

Chapter 21

21.01 Title: Wind Generator and Wind Generating Facility Ordinance for Trempealeau County

21.02 Purpose: This chapter of County ordinances provides a regulatory framework for the construction and operation of Wind Energy Facilities in Trempealeau County, subject to reasonable restrictions, which will preserve the public health and safety.

21.03 Definitions: As used in this Chapter, the following terms have the meanings indicated:

Affected Property: Property impacted by personal or Commercial Wind Turbine.

Applicant: The person or entity filing an application under this Ordinance.

Commercial Wind Turbine: A wind energy conversion system which converts wind energy into electricity through the use of a wind driven turbine generator when the total height exceeds 150 feet or the nameplate capacity exceeds 100 kilowatts. Such wind turbine includes the turbine, blade, tower, base and pad transformer, if any.

Committee: The Zoning and Planning Committee of the County Board or any successor committee established by the Board for the oversight and supervision of Trempealeau County Zoning.

County: Trempealeau County, Wisconsin.

DNR: Department of Natural Resources

DOT: Department of Transportation

FAA: Federal Aviation Administration.

Farmstead: A farmstead is a place of employment and includes all buildings and structures on a farm that are used primarily for agricultural purposes such as housing animals, or storing supplies, production, or machinery.

Hobbyist Wind Turbine: A wind energy conversion system which converts wind energy into electricity through the use of a wind driven turbine generator when the total height is less than 50 feet and a prop diameter of 12 feet or less.

Hub Height: The distance measured from ground level to the center of the turbine hub.

MET Tower: A meteorological tower used for the measurement of wind speed.

Owner/Operator: The person or entity responsible for the day-to-day operation and maintenance of a wind turbine or Wind Energy Facility.

Personal Wind Turbine: A wind energy conversion system which converts wind energy into electricity through the use of a wind driven turbine generator when the Total Height is 150 feet or less.

Total Height: The distance measured from ground level to the blade of a wind turbine extended at its highest point.

Shadow Flicker: The moving shadows or shaded areas which are cast by rotating turbine blades.

Wind Energy Facility: An electricity generating facility consisting of one or more Wind Turbines under common ownership or operating control, and includes substations, MET Towers, cables/wires and other buildings accessory to such facility, whose main purpose is to supply electricity to off-site customer(s).

Wind Energy Facility Siting Permit or Wind Turbine Permit: A construction and operating permit granted in accordance with the provisions of this Ordinance.

21.04 Regulatory Framework

(1) Zoning

- (a) Wind Energy Facilities and commercial wind turbines may only be constructed as Conditional Uses in areas that are zoned Exclusive Agriculture, Exclusive Agriculture – 2 and Primary Agriculture.
- (b) Personal Wind Turbines may be constructed as a conditional use in areas that are zoned Exclusive Agriculture, Exclusive Agriculture – 2, Primary Agriculture and Rural Residential. They are limited to one wind turbine per contiguous parcels under common ownership.
- (c) Hobbyist Wind Turbines may be constructed as a permitted use in areas that are zoned Exclusive Agriculture, Exclusive Agriculture – 2, Primary Agriculture and Rural Residential.

21.05 Applicability

- (1) The requirements of this Ordinance shall apply to all wind turbines for which a permit was not issued prior to the effective date of this Ordinance. Wind turbines for which a required permit has been properly issued, or for which a permit was not required, prior to the effective date of this Ordinance shall not be required to meet the requirements of this Ordinance. However, any such pre-existing wind turbine which does not provide energy for a continuous period of twelve (12) months shall meet the requirements of this Ordinance prior to recommencing production of energy. No modification or alteration to an existing wind turbine shall be allowed without full compliance with this Ordinance.

21.06 General Requirements for Wind Energy Facilities

- (1) Wind Turbines shall be painted a non-reflective, non-obtrusive color which shall be pre-approved through the conditional use process.
- (2) At Wind Energy Facility sites, the design of the buildings and related structures shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the Wind Energy Facility to the natural setting and then existing environment.

