
3 live surrounded by turbines. Protecting  
4 wildlife is important, but protecting residents,  
5 their safety, their wellbeing and their ability  
6 to enjoy their own property, must be the  
7 priority. The mayor and the Village Council  
8 should be just as concerned. Their decision  
9 affects not only the landscape and wildlife, but  
10 the people who will be living with the  
11 consequences every single day.

12 What if this happened to one of the ZBA  
13 member's own homes? How would you feel finding  
14 out at the very first hearing of the ZBA that  
15 the mayor and the Village Council has already  
16 granted the one and a half mile Variation? The  
17 two nonparticipating homeowners had no notice at  
18 all, knew nothing about the May 8th, 2025,  
19 meeting. They only learned turbines were coming  
20 when the Bureau County Zoning Officer mailed the  
21 hearing packet which included a map showing  
22 turbines planned near the properties.  
23 Disgusting.

24 Wind turbine companies come in and they

1 try to control the narrative, showing little  
2 concern for the nonparticipating residents who  
3 are the ones most affected.

4 A Conditional Use can be denied. It's  
5 Bureau County Ordinance Page 153.

6 8.38-2. If the Conditional Use will not  
7 be injurious to the use and enjoyment of other  
8 property in the immediate vicinity for the  
9 purposes already permitted, nor substantially  
10 diminish property values within the  
11 neighborhood.

12 8.35-3. The establishment of the  
13 Conditional Use will not impede the normal and  
14 orderly development and improvement of  
15 surrounding property for uses permitted in the  
16 district.

17 Everyone in the Village of Buda, and  
18 everyone living within one and a half miles,  
19 should have been notified of the meeting  
20 May 8th, 2025, so they could hear the pros and  
21 cons and make up their own minds. A notice  
22 taped to the Village Hall window is only seen by  
23 someone who happens to go into the office, and  
24 most residents simply use the drop box for their

1 water bills. This is not meaningful public  
2 notification. The two biggest concerns are  
3 safety risks, property values and community  
4 impact. Wind turbines and solar companies  
5 prefer to move quietly, secure the mayor's  
6 signature on the one-and-a-half-mile Variation,  
7 offer a so-called "donation" and avoid any  
8 public controversy.

9 This is what LRE is requesting as a  
10 Variation on filed paperwork.

11 The County Ordinance requires that the  
12 Applicant submit all determinations of No Hazard  
13 to Air Navigation from the FFA at the time of  
14 the Conditional Use Permit. Applicants request  
15 a Variation to waive this requirement with the  
16 condition that Applicant will provide all  
17 relevant determinations of No Hazard to Air  
18 Navigation prior to receiving its building  
19 permits for the project.

20 From the Bureau County Ordinance, Page 45,  
21 the facility owner must submit with its  
22 Conditional Use Permit applications all  
23 determination of No Hazard to Air Navigation  
24 from the FFA (sic). If applicable, the facility

1 owner shall demonstrate that no part of the  
2 facility will infringe upon an existing  
3 Restricted Landing Area.

4 The Variation explanation per Bureau  
5 County Ordinance is on Page 162. Does not  
6 include paperwork.

7 The Variation should be denied due to  
8 filing of the permit was not complete.

9 Bureau County Ordinance, Page 60, no wind  
10 towers shall be installed in any location where  
11 its proximity with existing fixed broadcast,  
12 retransmission or reception antenna for radio,  
13 television or wireless phone or other personal  
14 communication systems would produce  
15 electromagnetic interference with signal  
16 transmission or reception.

17 Bureau County Ordinance Page 39: All  
18 facilities, including the wind turbines, shall  
19 be in compliance with all applicable County,  
20 State and federal regulatory standards.

21 There are two railroads. Two railroads  
22 are in the proposed wind turbine project: the  
23 BNSF Railroad and the UP Railroad. Both  
24 railroads are mentioned in the Summary of

1 Microwave Paths that intersect the area of  
2 interest. IP 31.

3 Wind turbines can cause electromagnetic  
4 interference that affects communication systems,  
5 radar and other electronic devices, primarily  
6 through mechanisms like reflection, diffraction  
7 and near-field effects.

8 Near-field: Interference with nearby  
9 radio signals.

10 Diffraction and reflection: Including  
11 their towers and rotating blades can obstruct.  
12 This can lead to signal distortion and loss,  
13 particularly for telecommunications and radar  
14 systems.

