



Karen Jenkins &lt;jenkinskd55@gmail.com&gt;

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**Proposed Wind Farm**

1 message

**Karen Jenkins** <jenkinskd55@gmail.com>

Wed, Aug 15, 2018 at 2:14 PM

To: hutzzone@gwtc.net

Mr. Clifford Tjaden  
Hutchinson County Zoning Administrator

Mr Tjaden,

I want to thank you for your assistance at the zoning meeting on Monday August 6. I appreciate your input and clarity. I would also like to apologize if I stepped over the boundaries of public input or offended you in any way.

I am going to send a separate email with links for the board to research on their own. I will appreciate if you will let me know if you feel anything I send is not appropriate according to the permit process.

If you would please send me the names and position/title of each of the members that were at the meeting on Aug 6th, whether they are elected or appointed, and also what their term is I would appreciate it. I am just trying to familiarize myself with those involved and the process of the consideration of the PWWP, LLC. application. If there is another source for this information please refer me to it instead.

Please tell me what document Roland Jurgens handed out to all of you at the meeting, was it the Bon Homme County zoning for wind farms? Please tell me the exact title so I may obtain one from Bon Homme County. Or is a matter of Public Record in Hutchinson. I would like to review what the members are reviewing. I do not have a copy of the map that we identified my home on, would you be able to send a copy to me through email?

When PWWP, LLC submits their application is that done by just walking in and handing it to you? Is it in a special or regular meeting? Or in a Public Hearing?

Please tell me how to be informed as to what is happening without calling you or emailing you everyday. I know you have many other duties and time is limited.

Thank you for your help.

Respectfully,

Karen Jenkins  
28912 410th Ave  
Tripp SD 57376  
605-680-5646  
jenkinskd55@gmail.com



Karen Jenkins &lt;jenkinskd55@gmail.com&gt;

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**RE: Please forward to board members**

1 message

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**Karen Jenkins** <jenkinskd55@gmail.com>  
To: hutzzone@gwtc.net

Wed, Aug 15, 2018 at 3:14 PM

The links provided below are public record on the PUC Website for Electric Dockets:  
**EL18-026 - In the Matter of the Application by Prevailing Wind Park, LLC for a Permit of a Wind Energy Facility in Bon Homme County, Charles Mix County and Hutchinson County, South Dakota, for the Prevailing Wind Park Project**

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Please read comments the public has sent in to this docket:  
**Click for link to: [Comments and Responses](#) and click on link.**

Please to listen to the recording of the PUC Public Meeting in Avon on July 12, 2018.  
This is easy and clearly shows the human element of this very important decision to be made by Hutchinson County and by the PUC:  
**Click for link to: [Recording](#) and click on link.**

Thank you for your time and consideration.

Respectfully,

Karen Jenkins  
28912 410th Ave  
Tripp SD. 57376



Karen Jenkins &lt;jenkinskd55@gmail.com&gt;

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**Cliff, Please review and forward if appropriate. Thanks!**

1 message

Karen Jenkins &lt;jenkinskd55@gmail.com&gt;

Wed, Aug 15, 2018 at 4:04 PM

To: hutzzone@gwtc.net

Ladies and Gentlemen,

I am Karen Jenkins and I spoke to you on August 6 at your regularly scheduled meeting. I would like to thank you for your time that evening and for your patience. A lot is on the line for my husband and I and our future and those in this footprint. Your consideration of this matter is greatly appreciated.

I would also like to apologize for anything I did at that meeting that overstepped the boundaries of the process. While I am confident what I told you is the truth, I find it very difficult to diplomatic while exposing the issues I have encountered since the Beethoven Wind Farm was in planning in 2013 and since this current project came to light in 2015.

I hope you will accept my apology if I offended any of the board, it was certainly not my intent. It had been a long day and this is a very trying issue.

I have included links to the South Dakotans for Responsible Renewable Energy website. It simply contains links to many organizations websites and contains a wealth of information.

Also, I figured out how to send you a direct link to the PUC Docket for this project.


Finally, I ran across an article about battery storage that might be of interest to you.

Thank you again for your time.

Respectfully,  
Karen Jenkins  
28912 410th Ave  
Tripp SD 57376

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**3 attachments**

 **EL18-026.url**  
1K

 **South Dakotans for Safe and Responsible Renewable Energy.url**  
1K

 **Battery Storage.docx**  
55K

September 4, 2018

Thank you for this opportunity.

