

EXHIBIT D

REPORT OF LOCAL REVIEW COMMITTEE

Deer Creek Station Local Review Committee
Dennis Falken, Chairman
1632 Overlook Ridge Road
Brookings, SD 57006

January 8, 2010

Ms. Karen Cremer
Staff Attorney
South Dakota Public Utilities Commission
500 East Capital Avenue
Pierre, SD 57501

Re: EL09-015 Basin Electric Deer Creek Energy Project
Local Review Committee Report

Dear Ms. Cremer:

The Local Review Committee for the Deer Creek Station Energy Conversion Facility to be located in Brookings County has completed the required report and is hereby transmitting it to the SD PUC in PDF form on a CD. We received excellent cooperation from all of the entities involved including Basin Electric and the PUC.

All of the items identified by the LRC as concerns are already in the process of being studied or mitigated. With the requested mitigation I can say that the local community supports the Deer Creek Project and is looking forward to the economic benefits that it will generate for the area.

Please contact me if you have any questions.

Sincerely,



Dennis Falken
Chair

Encl. (CD with PDF of report)

**FINAL REPORT OF THE LOCAL
REVIEW COMMITTEE
FOR THE
BASIN ELECTRIC COMBINED CYCLE
ENERGY CONVERSION FACILITY
DEER CREEK STATION**

COMMITTEE MEMBERS

Dennis Falken – Brookings County Commission
Tony Simons – Elkton School District
Curt Pearson – Basin Electric Project Representative
Darold Hunt – Deuel County
Frederick Weekes – City of Aurora
Randy Brown – City of White
Kevin Keenaghan – Deubrook School District
David Landsman – City of Elkton
Terry Lovre – City of Astoria
Mike Bartley – City of Brookings
Dave Huebner – City of Bushnell
Marysz Rames – Brookings School District

CONSULTANT



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Brookings, SD 57006
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JANUARY 2010

Deer Creek Station

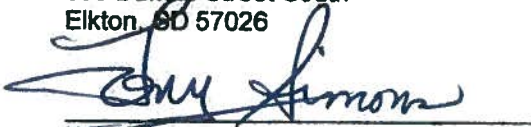
Local Review Committee Members

Dennis Falken – Brookings County
1632 Overlook Ridge Road
Brookings, SD 57006



Dennis Falken

Tony Simons – Elkton School District
803 Buffalo Street South
Elkton, SD 57026



Tony Simons

Darold Hunt – Deuel County
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Darold Hunt

Frederick Weekes – City of Aurora
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Frederick Weekes

Randy Brown – City of White
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Randy Brown

Kevin Keenaghan – Deubrook School District
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Kevin Keenaghan

David Landsman – City of Elkton
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Elkton, SD 57026


David Landsman

Terry Lovre – City of Astoria
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Terry Lovre

Mike Bartley – City of Brookings
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Brookings, SD 57006


Mike Bartley

Dave Huebner – City of Bushnell
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Bushnell, SD 57276


Dave Huebner

Marysz Rames – Brookings School District
265 Indian Hills Road
Brookings, SD 57006


Marysz Rames

Curt Pearson – Basin Electric Project Rep.
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Bismarck, ND 58503-0564


Curt Pearson

Gregg E. Jongeling – Consultant to LRC
1815 Third Street
Brookings, SD 57006


Gregg E. Jongeling

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Executive Summary

Proposed Basin Electric Deer Creek Combined Cycle Energy Conversion Facility

It is the opinion of the Local Review Committee that the Proposed Deer Creek Combined Cycle Energy Conversion Facility to be constructed southeast of White, SD will not have a significant social or economic effect on the PUC defined twelve mile radius study area within the state of South Dakota. It is our opinion that the area will be able to absorb the construction activities and that the area will gain significant benefits during and after project construction.

The following recommendations are suggested by the Local Review Committee to mitigate the project's impact on the local area:

Waste Water Treatment and Collection

The County Drainage Officer should be consulted and provisions to limit storm water discharge to land where farming operations will not be adversely affected should be considered.

Transportation – Impacts to the local area may be significant, mitigation is recommended

HEAVY HAUL ROAD ISSUE

The bridge over Deer Creek on 484th Ave just south of 207th St should be replaced with culverts as per the wishes of the area townships. Brookings County should immediately contract with a consulting engineer to determine the appropriate replacement strategy and number of culverts required. The replacement should be accomplished in such a way as to allow for the anticipated heavy haul loads for the Deer Creek Project to be accommodated no later than October 1, 2010. With this caveat, Basin Electric should contribute to Brookings County the amount of project funds allocated to place the proposed “jumper” bridge at this site.

TOWNSHIP ROAD 207TH ST FROM 482ND AVE TO 484TH AVE

It would be advantageous for Brookings County to accept ownership of these two miles of 207th Street completing County Road 8 across the full width of the county. These two miles connect County Road 8 from the west to County Road 36 to the east. The current and anticipated growth of energy facilities in the area will continue to contribute to the traffic volume on these two miles of township road.

Basin Electric should have further research and engineering effort put into this section of road to determine what safety measures and structural improvements

may be necessary to allow this road to provide the necessary level of service required of it if the Burns and McDonnell Transportation Plan is followed which makes this the main access route to the construction site.

INTERSECTION OF 207TH ST AND 484TH AVE

The Local Review Committee has grave reservations about the safety of this intersection due to the increased amount of traffic to be accommodated. They recommend that Basin Electric have further research and engineering effort put into the design of this intersection to determine what safety measures and structural improvements may be necessary to allow this intersection to provide the necessary level of service for the construction traffic and the future increased construction and operational traffic generated by the energy projects in the area.

The Local Review Committee recommends that the curve on County Road 36 be removed and 207th St and 484th Ave meet at a 90 degree intersection. Four way stop signs may be required to add an extra measure of safety. The removal of the curve also moves the intersection farther from the limited sight distance caused by the hill on 484th Ave just north of 207th St.

DUST CONTROL

During the construction phase of the project it is imperative that dust control be provided where and when required. Basin Electric should take all necessary steps to insure that their construction contracts clearly provide for dust control and that Basin Electric will be able to effectively direct the use of such dust control as needed. A single contact point should be established to handle complaints. This information shall be made available to the Brookings County Highway Superintendent and the Brookings County Sheriff's Office. Brookings County has a Permit Process for Self-Application of Dust Control and these procedures must be followed. The Local Review Committee does not believe that applications of water will be sufficient to control the dust. It is imperative that adequate dust control be provided and Basin Electric should expend the extra effort needed to be able to provide good, long lasting control in all areas as needed. This has been a source of complaints on other large construction projects in the area and it is expected that it will again be a source of complaints on this project.

HAUL ROAD MAINTENANCE AGREEMENTS

Each township who is asked to agree to a haul road use in their jurisdiction should utilize the Brookings County Permit System. All agreements should be in writing. It would be advisable for the townships to request the assistance of the Brookings County Highway Superintendent in completing the before and after assessments of the road conditions.

INTRODUCTION

The Local Review Committee was formed on February 5, 2009, when the South Dakota Public Utilities Commission issued an order designating the affected area and the local review committee in response to a Notification of Intent filed by Basin Electric Power Cooperative, Inc. to construct a 300 MW combined cycle energy conversion facility near White, SD. This project is referred to as the Deer Creek Station Project. The study area was determined to be all of the land in the State of South Dakota within a twelve mile radius of the proposed facility. The Local Review Committee was determined to be representatives of Brookings, Elkton and Deubrook School Districts, Brookings and Deuel Counties, the Towns of Astoria, Aurora, Bushnell, the Cities of Brookings, Elkton, and White, and a Basin Electric Project Representative.

The responsibilities of the Committee are essentially to assess the potential social and economic effects of the proposed generating facility, assess the surrounding area's ability to absorb those effects and arrive at recommendations and mitigation measures deemed necessary. Within seven months after the actual filing of the application by Basin Electric (filed July 28, 2009) the Committee is required to file a final report with the PUC containing its findings and recommendations. By rule the Committee would have until February 28, 2010, to file the report.

The Committee, with approval of the PUC, may employ a consultant to assist it in performing the duties required of the Committee. To this end the Committee requested, and the PUC concurred in, the hiring of Gregg Jongeling of Jongeling Consulting, Brookings, SD as consultant to the Committee. Gregg Jongeling, the Local Review Committee's choice to prepare the Deer Creek Station Assessment Report, has over 30 years experience in government public works projects and private consulting services. Prior to agreeing to prepare this Assessment Report, Gregg was a Senior Project Manager for Banner Associates Inc. of Brookings, SD, where he was the Construction Manager for the Lewis & Clark Regional Water System pipeline installation project. In his five years with Banner, Gregg managed eight separate contracts worth over 100 million dollars with four major construction contractors. He was involved in project coordination and land owner satisfaction on projects from Vermillion to Sioux Falls. He also coordinated projects with the City of Pipestone, MN, and Brookings County in South Dakota. He retired from Banner Associates in February of 2009.

From 1978 through 2003, Gregg was employed by the City of Brookings, SD, first as Assistant City Engineer (1978-1985) and then as City Engineer until his retirement in October of 2003. Working under general guidance of elected officials, he had total responsibility for project design and construction. He directed public employees in all facets of maintenance and construction activities and provided support in all planning, zoning and housing inspection programs of the City.

Previous to this, Gregg held various positions with the South Dakota Department of Transportation in Pierre and Sioux Falls. He had extensive training in environmental issues, noise mitigation, and water quality assessment.

Gregg Jongeling holds a Bachelors Degree in Civil Engineering from South Dakota State University. He is a Registered Professional Engineer in South Dakota, Minnesota, and Iowa and is also a Licensed Land Surveyor in South Dakota. He is a member of the American Public Works Association, the South Dakota Professional Engineering Society, and the South Dakota Society of Professional Land Surveyors.

PROJECT OVERVIEW

According to the fact sheet provided by Basin Electric as of February 17, 2009, this project is a 300 Megawatt Natural Gas Combined Cycle Generation Facility located five miles east and two miles south of White, SD, in the NE ¼ of Sec 25 T111N R48W. The plant will have a 50 acre footprint within the 160 acre quarter section of property owned by Basin Electric. An electric transmission line will connect the plant to the substation three quarters of a mile south and a one mile water line will bring process water from Deer Creek aquifer to the site.

Natural gas will fuel the plant and will be supplied by a fourteen mile gas line connecting to the Northern Border Natural Gas main line in Deuel County. A combustion turbine fueled by natural gas will generate electricity and the heat given off by combustion will be reclaimed to drive a steam turbine generating electricity and allowing the plant to operate with an efficiency of approximately 54 %.

Assuming all permits are received construction is anticipated to begin in mid-summer of 2010 with an expected completion date 18 months after the start of the construction. During construction they expect a peak work force on site to be 350 workers. An additional 70 workers will be active on the pipeline construction project in the summer of 2010. During construction Basin Electric plans to gradually hire its permanent work force of 30-35 employees.

The project is proposed to be in commercial operation by June of 2012 with 30 full time employees. Basin Electric expects to operate the plant 12-16 hours per day, 5 days a week.

APPLICABLE LAWS

49-41B-7. Assessment by local review committee--Factors included. The local review committee shall meet to assess the extent of the potential social and economic effect to be generated by the proposed facility, to assess the affected area's capacity to absorb those effects at various stages of construction, and formulate mitigation measures. The assessment of the local review committee shall include but not be limited to consideration of the temporary and permanent alternatives in the following areas:

- (1) Housing supplies;
- (2) Educational facilities and manpower;
- (3) Waste supply and distribution;
- (4) Water treatment and collection;
- (5) Solid waste disposal and collection;
- (6) Law enforcement;

- (7) Transportation;
- (8) Fire protection;
- (9) Health;
- (10) Recreation;
- (11) Government;
- (12) Energy

Source: SL 1977, ch 390, § 12.

49-41B-8. Employment of personnel by committee--Expenses--Information furnished by commission. The local review committee may employ such persons as determined by the Public Utilities Commission which may be required to carry out the provisions of § 49-41B-7 and the expenses of said staff shall be paid from the initial filing fee. The commission shall furnish copies of the application to the members of the local review committee and all other information which the commission determines that the committee should receive.

Source: SL 1977, ch 390, § 14

49-41B-9. Financing of committee expenses. Expense payments and other authorized payments to members of the local review committee for their service on the committee shall be financed by the unit of government or utility which they represent.

Source: SL 1977, ch 390, § 11.

49-41B-10. Final report of committee. Within seven months after the application is filed the local review committee shall file a final report with the Public Utilities Commission which includes the recommendations of the committee as to mitigation measures and minority reports.

Source: SL 1977, ch 390, § 13.

COMMITTEE ACTIVITIES

September 3, 2009

The first meeting of the Local Review Committee was held in Elkton with Randy Brown, Mayor of White, Tony Simons, Superintendent of Elkton Public School, Darold Hunt, Chairman of the Deuel County Commission, Dennis Falken, Brookings County Commission, Mike Bartley, City of Brookings Councilman, David Landsman, Mayor of Elkton and Curt Pearson, Project Representative from Basin Electric. This was an organizational meeting with Dennis Falken selected as Chair and Tony Simons as Vice Chair. Curt Pearson will serve as secretary. The Committee determined that they would request a proposal from Gregg Jongeling of Brookings to serve as consultant to the Committee.

September 24, 2009

The Committee met in White, SD, with Randy Brown, Mayor of White, Tony Simons, Superintendent of Elkton Public School, Ray Van Liere, Deuel County Commissioner, Mike Bartley, City of Brookings Councilman, David Landsman, Mayor of Elkton and Curt Pearson, Project Representative from Basin Electric. Tony Simons, Vice Chair conducted the meeting. The Committee interviewed Gregg Jongeling of Jongeling Consulting and voted to request that the PUC concur in retaining his services as consultant to the Local Review Committee.

September 30, 2009

A number of members of the Committee attended the Public Hearing held in White by the SD Public Utilities Commission. The purpose of this hearing was to hear public comment regarding Basin Electric's applications for the energy conversion facility, a transmission line, a water pipeline, and a natural gas pipeline. Under state law the Local Review Committee has responsibility only with the generating facility. The other items of construction will be considered only as they affect the local area in regard to the generating facility.

November 5, 2009

The Committee met in Brookings with members Mike Bartley, Councilman, City of Brookings, Randy Brown, Mayor of White, Dave Huebner, Mayor of Bushnell, Darold Hunt, Deuel County Commissioner, David Landsman, Mayor of Elkton, Terry Lovre, Mayor of Astoria, Tony Simons, Superintendent of Elkton Public Schools, Fred Weeks, Mayor of Aurora, Mr. Curt Pearson, Project Representative, Basin Electric Power Cooperative present. Tony Simons, Vice Chair, presided at the meeting. Gregg Jongeling of Jongeling Consulting provided the Committee with a recap of his activities and provided a list of discussion items for review by the Committee. General discussion was held on the various items and the future work plan provided by the consultant was approved.

December 17, 2009

The Committee met in Aurora at the Little Hall with members Dennis Falken, Brookings County Commissioner, Randy Brown, Mayor of White, Dave Huebner, Mayor of Bushnell, David Landsman, Mayor of Elkton, Tony Simons, Superintendent of Elkton Public Schools, Fred Weekes, Mayor of Aurora, and Mr. Curt Pearson, Project Representative, Basin Electric Power Cooperative present. Dennis Falken, Chair, presided at the meeting. Gregg Jongeling of Jongeling Consulting provided the Committee with a recap of his activities and provided a list of discussion items for review by the Committee. General discussion was held on various items. Mr. Jongeling provided the members with a draft report. The items with recommendations were reviewed. The Committee determined that all of the pertinent items are included in the report. The members will review the written report for errors or clarification with the intent to have each member sign the report during the first week of January. The signed report will be filed with the PUC on January 8, 2010. No further meetings will be held.