- (3) Wind Energy Facilities shall not be artificially lighted, except to the extent required by the FAA or other applicable authority.
- (4) Wind Turbines shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the Wind Energy Facility. Any such identification shall not appear on the blades or other moving parts or exceed six square feet per Wind Turbine.
- (5) Electrical controls and control wiring and power-lines shall be wireless or not above ground except where wind farm collector wiring is brought together for connection to the transmission or distribution network, adjacent to that network.
- (6) Routes of public travel to be used during the construction phase shall be documented by the Owner/Operator, and reviewed and approved by the Trempealeau County Highway Department, Town Chairman and Trempealeau County Zoning prior to construction. At the Committee's request a qualified independent third party, agreed to by the applicable entity(s), and paid for by the applicant, shall be hired to pre-inspect the roadways to be used during construction and an appropriate bond amount set. The public travel route will be re-inspected 30 days after project completion; any and all repairs will be completed within 90 days of end of construction project paid by the developer. The bond can be used by Trempealeau County for any degradation or damage caused by heavy machinery associated with the construction and demolition phases of a Wind Energy Facility.
- (7) An appropriate continuous renewal bond amount will be set for each Wind Turbine for decommissioning should the Owner/Operator fail to comply with the Ordinance requirements or the Wind Turbine does not operate for a period of twelve (12) consecutive months.
- (8) A signed statement by the landowner acknowledging that the landowner is financially responsible if the owner/operator fails to reclaim the site as required and that any removal and reclamation costs incurred by the county will become a lien on the property and may be collected from the landowner in the same manner as property taxes.
- (9) Proof of continuous liability insurance in the minimum amount of five million dollars (\$5,000,000.00) per occurrence shall be submitted to Trempealeau County indicating coverage for potential damages or injury to landowners, occupants, or other third parties.
- (10) There shall be a timeline set prior to the construction phase of the project with a starting and ending date when the construction project will be completed.
- (11) Evidence of compliance with FAA, DNR, DOT, United States Fish and Wildlife Service requirements and Signal Interference and Microwave Frequency Interference requirements must be submitted by the Applicant to Trempealeau County.
- (12) A map shall be provided showing a proposed grid of any future Wind Energy Facilities being developed by the applicant to be located in Trempealeau County and surrounding counties.

- (13) A document for each Wind Turbine including an accompanying diagram or maps showing the shadow flicker projection for a calendar year, in relation to affected property, roads and residences shall be submitted with the permit application.
- (14) Access to a Facility and construction area shall be constructed and maintained following a detailed Erosion Control Plan in a manner designed to control erosion and provide maneuverability for service and emergency response vehicles.
- (15) If a Wind Turbine foundation is proposed in a bedrock area, a baseline of all wells and certified public drinking sources in a ½ mile radius shall be established and permanent remedies shall be the responsibility of the developer if contamination occurs.
- (16) If an area where Wind Turbines are planned is identified by the Fish and Wildlife Service to house a significant population of Bald or Golden Eagles a monopole tubular type tower shall be used instead of Lattice type towers.
- (17) Setbacks: The following setbacks and separation requirements shall apply to Commercial Wind Turbines.
 - (a) Public Roads: Each Wind Turbine shall be set back from the nearest public road and its right of way a distance no less than two (2) times its Total Height.
 - (b) Railroads: Each Wind Turbine shall be set back from all railroads and their right of way a distance of no less than two (2) times its Total Height.
 - (c) Wind Turbine spacing: Each Wind Turbine shall have a separation distance from other Wind Turbines equal to one and two-tenths (1.2) times the total height of the tallest Wind Turbine.
 - (d) Communication and electrical lines: Each Wind Turbine shall be set back from the nearest above-ground public electric power line or telephone line a distance no less than two (2) times its Total Height.
 - (e) Inhabited structures: Each Wind Turbine shall be set back from the nearest structure used as a residence, school, hospital, church, place of employment or public library, a distance no less than one (1) mile, unless mitigation has taken place and agreed by owner/operator and affected property owners involved and recorded in the Trempealeau County Register of Deeds office which describes the benefited and burdened properties and which advises all subsequent owners of the burdened property.
 - (f) Property lines: Each Wind Turbine shall be set back from the nearest property line a distance no less than one-half (½) mile, unless mitigation has taken place and agreed by owner/operator and affected property owners involved, and recorded in the Trempealeau County Register of Deeds office which describes the benefited and burdened properties and which advises all subsequent owners of the burdened property.