Please do not make your decision tonight. You have the right and the responsibility, to table this discussion, seriously consider what has been brought to you, and to come back at a later date to continue this discussion, **before making a decision.**

The Applicant filed their Application with the PUC on May 30, 2018, without permits from the three counties in the project footprint. It may seem urgent to the Applicant to have your decision tonight, however it was the Applicant's choice to wait until August to apply for the Conditional Use Permit in Hutchinson County.

The Counties of Bon Homme and Charles Mix have not represented the citizens and residents properly in this matter. We **urge** you to take your time and give this matter great consideration.

**We are here to ask you to protect us. This protection can come when you deny this application.**

Our greatest concern is health. Some people fail to understand that the health effects associated with turbines depend on individual sensitivities, length of exposure, wind speeds, geography and a host of other factors. The effect of extremely low frequency sound on the inner ear leads to the distress of sleep disruption, sleep deprivation, and subsequent adverse health effects.

Recently, we experienced the effect of noise inside our home from the fans on a grain bin that is on the adjacent property. The noise outside was acceptable, simply a part of rural living. The noise inside the house however was amplified and had an irritating, reverberating effect on my ears. Our neighbors were simply taking care of their grain and we knew the fans would be turned off. We knew the sound would not be something we have to deal with day in and day out.

A wind turbine is different. How will we stop the noise inside our house when it comes from the turbines that could be built one and two miles from our home? If we are not able to tolerate the noise what will we do? We would not want to have anyone else experience trouble, so how will we sell our house if we couldn't live there anymore? Will it even be marketable?



We were not able to protect ourselves from the Beethoven Wind Project. The only notice we received was the Notice of Public Hearings for Conditional Use Permits for B&H Wind Farm, LLC. First there were six and then they came back with ten more. The Board of Adjustment gave no consideration to our concerns at the last hearing.

If you do not deny this permit, you will not only fail to protect us, you will most likely be setting a precedent for future projects around us. Directly north of us are 234 acres owned, by the same property owner, who is hoping to host turbines #30 and #51 to the southwest of us. It makes sense that the property he owns north of us would host turbines from a future project, **a project which most likely is already being planned.** This is of great concern to us, we have been able to live with Beethoven so far, however to be surrounded by turbines would definitely be unacceptable. **We need you to protect us from the Prevailing Winds Project.**

If you will not deny this application please place these conditions to protect our health, safety, and welfare. These are the same conditions we have asked the PUC to place on the Applicant.

Condition #1: A four mile setback from a resident.

Support: To protect by distance from sound, inaudible noise, and sight disruption. The turbines chosen by the applicant are 586 feet tall and twice as powerful as Beethoven. This size is unprecedented in South Dakota and certainly unprecedented for us. We would be within 1.07 miles of #55 and many other turbines just increments further.

The distances of the turbines from our home, that are in this project and in Hutchinson County would be as follows, if allowed.

55 - 1.07 miles

51 - 1.8 miles

56 - 1.28 miles

30 - 1.67 miles

25 – 2.2 miles

In addition to these turbines, there are four others in Bon Homme County, which if allowed, would have the following distance from our home:

47 – 2.4 miles

46 – 2.8 miles

20 – 2.9 miles

18 – 3.3 miles

We live 3 miles from six Beethoven Turbines now. We can hear them, see them, and we consider them a nuisance. The cumulative effect of the existing turbines and the proposed turbines will be substantial and will negatively affect our peaceful enjoyment of our property, our view shed, and most importantly may cause us to have to leave our home.

Condition 2: Require an ALDS be installed on the turbines and if the FAA does not approve the use of the ALDS the Conditional Use Permit shall be revoked.

Support: The red blinking lights are meant to alarm. And they do, still after three years. The red blinking lights we have been forced to live with from the Beethoven Project are a nuisance, adding more will only increase that nuisance. The Applicant should be prevented from creating a nuisance.

Condition 3: A decommissioning bond, paid for up front, and arranged between the PUC and the Applicant. If the bond is not paid for upfront the Conditional Use Permit shall be revoked.

Support: Once the turbines are up, they are up. Whether or not the proposed industrial wind project will be lucrative enough to produce the income to provide for a bond or an escrow fund in ten years is not and cannot be proven. An escrow fund, as the PUC is currently setting as a condition, cannot be funded if the entity owning the industrial wind project goes bankrupt.