CONSULTANT ACTIVITIES

- 1. South Dakota Public Utility Commission held a public hearing in White on September 30, 2009.**
 - a. Mr. Jongeling attended the meeting and was introduced to a number of the participants by Curt Pearson of Basin Electric.
 - b. Todd Kays and Ted Haeder of First District Planning provided him with their collected data for the report that they did for Basin Electric.

- 2. Consulting Proposal was accepted by the PUC on October 20, 2009.**
 - a. Tony Simons sent a letter to PUC on September 25, 2009, stating the Local Review Committee's request to have Gregg Jongeling serve as consultant to the committee.
 - b. Mr. Jongeling participated in the October 20 meeting by way of telephone. The only issue was that the PUC staff had included the gas pipeline in the study. This was clarified at the meeting and the proposal was accepted unanimously.

- 3. Project review and site visits**
 - a. Mr. Jongeling reviewed the report of First District Planning
 - b. He reviewed the application of Basin Electric
 - c. He made an initial site visit and took pictures on October 9, 2009.
 - d. He made a second more detailed visit on October 26, 2009, and took additional pictures.

- 4. Brookings County Planning Commission Meeting**
 - a. Mr. Jongeling attended their meeting on Tuesday, December 1, 2009
 - b. Basin Electric was requesting a Conditional Use Permit
 - c. Commission approved with few conditions
 - PUC approval is required
 - SD DENR Permits are required
 - No burning of construction debris
 - 16 SQFT construction signs are allowed
 - Sherman Township road agreement is required prior to construction
 - Road agreements are required between Brookings County Highway Department and Basin Electric Power Cooperative

- 5. Interviews and Contacts Completed by Mr. Jongeling**
 - a. Larry Jensen, County Highway Superintendent
 - b. Marty Stanwick, Brookings County Sheriff
 - c. Jeff Miller, City of Brookings Police Chief
 - d. Mark Stratton, Director of the 911 Communications Division
 - e. Tom Davis, property owner in Alton and Sherman Townships
 - f. Robert Hill, Brookings County Planning and Zoning Director
 - g. Robert McGrath, City of Brookings Director of Solid Waste
 - h. Richland Township Supervisors
 - i. Brookings Fire Chief

- j. Deuel County Sheriff**
- k. Brookings City Manager Jeff Weldon**
- l. Banner Assoc – Brad Wermers and Dave Odens**
- m. Elkton School Supt. Tony Simons**
- n. Convention Visitors Bureau – Deb Garbers**
- o. Deubrook Supt Kevin Keenaghan**
- p. Brookings School Supt Dr. Roger DeGroot**
- q. Mayor of Aurora Fred Weekes**
- r. Mayor of White Randy Brown**
- s. Mayor of Astoria Terry Lovre**
- t. Mayor of Elkton David Landsman**
- u. Mayor of Bushnell Dave Huebner**
- v. Sherman Township**
- w. Alton Township**

HOUSING SUPPLIES

There are two facets to housing supplies that need to be addressed by this study. First, during construction there will be an influx of temporary construction workers peaking in late 2010 to early 2011 at approximately 360 workers. As construction continues, Basin Electric has stated that the permanent work force will be brought on line to observe and participate in the project so that they will be intimately knowledgeable of the Deer Creek Facility. Basin electric has stated that 30-35 employees will be on site when the project is commissioned.

During construction it is anticipated that many of the workers will reside in area motels with Brookings providing the most available rooms. According to the Brookings Convention Visitor Bureau there are 570 available motel rooms in the city. Some rooms already permanently occupied by construction workers from the wind tower projects are not included in that number. Current occupancy rates for Brookings are estimated at between 45 and 65% so excess capacity exists to serve the needs of those workers choosing to utilize motels. Deb Garbers, Convention Visitors Bureau Director stated that the Staurolite Inn of Brookings is currently serving as residence for many workers from the Iberdola Wind Tower construction project near White.

Many workers will bring travel trailers and will occupy those especially during Fall, Summer and Spring. There are sites available in the area. Workers with trailers often locate them on farm sites where the owners are willing to allow them a parking space with access to electricity. This provides a short term economic benefit to the landowners in the area. Property owners in the area are well aware of the future construction and are preparing properties as rentals, especially in the White and Elkton areas.

Assimilation of the thirty families expected to arrive as full time employees are hired will be very easily handled by the existing housing supply. Brookings can easily supply this housing, but it is very likely that many of the workers will opt for the more affordable housing provided in Elkton, Aurora and White. Elkton has an affordable housing subdivision already in place with homes already constructed. Aurora has a housing area being developed by a private developer. Additional space exists to develop more lots.



New Homes in Brookings

First District Association of Local Governments provided an extensive compilation of housing information for the study area in their report provided to the SD Public Utilities Commission entitled Deer Creek Station Social and Economic Impact Study. The Local Review Committee has reviewed the information contained within this study as it pertains to housing availability in the short and long term and is of the opinion that construction of the Deer Creek Facility will have a positive impact on the housing supplies in the study area. The facility will provide an impetus for improvement of exiting properties for use as rentals and will result in a demand for housing in the smaller communities in the area including White, Elkton and Aurora.

EDUCATIONAL FACILITIES AND MANPOWER

There are three school districts located within the study area. They are Elkton 05-3 in which the construction site is located, Deubrook 05-06 which includes the City of White and goes north into Deuel County, and Brookings 05-01 which borders both the Deubrook and Elkton districts along their west side.

Brookings School District is in a position to accept additional students. Current enrollment for the district stands at 2810. New school construction has been completed to increase the district's capacity.



Brookings New Intermediate School 2009

The Brookings school district will receive indirect tax benefits as the permanent work force locates within the school district boundaries and pays property taxes on their homes. Increased revenue will come from the construction of new homes or the renovation and improvement of exiting homes owned and/or occupied by the families. Dr. Roger DeGroot, Brookings School District Superintendent, has stated that the Deer Creek Generating Facility will create no negative impacts on the Brookings School District during its construction and operational phases.

Deubrook School District has a current enrollment of 364. They report that they have capacity to accept additional students and would welcome additional enrollees. Their student census indicates that future enrollment will diminish for the foreseeable future and any economic development that will result in additional residents within the District will be most welcome. The Deubrook school district will receive indirect tax benefits as the permanent work force locates within the school district boundaries and pays property taxes on their homes. Increased revenue will come from the construction of new homes

or the renovation and improvement of exiting homes owned and/or occupied by the families. Kevin Keenaghan, Deubrook School District Superintendent, has stated that the Deer Creek Generating Facility will create no negative impacts on the Deubrook School District during its construction and operational phases.

The Elkton School District has a current enrollment of 332. Elkton has additional capacity within the physical facilities of the district. Their student census indicates that future enrollment will diminish for the foreseeable future and any economic development that will result in additional residents within the District will be most welcome. The Elkton school district will receive direct tax revenue from the Deer Creek Plant which is located within the boundaries of the district. These tax revenues are significant and will be ongoing. Tony Simons, Elkton School District Superintendent, welcomes the Deer Creek Project as it may generate additional students for the district and it will generate property tax revenue for the district. He has stated that this project will have a positive impact on the Elkton School District.

It is the opinion of the Local Review Committee that the construction phase of the Deer Creek Project will have a positive impact on the educational facilities in the study area. As permanent employees are brought onto the project the Local Review Committee is of the opinion that new students will be gained by all three of the school districts in the study area, Brookings 05-1, Deubrook 05-8 and Elkton 05-3. Each of the school districts reports that it has adequate capacity to absorb additional students. Under South Dakota's state aid school funding system a school district is granted funds based on its student population. As numbers increase state aid increases per capita. It is the opinion of the Local Review Committee that the operational phase of the Deer Creek Project will have a positive impact on the educational facilities in the study area by increasing the number of students and the taxable property value within each of the school districts.

WASTE SUPPLY AND DISTRIBUTION

Solid waste will be discussed under Item 5 Solid Waste Disposal and Collection. Waste water and sanitary sewers will be discussed under Item 4 Waste Water Treatment and Collection.

It is the opinion of the Local Review Committee that this item was intended to refer to "Water Supply and Distribution" and as such an Item 13 Water Supply and Distribution will be added to this report as allowed by SDCL 49-41B-7 which states "the local review committee shall include but not be limited to consideration" of the twelve items listed in the law. The PUC staff agreed with this determination and stated that they have put in a bill to the legislature to change "Waste" to "Water" in the law.

WATER TREATMENT AND COLLECTION

During construction portable toilet facilities will be provided on site. All of the waste will be collected in holding tanks and will be transported by commercial operators to a sewage disposal facility capable of handling the waste. There are available commercial operators within the area and treatment facilities are available within a 15 mile radius of the site.

Once operational the Deer Creek Facility will have a complement of approximately 30-35 employees. The waste water from the toilets, lavatories and sinks is proposed to be discharged into an on-site septic system. According to information supplied by Curt Pearson of Basin Electric, the design of the treatment system is the responsibility of Sargent and Lundy, the architect-engineer in charge of the project. The system will be required to meet all State and County regulations and will be installed by a licensed installer. It is the opinion of the Local Review Committee that there is adequate space within the boundaries of the Deer Creek Facility for installation of an on-site septic system and that, if properly designed and installed, there will be no significant impact to the area from waste water from the sanitary sewer system at the Deer Creek Facility.

Process water will be handled by one of two possible systems. One would treat the water so that only clean, treated water would be discharged into the natural drainage in the area. The second would be the use of a tanker to collect and store the waste water. The process water would then be sent to an off-site process/regeneration facility, such as one located in Kansas. This results in a zero discharge system. If water is to be discharged to the drainage in the area it is anticipated that a NPDES/Surface Water Discharge Permit may need to be obtained from the SD Dept of Environment and Natural Resources. Basin Electric and their consulting engineer should review this requirement. It is the opinion of the Local Review Committee that the zero discharge system would have no significant effect on the local area. However, a system that will discharge process water continually into the local area drainage could impact downstream landowners. Basin Electric and their consulting engineer should carefully review any plan for discharging process water into the natural drainage system in the area. Downstream landowners may be impacted if discharged process water changes the flow characteristics of the natural drainage. The County Drainage Officer should be consulted and provisions to limit storm water discharge to land where farming operations will not be adversely affected should be considered.

Dave Odens of Banner Associates reported that Basin Electric has retained Banner to measure flow and water quality in Deer Creek to provide baseline data to be used in determination of any changes that may come about from the use and /or discharge of water from or within the Deer Creek watershed.

SOLID WASTE DISPOSAL AND COLLECTION

During construction solid waste will be generated. This waste will be collected by solid waste collection companies and hauled to a landfill. Much of the generated waste will be collected on site by the project contractors and sent to recycling facilities.

Gregg Jongeling, Consultant to the Local Review Committee, met with Mr. Robert McGrath, Director of the Brookings Regional Landfill. He asked Mr. McGrath about his experiences during the construction of the Soybean Plant in Volga and the Verasun Ethanol Plant in Aurora. Mr. McGrath was Director of Solid Waste during these projects. He stated that he had seen only traditional construction waste come in and that the volume was quite low. Most of the construction projects do a very good job of recycling so the waste stream is reduced. Mr. McGrath expects the waste and roll-offs to be delivered to the Brookings Landfill as solid waste from this area all the way north to Astoria usually is delivered to the Brookings Regional Landfill. The most likely solid waste service companies from Brookings are Waste Connections (Cooks) and Brookings Dumpster Service.

Brookings Regional Landfill can take soil contaminated with gas, oil or diesel fuel. They can also take other materials that may have some contamination if it is tested first and meets their standards. If solid waste is delivered to the Brookings Regional Landfill the waste wood will be separated, ground up and hauled to an ethanol production facility to be used as fuel. Only the waste that cannot be reused or recycled will be buried in the landfill.

Solid waste collection companies, recycling facilities and landfills will benefit from the fees charged to facilitate the solid waste produced from construction and operation of the Deer Creek Facility. It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have positive impact on the solid waste disposal and collection facilities in the study area.

LAW ENFORCEMENT

Gregg Jongeling, Consultant to the Local Review Committee, interviewed Sheriff Marty Stanwick at the Brookings Sheriff's Office on Tuesday, October 20, 2009. He asked the Sheriff about his experiences during the construction of the Soybean Plant in Volga and the Verasun Plant in Aurora. Sheriff Stanwick reported that during these construction projects there were no big problems. The Sheriff's Department received some noise complaints from a campground at Danceland where a number of workers were staying in campers.

Mr. Jongeling asked about the Burns and McDonnell Transportation Study and the proposed road signing for construction routes. He also asked if these are the routes he would wish to have used. Sheriff Stanwick was not contacted during the Burns and McDonnell study. He stated that there may be a concern with the two miles of Sherman township road (207th St from 482nd to 484th Avenue) due to its width and condition.

Burns and McDonnell proposed taking down the stop sign for 207th entering 484th and putting a yield sign on 484th/207th. Mr. Jongeling asked him what his opinion of this change would be. The Sheriff noted that "in the country no one stops for stop signs". He has a concern for the change in signage suggested in the Burns & McDonnell Transportation Study at the intersection of 207th St and 484th Ave. He believes that this intersection requires further study as to geometrics and signage.

Burns and McDonnell proposed dust control as needed. Sheriff Stanwick was asked if his office has received complaints in the past about dust and speeding traffic in the rural areas due to construction projects. He stated that they have received dust complaints for many reasons. If someone in an area does not like a project they do tend to complain more quickly about dust or other project related activity. He saw this with detours in Aurora. Dust can create complaints.

Sheriff Stanwick was asked if he feels that the Brookings County Sheriffs Department is prepared to deal with the influx of temporary workers over the next two to three years. Sheriff Stanwick feels that his department is prepared. They have one extra deputy now due to a COPS grant. This site is further from the Sheriff's Office than the Aurora and Volga projects were and will be a little farther for his deputies to patrol. He expects to use the Retired Senior Volunteer Patrol to help cover the area. The Sheriffs office provides law enforcement services on a contracted basis for White, Aurora, Elkton and Bushnell.



Brookings Sheriffs Office Patrol Car

Sheriff Stanwick was asked if there were any items of concern that the Local Review Committee should take under advisement. He noted that when the wind tower projects were underway rolls of copper were stolen from the sites and some tools were also stolen.

Deuel County Sheriff David Solem had no concerns about the construction or operation of the Deer Creek Facility. Mr. Jongeling asked him if he felt that Deuel County had the capacity to provide any necessary law enforcement services that may be generated by the construction and operation of the Deer Creek Facility. He stated that he believed that his office could provide any necessary services. With the facility being located in Brookings County he foresees most of the generated activity to be handled by the Brookings County Sheriff. Deuel County Sheriff's office does provide contracted law enforcement to Astoria, Toronto, Brandt, Clear Lake, Gary and Goodwin in Deuel County.

Mr. Jongeling then asked if he has had any problems in the past with such projects. He stated that there have been no problems. He is currently working with the contractor for Iberdola in the construction of wind towers. They have been very up front with their contacts with his office and have kept him informed of their operations.

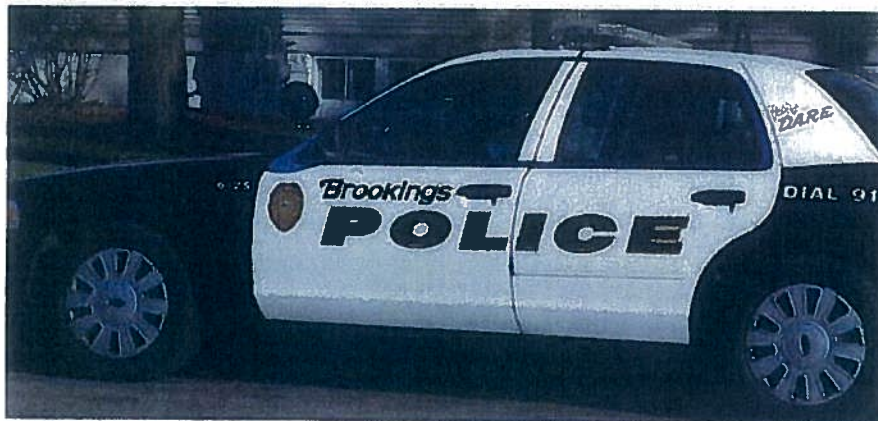
Sheriff Solem stated that he feels this project is good for economic development in the area. He is glad that there will be activity that may benefit some of the small towns in his jurisdiction. He sees the increased property tax money and increased business as very positive for Deuel County.

