

VARIANCES  
FROM  
WIND ENERGY CONVERSION SYSTEM  
SETBACK REQUIREMENTS  
FROM  
STATE LANDS

Report to the Legislature

January, 2017

As required by

Minnesota Statutes § 216F.012

Submitted by the Minnesota Public Utilities Commission

## **INTRODUCTION**

### **Statutory Reporting Requirement**

Minnesota Statutes (2016), Section 216F.012 (c) requires the Minnesota Public Utilities Commission to report annually to the Minnesota Legislature on any variances from system setback requirements from State lands which were applied for and not granted concerning wind energy projects.

This Report is to fulfill the reporting requirement of this section.

### **Costs of Preparing Report**

Pursuant to Minnesota Statutes (2016), Section 3.197, it is estimated that the costs incurred by the Minnesota Public Utilities Commission in preparing this Report are minimal. Special funding was not appropriated for the costs of preparing this report.

## **BACKGROUND**

Minnesota Statutes (2016), Section 216F.012 provides that a wind energy conversion system with a nameplate capacity exceeding five megawatts that is proposed to be located wholly or partially within a wind access buffer adjacent to State lands which are part of the outdoor recreation system is a large wind energy conversion system. The Statute further provides that the Department of Natural Resources must negotiate in good faith with a system owner regarding siting and may support the system owner in seeking a variance from the system setback requirements if the Department determines that a variance is in the public interest.<sup>1</sup>

The Minnesota Public Utilities Commission is required to issue an annual report to the Legislature regarding any variances applied for and not granted for systems subject to these provisions.<sup>2</sup>

## **COMMISSION ACTIONS**

No variances were requested in 2016.

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<sup>1</sup> Minn. Stat. § 216F.012 (b)

<sup>2</sup> Minn. Stat. § 216F.012 (c)