15 Scattering: Scatter signals which may  
16 result in delayed and distorted signals.

17 Electromagnetic interference: Disturbance  
18 that can interfere with the normal operation of  
19 other systems.

20 Positive Train Control coverage for train  
21 control (radiofrequency) wind farm interference  
22 signal level is high enough to impact PTC RF  
23 signal integrity and could potentially cause  
24 degradation in the PTC operations.

1 Amtrak has approximately 8,071, 700 --  
2 871,700 passengers that travel on the Carl  
3 Sandburg/Illinois Zephyr in 2024, as the report  
4 in evidence states. That's IP 32.

5 Leeward attorney and Jared Z. from Leeward  
6 said that they do not do radiofrequency  
7 interference coverage because it's not required.  
8 And Judge Slavin heard the conversation.

9 LRE and company are not for the safety of  
10 the passengers and the crew.

11 There should be a stipulation going  
12 forward: When wind turbines are close to the  
13 railroads, a radiofrequency interference study  
14 should be conducted.

15 Secretary of Transportation Sean Duffy  
16 will now recommend a minimum of a 1.2-mile  
17 setback for turbines built near highways and  
18 railroads following a recent report. This  
19 report was presented in the Meteorcomm, IP 34.

20 The foundation of a turbine typically  
21 requires 25- to 30,000 tons of cement, which  
22 translates to approximately 900 cubic yards of  
23 concrete.

24 The excavation is typically done to create

1 a hole approximately 10 to 20 feet deep and 60  
2 to 90 feet in diameter.

3 Shallow excavations and trenches or holes  
4 dug to a maximum depth of 5 to 6 feet for  
5 graves, utility lines, open ditches, and other  
6 proposed are not on the Wetlands and  
7 Floodplains. That means that Soil and Water  
8 Conservation does not want it to go any deeper  
9 than the 5 to 6 feet.

10 Wetland is defined as an area where water  
11 covers the soil or is present at or near the  
12 surface for varying periods of time.

13 Flood Zone A is designated on FEMA flood  
14 maps and represents areas that are high risk of  
15 flooding.

16 Flood zones are hazardous due to several  
17 factors that increase the likelihood of flooding  
18 and potential damage. Areas near lakes, rivers  
19 and streams are more prone to flooding due to  
20 presence of water bodies that can lead to rapid  
21 water accumulation.

22 Inadequate drainage causes water to back  
23 up and leads to flooding. Intensive rains  
24 (heavy) overwhelms streams and leads to

1 flooding.

2           There are 28 proposed turbines in wetlands  
3 and 13 proposed in the flood zone, according to  
4 the summary sheet from the Soil and Water  
5 Conservation. Consultation with the U.S. Army  
6 Corps of Engineers should happen before  
7 finalization of work plans if this project will  
8 be in or near waters of the United States. This  
9 would mean Leeward would need a permit, a Clean  
10 Water Act Permit. That's a federal permit.

11 This is the statement on the -- this is a  
12 statement on the wetlands and flood zone areas.

13           Soil and Water Conservation had concerns:  
14 Take care working in wetlands and flood zones,  
15 concerns about work in the floodplain.

16           When Rebecca from Soil and Water  
17 Conservation spoke, she made it clear that this  
18 is not -- that -- clear that this is not an  
19 appropriate location for a turbine.  
20 Consultation with the U.S. Army Corps of  
21 Engineers.

22           Stipulation should occur: Consulting with  
23 the U.S. Army Corps of Engineers should happen  
24 before finalization of work plans if the project

1 will be in or near waters of United States, per  
2 Soil and Water Conservation.

3 There are 66 historical sites in the  
4 proposed wind turbine project.

5 Soil and Water Conservation was very  
6 concerned about Turbine 1 being close to the  
7 cemetery, which is less than 800 feet from the  
8 proposed turbine.

9 Mautino State Fish and Wildlife Area: The  
10 Department recommends one-mile linear setback  
11 from the IDNR-owned, managed and leased  
12 properties.

13 Walnut Grove Woodland is a Bureau County  
14 Soil and Water Conservation District property.  
15 It consists of seven acres and is used for  
16 hiking, wildlife observation and environmental  
17 education; just like Mautino State Fish and  
18 Wildlife, except for fishing. Soil and Water  
19 Conservation recommended with IDNR --  
20 recommended with the IDNR on Mautino State Fish  
21 and Wildlife, one-mile linear.

22 Bureau County Ordinance, on Page 45, the  
23 facility owner shall follow the guidelines for  
24 Conservation Practices Impact Mitigation

1 submitted by the Bureau County Soil and Water  
2 Conservation.