Condition 4: A liaison person must be appointed to monitor the project as it is being built to insure compliance and an avenue for those in the footprint to voice concerns and complaints. If the PUC does not provide this condition the Conditional Use Permit shall be revoked.

Condition 5: A liaison person must be appointed to monitor the project from the commencing of operation through the decommissioning of the project. If the PUC does not provide this condition the Conditional Use Permit shall be revoked.

Condition 6: No shadow flicker on non-participating residences.

Support: Shadow flicker is a nuisance and the Applicant should be prevented from creating a nuisance.

Condition 7: Sound may not exceed 35 dB(A) for non-participating residences.

This will protect us against audible and inaudible sound.

Finally, please protect us. Please do not make your decision tonight. Your decision will have a great impact on our lives. Thank you for your time.

Mike and Karen Jenkins  
28912 410<sup>th</sup> Ave  
Tripp SD 57376  
605-680-5646



Karen Jenkins &lt;jenkinskd55@gmail.com&gt;

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**Minutes**

1 message

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**Cliff Tjaden; Zoning Admin.** <hutzone@gwtc.net>  
To: jenkinskd55@gmail.com

Mon, Sep 10, 2018 at 1:32 PM

Here are the Aug 6 minutes. The Sep 4 meeting will not be official until Oct 1, therefore I am unable to send them to you.

Clifford L. Tjaden  
Zoning Administrator  
Hutchinson County SD

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 **Aug 6 Meeting MINUTES.docx**  
39K



## PLANNING COMMISSION MEETING MINUTES

**August 6, 2018 @ 8:00 p.m.**

### Call to Order:

Chairman Schnable called the meeting to order @ 8:02p.m.

Members Present: Schnabel, Frey, Ulmer, Schultz, Edlund, Werning and Administrator Tjaden

Citizens Present: Ernest Scheetz, Karen Jenkins, Mark Rames, Roland Jurgens, Erik Johnson, Bruce Voigt, Terry Goehring, Tracy Goehring, Janet Wagner, Ron Wagner

### Approve Current Agenda

Motion to Approve: Frey, 2<sup>nd</sup> Werning

All Votes Aye; Motion Carries

### Approve Minutes of July 9, 2018

Motion to Approve: Edlund, 2<sup>nd</sup> Frey

All Votes Aye; Motion Carries

### Convene as Board of Adjustment

Motion to Convene as Board of Adjustment: Werning, 2<sup>nd</sup> Frey

All Votes Aye; Motion Carries

## CONDITIONAL USE APPLICATION

### VARIANCE APPLICATIONS

#### Terry Goehring

Request to build a storage shed with a 12' setback of the rear property line

Legal: Parcel D NE ¼ Section 9 Sweet Township

Motion to Approve: Schultz, 2<sup>nd</sup> Ulmer

Roll Call Vote: Aye; Werning, Schultz, Schnabel, Edlund, Ulmer, Frey. Nay; None

#### Dennis Fuerst

Request for an acreage of 11.9+/- acres instead of 20 acres

Legal: E ½ SE ¼ Section 13 Township German

Motion to Approve: Frey, 2<sup>nd</sup> Werning

Roll Call Vote: Aye; Schultz, Schnabel, Edlund, Ulmer, Frey, Werning. Nay; None

#### Lakeview Kennels, Inc.

Request for an acreage of 1.8 +/- acres, side setback of 25' and lot front of 188'

Legal: E 900' of the S 1250' of the SE ¼ of the SW ¼ of the SW ¼ Section 4 Susquehanna Township

Motion to Approve: Edlund, 2<sup>nd</sup> Schultz

Roll Call Vote: Aye; Schnabel, Edlund, Ulmer, Frey, Werning, Schultz. Nay; None

### Reconvene as Planning and Zoning Committee

Motion to Reconvene as Planning and Zoning: Frey, 2<sup>nd</sup> Ulmer

All Votes Aye; Motion Carries

## PLATS

#### Gary Scheetz

Scheetz tract 1 E. 900' of the S 1250' of the SE ¼ of the SW ¼ of Section 4, T99N R61W of the 5<sup>th</sup> P.M. Hutchinson County, SD

Motion to Approve: Schultz, 2<sup>nd</sup> Werning

All Votes Aye; Motion Carries

David Baltzer

Baltzer Tract 1 in the SW ¼ of Section 22, T98N R59W of the 5<sup>th</sup> P.M. Hutchinson County, SD

