

### Original Questions

1. Any ordinance should include language that Duke or subsequent owners should bear the financial responsibility of investigations into allegations regarding violations of the ordinances. The financial responsibility should not fall on the township or its residents. It might be appropriate to bundle allegations into one or two investigations a year to be fair to Duke. **Comment not question.**
2. The ordinance should specify that Duke or subsequent owners will reimburse the township and its residents for any costs associated with handling any turbine-related emergencies – e.g. fires started in turbines, etc. **Comment not question.**
3. What safeguards can communities and local units of governments put into place to provide to protect themselves from financial and legal liability associated with large scale developments, such as pooling resources, to create a fund for future legal fees? **See response below.**
4. Can the community/township ask for administration funds from the applicant to hire experts, attorneys and administration/enforcement to review applications? **Yes. See response to questions D16 and H13.**
5. Are there examples from other states or projects in which mitigation was a requirement by the local unit of government via zoning or a landowner via their lease? **See response below.**
6. When does it become a referendum issue? **See response to question D6.**

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### Questions and Responses

*These questions may have been recategorized and reorganized. Some may have been sent to another “theme” area (this will have been explained in red under the “Original Questions” section). In other cases two or more questions will be answered with one response.*

- KK3.** What safeguards can communities and local units of governments put into place to provide to protect themselves from financial and legal liability associated with large scale developments, such as pooling resources, to create a fund for future legal fees?

**Response:** Please see response to question D9. Most local units of government obtain their insurance through a pool arrangement. The Michigan Municipal Risk Management Authority (MMRMA) and Michigan Township Participating Plan (Par Plan) are both essentially self-insurance pools for local units of government.

- KK5.** Are there examples from other states or projects in which mitigation was a requirement by the local unit of government via zoning or a landowner via their lease?

**Response:** There are many townships, counties, and states that have incorporated issues of mitigation into their wind energy zoning ordinances. To provide a local example, Huron County, MI, home to one of Michigan’s largest wind farms, addresses concerns about siting, setbacks, health, safety, wildlife impacts, and other mitigation issues in their zoning. These mitigation requirements guided how Harvest Wind Farm was constructed and is operated.

To read Huron County’s zoning ordinances, see:

[http://www.co.huron.mi.us/documents/WindEnergyOverlayZoningOrdinance\\_000.pdf](http://www.co.huron.mi.us/documents/WindEnergyOverlayZoningOrdinance_000.pdf)

To read how the Michigan Department of Labor and Economic Growth addresses mitigation in zoning, see

[http://expeng.anr.msu.edu/uploads/files/26/michigan\\_department\\_of\\_energy\\_growth.pdf](http://expeng.anr.msu.edu/uploads/files/26/michigan_department_of_energy_growth.pdf).