Gregg Jongeling, Consultant to the Local Review Committee, met with City of Brookings Police Department representatives Jeff Miller, Chief of Police and Mark Stratton, Director of the Communications Division on October 20, 2009, at the Brookings Police Department. From experience with the construction of the Soybean Plant in Volga and the Verasun Plant in Aurora they did not have any concerns about the proposed construction of the Basin Electric Deer Creek Plant by White. The only problems related to past projects were between co-workers and they happened at motels. They had a couple of stabbings which are out of the ordinary for this area. Crime was mostly between workers and not with local residents. Chief Miller expects that there will be a small amount of increased traffic in and around Brookings.

Mr. Jongeling asked if the site will have adequate cell phone coverage for 911 calls and will the calls always be directed to the Brookings Communications Center? Mark Stratton, Director of the Communications Division, expects that 911 calls will be directed to the Brookings Center if made from the construction site. He recommends that a test be made from the site to determine cell coverage and 911 response.

Mr. Jongeling asked what will be the probable response procedures for sending ambulance and fire/rescue to the site. Mark Stratton noted that the site is in the White ambulance and fire department coverage area. He noted that when a call requires acute care the Brookings ambulance will be sent as part of the response procedure.

Finally Mr. Jongeling inquired if they felt that the City of Brookings Police Department is prepared to deal with the influx of temporary workers over the next two to three years? Chief Miller stated that his department is prepared to deal with the expected influx of construction workers within the City of Brookings.



City of Brookings Patrol Car

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have no significant impact on law enforcement activities and facilities in the study area. Construction projects of similar size in Brookings County have not created problems for law enforcement. The Brookings County Sheriff's Department is prepared to deal with the influx of temporary workers over the next two to three years. They have one extra deputy now due to a COPS grant. This site is further from the Sheriff's Office than the Aurora and Volga projects were and will be a little farther for the deputies to patrol. The Sheriff expects to use the Retired Senior Volunteer Patrol to assist in patrolling the area.

TRANSPORTATION

It is the opinion of the Local Review Committee that significant local impacts will result during the construction of the Deer Creek Project. The only access to the construction site is over county and township gravel roads that were not constructed to carry the numbers and types of loads necessary for plant construction and the numbers of commuters arriving and leaving from the work site. The following items of significant impact were determined from interviews with Brookings County Highway Superintendent Larry Jensen, Sherman, Alton and Richland Township Supervisors and local landowners who appeared at public hearings on the project:

HEAVY HAUL ROAD ISSUE

Approximately twenty five heavy haul loads are anticipated by Basin Electric during the construction of the project. Basin Electric contracted with the engineering firm of Burns and McDonnell to study the routes and the effect of these hauls. They are also working with heavy haul contractors to determine the extent of activities necessary to complete these hauls. The preferred heavy haul route is from the railroad siding in Aurora north on County Road 23, then east on US Highway 14 and north on township road 484th Avenue. A significant concern is the bridge over Deer Creek located on 484th Ave just south of 207th St which is load limited to 7T/11T/13T. Larry Jensen, Brookings County Highway Superintendent contacted Gregg Jongeling, Consultant to the Local Review Committee, on November 2, 2009. He reported that he had been contacted by representatives of Sherman Township regarding the bridge on 484th Ave just south of 207th St and the two miles of township road (207th St) from 482nd Ave to 484th Ave. The representatives wanted the bridge replaced and the two miles of road taken over by the county.



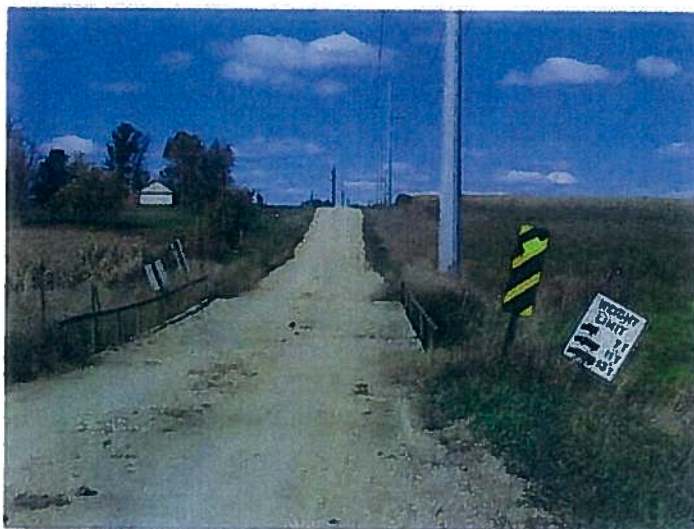
Bridge on 484th Ave south of 207th St

He told them that the bridge was not in a schedule to be replaced as some of them may have been led to believe. Larry reported that he had contacted Banner about the engineering needed to determine if culverts could go into the site to replace the bridge. Larry stated that the representatives told him they were planning to go to the County Commission Meeting Tuesday (Nov 3) to discuss these items with them.

During Larry Jensen's staff report at the November 3rd County Commission meeting he alluded to the concerns of some landowners in the area of the Deer Creek Station project. He noted that he had been called by Henning Hansen. At this point the Commission asked for input from the two members of the Richland Township Board present, Henning Hansen and Joel Koch.

Mr. Hansen spoke first about the bridge on 484th Ave just south of 207th St. He noted that Richland and Sherman townships share the cost of maintenance for this mile of road and the county maintains the bridge. This bridge is rated for only 7 tons which means that the farmers cannot cross with anything but pickups. They have to drive two miles out of their way for each trip with equipment. He stated that the Township Board wants to see the bridge removed and culverts installed to allow better access in the area. He would like the commission to work this out with Basin Electric to get a cost sharing proposal in place. Mr. Hansen alluded to the tax revenue, load permits and building permit charges collected by the county and asked that some of those funds be reinvested in the township transportation system in the area.

Larry Jensen stated that a bridge would cost \$300,000, a box culvert \$250,000 and metal culverts could be purchased for about \$25,000 with the county doing most of the installation themselves with their equipment. If the bridge or box option would be used it could take a couple of years which would defeat the purpose of the replacement. It needs to be done next year at the latest to allow Basin Electric to complete the 25 heavy hauls that they plan over this route. Issues with the Topeka Shiner that used to stop all bridge construction during the summer months can now be mitigated by providing an alternate channel during construction.



Bridge on 484th Ave south of 207th St

In a phone conversation between Mr. Tom Davis, a member of the Alton Township Board and Mr. Gregg Jongeling, Consultant to the Local Review Committee, Mr. Davis stated that he would like to see this bridge replaced. He understands that culverts may be the preferred method. He owns land on the east side of the road and would cooperate in providing right of way or easements. He would like to see any needed hydraulics study be initiated as soon as possible. Mr. Davis suggested that cooperative funding be explored for this bridge replacement. It was his understanding that Sherman and Richland Townships share equally the cost of road maintenance on this segment of 484th Ave from 207th St to 208th St.

RECOMMENDATIONS

The bridge should be replaced with culverts as per the wishes of the area townships. Brookings County should immediately contract with a consulting engineer to determine the appropriate replacement strategy and number of culverts required. The replacement should be accomplished in such a way as to allow for the anticipated heavy haul loads for the Deer Creek Project to be accommodated. With this caveat, Basin Electric should contribute to Brookings County the amount of project funds allocated to place the proposed "jumper" bridge at this site.

TOWNSHIP ROAD 207TH ST FROM 482ND AVE TO 484TH AVE

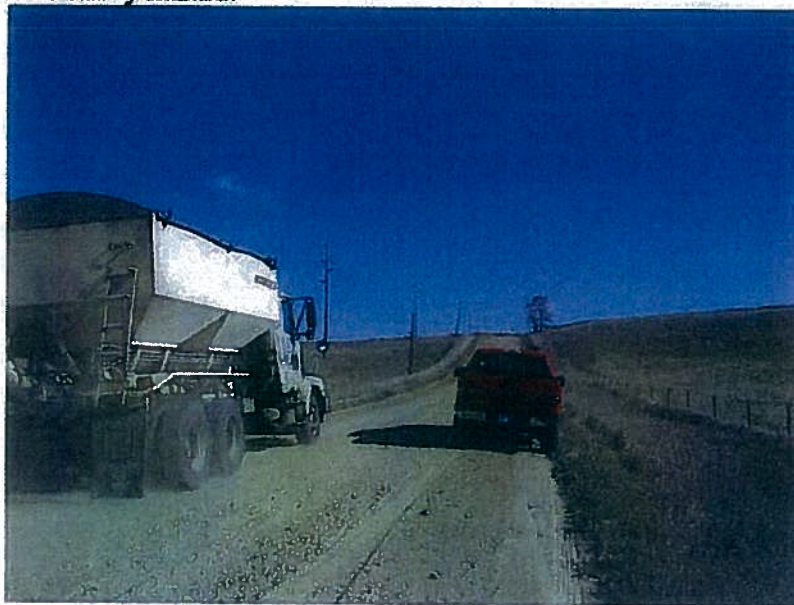
The Burns and McDonnell Transportation Study commissioned by Basin Electric determined that the preferred and signed construction traffic route to the Deer Creek Site should utilize 482nd Avenue from US Highway 14 north to 207th Street. This five mile section of County Road 34 is asphalt paved and should be adequate to carry the proposed traffic. Traffic would then be routed east on two miles of gravel township road 207th St. This section of township road follows the steep terrain, has inadequate sight distances, very steep ditches and a subgrade formed from soil excavated from the ditches which includes the topsoil originally found there.



207th St looking east from 482nd Ave

In a phone conversation between Mr. Tom Davis, a member of the Alton Township Board and Mr. Gregg Jongeling, Consultant to the Local Review Committee, Mr. Davis noted that he had received and reviewed the Traffic and Transportation Technical Report developed for Basin Electric by Burns & McDonnell.

His major concern is the two miles of Sherman Township road 207th Street from 482nd Avenue to 484th Avenue. He feels it is too narrow and has no shoulders. It is used as a haul road for his farming operation and he is concerned that the construction traffic will create a very unsafe situation. Construction trucks meeting farm equipment or trucks may be a serious safety hazard.



Vehicles passing on 207th St

His solution to this problem is for the township, Excel Energy, Novitas wind energy and Basin Electric to share in the cost of rebuilding and widening this section of road. He is a land owner along most of the two mile section and will willingly cooperate with easements for construction.

RECOMMENDATIONS

It would be advantageous for Brookings County to accept ownership of these two miles of 207th Street completing County Road 8 across the full width of the county. These two miles connect County Road 8 from the west to County Road 36 to the east. The current and anticipated growth of energy facilities in the area will continue to contribute to the traffic volume on these two miles of township road.

Basin Electric has contracted with Banner and Associates of Brookings to further study this section of road to determine what safety measures and structural improvements may be necessary to allow this road to provide the necessary level of service required of it by the Burns and McDonnell Transportation Plan. Gregg Jongeling, Consultant to the Local Review Committee met with Brad Wermers, Project Manager, in his office at Banner. They discussed the scope of the work that Basin Electric had requested from Banner. Brad stated that he was to investigate the two miles of 207th St from 482nd Ave to 484th Ave. Banner had just gotten the contract and was doing some survey work. Brad had toured the site and one point of interest by Basin Electric was the limited sight distance at 207th and 483rd.



Intersection of 207th St and 483rd Ave

Mr. Jongeling brought up the concerns that the Local Review Committee had about the intersection of 484th and 207th. Mr. Wermers understood those concerns and will make note of them in his discussions with Basin Electric.

INTERSECTION OF 207TH ST AND 484TH AVE

County Highway 36 is designed with a curve from 207th St to 484th Ave. Connections from 484th Ave and 207th St continue out from the beginning and end of the curve and meet at the section corner. A stop sign is in place on northbound 484th Ave and on eastbound 207th St where they meet County Road 36. The Burns and McDonnell Transportation Study recommended removing the stop sign on northbound 484th St, installing a yield sign for westbound 207th St traffic and installing construction traffic warning signs at the approaches to the intersection.

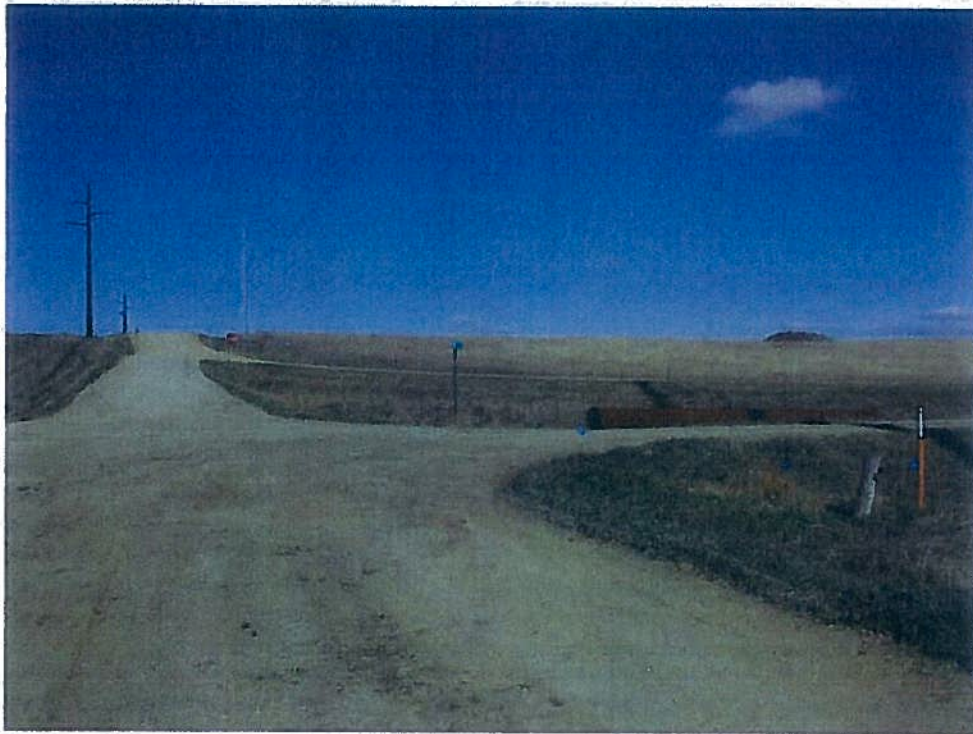


Intersection of 207th St and 484th Ave

In a phone conversation between Mr. Tom Davis, a member of the Alton Township Board and Mr. Gregg Jongeling, Consultant to the Local Review Committee, Mr. Davis was asked about the intersection of 207th and 484th. The traffic study had suggested removing the stop sign and placing a yield on 207th from the east. He was concerned about the lack of sight distance from the north. We discussed the possibility of realigning the roads by removing the curve on County Road 36 and making the intersection a cross with four way stop signs. The hill from the north on 484th should be cut down if work is done on this section of road.