Motion to Approve: Frey, 2<sup>nd</sup> Ulmer

All Votes Aye; Motion Carries

Wilmar Mehlhaf

Tract 1 Mehlhaf Addition, NE ¼ of Section 32, T98N R56W of the 5<sup>th</sup> P.M. Hutchinson County, SD

Motion to Approve: Edlund, 2<sup>nd</sup> Frey

All Votes Aye; Motion Carries

Dennis Fuerst

Tract 1 NE ¼ of the SE ¼ of Section 13, T98N R60W of the 5<sup>th</sup> P.M. Hutchinson County, SD

Motion to Approve: Werning, 2<sup>nd</sup> Ulmer

All Votes Aye; Motion Carries

Vernon C. Neugebauer, LaVerna L. Neugebauer, Bryan Neugebauer, Terry Neugebauer, Kevin Neugebauer, LeAnn Moe, Tracy Neugebauer

Neugebauer Tract 1 NW ¼ of Section 17, T100N R61W, of the 5<sup>th</sup> P.M. Hutchinson County, SD

Motion to Approve: Frey, 2<sup>nd</sup> Werning

All Votes Aye; Motion Carries

Ronald Dale Guthmiller

Tracts 1 & 2 Guthmiller's Addition, SW ¼ of Section 13, T97N R58W of the 5<sup>th</sup> P.M. Hutchinson County, SD

Motion to Approve: Edlund, 2<sup>nd</sup> Frey

All Votes Aye; Motion Carries

## DISCUSSION

Roland Jurgens: S Power

Mr. Jurgens explained the S power project to the Planning and Zoning Committee. It will be a total of 220 mega watts being generated by 57 turbines of which 6 will be located in Hutchinson County. The turbines will be tall and the blades are bigger than that of the pervious project constructed in 2014. They will also be more advanced; less noise, radar lights, maximum of 45db. Mr. Jurgens will file conditional uses on behalf of S Power and send informational packets to the committee.

Karen Jenkins: Concerned Citizen

Chairman Schnabel allowed Ms. Jenkins to speak as she was not on the agenda to speak and this was not a conditional use hearing at this time. Ms. Jenkins explained her stance on the project and that she thought that it was detrimental to the citizens of Hutchinson County. She based this on the sight of the turbines, noise and vibration to area residents.

**Adjournment:**

Motion to Adjourn and set the next meeting date of 4 September 2018 at 7:00p.m.

Ulmer, 2<sup>nd</sup> Werning

All Votes Aye; Motion Carries

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Zoning Board  
Bon Homme County  
Tyndall, SD

9/17/2017

**Mr Chairman and members of the Zoning Board**

I am Karen Jenkins, my address is 28912 410<sup>th</sup> Ave, Tripp, SD. My home is located near the intersection of 410<sup>th</sup> Ave and 289<sup>th</sup> Street, which is also referred to as Tripp Lake Road.

**Introduction**

I am here today to ask this board to deny the Conditional Use Permit application submitted by Prevailing Winds, LLC. Clearly this application is the second application for a MET to be erected within the same tract, yet in a slightly different location within the tract. In essence, the developer and investors are ignoring the decision made during the Public Hearing on August 28, 2017, when for lack of a motion, the first application was denied.

This application should be denied just as the first application was denied. Please understand, this is more than just a MET tower. The purpose of the MET tower is to obtain information on wind. If the “criteria” that is being sought is found, we are one step closer to another Industrial Wind Farm. In essence, a continuation of the Beethoven Wind Farm in North West Bon Homme and South West Hutchinson Counties. This should not be allowed to happen. You must take this opportunity to protect your citizens. Please deny this application.

I have experienced disappointment, frustration, and helplessness since the Beethoven Industrial Wind Farm was in the permitting process, the construction process, and when it went online. I live three miles from where the towers start. I guess you can say I was lucky they aren't closer. Yet I feel violated more than anything. I would not wish living in or near an Industrial Wind Farm on anyone.

I feel a deep sense of loss, a sadness that is from experiencing a dream come true and watch a large part of it being taken away. Just the blight on the horizon was not enough, now comes the nuisance of noise that increases as the towers age, the red blinking lights that can be seen for miles and miles. Now, we face the looming threat of more towers and the subsequent loss of property value.