- (g) From any wetland, water body, environmental significant or scenic area, each Wind Turbine total height shall have a minimum setback of two (2) times its total height or one thousand (1,000) feet which ever is greater.
 - (h) From any historical, cultural and archeological resource area, each Wind Turbine shall have a minimum setback of two (2) times its Total Height or one thousand (1,000) feet which ever is greater.
 - (i) Any new proposed residences, schools, hospitals, churches, public libraries, or place of employment, shall apply for a conditional use permit if they are to be located in the required set back area stated in section 17 (e) Inhabited structures.
 - (j) Unless owned by the applicant, no parcel of real estate shall be subject to shadow flicker from a Wind Turbine unless mitigation has taken place and agreed by the owner/operator and affected property owners involved and recorded in the Trempealeau County Register of Deeds office which describes the benefited and burdened properties and which advises all subsequent owners of the burdened property that shadow flicker may exist at times on or at the burdened property.
 - (k) There shall be a two (2) mile Setback from any recognized U.S. Fish and Wildlife Refuge located in Trempealeau County.
- (18) Noise: Audible Sound (Audible Noise) emitted during the operation of any Wind Energy Facility or individual Wind Turbine (includes Commercial Wind Turbines, Personal Wind Turbines and Hobbyist Wind Turbines) is limited to the standards set forth in this provision. Testing procedures are provided in Appendix A of this Ordinance.
- a) Audible Noise due to Wind Energy Facility or Wind Turbine operations shall not exceed the lesser of five (5) decibels (dBA) increase over the existing background noise level (L_{90}) or exceed forty (40) decibels (dBA) for any period of time, when measured at any structure used as a residence, school, hospital, church, place of employment, or public library existing on the date of approval of any Wind Energy Facility Siting Permit or Wind Turbine permit. All measurements shall be taken using procedures meeting American National Standard Institute Standards including: ANSI S12.18-1994 (R 2004) American National Standard Procedures for Outdoor Measurement of Sound Pressure Level, and (ANSI) S12.9-Parts 1-5:
 - Part 1: American National Standard Quantities and Procedures for Description and Measurement of Environmental Sound
 - Part 2: Measurement of Long-Term, Wide-Area Sound
 - Part 3: Short-Term Measurements with an Observer Present
 - Part 4: Noise Assessment and Prediction of Long-Term Community Response
 - Part 5: Sound Level Descriptors for Determination of Compatible Land Use

Measurements must be taken with qualified acoustical testing instruments meeting ANSI Type 1 standards, and Class 1 filters. The windscreen recommended by the instrument's manufacturer must be used and measurements conducted only when wind speeds are ten (10) miles per hour (mph) or less. The microphone must be located at a height of one and two-tenths (1.2) to one and one-half (1.5) meters from the ground.

- b) In the event Audible Noise due to Wind Energy Facility or Wind Turbine operations contains a steady Pure Tone, including, but not limited to, a whine, screech, or hum, the standards for audible noise set forth in subparagraph (a) of this subsection shall be reduced by five (5) dBA. A Pure Tone is defined to exist when the one-third (1/3) octave band sound pressure level in the band, including the tone, exceeds the arithmetic average of the sound pressure levels on the two (2) contiguous one-third (1/3) octave bands by five (5) dBA for center frequencies of five hundred (500) Hz and above, and eight (8) dBA for center frequencies between one hundred sixty (160) Hz and four hundred (400) Hz, or by fifteen (15) dBA for center frequencies less than or equal to one hundred twenty-five (125) Hz.
- c) In the event the Audible Noise due to Wind Energy Facility or Wind Turbine operations contains Repetitive Impulsive Sounds, the permitted sound pressure level for Audible Noise in 19(a) shall be reduced by five (5) dBA.
- d) In the event the Audible Noise due to Wind Energy Facility or Wind Turbine operations contains both a Pure Tone and Repetitive Impulsive Sounds, the permitted sound pressure level for Audible Noise in 19(a) shall be reduced by seven (7) dBA.
- e) No low frequency sound or infrasound due to Wind Energy Facilities or Wind Turbine Operations shall be created which causes the sound pressure level at any existing residence, school, hospital, church, place of employment, or public library within a one (1) mile radius from any Wind Turbine to exceed the following limits:

TABLE 19.e.1

| Band No. | 1/3 Octave Band Center Frequency (HZ) | Limits for 1/3 Octave Bands | Limits for 1/1 Octave Bands |
|----------|---------------------------------------|-----------------------------|-----------------------------|
| 1 | 1.25 and below | 65 | |
| 2 | 1.6 | 65 | |
| 3 | 2 | 65 | 70 |
| 4 | 2.5 | 65 | |
| 5 | 3.15 | 65 | |
| 6 | 4 | 65 | 70 |
| 7 | 5 | 65 | |
| 8 | 6.3 | 65 | |
| 9 | 8 | 65 | 70 |

| | | | |
|----|------|----|----|
| 10 | 10 | 65 | |
| 11 | 12.5 | 61 | |
| 12 | 16 | 61 | 65 |
| 13 | 20 | 61 | |
| 14 | 25 | 60 | |
| 15 | 31.5 | 58 | 63 |
| 16 | 40 | 58 | |
| 17 | 50 | 58 | |
| 18 | 63 | 55 | 61 |
| 19 | 80 | 53 | |
| 20 | 100 | 52 | |
| 21 | 125 | 50 | 55 |

- f) A Wind Energy Facility or Wind Turbine operation that emits sound or causes structural or human body vibration with strong low-frequency content where the time-average C-weighted sound level exceeds the A-weighted sound level by at least 20 dB when measured inside a structure and adversely affects the subjective habitability or use of any existing residence, school, hospital, church, place of employment, or public library or other sensitive noise receptor shall be deemed unsafe and shall be shut down immediately. Exceeding any of the limits in Table 19.e.1 shall also be evidence that the Wind Energy Facility or Wind Turbine operation is unsafe and shall be shut down immediately.
- g) Prior to approval, developers of a Commercial Wind Turbine operation or Commercial Wind Energy Facility shall submit a Pre-construction Background Noise Survey with measurements for each residence, school, hospital, church, place of employment, or public library within one (1) mile of the proposed development. The Background Noise Survey shall be conducted in accordance with the procedures provided in Appendix A of this Ordinance, showing background sound levels (L_{90}) and 1/1 or 1/3 octave band sound pressure levels (L_{90}) during the quietest periods of the day and night over a reasonable period of time (not less than 10 minutes of sampling). The Pre-construction Background Noise Survey shall be conducted at the Applicant's expense by an independent noise consultant contractor acceptable to the Trempealeau County Zoning Department.
- h) Prior to approval, developers of a Commercial Wind Energy Facility or Commercial Wind Turbine operation shall provide additional information regarding the make and model of the turbines, Sound Power Levels (L_w) for each octave band from the Blade Passage Frequency up through 10,000 Hz, and a Sound Impact Study with results reported on a contour map projection showing the predicted sound pressure levels in each of those octave bands for all areas up to one (1) mile from any Commercial Wind Turbine or Commercial Wind Energy Facility for the wind speed and direction that would result in the worst case Wind Energy Facility sound emissions. The Sound Impact Study may be made by a computer modeling, but shall include a description of the assumptions made in the model's construction and algorithms. If the model does not consider the effects of

wind direction, geography of the terrain, and the effects of reinforcement from coherent sounds or tones from the turbines, these shall be identified and other means shall be used to adjust the model's output to account for these factors. The Sound Impact Study results shall be displayed as a contour map of the predicted levels, but shall also include a data table showing the predicted levels at any existing residence, school, hospital, church, public library, or place of employment within the model's boundaries. The predicted values shall include dBA values and shall also include the non-weighted octave band levels in the data tables. The Sound Impact Study shall be conducted at the Applicant's expense by an independent noise consultant contractor acceptable to the Trempealeau County Zoning Department.