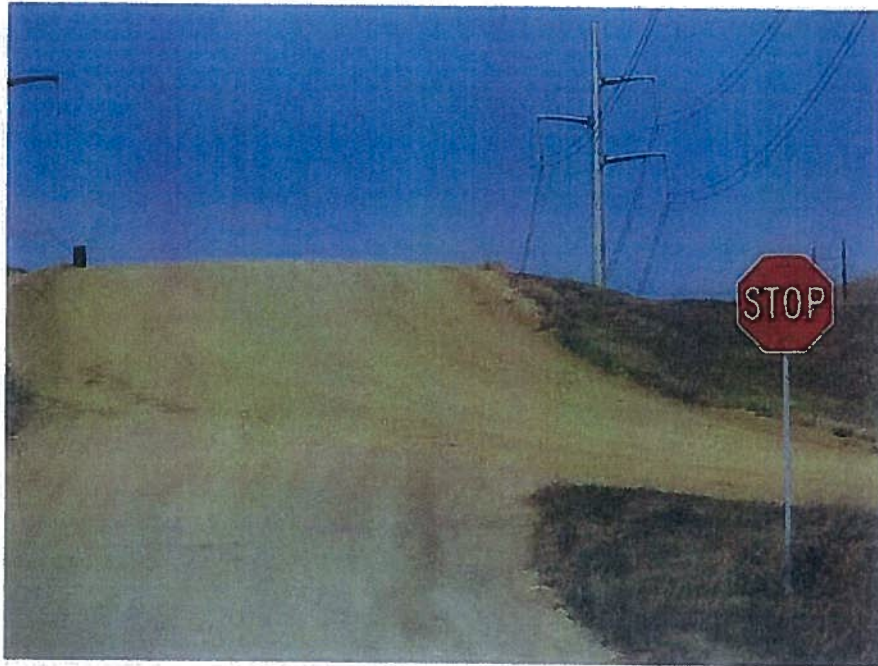
RECOMMENDATIONS

The Local Review Committee has grave reservations about the safety of this intersection due to the increased amount of traffic to be accommodated. They recommend that Basin Electric have further research and engineering effort put into the design of this intersection to determine what safety measures and structural improvements may be necessary to allow this intersection to provide the necessary level of service for the construction traffic and the future increased construction and operational traffic generated by the energy projects in the area.



Intersection of 207th St and 484th Ave

The Local Review Committee recommends that the curve on County Road 36 be removed and 207th St and 484th Ave meet at a 90 degree intersection. Four way stop signs may be required to add an extra measure of safety. The removal of the curve also moves the intersection farther from the limited sight distance caused by the hill on 484th Ave just north of 207th St.



Intersection of 207th St and 484th Ave

DUST CONTROL

The Local Review Committee has determined that dust will be a significant impact during project construction. During the operational phase of the Deer Creek Facility the impact will be relatively minor since the expected thirty employees will arrive from more than one route and will be spaced over a twenty four hour time period.

RECOMMENDATIONS

During the construction phase of the project it is imperative that dust control be provided where and when required. Basin Electric should take all necessary steps to insure that their construction contracts clearly provide for dust control and that Basin Electric will be able to effectively direct the use of such dust control as needed. A single contact point should be established to handle complaints. This information shall be made available to the Brookings County Highway Superintendent and the Brookings County Sheriff's Office. Brookings County has a Permit Process for Self-Application of Dust Control and these procedures must be followed. The Local Review Committee does not believe that applications of water will be sufficient to control the dust. It is imperative that adequate dust control be provided and Basin Electric should expend the extra effort needed to be able to provide good, long lasting control in all areas as needed. This has been a source of complaints on other large construction projects in the area and it is expected that it will again be a source of complaints on this project.

HAUL ROAD MAINTENANCE AGREEMENTS

Brookings County has a standard Agreement For Use and Restoration of Haul Roads. The County Highway Superintendent is very familiar with the use of these permits and the Local Review Committee commends Brookings County for its foresight. Townships have not always provided the same level of review when agreeing to maintenance of haul roads.

RECOMMENDATIONS

Each township who is asked to agree to a haul road use in their jurisdiction should utilize the Brookings County Permit system. All agreements should be in writing. It would be advisable for the townships to request the assistance of the Brookings County Highway Superintendent in completing the before and after assessments of the road conditions.

FIRE PROTECTION

All fire service in the project area is provided by volunteer fire departments. The local, volunteer fire departments within the study area are the Brookings Volunteer Fire Department, the Elkton Volunteer Fire Department, the White Volunteer Fire Department, the Aurora Volunteer Fire Department and the Astoria Volunteer Fire Department. Bushnell does not operate its own fire department but relies upon neighboring departments for coverage. The White Volunteer Fire Department will be the closest unit to the site. They also will provide ambulance and first responder service. Brookings Volunteer Fire Department is the largest service in the area and will respond as necessary. Mutual assistance agreements are in place amongst the area fire departments so a framework already exists should any of the departments need assistance in dealing with emergencies. The Brookings County Firefighter's Association is a compact of volunteer departments within the County and even some departments including Astoria, Arlington and Estelline in neighboring counties and Hendricks in Minnesota. White, Elkton and Aurora are included in the county association.

All 911 calls are answered at the Brookings Police Department. Mark Stratton, Director of the Communications Division, expects that 911 calls will be directed to the Brookings Center if made from the construction site. Mr. Stratton recommends that a test be made from the site to determine cell coverage and 911 accessibility.

Brookings Deputy Chief Pete Bolzer and Chief Daryl Hartmann reviewed the information previously gathered by First District Association of Local Governments published in the Deer Creek Station Social and Economic Impact Study and found it to be quite complete. The only changes they noted were that Pete Bolzer's title is Deputy Chief and that Elkton now has an ambulance service. Hendricks, Minnesota also has an ambulance service that is run through the hospital in Hendricks.

Daryl Hartmann stated that he does not expect the construction to create much of a load for their department or for any of the departments in the area. White would be first to respond and White would also respond with an ambulance if needed. If additional assistance would be needed White would make the call.

When the soybean plant in Volga was constructed there was very little interaction with emergency services. In contrast, when the ethanol plant in Aurora was constructed there was constant interaction with the fire service. Daryl expects that the contractor and Basin Electric will set up meetings at the project startup to familiarize emergency services with the construction and plant operation.

One thing Daryl and Pete would like to see is involvement with plant operational personnel as the plant goes on line so they can train their volunteers and familiarize them with the Deer Creek facility.

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have no significant impact on fire protection activities and facilities in the study area.

HEALTH

The study area is fortunate to have extensive health facilities close and available for any emergencies that may arise. Also, major medical centers are available at Sioux Falls which is within about an hour's travel from the site. Helicopter air ambulance service is available from Sioux Falls.

First District Association of Local Governments provided an extensive compilation of health facility information for the study area in their report provided to the SD Public Utilities Commission entitled Deer Creek Station Social and Economic Impact Study. The Local Review Committee has reviewed the information contained within this study as it pertains to health facilities availability in the short and long term and is of the opinion that construction of the Deer Creek Facility will have no significant impact on the health facilities in the study area.

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have no significant impact on health facilities in the study area. Existing health facilities have adequate capacity to provide health services to the anticipated work force during the period of project construction. Emergency room services are available at the Brookings Hospital. Full time ambulance service and certified Emergency Medical Technicians are also available from the Brookings Hospital. First responder and EMT assistance will be available from the White Ambulance Service and the Elkton Ambulance Service.

RECREATION

The study area and vicinity have a myriad of outdoor recreation activities available. Hunting and fishing are available in season. Golf is readily available during the summer. In winter there are opportunities for ice fishing and attending spectator sports at South Dakota State University.

First District Association of Local Governments provided an extensive compilation of recreational facility information for the study area in their report provided to the SD Public Utilities Commission entitled Deer Creek Station Social and Economic Impact Study. The Local Review Committee has reviewed the information contained within this study as it pertains to recreational facilities availability in the short and long term and is of the opinion that construction of the Deer Creek Facility will have no significant impact on the recreational facilities in the study area.

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have no significant impact on recreation activities and facilities in the study area. It is anticipated that the workers will be assimilated into the general population of the community or areas that they choose to live in during the construction project. Most of the workers will be working only for part of the project and will be short term visitors. With many of the workers leaving to go to their permanent homes on weekends and holidays their demand for recreational services is very limited. The existing recreational facilities will be able to adequately provide for the limited recreational needs of the construction workers and the full time employees will be easily assimilated into the communities in which they choose to reside.

GOVERNMENT

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have a positive impact on government activities and facilities in the study area. Each of the local governments surveyed felt that the Deer Creek Project would have a positive impact or no significant impact on their community or county. They look forward to the increased economic activity in their jurisdictions. The construction workers will generate only a very small impact in their demands for services but will bring a much larger impact in sales tax revenues.

Brookings County will generate revenue from building permits, over weight, over width and over length permits. These revenues are expected to more than compensate for the costs incurred by the county due to the project's construction.



Brookings County Courthouse

The completion of the Deer Creek project will result in increased property tax revenues for Brookings County, Sherman Township and the Elkton School District. These tax revenues will be ongoing over the life of the Deer Creek Combined Cycle Energy Conversion Facility and will increase with inflation.

The Brookings County Planning Commission meeting held Tuesday, December 1, 2009, at 7 PM at the Brookings County Resource Center in Brookings included an agenda item for an application for a conditional use for the Deer Creek Facility and its accoutrements such as water line and transmission line and gas pipeline. Basin Electric was represented by Gavin McCollam Project Manager, David Erickson Lead Civil Engineer, Kelly Suko ROW Agent, Cris Miller Environmental Coordinator and Nancy Beech local onsite assistant. They gave a short presentation and answered questions from the Planning Commissioners. Highlights of the presentation included:

- The plant is 54% efficient in relation to coal plants that are in the 30's.
- 31 full time employees anticipated
- Basin has road agreements with Lake Hendricks, Richland and Alton townships in Brookings County and with Scandinavia Township in Deuel County.
- They expect to have all permits by July of 2010 and will immediately start construction
- Operation is planned for June of 2012
- They will have the cost of the jumper bridge when bids are received in January
- The Deuel County Planning and Zoning Board has issued a Conditional Use Permit to Basin Electric for the construction of approximately three miles of gas pipeline (associated with the Deer Creek Station Project) that falls within Deuel County

There were no questions or comments from the audience. Only two landowners attended the meeting and they talked privately with Basin staff after the meetings.



Brookings Planning Commission Meeting

The Brookings County Planning Commission unanimously approved the requested conditional use. The findings of fact and conditions were as follows:

- PUC approval is required
- SD DENR Permits are required
- No burning of construction debris
- 16 SQFT construction signs are allowed
- Sherman Township road agreement is required prior to construction
- Road agreements are required between Brookings County Highway Department and Basin Electric Power Cooperative

A copy of the Conditional Use Permit Application and Permit # 2009cu017 are attached.

ENERGY

The sole function of the Deer Creek Combined Cycle Energy Conversion Facility is to provide electrical energy. The facility will provide a 300 Megawatt source of electricity for the Touchstone Energy Cooperative system.

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have a positive impact on energy companies and facilities in the study area. The Deer Creek Combined Cycle Energy Conversion Facility will generate electricity to be utilized by the cooperatives and municipal electric companies in the area. It is recognized by the Local Review Committee as a welcome additional provider of electricity to east central South Dakota. The high efficiency of this process utilizing clean burning natural gas will provide a reasonably priced and reliable source of electricity to the area.

WATER SUPPLY AND DISTRIBUTION

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have no significant impact on water supply and distribution facilities in the study area. The Deer Creek Combined Cycle Energy Conversion Facility will be connected to the Brookings/Deuel Rural Water System. Brookings/Deuel Rural Water will provide the domestic use water at the site. With only thirty to thirty five employees on site water use for toilets, sinks and lavatories will be minimal.

Process water will be drawn from the Deer Creek aquifer. Basin Electric has retained Banner Associates, Inc. of Brookings, SD to develop plans for the wells and process water supply piping. Dave Odens of Banner reported that Banner had completed a Final Engineering Report for Water Supply in December of 2008. The purpose of this report was to identify water needs, evaluate alternatives for meeting the estimated water needs, present an estimate of the probable construction costs and the operation and maintenance costs associated with the method of meeting the water needs, and provide an implementation plan for the design and construction of the water supply. A Test Well Report was done by Banner in August of 2009 to ascertain the capacity of the Deer Creek aquifer to supply the needed water. Currently Banner is developing plans for the process water line from the well site to the Deer Creek Facility. A Water Right Application has been applied for by Basin Electric as of 10-29-09 as required by the SD Dept of Environment and Natural Resources to appropriate water from this aquifer.

Conclusions and Recommendations of the Local Review Committee

Proposed Basin Electric Deer Creek Combined Cycle Energy Conversion Facility

Pursuant to SDCL 49-41B-7 the South Dakota Public Utilities Commission designated a Local Review Committee to assess the extent of the potential social and economic effect to be generated by the proposed facility, to assess the affected area's capacity to absorb those effects at various stages of construction, and formulate mitigation measures. The assessment by the Local Review Committee shall also consider the temporary and permanent alternatives in the following areas:

1. Housing Supplies
2. Educational Facilities and manpower
3. Waste supply and distribution
4. Waste water treatment and collection
5. Solid waste disposal and collection
6. Law enforcement
7. Transportation
8. Fire protection
9. Health
10. Recreation
11. Government
12. Energy

It is the opinion of the Local Review Committee that the Proposed Deer Creek Combined Cycle Energy Conversion Facility to be constructed southeast of White, SD will not have a significant social or economic effect on the PUC defined twelve mile radius study area within the state of South Dakota. It is our opinion that the area will be able to absorb the construction activities and that the area will gain significant benefits during and after project construction.

The following conclusions and recommendations are a summary of the Local Review Committee's findings:

1. **Housing Supplies** – Positive impact

CONCLUSIONS

It is the opinion of the Local Review Committee that the supply of rental housing including motel rooms in the area is sufficient to supply the needs of the work force anticipated to peak at 360 workers. It is anticipated that a number of these workers will bring campers and will locate them in existing private campgrounds in the area. Public campgrounds are not currently an option as the stay is limited to just a few days. Some jurisdictions may choose to waive this limitation during

the construction period. Many of these campers will attempt to locate in area farmyards where they can obtain electric power. This will generate a short term income to some of the local property owners who agree to allow workers to temporarily camp in their farmyard. There is a possibility that temporary campgrounds can be developed at White or Elkton to provide some additional locations for the workers to park their travel trailers. A number of local property owners have also expressed their intent to provide additional rental units during the construction period by fixing up properties that they may have allowed to stay unoccupied without this surge of workers in the area.

After the construction of the plant it is anticipated that 30-35 permanent employees will be at the site. These employees and their families will have an opportunity to locate into the communities of White, Elkton, Aurora, Brookings, Astoria and Bushnell within the study area and Volga, Bruce and Clear Lake just outside the study area. They will make their choices based upon housing availability and affordability, school district preference and their wish for small town or larger community experiences. It is the opinion of the Local Review Committee that the potential positive effect on each of these communities will be significant. Having the Deer Creek facility in the area as a stable, substantive wage paying job provider will establish a healthy demand for area housing and contribute to the stability of any of the small towns able to provide a home for the workers and their families.

RECOMMENDATIONS

None

2. **Educational Facilities and Manpower – Positive Impact**

CONCLUSIONS

It is the opinion of the Local Review Committee that the construction phase of the Deer Creek Project will have a positive impact on the educational facilities in the study area. Typically, worker's families do not relocate to the project area and it is anticipated that few, if any, students will be added to the area during construction.

As permanent employees are brought onto the project the Local Review Committee is of the opinion that new students will be gained by all three of the school districts in the study area, Brookings 05-1, Deubrook 05-8 and Elkton 05-3. Each of the school districts reports that it has adequate capacity to absorb additional students. Under South Dakota's state aid school funding system a school district is granted funds based on its student population. As numbers increase state aid increases per capita. It is the opinion of the Local Review Committee that the operational phase of the Deer Creek Project will have a positive impact on the educational facilities in the study area by increasing the number of students and the taxable property value within each of the school districts.

Only the Elkton school district will receive direct tax revenue from the Deer Creek Plant which is located within the boundaries of the district. These tax revenues are significant and will be ongoing. The other school districts will receive indirect benefits as the permanent work force locates within the school district boundaries and pays property taxes on their homes. Increased revenue will come from the construction of new homes or the renovation and improvement of existing homes owned and/or occupied by the families.

RECOMMENDATIONS

None

3. **Waste Supply and Distribution** – No significant impact

CONCLUSIONS

Solid waste will be discussed under Item 5 Solid Waste Disposal and Collection. Waste water and sanitary sewers will be discussed under Item 4 Waste Water Treatment and Collection.