3 The stipulation from the Planning  
4 Commission: During their construction planning  
5 process, Braided Creek Wind, LLC, shall review  
6 and take under advisement the recommendations  
7 made by the Bureau County Soil and Water  
8 Conservation District.

9 Terry VanDeWalle, presenting Leeward's  
10 Avian Use Survey, acknowledged that birds have  
11 been documented flying in the Mautino State Fish  
12 and Wildlife area and the Walnut Grove area. He  
13 marked these eagle-use zones directly on the map  
14 he provided, with 12 of the 20 survey points  
15 indicating active eagle presence within the  
16 project vicinity. Also, the Northern Harriers  
17 and the short-eared owls (both endangered) were  
18 observed during the large bird survey. Other  
19 large birds observed -- I'm getting a dry  
20 mouth -- Canadian goose, American crow, turkey  
21 vulture, red-tailed hawk, American white  
22 pelican. Small birds observed: European  
23 Starling, red-winged blackbird, Lapland  
24 Longspur, common grackle, and mourning doves.

In Totidem Verbis, LLC (ITV)  
815.453.2260

In Totidem Verbis, LLC (ITV)

1 Wind energy company pleads guilty after  
2 150 eagles killed over the past decade in U.S.,  
3 \$8 million in fines and restitutions. The  
4 article from the Associated Press, April 7th,  
5 2022.

6 Significant bird and eagle mortality can  
7 force regulatory action, permit limits,  
8 shutdowns, costly mitigation and even project  
9 removal in extreme cases. Federal eagle  
10 incidental-take permits and mitigation rules  
11 apply. Developers must monitor, mitigate and  
12 may face enforcement if impacts exceed permitted  
13 levels.

14 Why site wind turbines in locations where  
15 eagles and other protected birds have already  
16 been documented? That is a "kill first,  
17 mitigate later" approach, and it contradicts the  
18 very purpose of wildlife protection laws,  
19 environmental review and responsible siting  
20 practices.

21 Evan Markowitz, retained from Leeward,  
22 didn't mention the one-mile buffer from the  
23 Mautino State Fish and Wildlife when speaking.  
24 He was read that statement from the Zoning

1 Officer.

2 Note: On the back of the IDNR letter was  
3 carbon-copied to Evan Markowitz. He had to have  
4 received and read the letter. Why didn't he  
5 mention it himself? Oh, yes, he's paid from  
6 LRE.

7 When confronted with the one-mile linear,  
8 he stated that LRE was consulting with IDNR to  
9 ask why the one-mile linear. The IPaC letter  
10 that was also submitted with the IDNR letter for  
11 the U.S. Fish and Wildlife Service says right on  
12 it "not for consultation."

13 I called Bradley Hayes, manager, Impact  
14 Assessment Section of the Illinois Department of  
15 Natural Resources, who signed the IDNR letter.  
16 He stated that no one had called him about this  
17 matter. He then gave me a name to call from the  
18 Federal Field Office Iowa and Illinois. His  
19 name was Kraig McPeck. He stated he hadn't  
20 spoken to anyone about this either. Not sure  
21 who LRE was speaking to, but they both said that  
22 the recommendation should be what you use going  
23 forward.

24 Bureau County Ordinance Page 44. The

1 facility owner shall adhere to the  
2 recommendations provided to IDNR. The facility  
3 owner shall demonstrate avoidance of protected  
4 lands as identified IDNR and the Illinois Nature  
5 Preserve Commission; or comply with the  
6 recommendations of the IDNR for setbacks from  
7 protected lands, including areas identified by  
8 the Illinois Natural Preserve Commission.

9 That's T-5, T-35, A-51, A-56, all within  
10 the 0.5 miles from Mautino State Fish and  
11 Wildlife. T-34 is within 1 mile of Mautino  
12 State Fish and Wildlife.

13 Conditional Use Permit for these turbines  
14 needs to be denied.

15 Reading the letter from the Deputy State  
16 Historic Preservation Officer dated 6/12/2025  
17 and submitted into evidence. According to the  
18 information provided to the Historic  
19 Preservation Officer, they were advised by  
20 Leeward Renewable Energy that there was no  
21 federal involvement in this project. The letter  
22 states: Be aware that the State law is less  
23 restrictive than the federal culture resource  
24 laws concerning archaeology.

1           The letter states: If your project uses  
2 federal loans or grants, needs federal agency  
3 permits, the project must be reviewed by us  
4 pursuant to the National Historic Preservation  
5 Act of 1966.

6           These are some federal companies that they  
7 are going to be -- or federal agencies that they  
8 would be needing.