This is why I have stood before you, your commissioners, the PUC in opposition of MET and more Industrial Wind Farms. They are not good neighbors and they don't go away.

Your citizens deserve better and they need your help.

Thank you,

Karen Jenkins



**IN THE MATTER OF THE  
APPLICATION BY PREVAILING  
WIND PARK, LLC FOR A PERMIT OF  
A WIND ENERGY FACILITY IN BON  
HOMME COUNTY, CHARLES MIX  
COUNTY AND HUTCHINSON  
COUNTY, SOUTH DAKOTA, FOR THE  
PREVAILING WIND**

**Amended Response  
APPLICANTS FIRST SET OF DATA  
REQUESTS TO  
INTERVENOR**

Below, please find Prevailing Wind Park, LLC's ("Applicant") First Set of Data Requests to Intervenor Karen Jenkins. Please submit responses within 10 business days or promptly contact the undersigned to discuss an alternative arrangement.

1-1) Provide copies of all data requests submitted by the PUC Staff to you in this proceeding and copies of all responses to those data requests. Provide this information to date and on an ongoing basis.

**Attached**

1-2) With respect to the Project, please:

a) Identify, if any, concerns you have regarding the Project's satisfaction of the criteria for the Project to receive a facility permit from the South Dakota Public Utilities Commission; and b) Identify any other concerns you have regarding the Project.

Please see my Amended Response to Staff's First Set of Data Requests that I have forwarded to you.

1-3 Identify whether you own property or reside in the vicinity of the Prevailing Wind Park Project ("Project") and, if so, the location (by section, township, and range) of such property and/or residence.

My husband and I own an 8 acre property with a 100+ year old farmhouse and barn with outbuildings in Section 30 Fair Township 97N, and Range 60W.

1-4 If you have a residence in the vicinity of the Project, identify whether you live at the residence throughout the entire year and, if not, how many months of the year you reside at the residence.

We reside here year round.



1-5 Identify how you use your land, including, but not limited to, whether you use your land for agricultural purposes.

We use our land as our sanctuary from urban living and as a Hobby Farm. We also hay some of the acreage every year.

1-6 Identify any sensitive or unique features of your property that you assert would be impacted by the Project.

Our property has a unique 360 degree view of the landscape and our two story house has many large windows and doors on every side which afford us a beautiful and peaceful view of the rural landscape which includes tilled farmland, pastures with cattle grazing, a wide open view of the sky, and many types of wildlife including a large variety of birds, including bald eagles, cranes, the twice yearly migration of ducks and geese, deer, woodchucks, raccoons, coyotes, badgers, rabbits, quail, and pheasants. There is a naturally fed pond just west of our house on the adjacent property and a creek that runs from that, through our property and on to the property east of us which becomes tree-lined and feeds a pond on that property. Both properties east and west have cows and calves grazing most of the year. The adjacent north and south properties are tilled farmland which alternate from corn, soybeans, and alfalfa.

Our property fulfills the dream we have shared since we married in 1984, to retire and live in the country, experience the seasons, enjoy the peacefulness, have a hobby farm, and enjoy life. We believed we would be able to either leave a beautiful and valuable property to our children as an inheritance or if needed, as we age and become unable to maintain it, be able to sell it and use the funds from the sale to relocate to another lovely residence.

1-7) Describe any mitigation measures that could address your concerns with respect to the Project.

Please refer to my Amended Response to Staff's First Request for Data that I have forwarded to you.

1-8) Identify any documents, information, education, training, or professional experience you have relied upon to form your opinions concerning the Project. Where you have relied upon documents or other tangible materials, please provide such documents and/or materials.

My personal experience of the process of the development of the Beethoven Wind Farm and this Project.

My personal experience of living three miles from the Beethoven Wind Farm.

The experiences that Sherm and Lori Fuerniss have shared with me living by the Beethoven Wind Farm.

Discussions I have had with individuals who live in the communities surrounding us regarding the offensive red blinking lights seen for miles and miles, the waste of our taxpayer dollars, the secrecy of the developers of the Beethoven Project (the same developers of the Project), and the disgust of how they deceived the communities that the Beethoven Project would provide many permanent jobs to the community.

Documents and Literature

Siting Guidelines for Wind Power Projects in South Dakota / Attached

Particularly, the following paragraph was alarming to me and had a great impact on the opinion I have that the Project is proposed for the wrong location. This project is in the Missouri River area highlighted on the map, an area that is considered unique and rare in South Dakota.