RECOMMENDATIONS

It is the opinion of the Local Review Committee that this item should have referred to “Water Supply and Distribution” and as such an Item 13 Water Supply and Distribution will be added to this report as allowed by SDCL 49-41B-7 which states “the local review committee shall include but not be limited to consideration” of the twelve items listed in the law. The PUC staff agrees with this determination and stated that they have a bill in to the legislature to make this change.

4. **Waste Water Treatment and Collection** – No significant impact

CONCLUSIONS

During construction portable toilet facilities will be provided on site. All of the waste will be collected in holding tanks and will be transported by commercial operators to a sewage disposal facility capable of handling the waste. There are available commercial operators within the area and treatment facilities are available within a 15 mile radius of the site.

Once operational the Deer Creek Facility will have a complement of approximately 30-35 employees. The waste water from the toilets, lavatories and sinks is proposed to be discharged into an on-site septic system. The design of the treatment system is the responsibility of Sargent and Lundy, the architect-engineer in charge of the project. The system will be required to meet all State and County regulations and will be installed by a licensed installer. It is the opinion of the Local Review Committee that there is adequate space within the

boundaries of the Deer Creek Facility for installation of an on-site septic system and that, if properly designed and installed, there will be no significant impact to the area.

Process water will be handled by one of two possible systems. One would treat the water so that only clean, treated water would be discharged into the natural drainage in the area. The second would be the use of a tanker to collect and store the waste water. The process water would then be sent to an off-site process/regeneration facility such as one located in Kansas. This results in a zero discharge system. If water is to be discharged to the drainage in the area it is anticipated that a discharge permit will need to be obtained from the SD Dept of Environment and Natural Resources. It is the opinion of the Local Review Committee that the zero discharge system would have no significant effect on the local area. However, a system that will discharge process water continually into the local area drainage could impact downstream landowners.

RECOMMENDATIONS

The County Drainage Officer should be consulted and provisions to limit discharge to land where farming operations will not be adversely affected should be considered. An NPDES/Surface Water Discharge Permit may need to be obtained from the SD Dept of Environment and Natural Resources.

5. **Solid Waste Disposal and Collection** – Positive impact

CONCLUSIONS

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have positive impact on the solid waste disposal and collection facilities in the study area. During construction solid waste will be generated. This waste will be collected by solid waste collection companies and hauled to a landfill. Much of the generated waste will be collected on site by the project contractors and sent to recycling facilities. If solid waste is delivered to the Brookings Regional Landfill the landfill operators or their contractor will separate the waste wood to be ground up and hauled to an ethanol production facility to be used as fuel as they do with all wood delivered to the landfill. Only the waste that cannot be reused or recycled will be buried in the landfill. Solid waste collection companies, recycling facilities and landfills will benefit from the fees charged to facilitate the solid waste produced from construction and operation of the Deer Creek Facility.

RECOMMENDATIONS

None

6. Law Enforcement – No significant impact

CONCLUSIONS

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have no significant impact on law enforcement activities and facilities in the study area. Construction projects of similar size in Brookings County have not created problems for law enforcement. The Brookings County Sheriff's Department is prepared to deal with the influx of temporary workers over the next two to three years. They have one extra deputy now due to a COPS grant. This site is further from the Sheriff's Office than the Aurora and Volga projects were and will be a little farther for the deputies to patrol. The Sheriff expects to use the Retired Senior Volunteer Patrol to assist in patrolling the area.

RECOMMENDATIONS

Concerns for traffic safety will be discussed under Item 7 Transportation

7. Transportation – Impacts to the local area are significant, mitigation recommended

CONCLUSIONS

It is the opinion of the Local Review Committee that significant local impacts will result during the construction of the Deer Creek Project. The only access to the construction site is over county and township gravel roads that were not constructed to carry the numbers and types of loads necessary for plant construction and the numbers of commuters arriving and leaving from the work site.

HEAVY HAUL ROAD ISSUE

Approximately twenty five heavy haul loads are anticipated by Basin Electric during the construction of the project. Basin Electric contracted with the engineering firm of Burns and McDonnell to study the routes and the effect of these hauls. They are also working with heavy haul contractors to determine the extent of activities necessary to complete these hauls. The preferred heavy haul route is from the railroad siding in Aurora north on County Road 23, then east on US Highway 14 and north on township road 484th Avenue. A significant concern is the bridge over Deer Creek located on 484th Ave just south of 207th St which is load limited to 7T/11T/13T.

RECOMMENDATIONS

The bridge should be replaced with culverts as per the wishes of the area townships. Brookings County should immediately contract with a consulting

engineer to determine the appropriate replacement strategy and number of culverts required. The replacement should be accomplished in such a way as to allow for the anticipated heavy haul loads for the Deer Creek Project to be accommodated no later than October 1, 2010. With this caveat, Basin Electric should contribute to Brookings County the amount of project funds allocated to place the proposed "jumper" bridge at this site.

TOWNSHIP ROAD 207TH ST FROM 482ND AVE TO 484TH AVE

The Burns and McDonnell Transportation Study commissioned by Basin Electric determined that the preferred and signed construction traffic route to the Deer Creek Site should utilize 482nd Avenue from US Highway 14 north to 207th Street. This five mile section of County Road 34 is asphalt paved and should be adequate to carry the proposed traffic. Traffic would then be routed east on two miles of gravel township road 207th St. This section of township road follows the steep terrain, has inadequate sight distances (especially at 483rd Ave), very steep ditches and a subgrade formed from soil excavated from the ditches which includes the topsoil originally found there.

RECOMMENDATIONS

It would be advantageous for Brookings County to accept ownership of these two miles of 207th Street completing County Road 8 across the full width of the county. These two miles connect County Road 8 from the west to County Road 36 to the east. The current and anticipated growth of energy facilities in the area will continue to contribute to the traffic volume on these two miles of township road.

Basin Electric should have further research and engineering effort put into this section of road to determine what safety measures and structural improvements may be necessary to allow this road to provide the necessary level of service required of it if the Burns and McDonnell Transportation Plan is followed which makes this the main access route to the construction site.

INTERSECTION OF 207TH ST AND 484TH AVE

County Highway 36 is designed with a curve from 207th St to 484th Ave. Connections from 484th Ave and 207th St continue out from the beginning and end of the curve and meet at the section corner. A stop sign is in place on northbound 484th Ave and on eastbound 207th St where they meet County Road 36. The Burns and McDonnell Transportation Study recommended removing the stop sign on northbound 484th St, installing a yield sign for westbound 207th St traffic and installing construction traffic warning signs at the approaches to the intersection.

RECOMMENDATIONS

The Local Review Committee has grave reservations about the safety of this intersection due to the increased amount of traffic to be accommodated. They

recommend that Basin Electric have further research and engineering effort put into the design of this intersection to determine what safety measures and structural improvements may be necessary to allow this intersection to provide the necessary level of service for the construction traffic and the future increased construction and operational traffic generated by the energy projects in the area.

The Local Review Committee recommends that the curve on County Road 36 be removed and 207th St and 484th Ave meet at a 90 degree intersection. Four way stop signs may be required to add an extra measure of safety. The removal of the curve also moves the intersection farther from the limited sight distance caused by the hill on 484th Ave just north of 207th St.

DUST CONTROL

The Local Review Committee has determined that dust will be a significant impact during project construction. During the operational phase of the Deer Creek Facility the impact will be relatively minor since the expected thirty employees will arrive from more than one route and will be spaced over a twenty four hour time period.

RECOMMENDATIONS

During the construction phase of the project it is imperative that dust control be provided where and when required. Basin Electric should take all necessary steps to insure that their construction contracts clearly provide for dust control and that Basin Electric will be able to effectively direct the use of such dust control as needed. A single contact point should be established to handle complaints. This information shall be made available to the Brookings County Highway Superintendent and the Brookings County Sheriff's Office. Brookings County has a Permit Process for Self-Application of Dust Control and these procedures must be followed. The Local Review Committee does not believe that applications of water will be sufficient to control the dust. It is imperative that adequate dust control be provided and Basin Electric should expend the extra effort needed to be able to provide good, long lasting control in all areas as needed. This has been a source of complaints on other large construction projects in the area and it is expected that it will again be a source of complaints on this project.

HAUL ROAD MAINTENANCE AGREEMENTS

Brookings County has a standard Agreement For Use and Restoration of Haul Roads. The County Highway Superintendent is very familiar with the use of these permits and the Local Review Committee commends Brookings County for its foresight. Townships have not always provided the same level of review when agreeing to maintenance of haul roads.

RECOMMENDATIONS

Each township who is asked to agree to a haul road use in their jurisdiction should utilize the Brookings County Permit system. All agreements should be in writing. It would be advisable for the townships to request the assistance of the Brookings County Highway Superintendent in completing the before and after assessments of the road conditions.

8. **Fire Protection** -- No significant impact

CONCLUSIONS

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have no significant impact on fire protection activities and facilities in the study area. All fire service in the project area is provided by volunteer fire departments. The White Volunteer Fire Department will be the closest unit to the site. They also will provide ambulance and first responder service. Brookings Volunteer Fire Department is the largest service in the area and will respond as necessary. All 911 calls are answered at the Brookings Police Department. Mark Stratton, Director of the Communications Division, expects that 911 calls will be directed to the Brookings Center if made from the construction site.

RECOMMENDATIONS

Mark Stratton, Director of the Communications Division of the Brookings Police Department recommends that a test be made from the site to determine cell coverage and 911 accessibility.

9. **Health** --No significant impact

CONCLUSIONS

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have no significant impact on health facilities in the study area. Existing health facilities have adequate capacity to provide health services to the anticipated work force during the period of project construction. Emergency room services are available at the Brookings Hospital. Full time ambulance service and certified Emergency Medical Technicians are also available from the Brookings Hospital.

RECOMMENDATIONS

None

10. Recreation -- No significant impact

CONCLUSIONS

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have no significant impact on recreation activities and facilities in the study area. It is anticipated that the workers will be assimilated into the general population of the community or areas that they choose to live in during the construction project. Most of the workers will be working only for part of the project and will be short term visitors. With many of the workers leaving to go to their permanent homes on weekends and holidays their demand for recreational services is very limited. The existing recreational facilities will be able to adequately provide for the limited recreational needs of the construction workers and the full time employees will be easily assimilated into the communities in which they choose to reside.

RECOMMENDATIONS

None

11. Government -- Positive impact

CONCLUSIONS

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have a positive impact on government activities and facilities in the study area. Each of the local governments surveyed felt that the Deer Creek Project would have a positive impact or no significant impact on their community or county. They look forward to the increased economic activity in their jurisdictions. The construction workers will generate only a very small impact in their demands for services but will bring a much larger impact in sales tax revenues.

Brookings County will generate revenue from building permits, over weight, over width and over length permits. These revenues are expected to more than compensate for the costs incurred by the county due to the project's construction.

The completion of the Deer Creek project will result in increased property tax revenues for Brookings County, Sherman Township and the Elkton School District. These tax revenues will be ongoing over the life of the Deer Creek Combined Cycle Energy Conversion Facility and will increase with inflation.

RECOMMENDATIONS

None

12. Energy – Positive impact

CONCLUSIONS

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have a positive impact on energy companies and facilities in the study area. The Deer Creek Combined Cycle Energy Conversion Facility will generate electricity to be utilized by the cooperatives and municipal electric companies in the area. It is recognized by the Local Review Committee as a welcome additional provider of electricity to east central South Dakota. The high efficiency of this process utilizing clean burning natural gas will provide a reasonably priced and reliable source of electricity to the area.

RECOMMENDATIONS

None

13. Water Supply and Distribution – No significant impact

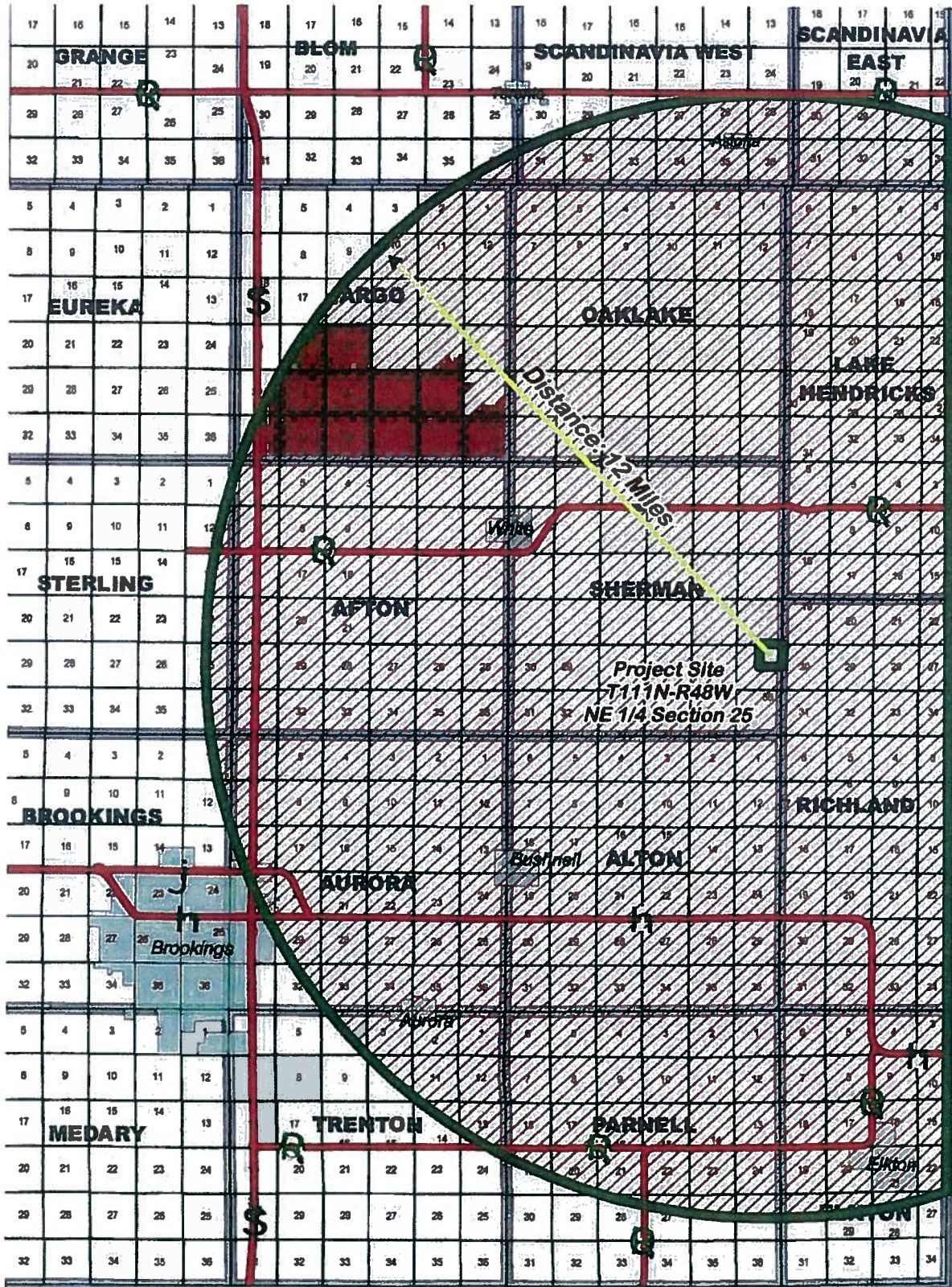
CONCLUSIONS

It is the opinion of the Local Review Committee that both the construction and operational phases of the Deer Creek Project will have no significant impact on water supply and distribution facilities in the study area. The Deer Creek Combined Cycle Energy Conversion Facility will be connected to the Brookings/Deuel Rural Water System. Brookings/Deuel will provide the domestic use water at the site. With only thirty to thirty five employees on site water use for toilets, sinks and lavatories will be minimal.

Process water will be drawn from the Deer Creek aquifer. Basin Electric has retained Banner Associates, Inc. of Brookings, SD to develop plans for the wells and water supply piping. Permits will be required from SD Dept of Environment and Environment and Natural Resources to appropriate water from this aquifer.