9           They are using the Aviation Administration  
10 (FAA)(sic), as required per the Bureau County  
11 Ordinance, Page 45. This is federal involvement  
12 and a federal permit. And this study started  
13 May 6th, 2025, by LRE.

14           Federal, the U.S. Army Corps of Engineers  
15 is recommended by the Soil and Water  
16 Conservation Office. Federal involvement.

17           Bureau County Ordinance, Page 45: The  
18 facility owner shall follow the guidelines for  
19 the Conservation Practices Mitigation submitted  
20 by the Bureau County Soil and Water Conservation  
21 District.

22           Stipulation: During their construction  
23 planning process, Braided Creek Wind, LLC, shall  
24 review and take under advisement the

1 recommendations made by Bureau County Soil and  
2 Water Conservation. There are several wetlands  
3 on parcels. Consultation with the U.S. Army  
4 Corps of Engineers should happen before  
5 finalization of work plans. This is federal  
6 involvement.

7 Federal Railroad Administration, BNSF  
8 Railroad and Union Pacific Railroad: LRE needs  
9 to go under the railroads for connection lines.  
10 The FRA plays a crucial role in safety, and  
11 guidelines would need to be met. This is  
12 federal involvement and federal permits.

13 Federal agencies are being used and must  
14 be reviewed by the National Historic  
15 Preservation Act of 1966 (stated in the letter).

16 LRE affirmed on the first hearing day of  
17 the ZBA hearing that no State and federal moneys  
18 will be used for this project. Can the ZBA get  
19 that in writing before the permits are given for  
20 this project? If they do get moneys from State  
21 and federal government, that would be considered  
22 federal involvement. That is also according to  
23 the Historical Preservation letter.

24 I have copies of my speech, if you would

1           like a copy. That might help you out.

2           JUDGE SLAVIN: Thank you.

3           Any other Interested Parties?

4                           (No verbal response.)

5           JUDGE SLAVIN: All right. ZBA members,  
6 you are -- I'm sorry.

7           Rebuttal, Mr. Barry? Since you have the  
8 burden of proof, you may have a short rebuttal.  
9 At least I perceive you have the burden of  
10 proof.

11          ATTORNEY BARRY: It will be short. Thank  
12 you, Judge.

13          So I just want to go back to a point that  
14 I made about the law, and that is under the  
15 Illinois Supreme Court decision in Living  
16 Word -- and I know that this isn't a courtroom,  
17 but it's important because we have heard about a  
18 lot of things that relate to wind projects in  
19 general, wind energy in general, and what other  
20 jurisdictions are doing, but what matters is  
21 what this jurisdiction, the rules that it's  
22 subject to, and it's subject to an Illinois  
23 Supreme Court decision from 2001.

24          And again, as a reminder, it says that

1 the -- once a county or a jurisdiction has  
2 adopted something as a Conditional or Special  
3 Use, then you can't just deny it because of that  
4 activity. It has to be -- it has to result in  
5 an adverse impact upon adjoining and surrounding  
6 properties unique and different from the adverse  
7 effect that would otherwise result from the  
8 development of such a use located elsewhere  
9 within the zoning; in this case that's  
10 Agriculture zoning.

11 Now, this county has four or five wind  
12 projects that have been operating, some of which  
13 for 20 years. I just want to remind you that  
14 the closing statements tonight -- I mean, it's  
15 clear, they don't like wind energy. I get it.  
16 But the vast majority of the -- of what you  
17 heard tonight, which was repetitive of -- a lot  
18 of which was repetitive of what was presented  
19 when they testified as witnesses, it attacks  
20 wind energy. They don't like -- I understand  
21 they don't like wind turbines.

22 But what it didn't do is show what is  
23 unique and different about this project compared  
24 to, let's say, the other projects in Bureau

1 County. To the extent it did, it focused on  
2 things like the Walnut Grove, the Soil and Water  
3 Conservation's property.

4 But remember what Rebecca Taylor testified  
5 to. She said, A, that her recommendations for  
6 setbacks were -- let me get the right quote --  
7 arbitrary; and, B, she said that her setback  
8 recommendation for Walnut Grove was not legally  
9 enforceable. She said, There's no legal holding  
10 to it, quote-unquote. I mean, it's in the  
11 transcript. You can look at it.

12 And she's right, because the State law  
13 doesn't allow the County to impose a setback as  
14 requested by Ms. Taylor.

15 So, again, a lot of what you heard in the  
16 closing tonight was repetitive, some of which,  
17 in Mrs. Rose's case, she relied on the evidence  
18 that the judge had denied; the documents that  
19 the judge rejected in terms of evidence, I want  
20 to point out.