- i) Operators of a Commercial Wind Energy Facility or Commercial Wind Turbine operation shall submit a Post-construction Sound and Vibration Measurement Study conducted for each Commercial Wind Turbine or Commercial Wind Energy Facility according to the procedures provided in Appendix A of this Ordinance within twelve (12) months of the date that the project is fully operational to demonstrate compliance with the noise limitations in Section 19(a). The study shall be conducted at the wind energy facility owner/operator's expense by a noise consultant contractor acceptable to the Trempealeau County Zoning Department.
- j) The Committee may impose a noise setback that exceeds the other setbacks set out in this Ordinance or require waivers from affected property owners and persons in legal possession acceptable to the Committee if it deems that greater setbacks are necessary to protect the public health and safety, or if the proposed wind energy facility is anticipated to exceed the levels set forth in Section 19(a) at any existing residence, school, hospital, church, place of employment, or public library.
- k) Any noise level falling between two (2) whole decibels shall be deemed the higher of the two.
- l) If the noise levels resulting from the Commercial Wind Turbine or Commercial Wind Energy Facility exceed the criteria listed above, a waiver to said levels may be granted by the Committee provided that express written consent from all affected property owners and persons in legal possession has been obtained stating that they are aware of the noise limitations imposed by this Ordinance, and that consent is granted to allow noise levels to exceed the maximum limits otherwise allowed. If the applicant wishes the waiver to apply to succeeding owners of the property, either a permanent noise impact easement or easement for the life of the wind turbine shall be recorded in the Trempealeau County Register of Deeds' office which describes the benefited and burdened properties and which advises all subsequent owners of the burdened property that noise levels in excess of those permitted by this Ordinance may exist at the burdened property.

- m) A Noise Study may be conducted at the expense of a Commercial Wind Energy Facility or a Wind Turbine (Commercial, Personal or Hobbyist) Owner/Operator by an independent noise consultant contractor acceptable to the Trempealeau County Zoning Department if two (2) or more complaints are received and documented at a particular site. The study shall be conducted according to the procedures provided in Appendix A of this Ordinance for any sites where the complaints were documented. The Operator shall reimburse the County for the Noise Study expense within ten (10) days of billing. Failing to reimburse may be a basis for revoking a permit.
- (19) Minimum Ground Clearance: The blade tip of a Commercial Wind Turbine shall, at its lowest point, have ground clearance of no less than seventy-five (75) feet. The blade tip of a personal and hobbyist Wind Turbine shall, at its lowest point, have ground clearance of no less than fifteen (15) feet.
 - (20) Signal Interference and Microwave Frequency Interference: The owner/operator shall minimize any interference with electromagnetic communications, such as radio, telephone or television signals caused by any Wind Energy Facility or Turbine. (If the applicant is a public utility, s. PSC 113.0707 also applies).
 - (a) A one thousand (1,000) feet microwave communication corridor between turbines must be maintained if the turbine facility is located between transmission towers.
 - (b) Communication tower – Wind turbine setback shall be at least one (1) mile to prevent signal interference.
 - (c) Emergency communication towers will be located on a Geographical Information System (GIS) map so turbine facilities can be properly planned to avoid conflict with Trempealeau County Emergency Services.
- 21.07 Setbacks: The following setbacks and separation requirements shall apply to Hobbyist and Personal Wind Turbines.
- (a) Public Roads: Each Wind Turbine shall be set back from the nearest public road and its right of way a distance no less than two (2) times its Total Height.
 - (b) Railroads: Each Wind Turbine shall be set back from all railroads and their right of way a distance of no less than two (2) times its Total Height.
 - (c) Wind Turbine spacing: Each Wind Turbine shall have a separation distance from other Wind Turbines equal to one and two-tenths (1.2) times the total height of the tallest wind turbine.
 - (d) Communication and electrical lines: Each Wind Turbine shall be set back from the nearest above-ground public electric power line or telephone line a distance no less than two (2) times its Total Height.

- (e) Property lines: Each Wind Turbine shall be set back from the nearest property line a distance no less than three (3) times its Total Height, unless mitigation has taken place and agreed by owner/operator and affected property owners involved and recorded in the Trempealeau County Register of Deeds office which describes the benefited and burdened properties and which advises all subsequent owners of the burdened property.