RECOMMENDATIONS

None



Brookings County Project Area



**BROOKINGS COUNTY HIGHWAY DEPARTMENT
422 WESTERN AVE. BROOKINGS, SD 57006
VOICE: 605-696-8270 . FAX: 605-696-8278**

APPLICATION FOR OCCUPANCY OF RIGHT OF WAY OF COUNTY HIGHWAYS

This application is giving permission to bore or open cut Brookings County roads. Right of way is measured approximately 33 to 50 feet either side of the center line of the county road. Application is legal upon signature from a Brookings County official.

DRIVEWAY APPLICATION AND CONSTRUCTION PERMIT

The purpose of this permit is to determine the appropriate location for placement of a driveway or approach. Application is made to the highway superintendent. Safety is a major factor in approval of proposed location. The county will approve one approach per ½ mile. All others must be approved by the Superintendent but is built at the owners expense. Application is legal upon signature from a Brookings County official.

AGREEMENT FOR USE AND RESTORATION HAUL ROAD DOT 45

Prior to the use of Brookings County roads an inspection (not to exceed 30 days prior) will be made of the haul road/roads to be used by the contractor. This agreement states that the contractor agrees to RESTORE the portion of county road used to haul. Application is legal upon signature from a Brookings County official.

AGREEMENT FOR USE AND RESTORATION OF CONTRACTOR'S HAUL ROAD DOT 45A

Prior to the use of Brookings County roads and inspection (not to exceed 30 days prior) will be made of the haul road/roads to be used by the contractor. This agreement states that the contractor agrees to MAINTAIN DURING CONSTRUCTION the portion of county road used to haul. To include the contractor agrees to RESTORE after construction the portion of county road used to haul. Application is legal upon signature from a Brookings County official.

HAUL ROUTE INSPECTON REPORT DOT 45 & 45A

The agreement as to the condition of the haul road.

AGREEMENT FOR USE AND RESTORATION OF HAUL ROAD RELEASE

Upon completion of the construction project and inspection will determine the condition of the restored haul road by Brookings County Highway Superintendent and contractor representative. This document will release the contractor once repairs are complete to the satisfaction of the highway superintendent. Application is legal upon signature from a Brookings County official.

OVER WIDTH, OVER HEIGHT, OVER LENGTH PERMIT

This permit will give the carrier permission to travel Brookings County roads in the event that a load meets the legal load limits but is over width, over height or over length. Only single trip permits are issued. Multiple loads will require multiple permits. Over width is anything over 8'6". Application is legal upon signature from a Brookings County official.

OVER WEIGHT AND OVER DIMENSION LOADS

The Brookings County Highway Superintendent may issue a single trip permit to allow the operation of a motor vehicle and/or construction equipment on the county roads in Brookings County in excess of the maximum weight or size set by state law. The request for a permit to exceed the maximum vehicle weight limit or size must be made at least twenty-four (24) hours in advance. Application is legal upon signature from a Brookings County official.

BROOKINGS COUNTY MUST BE SUPPLIED WITH A MANIFEST OF TRUCKING LOADS AND DATES INCLUDING NAMES OF TRUCKING COMPANIES 30 DAYS PRIOR TO CONSTRUCTION. THE GENERAL CONTRACTOR IS REQUIRED TO INFORM ALL TRUCKING COMPANIES OF THE REQUIRED PERMITS TO TRAVEL BROOKINGS COUNTY ROADS. NO OVERWEIGHT PERMITS WILL BE ISSUED DURING SPRING LOAD RESTRICTIONS.

APPLICATION FOR OCCUPANCY
RIGHT-OF-WAY OF COUNTY HIGHWAYS

To: The Board of County Commissioners Brookings County, South Dakota.

Application is made by _____ for _____ occupancy of Highway Number _____, in
Section _____, Township _____, Range _____, Brookings County South Dakota.

Project Number: _____

A sketch showing the location must be attached.

The following information is pertinent to the proposed installation:

1. Intended usage
2. Cable Type
3. Outside Diameter or Pipe Size
4. Method of Installation
5. Crossing Bituminous Roads

*This installation will comply with the National Safety Code and all Federal Guidelines.

*Warning signs will be installed where appropriate.

*Ditches will be restored back to present condition.

*Owner will move its buried cable or pipe, in case of road construction, at no cost to the County.

*Prior to any road construction or maintenance within the County, the owner shall call South Dakota One-Call at 1-800-781-7474 for location of the facilities.

Submitted: _____

Company: _____

By Authority: _____

By: _____

Recommended for Approval By: _____

County Highway Superintendent

Approved: Board of County Commissioners

By: _____

Date: _____

BROOKINGS COUNTY DRIVEWAY APPLICATION AND CONSTRUCTION PERMIT

Application made by _____
(Type or Print full name)

for an entrance to be located off Brookings County Highway No. _____
(County Road No.)

Pertinent information to the proposed entrance:

1. Type of entrance:

- A. Commerical _____
- B. Residential _____
- C. Farm _____
- D. Other _____

2. Location:

- A. Township _____
- B. Section _____
- C. Co. Rd. No. _____
- D. Approximate Location _____

E. Legal Description _____

3. Entrance:

- A. Width (driveway top) _____
- B. Approximate date of construction _____

**ENTRANCE TO BE BUILT AS DIRECTED BY
THE BROOKINGS COUNTY HIGHWAY DEPARTMENT**

Submitted by:

Name

Address Phone No.

City State Zip Code

Below Filled Out by Brookings County

On Site Survey by: _____
(Type or Print Name)

Culvert Needed: Yes _____ No _____ Type _____ Size _____
(cmp/rcp) (Length & Height)

Approved by : _____ Date: _____
Brookings Co. Highway Superintendent

Brookings Co. Highway Superintendent

CONTRACTORS NAME:

Name

Address

City

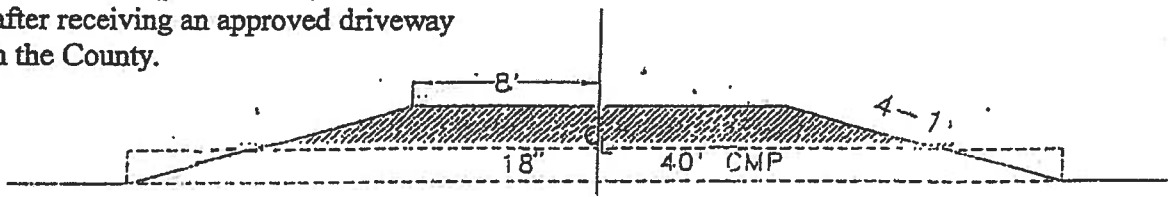
State

Zip

(Area Code) Phone

NOTE:

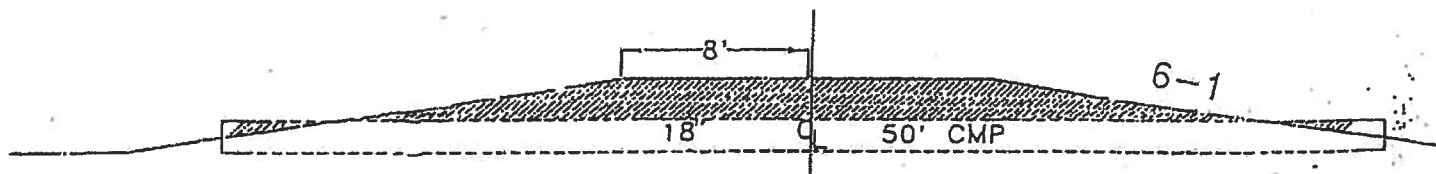
Pipe size and length will be determined by the Brkgs. Co. Highway Dept. in relation to the location of the proposed driveway entrance. All installations will be performed by a bonded contractor after receiving an approved driveway permit from the County.



TYPICAL SECTION FOR A 16' DRIVEWAY
WITH 4-1 SIDESLOPES
WITH A STANDARD 3-1/2' DITCH

NOTE:

The work will be done in accordance with the S.D. Dept. of Transportation STANDARD SPECIFICATIONS for ROADS and BRIDGES.



TYPICAL SECTION FOR A 16' DRIVEWAY
WITH 6-1 SIDESLOPES
WITH A STANDARD 3-1/2' DITCH

**AGREEMENT
FOR USE AND RESTORATION OF HAUL ROAD**

Agreement No. _____

WHEREAS, BROOKINGS COUNTY HIGHWAY DEPARTMENT has authorized project _____ and

WHEREAS, in order to complete said project it may become necessary for the Contractor to utilize a portion of county road/s _____ of Brookings County for the conveyance of construction equipment and materials to the project site and

WHEREAS, _____ (contractor) or its assignee will restore that portion of said highway system as shown on page two of this agreement sheet, after it has been used to convey construction equipment and materials, to the condition which existed immediately prior to its use, and

WHEREAS, an inspection of the proposed route to be so utilized will be made, preferably not to exceed thirty days prior to expected initiation of its stated use, at which time the inspection will determine and record the existing condition of the haul road, including the type, thickness and width of surface material in place, and

WHEREAS, authorized representatives of _____ (contractor) and BROOKINGS COUNTY HIGHWAY DEPARTMENT, after making said inspection and recording the existing condition of the haul road, shall assign the inspection report, agreeing to the conditions stated therein.

NOW THEREFORE, in consideration of the premises, the mutual and independent covenants and any and all other requirements, agreements and covenants, all as hereinafter more fully set forth, the parties hereto agree as follows:

That, the portion of county road _____ as shown on page two of the sheet, is maintained by BROOKINGS COUNTY and is that portion which is proposed for use as haul road, and that, after use of said highway as a haul road for the purposes herein set forth,

_____ (contractor) hereby agrees to restore said highway roadbed and highway appurtenances to the condition, as reported in the Haul Road Inspection Report (DOT 45 Appendage), in accordance with measurements and observations of the inspection party at time of inspection and to the satisfaction of the Highway Superintendent.

IN WITNESS WHEREOF, the said parties hereto have caused this agreement to be signed by their respective and duly authorized officers on the _____ day of _____.

By: _____
Authorized Representative (Contractor)

Brookings County Highway Department

By: _____
Authorized Representative

Title: _____

Representing: _____
(Contractor)

APPROVED AS TO FORM:

Address: _____

AGREE. NO. _____

AGREE NO. _____

**AGREEMENT FOR USE AND RESTORATION OF
CONTRACTOR'S HAUL ROAD**

FILE NO. _____

WHEREAS, _____ (contractor) has contracted the construction of Highway Project No. _____ in Brookings County, and

WHEREAS, _____ (hereinafter referred to as the contractor), in order to construct said project, finds it necessary or desirable to utilize a portion of Brookings County Road _____ for conveyance of construction equipment and project materials, and

WHEREAS, the maintenance of the proposed route which is to be used as a haul road is the responsibility of BROOKINGS COUNTY HIGHWAY DEPARTMENT and

WHEREAS, an inspection of the proposed route to be so utilized has been made and the inspection team has determined and recorded the existing condition of the haul road, including the width of sub grade, type, thickness and width of surfacing material in-place and type, size location and condition of drainage structures as well as other highway appurtenances on form DOT-45 Appendage, and

WHEREAS, authorized representatives of BROOKINGS COUNTY HIGHWAY DEPARTMENT and the Contractor having made said inspection and recorded the existing condition of the haul road have all signed the inspection report (DOT-45 Appendage), agreeing to the conditions stated therein.

NOW, THEREFORE, in consideration of the premises, the mutual and independent covenants and any and all other requirements, agreements and covenants, all as hereinafter more fully set forth, the parties hereto agree as follows:

That, the portion of County Road _____ as shown on page two of this sheet is that portion which is planned for use as a haul road, and

That, satisfactory maintenance of said haul road as determined by the Highway Superintendent, during the period when hauling operations are in progress will be the responsibility of the Contractor, and

That, after use of said highway as a haul road for the purposes herein set forth, the Contractor hereby agrees to restore said highway roadbed and highway appurtenances to the condition, as reported in the haul Road Inspection Report and to the satisfaction of the Highway Superintendent.

IN WITNESS WHEREOF, the said parties hereto have caused this agreement to be signed by their respective and duly authorized officers on the _____ day of _____, 20 _____

By: _____
Contractor's Authorized Representative

By: _____
Authorized Representative (Gov. Agency)

BROOKINGS COUNTY HIGHWAY DEPT.

By: _____

Title: _____

Title: _____

Representing: _____
(Contractor)

AGREEMENT

HAUL ROUTE INSPECTION REPORT

NO. _____

HIGHWAY PROJECT NO. _____

An inspection of the highway to be used for a haul route as set forth in the Agreement No. _____,
 Dated _____, was conducted on the _____ day of _____, 20____,
 by duly authorized representatives of the parties thereto and was found in the condition detailed as follows:
 RECORD WIDTH OF SUBGRADE AND TYPE, THICKNESS AND WIDTH OF SURFACING
 IN PLACE AT APPROXIMATELY UNIFORM INTERVALS ALONG THE ROUTE.
 CONDITION OF BRIDGES, BOX CULVERTS, PIPE CULVERTS, CATTLE GUARDS AND
 OTHER HIGHWAY APPURTENANCES SHOULD BE RECORDED IF PERTINENT.

CONTRACTOR _____

By: _____ Title: _____

BROOKINGS COUNTY HIGHWAY DEPARTMENT

By: _____ Title: _____

Agreement No. _____

**AGREEMENT FOR USE AND RESTORATION OF HAUL ROAD
RELEASE**

FILE NO. _____

WHEREAS, Brookings County Highway Department and/or _____

(Contractor)

(Address)

has with the consent of Brookings County Highway Department to utilize a portion of Brookings County Highway System as a haul road in order to convey equipment and materials in the construction of Brookings County Highway Department Project No. _____ and have, subsequent to the completion of the said project, restored the haul road surface and appurtenances to the condition called for in DOT 45 or 45A, Agreement No. _____, dated the _____ day of _____, 20____, and the related Haul Road Inspection Report (DOT 45 & 45A Appendage).

NOW THEREFORE the undersigned does attest that the said haul road has been inspected by authorized representatives of _____ and has been found to be restored to the condition agreed to and does hereby release and absolve Brookings County Highway Department and _____ from any further obligation concerning said highway.

Dated this _____ day of _____, 20 _____.

By: _____
(Authorized Representative Gov. Agency)

Title: _____

Representing: _____
(Governmental Agency)

Address: _____

BROOKINGS COUNTY HIGHWAY DEPARTMENT

By: _____

Title: _____

BROOKINGS COUNTY HIGHWAY DEPARTMENT
422 WESTERN AVE.
BROOKINGS, SD 57006
VOICE: 605-696-8270 FAX: 605-696-8278
EMAIL: lgross@brookingscountysd.gov

OVERWIDTH, OVERLENGTH, OVERHEIGHT PERMIT

SINGLE OVER/WIDTH/HEIGHT (\$20.00) County Highway Permit #
PERMIT EFFECTIVE FROM: TO :

ISSUED SUBJECT TO ALL APPLICABLE LAWS AND REGULATIONS (SDCL Chapter 32-22)

Applicant's name:
(Name of Permit Company or Owner)

Billing Name:
Billing Address:

City: State: Zip:

Fax: Phone:

Origin of load:

Destination:

Routes Traveled

Cargo

Truck: State

License # Serial #

Trailer: State

License # Serial #

Width Length Height Weight
(Over width is anything over 8'6")

PERMIT ISSUED BY _____ DATE: _____
(BROOKINGS COUNTY EMPLOYEE)

COMPANY REPRESENTATIVE:
TITLE:
EMAIL ADDRESS:

VEHICLE PHYSICALLY INSPECTED. YES NO
NO OVERWIDTH MOVEMENT SUNSET TO SUNRISE.