21 But, again, one of the things that she  
22 asked for was for you to apply standards from  
23 other jurisdictions; standards that are  
24 aspirational. They are not the law. They are

1 not the law.

2 Speaking of the law, she said that the --  
3 about the recommendation in 2023, if I have got  
4 the dates right, said that that referendum was  
5 made by a township in April of 2023.

6 Well, first of all, County -- under the  
7 Illinois County's Code, the County's Rules,  
8 Zoning Rules, supercede anything the Township  
9 does. But she said that was adopted before the  
10 State law went into effect. The State law went  
11 into effect, however, State Siting Law, on  
12 January 27th, 2023. So if it was -- if the  
13 referendum was in April, it was after the law  
14 went into effect.

15 I think that a lot of stuff that was  
16 covered by Mrs. Stetson was written down and,  
17 just, it didn't take into account the things  
18 that I covered in my closing.

19 And just to quickly repeat that, as I said  
20 earlier, there's an exception -- federal law has  
21 an exception for agreements that are less than  
22 ten years in length for -- in terms of the  
23 filing for the USDA.

24 Just like with the USDA filing, with some

1 of these other federal regulatory filings, the  
2 good news for you folks is that you are not  
3 required to evaluate whether the project is  
4 complying with certain minute features of  
5 federal regulations or the law. Your job is to  
6 determine whether the application meets the  
7 Conditional Use Permit standards.

8 Again, I just want to repeat that what you  
9 heard from the other speakers tonight did not  
10 address the standards. It was more generally  
11 focused on that wind farms are bad. But, again,  
12 the County has had projects operating for years,  
13 and they didn't point out what is unique and  
14 different about this project when it comes to  
15 applying those standards.

16 So thank you again for all your hard work.  
17 We respectfully request a recommendation in  
18 favor of a Conditional Use Permit for the  
19 project, as well as the Variance.

20 Thank you, Judge, and thank you, Members  
21 of the Board.

22 JUDGE SLAVIN: Thank you.

23 Couple things to the ZBA. In the days  
24 ahead you will, undoubtedly, inevitably, be

1 thinking about this matter. I'm going to  
2 instruct you now, just like I would instruct a  
3 jury, anything you have heard from the closing  
4 remarks tonight, the public comments, have to be  
5 confined to the evidence. You should disregard  
6 anything that was not tied to the evidence that  
7 you heard.

8 The evidence that you should consider  
9 consists of the testimony -- sworn testimony of  
10 any witnesses you heard and the exhibits that I  
11 admitted.

12 Anything -- any testimony that I did not  
13 allow or exhibits I did not admit, you should  
14 not concern yourself with the rulings of those  
15 -- you shall not concern yourself with the  
16 reasons for those rulings, but just focus on the  
17 testimony you have heard and the exhibits  
18 admitted.

19 Now, this brings up the subject of  
20 scheduling for our next stage, which is the  
21 findings of fact and recommendations. I'm  
22 guessing we won't get away with two nights in  
23 this case. I'm going to guess at least three.  
24 I'm a little worried about it being four nights,

1 but we'll take it one step at a time.

2 As you know, I need some time to draft  
3 proposed alternative motions for you all. That  
4 takes me some time. I have a couple mediations  
5 this week.

6 I'm eyeing starting doing that on  
7 February 4th. I'm a little concerned about it.  
8 I would like to get you proposed motions by  
9 Sunday night. What is that, the 31st? I'm  
10 going to take a chance.

11 Let's talk about February 4th and 5th  
12 right at the moment. Who is or is not  
13 available? Get out your diaries, cell phone,  
14 whatever.

15 February 4th is a Wednesday.

16 (A discussion was held off the  
17 record to discuss available  
18 dates.)

19 JUDGE SLAVIN: We're eyeing the 5th and  
20 the 24th at the moment.

21 MR. JENSEN: So the 4th is out?

22 JUDGE SLAVIN: The 4th is out. The 5th  
23 and the 24th is what I'm eyeing right now. The  
24 5th for sure.

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The next session is February 5th --  
Thursday, February 5th, here at the Moose Lodge,  
starting at 6:00. And you should be getting  
your proposed motions by email. Everybody stay  
warm.

(The hearing was recessed at  
8:54 p.m.)

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Now on this 26th day of January, A.D.,  
2026, I do signify that the foregoing testimony was  
given before the Bureau County Zoning Board of  
Appeals.

Barry Welbers, Chairman

Kristine Donarski,  
Zoning Enforcement Officer

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