21.08 Miscellaneous Safety Requirements for Commercial and Personal Wind Turbines

- (1) All wiring between Wind Turbines and the Wind Energy Facility substation shall be underground.

(a) All neutral grounding connectors from Commercial Wind Turbines shall be insulated from the earth and shall be sized to accommodate at least twice the peak load of the highest phase conductor, to absolutely prevent transient ground currents, in order to comply with the **National Electric Safety Code** and the **IEEE Standard 519-1992, approved by the American National Standards Institute**, as follows:

Grounding of both the electrical transmission lines and the supply lines to the internal electrical systems of the turbines themselves, shall comply with **Rule 92D, Current in Ground Conductors**: “Ground connector shall be so arranged that under normal circumstances, there will be no objectionable flow of current over the grounding conductor.”

Rule 215B: [It is not permissible] “to use the earth as a part of a supply circuit.”

Under no circumstances shall any Wind Turbine be connected directly to the grid; connection must be made through a substation or transformer properly grounded and filtered to keep harmonic distortion within recommended limits.

Bare, concentric neutrals are specifically prohibited in buried lines between turbines and in underground transmission lines to substations.

- (2) Wind Turbine towers shall not be climbable up to fifteen (15) feet above ground level.
- (3) All access doors to Wind Turbine towers and electrical equipment shall be lockable and locked when unattended.
- (4) Appropriate warning signage shall be placed on Wind Turbine towers, electrical equipment, and Wind Energy Facility entrances.

21.09 Fee Schedule

- (1) The permit application is required for a Hobbyist Wind Turbine. No fee or bond amount is required.

- (2) The Conditional Use Permit application fee for a Personal Wind Turbine shall be two hundred twenty-five dollars (\$225.00). No bond amount is required.
- (3) For a Wind Energy Facility the application fee is five hundred dollars (\$500.00) per turbine. The amount of the bond required will be based on the number of turbines and the estimated cost to remove the Wind Turbine, including to a point three (3) feet below grade.

21.10 Validity

Should any section, clause or provision of this chapter be declared by the courts to be invalid, the same shall not affect the validity of the chapter as a whole or any part thereof, other than the part so declared.

Chapter 21 - Appendix A

Trempealeau County Measurement Protocol for Sound and Vibration Assessment of Proposed and Existing Wind Energy Conversion Systems

Introduction

The potential sound and vibration impact associated with the operation of wind powered electric generators, including Wind Energy Facilities and Wind Turbine operations, is a primary concern for citizens living near proposed Wind Energy Conversion Systems (“WECS”). This is especially true of projects located near homes, residential neighborhoods, schools, hospitals, churches, places of employment and public libraries. Determining the likely sound and vibration impacts is a highly technical undertaking and requires a serious effort in order to collect reliable and meaningful data for both the public and decision makers.

This protocol is based in part on criteria published in the Standard Guide for Selection of Environmental Noise Measurements and Criteria.¹ and the Public Service Commission of Wisconsin publication Measurement Protocol for Sound and Vibration Assessment of Proposed and Existing Electric Power Plants (February 2002).² The purpose is to first establish a consistent and scientifically sound procedure for estimating existing ambient (background) sound and vibration levels in a project area, and second to determine the likely impact that operation of a new wind energy conversion system project will have on the existing sound and vibration environment.

The characteristics of the proposed WECS project and the features of the surrounding environment will influence the design of the sound and vibration study. Site layout, types of wind energy conversion units (“WECU”) selected and the existence of the significant local sound and vibration sources and sensitive receptors shall be taken into consideration when designing a sound and vibration study. An independent, qualified consultant shall be required to conduct the sound and vibration study.

Note: Trempealeau County Zoning Department Administration shall be consulted prior to conducting any sound and vibration measurements. These guidelines may be modified (with express written approval of the County Zoning Department) to accommodate unique site characteristics. Consult with Zoning Department staff assigned to the project for guidance on study design before beginning any sound and vibration study. During consultation, good quality maps or diagrams of the site are necessary. Maps and diagrams shall show the proposed project area layout and boundaries⁵, and identify important landscape features as well as significant local sound and vibration sources and sensitive receptors including, but not limited to, a residence, school, hospital, church, place of employment, or public library.