“Although wind power is considered "green energy," many concerns have been expressed about the effects of their presence on plants and animals native to South Dakota. Specific areas of South Dakota have been identified as potential sites for wind energy development, and these sites are located in, but not limited to, the Coteau des Prairies in eastern South Dakota and the Missouri River in central South Dakota, which are unique/rare in South Dakota. Additional areas in other regions of the state may be identified/added by ongoing studies or further infrastructure development (e.g., transmission lines and substations). “

Wind Turbine Syndrome: A Report on a Natural Experiment by Dr. Nina Pierpont

Paradise Destroyed

The Destruction of Rural Living by the Wind Energy Scam by Gregg Hubner

Websites:

SDPUC

AWEA / Too many articles and too much info to attach.

WE-CAREsd.org website / Too many articles and too much info to attach

Wind Watch.org website / Too many articles and too much info to attach

INCEEUROPE website / Three attachments

1-9) Identify any expert witnesses you plan to have testify on your behalf, and for each expert witness, describe the subject matter regarding which the witness will testify.

My husband Mike Jenkins and myself may testify on our experiences of and with the Beethoven Wind Farm and the development of the Project, at this time no other expert witnesses are planned, however I reserve the right to call witnesses as the process unfolds.

1-10) Are you asserting the Project will negatively impact property value? If so, provide copies of any appraisals that have been conducted for your property within the last ten (10) years.

Yes, I am sure the Project will negatively impact property value. More concerning is the chance that one or both of us may not be able to remain in our home, due to adverse health effects, or whether we would even want to remain in our home next to the existing Beethoven Wind Farm and this Project. Most concerning is how we could ethically offer it up to anyone for sale. We depend on our home and property as our largest asset.

An appraisal was done when we purchased our home and property in 2010, I do not have it available.

1-11) Identify any communications, written or otherwise, you have had with units, officials, and/or representatives of local, state, and/or federal governments or agencies concerning the Project.

I participated in the process of the Bon Homme County Zoning Board on Zoning and Met Tower, and Public Hearings in the same County regarding zoning for Industrial Wind Towers.

I attended the Charles Mix County Commissioners regular hearing on August 9, 2018.

I presented to the Hutchinson County Zoning Board my concerns of the deception of the developer of the Project at the regular August 2, 2018 meeting.

I presented to the Hutchinson County Board of Adjustment my request for protection, for their strong consideration of the concerns I had, and the conditions I felt needed in the event they would not deny the Conditional Use Permit at the Public Hearing on September 4, 2018.

I amend this section to include the attachments and provide unwritten communications information:

- a) For any written communications, provide a copy of the communication; and  
Attached
- b) For any unwritten communications, provide the date of the communication, the persons involved, and the subject matter of the communication.

Simple calls to confirm the meetings were on schedule as I live 20 miles from the Hutchinson County Courthouse and the Bon Homme County Courthouse. Dates not available.

I amend this section to include:

A call to Cliff Tjaden Hutchinson Zoning Director to request minutes of the August 6, 2018 regular Zoning Board meeting and the minutes of the September 4, 2018 Public Hearing for the Conditional Use Permit requested by Applicant. I don't remember the date.

A call to Scott Podhradsky, Deputy Attorney for Charles Mix County, to inquire about the agreement the Commissioners entered into with the Applicant. August 13, 2018 I believe.

I had interactions with public employees at Bon Homme County and Hutchinson County Courthouses to request minutes of the Bon Homme County Public Hearing regarding Article 17 that had been posted twice, (but each having a different time for the hearing), to review and obtain public records, and to review the Application.

Dated this 4<sup>th</sup> day of October, 2018

Karen Jenkins

28912 410<sup>th</sup> Ave

Tripp SD 57376

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

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**IN THE MATTER OF THE  
APPLICATION BY PREVAILING  
WIND PARK, LLC FOR A PERMIT OF  
A WIND ENERGY FACILITY IN BON  
HOMME COUNTY, CHARLES MIX  
COUNTY AND HUTCHINSON  
COUNTY, SOUTH DAKOTA, FOR THE  
PREVAILING WIND**

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**RESPONSE TO  
STAFF’S FIRST SET OF DATA  
REQUESTS TO INTERVENORS  
EL18-026**

Below, please find my response to Staff’s First Set of Data Requests to Intervenors. Thank you for allowing me the extension to submit my response by August 24, 2018, at 5:00 pm.