A COPY OF THIS PERMIT MUST BE CARRIED IN EACH PERMITTED VEHICLE AND MUST BE DISPLAYED
UPON DEMAND OF ANY LAW ENFORCEMENT OFFICER OR HIGHWAY SUPERINTENDENT

County Permit # _____

**Brookings County Permit
for
Over weight and Over dimension loads**

OVERWEIGHT: __ 80,000-100,000#'s=\$100.00 __ over 100,000-150,000#'s=\$150.00 __ over 150,000#'s= \$200.00
SINGLE TRIP ONLY FOR OVERWEIGHT VEHICLES

All requests for permits must be accompanied by the SDDOT permit.

1. Object to be moved _____ Height: _____
Width: _____
Length: _____
Gross weight: _____
2. Does the single axle or group axle-weights exceed legal 9 ton roadways limits? (YES) (NO)
Does the single axle or group axle weights exceed legal 10 ton roadway limits? (YES) (NO)
3. Movement to be during daylight hours between the dates of _____ and _____
4. Movement to be from _____ to _____ on County Highway
- County Road Number(s) _____ (Provide a map if possible).

5. PUBLIC LIABILITY - PROPERTY DAMAGE

Amount of public liability and property damage insurance \$_____. (Must exceed \$300,000.00 for a single claim arising from single occurrence and \$1,000,000.00 for multiple claims arising from single occurrence).

Insurance Company: _____

Name & Address of local agency: _____

(Please send copy of proof of Insurance)

If granted this permit I (We) do hereby agree to comply with the provisions of the permit to take all necessary and reasonable precautions to maintain the safety of this movement and to be responsible for all liability for the personal injury or property damage which may occur in connection with this movement; and in the event any claim is made against the County of Brookings or department, office, or employee thereof, through, by reason of, or in connection with any such act or omission, applicant shall indemnify and hold them and each of them harmless from such claims.

Applicant's Name: _____
(Permit Company or Truck Owner)

Applicant's Title: _____

Applicant's Signature: _____ Printed Name: _____

Billing Address: _____
(PO Box or Street) (City) (State) (Zip Code)

Phone #: _____ Fax #: _____

Permission for this movement is hereby granted subject to compliance with the provisions of the South Dakota Highway Traffic Regulations and under the terms, condition, and restrictions contained on the attached sheet Ordinance 07-01 and is subject to revocation upon non-compliance.

BROOKINGS COUNTY HIGHWAY DEPARTMENT

BY _____
(County Employee) (Title)

DATE: _____

Permission for movement over roads other than County Highways must be obtained from the proper road authority. This permit does not exempt the permittee from other driving or highway laws.

ORDINANCE NO. 07-01

AN ORDINANCE ESTABLISHING OVERWEIGHT VEHICLE PERMITS
FOR COUNTY ROADS IN BROOKINGS COUNTY

Be it ordained by Brookings County for the purpose of protecting county roads in Brookings County:

Article I – Overweight Vehicles Prohibited:

No one may operate a motor vehicle on the county roads in Brookings County in excess of the maximum weight or size set by state law in SDCL Chapter 32-22, unless the operator has first obtained a permit from the Brookings County Highway Superintendent, or his/her designee, to allow the operation of the motor vehicle at such weight or size.

Article II – Single Trip Permit Authorized

The Brookings County Highway Superintendent, or his/her designee, may issue a single trip permit to allow the operation of a motor vehicle on the county roads in Brookings County in excess of the maximum weight or size set by state law in SDCL Chapter 32-22. The Brookings County Highway Superintendent, or his/her designee, may issue the single trip permit by means of facsimile transmission (fax). The permit issued by the Brookings County Highway Superintendent, or his/her designee, shall designate the county roads upon which the permitted vehicle may operate. The request for a permit to exceed the maximum vehicle weight limit or size must be made at least twenty-four (24) hours in advance.

Article III – Grounds for Permit:

The Brookings County Highway Superintendent, or his/her designee, shall follow the State Statutes (SDCL Chapter 32-22) and Administrative Rules (ARSD 70:30:01) in deciding whether to issue a permit to the operator of a motor vehicle to exceed the maximum vehicle weight limit or size.

Due to road sensitivity at different times of the year, permits may be suspended at any time at the discretion of the Brookings County Highway Superintendent or his/her designee.

Article V – No Permits During Seasonal Load Limit Postings:

No overweight or over width permits will be issued during seasonal load limit postings. The Brookings County Commissioners may waive this restriction if they deem it necessary for the protection of public safety, health, or welfare. All bridge postings will be strictly adhered to.

Article VI – Operation Only on Designated Roads:

The transportation of overweight loads authorized by this Ordinance shall be undertaken only on county roads designated on the issued permit.

Article VII – Operation Only According to Terms of Permit

The transportation of overweight loads in violation of the terms of an Overweight Permit shall render the permit void except as to the permit holder's liability for damages and indemnification.

Article VIII – Possession of Permit During Operation:

The issued permit, including a permit issued by way of facsimile transmission (fax), or a copy thereof, must be in the possession of those utilizing the permit during all periods of operation.

Article IX – Maximum Penalties for Unauthorized Operation:

The transportation of overweight load without a permit or in violation of the specific terms of a permit is punishable by a maximum fine of two hundred dollars (\$200.00), in addition to any other civil or criminal penalties provided by law.

Article X – Liability

The possession of an overweight permit shall not relieve the applicant of civil liability and responsibility for personal injury or property damage which may occur in connection with the movement of the permitted vehicle, including the liability for damage to roads, bridges, signs or other highway structures.

PERTINENT REGULATIONS TO MOVE OVER WEIGHT OR OVER DIMENSION LOADS

1. SAFETY OF OTHER TRAFFIC -- Care should be taken at all times to protect the traveling public.
2. RIGHT OF WAY -- Yielding right of way -- When being passed by vehicles traveling in either direction, no portion of equipment or vehicles shall extend beyond the center line of pavement or traveled way.
3. PARKING ON HIGHWAY -- In case of a breakdown of vehicles or equipment, the same shall be moved off of the highway right of way. In the event breakdown is such that they cannot be moved, flags and flares must be placed as required by law.
4. PROTECTION ON BRIDGES OR NARROW ROADS -- When crossing bridges or when traveling on narrow roads where it is not possible to permit movement of two-way traffic, flagmen shall be stationed ahead and behind equipment to warn and direct approaching traffic.
5. INCLEMENT WEATHER AND HIGHWAY SURFACE CONDITIONS -- Movement shall not be commenced if visibility is poor or if highway surfaces are continuously slippery. If movement has been started and the above mentioned conditions develop, movement must be stopped until the condition becomes alleviated or permission to proceed has been obtained.
6. DAYTIME MOVEMENT -- Movement shall be during daylight hours only unless specifically stated on the face of this permit.
7. SATURDAY, SUNDAY, HOLIDAY MOVEMENT -- Unless specifically stated on the face of this permit, there shall be no movement on Saturday, Sunday, or Holidays.
8. TRAILER HITCH -- Trailers are to be hitched so that they track on turns and do not whip.
9. CLEANING UP AFTER MOVEMENT -- After movement has been complete and especially where it has been necessary to plank structure floors or where movement has been made over railroad crossing with tractor type equipment, all foreign material must be removed from the highway right of way or from railroad tracks.
10. OVERHANG -- The load is to be placed on the vehicle as far as possible to the right so as to present the minimum hazard to traffic.
11. FLAGS, FLARES, LIGHTS AND REFLECTORS -- Must comply with legal requirements.
12. BRAKE REQUIREMENTS -- All requirements as to brakes and method of use to be, complies with, in accordance with the Highway Traffic Act except as otherwise stated on the face of the permit.
13. RESPONSIBILITY FOR STRUCTURES (Bridges, sign, etc.) -- The applicant shall comply with all rules posted on any bridges or underpasses over or under which he shall travel, and shall assume all risks relative thereto. No signs, guardrail or other county or private property shall be moved unless written authority is given.
14. TRAILED EQUIPMENT OR MACHINERY -- In trailing plows, discs, and similar equipment or machinery, care shall be used that implements do not cut or damage the road surface.
15. LIABILITY FOR DAMAGES -- The applicant is responsible for all liability for personal injury or property damage which may occur in connection with this movement, and in the event any claim is made against the county of Brookings or any department, officer, or employee thereof, through, by reason of, or in connection with any act or omission, applicant shall defend, indemnify and hold them and each of them harmless from any claim.
16. REPAIR OF DAMAGE - In accepting this permit, the applicant agrees to repair at the applicant's own expense and to the satisfaction of the County Highway Engineer any damage to highways or structures. Work or repair may be done by the Highway Department forces at the option of the County Engineer. Cost of such work is to be borne by the applicant.
17. LICENSE PLATES AND MOTOR VEHICLE REGISTRATIONS -- Vehicles shall be licensed in accordance with the laws of the State of South Dakota.
18. Time movement shall be during the dates as specified on the face of this permit. If an extension of time is necessary in order to permit completion of movement, written authorization of such extension of time must be obtained. This permit must be carried on the towing vehicle at all times during movement and is subject to inspection.

**BROOKINGS COUNTY
PERMIT FOR
SELF-APPLICATION OF DUST CONTROL**

NAME OF APPLICANT: _____

ADDRESS: _____ PHONE: _____

The undersigned hereby applies for permission, pursuant to Brookings County's Policy and Procedures, to apply dust abatement to a Brookings County Road.

ROAD NAME: _____ ROAD # _____

LOCATED IN THE _____ QUARTER OF SECTION _____,

TOWNSHIP _____, RANGE _____ APPROXIMATELY

_____ FEET NORTH, SOUTH, EAST, WEST OF _____

_____ (LANDMARK).

The estimated date or time required for completion of the work is _____ and the petitioner further agrees to proceed with diligence and speed and with due regard for the rights, interest, safety, and convenience of the public. The petitioner further agrees to perform the work in strict compliance with the provisions and conditions enumerated below and states that he/she has read and will adhere to the Policy, Procedure and Rules as stated in this permit.

It is the policy of Brookings County that the County will not undertake any dust control measures involving the application of dust palliatives on gravel roads. The County will allow, by permit, private individuals or corporations to contract said work under the following Procedures and Rules.

Procedures and Rules:

1. Private individuals or corporations must obtain a Permit to Apply Dust Control from the Brookings County Highway Superintendent prior to commencement of dust abatement application.
2. The applicant, designated herein as the "grantee", his successors and assigns, shall have the right and privilege to enter upon the right-of-way of the county road as indicated above for the purpose of applying dust control under the conditions indicated in this permit; such work to be done at the sole expense of applicant.

3. The grantee shall notify the Brookings County Highway Department a minimum of 5 working days prior to the application of dust control. The Brookings County Highway Department shall grade the road to be treated as necessary to insure a smooth surface prior to commencement of the work. The application of the dust abatement shall commence within a reasonable time of the County's preparation of the roadway surface; the County shall only prepare the road surface once.
4. Dust abatement materials to be used shall be specifically made for dust abatement. Dust oils shall be virgin oil products and shall conform to DOE and EPA standards. Used oils and/or waste products are prohibited.
5. Prior to the application of dust abatement products on a County Road a MSDS (Material Safety Data Sheet) shall be required and a copy shall be submitted to the Brookings County Highway Superintendent.
6. The dust location shall be marked with four 12"x12" orange flags at all corners at the end of the dust control area.
7. During the application of the dust abatement grantee shall be responsible for taking all necessary steps to insure the safety of the traveling public.
8. The grantee shall leave the County Road in as good and safe condition in all respects as it was before commencement of the work.
9. In case of any damage to the County Road of any kind on account of said work done by the grantee, he/she shall at once repair said damage at his/her sole cost and expense.
10. Necessary maintenance of a County Road, treated with dust abatement, due to roughness, poor drainage, or other problems may be done at any time following the application of dust abatement. The determination of necessary maintenance shall be made by the Brookings County Highway Superintendent or his/her representative.
11. The Brookings County Highway Superintendent may revoke, annul or terminate this permit if grantee fails to comply with any or all of it's provisions, requirements or regulations as herein set forth or through willful or unreasonable neglect, fails to heed or comply with notices given him/her or if work herein permitted, is not applied in conformity herewith or at all.
12. The grantee is responsible for any damage to vehicles or property or any personal injury caused by the dust control or the application of such dust control.

13. In accepting the permit, the grantee hereby agrees and undertakes to apply such dust abatement herein referred to in such a manner as to avoid injury to persons and to property and to protect all users of the county road upon which the same is applied and hereby agrees and undertakes to defend, indemnify, and hold harmless Brookings County, its officers, employees, agents, and representatives from and against any and all liability, claims, damages, actions, judgment, losses, costs, and expenses, including costs of litigation and attorney's fees, whether at law, in equity before an administrative agency or otherwise, on account of any injuries or damages received or sustained by any person, structure, or property by reason of or incidental to the application of such dust abatement herein referred to.

14. All commercial applicators of dust abatement/dust control products doing business in Brookings County on Brookings County roads shall maintain General Liability Insurance in the amount of at least \$1,000,000.00, which insurance shall name Brookings County as an additional named insured.

15. It is expressly understood by the said grantee that the permission herein granted is not a permanent or perpetual permission, easement, or franchise, but that the permission herein granted is a permission by sufferance only and that Brookings County reserves the right in the granting of this permission to at any time and for any reason revoke and terminate the same.

This permit shall be void unless the work herein contemplated has been completed before _____, 20____.

ACCEPTED BY:

APPROVED BY:

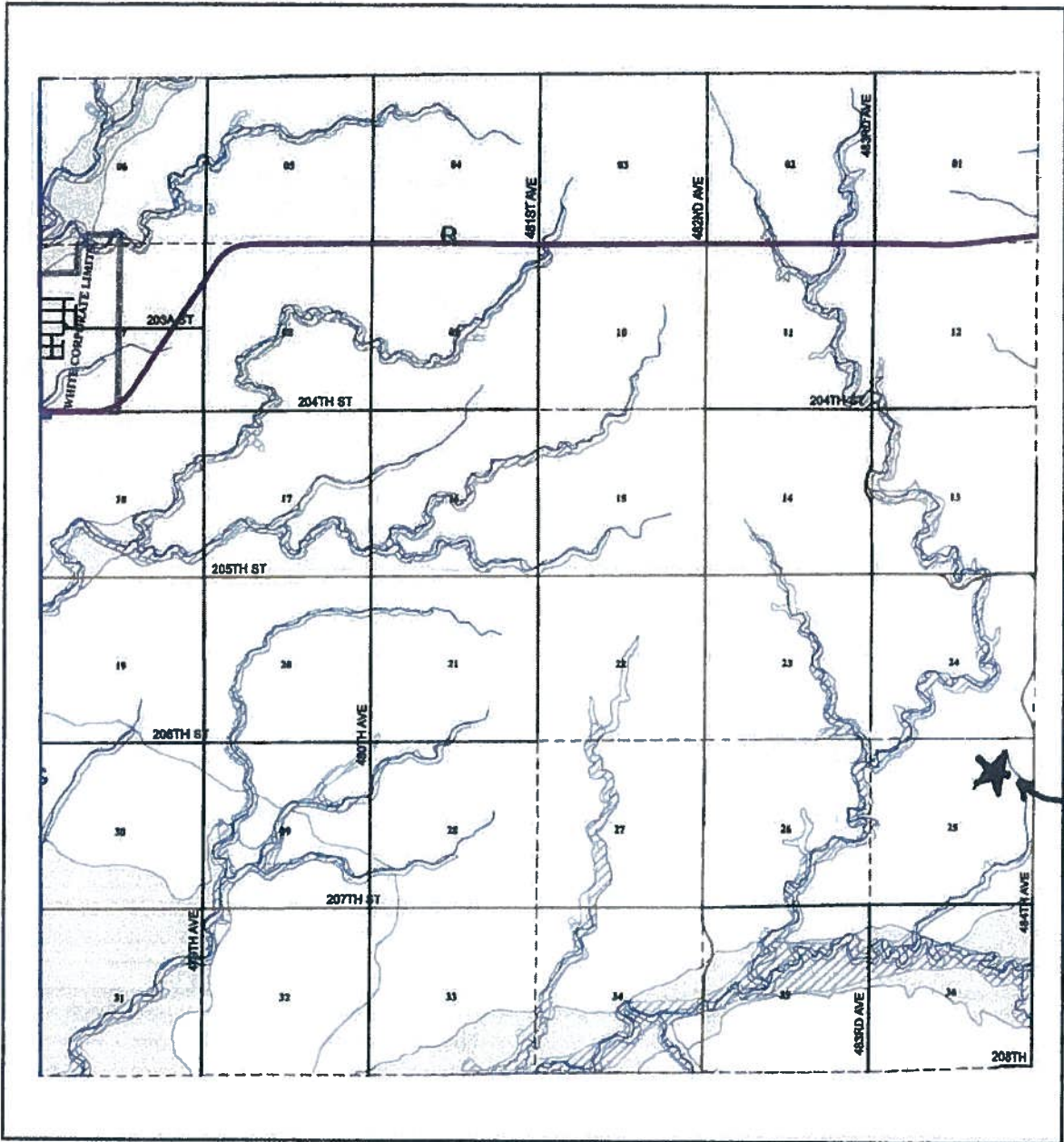
Owner Date

Brookings County Date
Highway Superintendent

Contractor/Applicator Date

It is the responsibility of the applicant to notify all utilities and private property owners when their property is liable to injury or damage through the performance of the above work, and the applicant shall make all necessary arrangements relative to the protection of such property and/or utilities.