Measurement of the Existing Sound and Vibration Environment

An assessment of the proposed WECS project area's existing sound and vibration environment is necessary to predict the likely impact resulting from a proposed project. The following guidelines shall be used in developing a reasonable estimate of an area's existing sound and vibration environment. All testing shall be performed by an independent acoustical testing engineer approved by the Trempealeau County Zoning Department. All measurements shall be conducted with industry certified testing equipment.⁴ All test results shall be reported to the Trempealeau County Zoning Department.

Sites with No Existing Wind Energy Conversion Units

Sound level measurements shall be taken as follows:

1. At all properties within the proposed WECS project boundaries⁵
2. At all properties within a one mile radius of the proposed WECS project boundaries⁵.
3. One test must be performed during each season of the year.
 - a. Spring (March 15 – May 15)
 - b. Summer (June 1 – September 1)
 - c. Fall (September 15- November 15)
 - d. Winter (December 1- March 1)
4. All measurement points (MPs) shall be located in consultation with the property owner(s) and such that no significant obstruction (building, trees, etc.) blocks sound and vibration from the site.
5. Duration of measurements shall be a minimum of ten continuous minutes for each criterion (See Item 9 below) at each location.
6. One set of measurements shall be taken during each of the following four periods:
 - a. Morning (6 - 8 a.m.)
 - b. Midday (12 noon – 2 p.m.)
 - c. Evening (6 – 8 p.m.)
 - d. Night (10 p.m. – 12 midnight)
7. Sound level measurements must be made on a weekday of a non-holiday week.
8. Measurements must be taken at 6 feet above the ground and at least 15 feet from any reflective surface³.
9. For each MP and for each measurement period, provide each of the following measurement criteria:
 - a. Unweighted octave-band analysis (16², 31.5, 63, 125, 250, 500, 1K, 2K, 4K, and 8K Hz)
 - b. L_{ave}, L₁₀, L₅₀, and L₉₀, in dBA
 - c. L_{ave}, L₁₀, L₅₀, and L₉₀, in dBC
 - d. A narrative description of any intermittent sounds registered during each measurement
 - e. Wind speed at time of measurement
 - f. Wind direction at time of measurement
 - g. Description of the weather conditions during the measurement

10. Provide a map and/or diagram clearly showing:
 - a. The layout of the project area, including topography, the project boundary lines⁵, and property lines
 - b. The locations of the MPs
 - c. The minimum and maximum distance between any MPs
 - d. The location of significant local sound and vibration sources
 - e. The distance between all MPs and significant local sound and vibration sources
 - f. The location of all sensitive receptors including but not limited to, a residence, school, hospital, church, place of employment, or public library.

Sites with Existing Wind Energy Conversion Units

Two complete sets of sound level measurements must be taken as defined below:

One set of measurements with the wind generator(s) off.

One set of measurements with the wind generator(s) running.

Sound level measurements shall be taken as follows:

1. At all properties within the proposed WECS project boundaries⁵
2. At all properties within a one mile radius of the proposed WECS project boundaries⁵.
3. One test must be performed during each season of the year.
 - a. Spring (March 15 – May 15)
 - b. Summer (June 1 – September 1)
 - c. Fall (September 15- November 15)
 - d. Winter (December 1- March 1)
4. All measurement points (MPs) shall be located in consultation with the property owner(s) and such that no significant obstruction (building, trees, etc.) blocks sound and vibration from the site.
5. Duration of measurements shall be a minimum of ten continuous minutes for each criterion (See Item 9 below) at each location.
6. One set of measurements shall be taken during each of the following four periods:
 - a. Morning (6 - 8 a.m.)
 - b. Midday (12 noon – 2 p.m.)
 - c. Evening (6 – 8 p.m.)
 - d. Night (10 p.m. – 12 midnight)
7. Sound level measurements must be made on a weekday of a non-holiday week.
8. Measurements must be taken at 6 feet above the ground and at least 15 feet from any reflective surface³.
9. For each MP and for each measurement period, provide each of the following measurement criteria:
 - a. Unweighted octave-band analysis (16², 31.5, 63, 125, 250, 500, 1K, 2K, 4K, and 8K Hz)
 - b. L_{ave}, L₁₀, L₅₀, and L₉₀, in dBA
 - c. L_{ave}, L₁₀, L₅₀, and L₉₀, in dBC
 - d. A narrative description of any intermittent sounds registered during each measurement

