RESOLUTION NO. 2027-07

RESOLUTION APPROVING THE WIND ENERGY CONVERSION SYSTEM PERMIT APPLICATION OF BLACK MAPLE WIND, LLC FOR THE BLACK MAPLE WIND PROJECT

WHEREAS, Black Maple Wind, LLC submitted to Taylor County a Wind Energy Conversion System permit application for the Black Maple Wind Project, a proposed wind energy conversion system to be located in northern Taylor County, Iowa, pursuant to Taylor County Ordinance #37, regulating the placement of wind energy conversion systems on property located in the unincorporated areas of Taylor County, Iowa;

WHEREAS, the Black Maple Wind, LLC application was submitted on July 30, 2026, and Ordinance 37 was already in effect and applicable.

WHEREAS, the Application seeks siting approval for 110 turbine locations, with up to 103 turbines to be constructed depending on the final turbine model selected, and with a total installed nameplate capacity not to exceed 413 megawatts;

WHEREAS, the Project Area consists of approximately 46,000 acres of agricultural land in northern Taylor County, generally bounded by the Adams County line to the north, the Page County line to the west, the Ringgold County line to the east, and State Highway 2 to the south;

WHEREAS the Project facilities described in the Application include wind turbines, access roads, underground 34.5 kV electrical collection lines, underground fiber-optic communications cable, up to two permanent meteorological towers, an operations and maintenance facility, one aircraft detection lighting system radar tower, a project substation, and temporary construction facilities;

WHEREAS, Black Maple Wind, LLC submitted the required WECS permit application fee of $27,500, calculated at $250 per turbine for 110 proposed turbine locations;

WHEREAS, the Application states that the proposed site layout complies with the applicable Taylor County setback requirements, with setbacks calculated using the tallest turbine under consideration, and that no more than 103 of the 110 identified turbine locations will be used when the Project is constructed;

WHEREAS, the Application states that Black Maple Wind, LLC conducted sound modeling for the Project using conservative assumptions and that no non-participating residences are

modeled to experience sound levels above 55 dBA for any period of time for any of the three turbine models under consideration;

WHEREAS, the Application states that Black Maple Wind, LLC has obtained or will obtain necessary Federal Aviation Administration and Federal Communications Commission reviews and approvals prior to construction, including final determinations of no hazard and applicable documentation for the aircraft detection lighting system;

WHEREAS, the Application states that Black Maple Wind, LLC has conducted wildlife, avian, bat, and habitat studies, that those studies met or exceeded applicable federal and state agency recommendations, and that the studies do not indicate a concentration or significant migratory pathway for birds, bats, or endangered species within the Project Area;

WHEREAS, the Application states that Black Maple Wind, LLC will enter into a Road Use Agreement with Taylor County prior to construction substantially in the form included with the Application, will conduct pre-construction baseline road surveys, and accepts responsibility for the reasonable cost of improving roads used to construct the Project and repairing roads used during construction so that such roads are safe for the motoring public after construction;

WHEREAS, the Application states that Black Maple Wind, LLC will enter into a Decommissioning Agreement with Taylor County prior to construction, will provide a decommissioning plan and cost estimate for the Project layout to be constructed, and will provide financial assurance in the form of a performance bond naming Taylor County as primary beneficiary;

WHEREAS, the Application states that Black Maple Wind, LLC will maintain commercial general liability, automobile liability, and excess liability insurance in the amounts required by the Taylor County WECS Ordinance prior to construction;

WHEREAS, the Application states that the Project is designed to minimize impacts on agricultural operations, environmental resources, and other sensitive features in Taylor County, and that granting the WECS permit will bring investment, tax revenue, jobs, and revenue for landowners;

WHEREAS, the Taylor County Board of Supervisors has reviewed the Application, the supporting materials submitted by Black Maple Wind, LLC, the recommendations of County staff and consultants, if any, and the record presented by the Board at its public meeting held on August 27, 2026 at 10:00 a.m.; and

WHEREAS, after due consideration, the Taylor County Board of Supervisors finds that approval of the Application, subject to the conditions stated in this Resolution and any additional conditions imposed by the Board, is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Taylor County Board of Supervisors as follows:

1. **Approval of Application.** The Wind Energy Conversion System permit application submitted by Black Maple Wind, LLC for the Black Maple Wind Project is approved, subject to the terms and conditions of this Resolution, Taylor County Ordinance #37, applicable law, and all representations, commitments, plans, reports, and materials submitted by Black Maple Wind, LLC in support of the Application.
2. **Scope of Approval.** This approval authorizes siting approval for up to 110 turbine locations identified in the Application, with no more than 103 turbines to be constructed, and with the Project's total installed nameplate capacity not to exceed 413 megawatts, consistent with the Application.
3. **Project Area.** means the approximately 46,000-acre area of agricultural land in northern Taylor County, Iowa, generally bounded by the Adams County line to the north, the Page County line to the west, the Ringgold County line to the east, and State Highway 2 to the south, including portions of Nodaway, Holt, Grove, Platte, Washington, Marshall, and Grant Townships, within which Black Maple Wind, LLC proposes to site, construct, operate, maintain, and decommission the Black Maple Wind Project and its associated facilities.
4. **Final Site Plan and Building Permit Submittal.** Before construction, Black Maple Wind, LLC shall submit the Final Site Plan and all required building permit materials to Taylor County, including final engineering-scale design information for access roads, construction areas, turbine foundations, underground electrical collection lines, and other electrical components, as contemplated in the Application. The Taylor County Engineer shall review the application and provide the Taylor County Board of Supervisors a determination of all requirements of this section are met.
5. **Setback Compliance.** All final turbine locations shall comply with Taylor County Ordinance #37, including all applicable setbacks from inhabited structures, property lines, public rights-of-way, public areas, protected areas, radio communication pathways, and municipalities. Any turbine shift from the locations shown in the Application shall comply with the Application's stated limitation that no turbine location will be moved more than 300 feet from the location depicted on the Site Layout Map and shall remain compliant with all County setback and noise requirements.

6. **Road Use Agreement.** Before construction, Black Maple Wind, LLC shall execute a Road Use Agreement with Taylor County in a form approved by the Board and consistent with Taylor County requirements. The Road Use Agreement shall address, at a minimum, road maintenance, road restoration, baseline road surveys, traffic control, oversized load permitting, bridge and culvert review, construction-related road damage, County inspection and acceptance, and any additional conditions required by the Taylor County Engineer.
7. **Decommissioning Agreement and Financial Assurance.** Before construction, Black Maple Wind, LLC shall execute a Decommissioning Agreement with Taylor County in a form approved by the Board and shall provide a final decommissioning plan, final decommissioning cost estimate, and financial assurance acceptable to Taylor County. The financial assurance shall name Taylor County as primary beneficiary and shall be maintained and updated as required by the Decommissioning Agreement and Taylor County requirements.
8. **FAA and FCC Approvals.** Before construction of facilities requiring federal aviation or communications review, Black Maple Wind, LLC shall provide the Taylor County Engineer documentation of all required Federal Aviation Administration determinations and Federal Communications Commission approvals applicable to the Project, including approvals applicable to the turbine array, permanent meteorological towers, and aircraft detection lighting system radar tower.
9. **Insurance.** Before construction, Black Maple Wind, LLC shall provide evidence, in form reasonably acceptable to Taylor County, that it has obtained and will maintain the insurance required by Taylor County Ordinance #37 and as represented in the Application.
10. **Drainage and Public Infrastructure.** Black Maple Wind, LLC shall comply with applicable state and local requirements concerning drainage, private drainage tiles, bridges, culverts, roads, and other public infrastructure, and all bridge and culvert crossings shall be preapproved by the Taylor County Engineer as stated in the Application.
11. **Emergency Response Coordination.** Before construction, Black Maple Wind, LLC shall finalize and provide to Taylor County an emergency response plan that includes current contact information for local Project representatives and the Remote Operations Control Center, and shall update that information upon changes in designated representatives and at least annually.

12. **Additional Conditions.** Approval is further subject to the following additional conditions, if any, imposed by the Taylor County Board of Supervisors: NA

13. **No Waiver of County Authority.** Nothing in this Resolution waives, limits, or modifies Taylor County's authority to enforce Taylor County Ordinance #37, any executed Road Use Agreement, any executed Decommissioning Agreement, any building permit requirements, any other applicable County approvals, or any applicable federal, state, or local law.

14. **Authorization.** The Chair of the Taylor County Board of Supervisors, the Taylor County Engineer, the Taylor County Auditor, and other appropriate County officials are authorized and directed to take such actions and execute such documents as are necessary or appropriate to implement this Resolution, subject to approval of the Taylor Cunty Board of Supervisors and reviewed by the Taylor County Engineer and by Ahlers & Cooney Law Firm.

15. **Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND APPROVED by the Taylor County Board of Supervisors on September 10, 2026.

Motion by: Ron Fitzgerald (Board Member)

Second by: Lincoln Wall (Board Member)

Roll Call Vote Ron Fitzgerald - Aye, Jack Beggs - Aye Lincoln Wall - Aye Motion Carried

TAYLOR COUNTY BOARD OF SUPERVISORS

By: Jack Beggs
Jack Beggs, Chair

TAYLOR COUNTY SEAL

ATTEST:

Judy Henry
Judy Henry, Taylor County Auditor