- 1-1) Provide copies to Staff of all data requests served on Applicant at the time of service.  
**I will provide this information.**
  
- 1-2) Provide copies to Staff of all of your answers to data requests from Applicant at the time they are served on Applicant.  
**I will provide this information.**
  
- 1-3) Refer to SDCL 49-41B-22. Please specify particular aspect/s of the applicant's burden that the individuals granted party status intend to personally testify on.  
**I am in the process of reviewing the Application to find if it is sufficient to provide for the conditions set forth SDCL 49-41B-22. I have not decided if I will testify or not.**
  
- 1-4) Refer to SDCL 49-41B-25. Identify any “terms, conditions, or modifications of the construction, operation, or maintenance” that the Intervenors would recommend the Commission order. Please provide support and explanation for any recommendations.

**To be clear, I recommend that the Commission deny this application. I recommend this from my experience of the Beethoven Wind Farm from permitting, construction, to the operation of it, to date.**

**If the Commission will not deny the application, I recommend the condition of a 4-mile setback. My support is the fact that I live 3 miles from six Beethoven Wind Farm Industrial Wind Turbines and the height of 586 foot turbines as the Applicant has chosen is unprecedented and I believe will negatively impact my husband and myself without the 4 mile setback.**

**I request the ALDS which eliminates the alarming red blinking lights at night. If the FAA does not approve them, I recommend the application be denied.**



**The red blinking lights are meant to alarm. The red blinking lights on the Beethoven Wind Farm are a nuisance. To have an additional 57 turbines, many with the alarming red blinking lights will result in a much bigger nuisance. The Applicant should be prevented from creating a nuisance.**

**I request a Bat Detection and Shutdown System be installed on all Industrial Wind Turbines in this project. Bat fatalities negatively affect agriculture and the environment.**

**I request a decommissioning bond, paid for up front. Once the Industrial Wind Turbines are up, they are up. Whether or not the proposed Industrial Wind Farm will be lucrative enough to produce the income to provide for a bond in ten years is not and cannot be proven.**

**I request a liaison person to monitor the project as it is being built to insure compliance and an avenue for those in the footprint to voice concerns and complaints. A project of this size must have a liaison.**

**I request a liaison person to monitor the project from the commencing of operation through the decommissioning. I have not been able to reach anyone to assist me when I have had concerns with the existing Beethoven Wind Farm.**

**I request there be no shadow flicker on non-participating residences, as shadow flicker presents a nuisance and the Applicant should be prevented from creating a nuisance.**

**I request a Guarantee of Property Value to be funded and developed by the Applicant, subject to approval of the Property Owner to protect residents in the footprint and buffer zone from financial loss should the residence become unlivable and / or unmarketable. The Applicants project will have serious financial implications on many of the residents in the footprint and the buffer zone.**

**1-5) Is there a specific objection (example health, blinking lights, sound) you have with respect to the Project? Please briefly explain.**

**The nuisance of red blinking lights as mentioned above in section 1-4. If the FAA will not approve the use of the ALDS the application should be denied.**

**Most concerning is sound, both audible and infrasound. There are many complaints about both audible and inaudible noise from Industrial Wind Turbines, they are well documented. The result of negative health effects to some residents from both audible and inaudible noise is also well documented.**

**Health, again the size of the Industrial Wind Turbines the Applicant has chosen is unprecedented. The area and range they will impact is unknown and will likely cause the loss of enjoyment of property, loss of use of property, loss of the residence to be inhabitable, and the marketability of property will be greatly diminished.**

What, if anything, do you feel could be done to remedy that issue?

**Deny the Application.**

**If the Commissioners will not deny the application, the Commission must then approve the Application with conditions that will truly protect the health, safety, and welfare of all of the residents living in and near the footprint.**

**Sound should not exceed 35 decibels for non-participating residences.**

**Setbacks should be 4-miles from a non-participating residence.**

**An ALDS must be installed. If the FAA does not approve an ALDS the application should be denied.**

**1-6)** Please list with specificity the witnesses the Intervenors intend to call. Please include name, address, phone number, credentials and area of expertise.

**I am still reviewing the Application and have not decided if I will call witnesses.**

**1-7)** Do the you intend to take depositions? If so, of whom? **Not at this time.**

Dated this 24<sup>th</sup> day of August, 2018

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