- e. Wind speed at time of measurement
 - f. Wind direction at time of measurement
 - g. Description of the weather conditions during the measurement
10. Provide a map and/or diagram clearly showing:
- a. The layout of the project area, including topography, the project boundary lines⁵, and property lines
 - b. The locations of the MPs
 - c. The minimum and maximum distance between any MPs
 - d. The location of significant local sound and vibration sources
 - e. The distance between all MPs and significant local sound and vibration sources
 - f. The location of all sensitive receptors including but not limited to, a residence, school, hospital, church, place of employment, or public library.

Sound Level Estimate for Proposed Wind Energy Conversion System

In order to estimate the sound and vibration impact of the proposed WECS project on the existing environment an estimate of the sound and vibration produced by the proposed WECU(s) must be provided.

1. The manufacturer's sound level characteristics for the proposed WECU(s) operating at full load. Include an unweighted octave-band (16⁴, 31.5, 63, 125, 250, 500, 1K, 2K, 4K, and 8K Hz) analysis for the WECU(s) at full operation for distances of 500, 1000, 1500, 2000, 2500 feet from the WECU(s).
2. Estimate the sound levels for the proposed WECU(s) in dBA and dBC at distances of 500, 1000, 1500, 2000, 2500 feet from the WECU(s). For projects with multiple WECU's, the combined sound level impact for all WECU's operating at full load must be estimated.
3. Provide a contour map of the expected sound level from the new WECU(s), using 5dBA increments created by the proposed WECU(s) extending out to a distance of at least 5,280 feet (one mile).
4. Determine the impact of the new sound and vibration source on the existing environment. For each MP used in the ambient study (note the sensitive receptor MPs):
 - a. Report expected changes to existing sound levels for L_{ave} , L_{10} , L_{50} , and L_{90} , in dBA
 - b. Report expected changes to existing sound levels for L_{ave} , L_{10} , L_{50} , and L_{90} , in dBC
 - c. Report all assumptions made in arriving at the estimate of impact and any conclusions reached regarding the potential effects on people living near the project area.
5. Include an estimate of the number of hours of operation expected from the proposed WECU(s) and under what conditions the WECU(s) would be expected to run.

Post-Construction Measurements

1. Within twelve months of the date when the project is fully operational, and within two weeks of the anniversary date of the Pre-construction ambient noise measurements, repeat the existing sound and vibration environment measurements taken before the project approval. Post-construction sound level measurements shall be taken both with all WECU running and generating power, and with all WECU off.
2. Report post-construction measurements to the Trempealeau County Zoning Department (available for public review) using the same format as used for the Pre-approval sound and vibration studies.

¹ Standard Guide for Selection of Environmental Noise Measurements and Criteria (Designation E 1686-96). July 1996. American Society for Testing and Measurements.

² Measurement Protocol for Sound and Vibration Assessment of Proposed and Existing Electric Power Plants. February 2002. Public Service Commission of Wisconsin.

³ Environmental Noise Guidelines: Wind Farms. (ISBN 1 876562 43 9). February 2003. Environment Protection Authority, Adelaide SA.

⁴ The Trempealeau County Zoning staff acknowledges that few sound level meters are capable of measurement of the 16 Hz center frequency octave band. However, because noise complaints from the public most likely involve low frequency noise associate with proposed WECS, we encourage applicants to pursue the collection of this important background noise data. If obtaining the 16 Hz data presents a problem contact Trempealeau County Zoning staff prior to collection of any field ambient measurement data.

⁵ Project Boundary: A continuous line encompassing all WECU's and related equipment associated with the WECS project.