Sherman Township



Legend

- County Roads (Paved)
- County Roads (Gravel)
- State Highways
- Township Roads
- Federal Highways
- Rail Road
- Dams
- Zoning
 - Commercial
 - Lake Park
 - Natural Resources
- 3 Mile Joint Jurisdiction
- City Limits
- Section
- Flood Plain
- Lakes
- Streams and Rivers
- Aquifer Materials
 - Sand and Gravel 0-50
 - Sand and Gravel 50-100
 - Alluvium
 - Outwash

GIS

Map features are representations of original data sources and do not constitute or imply land surveys, deeds, or other legal instruments addressing and defining land ownership or use.

Miles

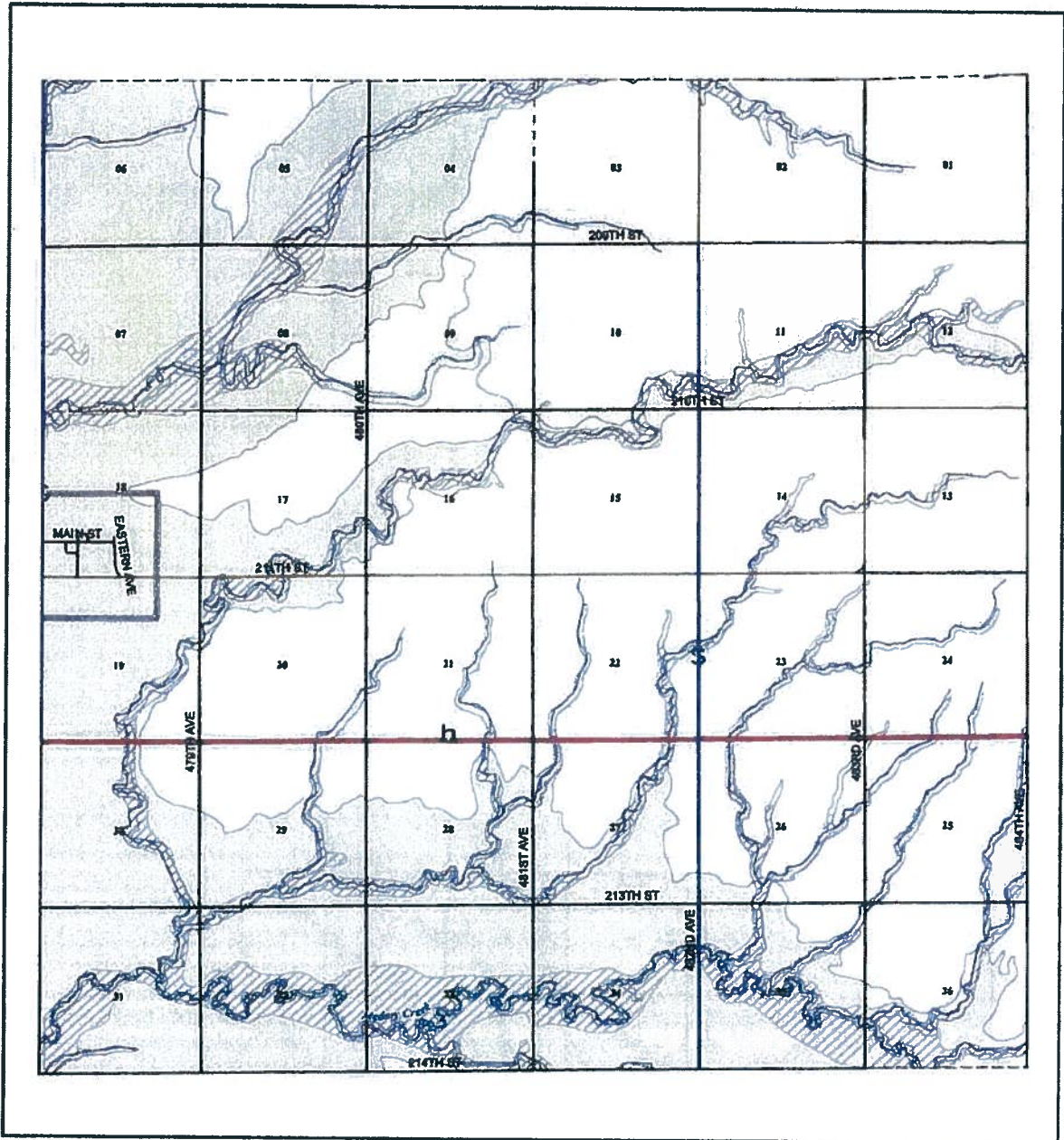
0 0.375 0.75

T 111 N R 48 W

Brookings County, SD

Latitude	Traverse	Blocks	Age	Options	Lot Number
Winter	Oakwood	Blocking	Alma		
Banger	Volpe	Bookings	Aaron	Alma	
Lake Park	Oslo	Mohney	Trenton	Perrell	

Alton Township



Legend

- County Roads (Paved)
- County Roads (Gravel)
- State Highways
- Township Roads
- Federal Highways
- Rail Road
- Dams
- Zoning
 - Commercial
 - Lake Park
 - Natural Resources
- 3 Mile Joint Jurisdiction
- City Limits
- Soil Lines
- Flood Plain
- Lakes
- Streams and Rivers
- Aquifer Materials
- Sand and Gravel 0-50
- Sand and Gravel 50-100
- Alluvium
- Outwash

GIS

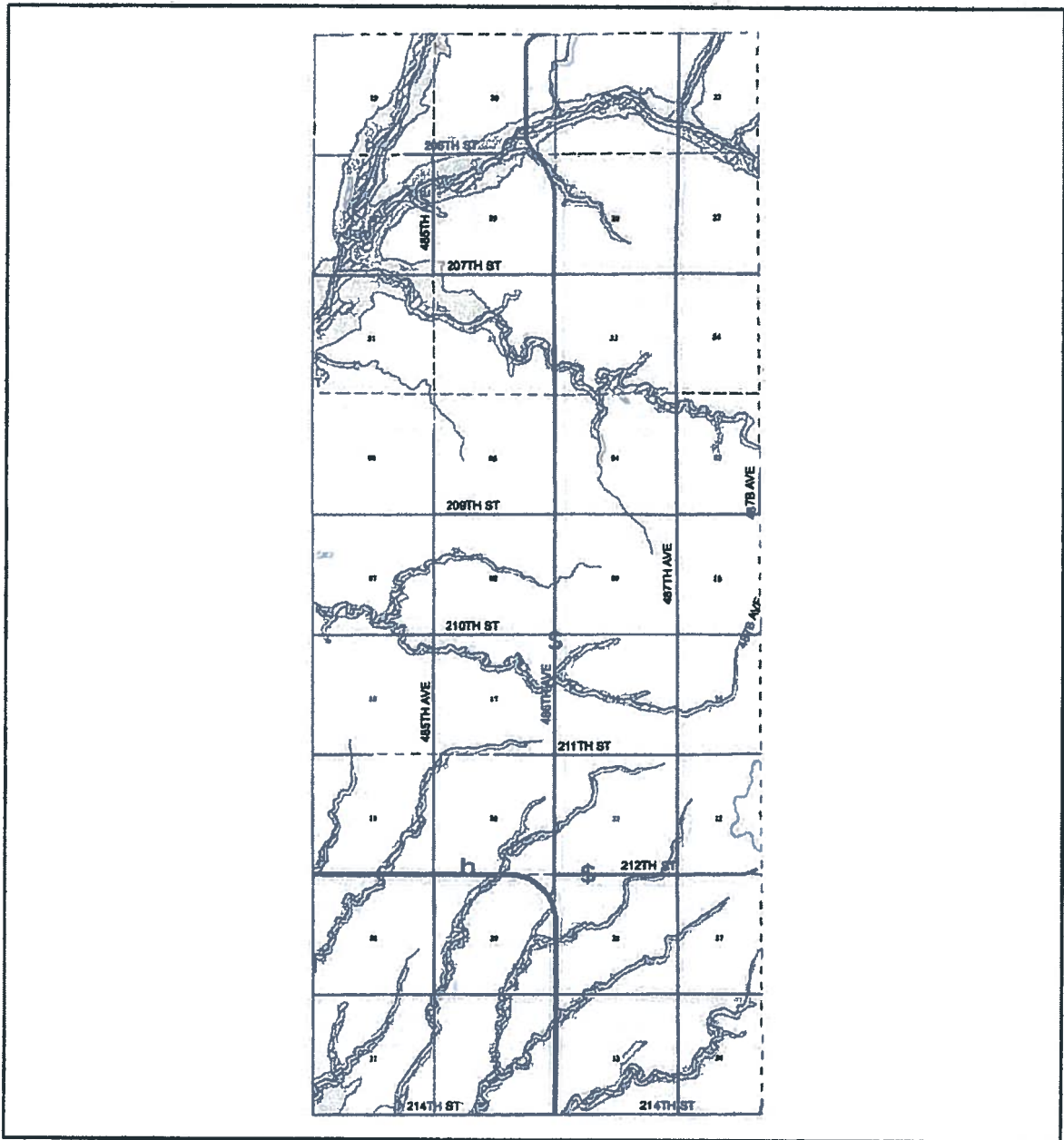
Map features are representations of original data sources and do not replace or modify land surveys, deeds, or other legal instruments delineating land ownership or use.

T 110 N R 48 W

Brookings County, SD

Lakota	Frederick	Berkshire	Applegate	Osborne	Lake Park
Winn	Osborne	Brookings	Allen	Shannon	
DeSmet	Wagner	Brookings	Aurora	Alton	Township
Lake Sisseton	Oslo	Mahony	Trenton	Peru	Other

Richland Township



Legend

- County Roads (Paved)
- County Roads (Gravel)
- State Highways
- Township Roads
- Federal Highways
- Rail Road
- Dams
- Zoning
 - Commercial
 - Lake Park
 - Natural Resources
- 3 Mile Joint Jurisdiction
- City Limits
- Section
- Flood Plain
- Lakes
- Streams and Rivers
- Aquifer Materials
- Sand and Gravel 0-50
- Sand and Gravel 50-100
- Alluvium
- Outwash

GIS

Map features are representations of original data sources and do not represent or modify land surveys, deeds, or other legal instruments, including but not limited to ownership of land.

Miles

T 110 N R 47 W

Brookings County, SD

Lakota	French	Devils	Agre	Osborne	Lake Park
Water	Osborne	Burling	Allen	Stewart	
Dwyer	Veiga	Dwight	Arden	Allen	Lakes
Lake Earl	Osceola	Mohr	Thomas	Parish	

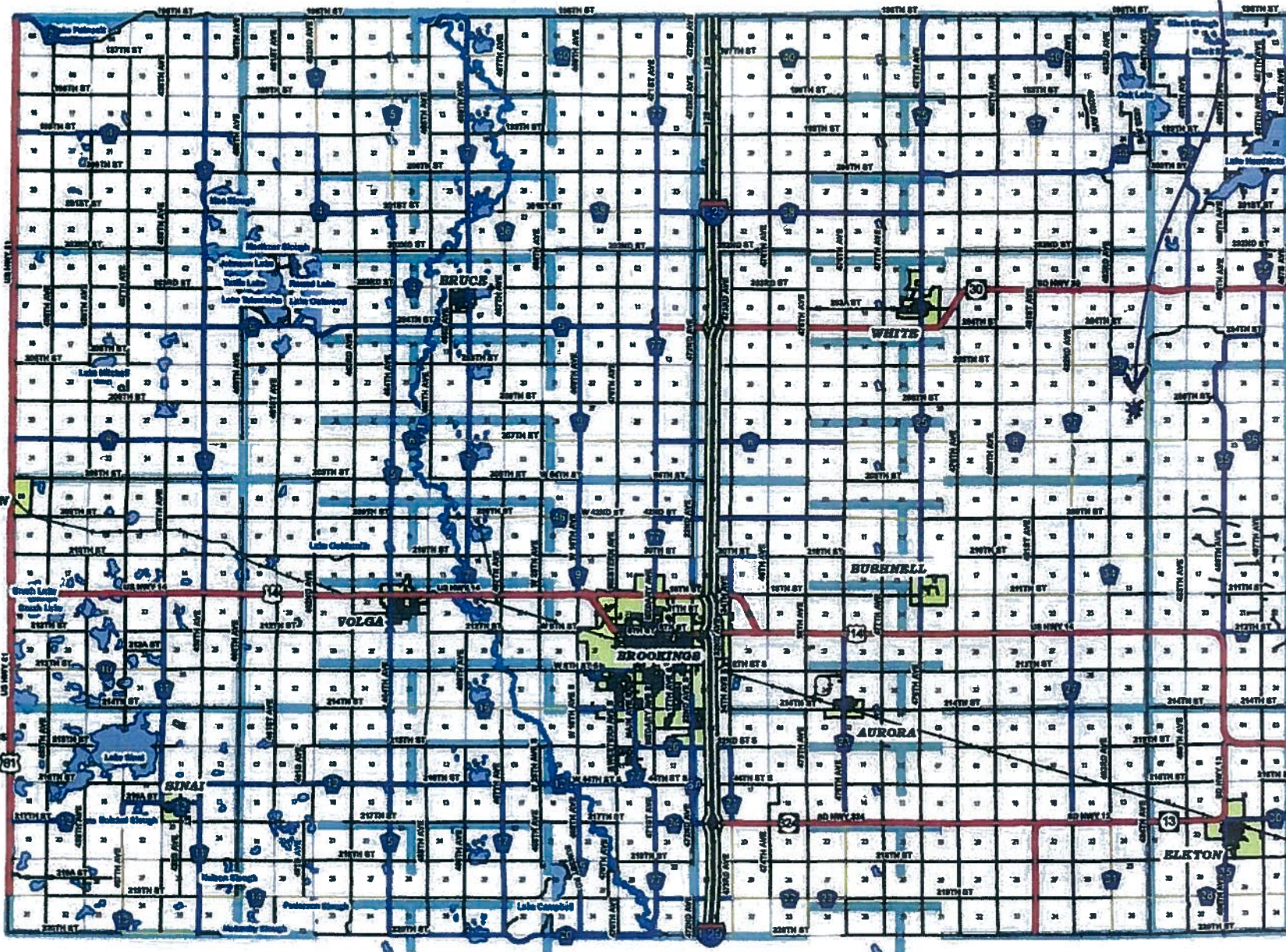
Brookings County Transportation Map

Site



ARLINGTON

- Interstate 29
- US Highways
- State Highways
- Paved Roads
- Gravel Roads
- Local and City Streets
- Rail Road
- Incorporated Communities
- Big Sioux River
- Section Lines
- Township Lines
- Lakes

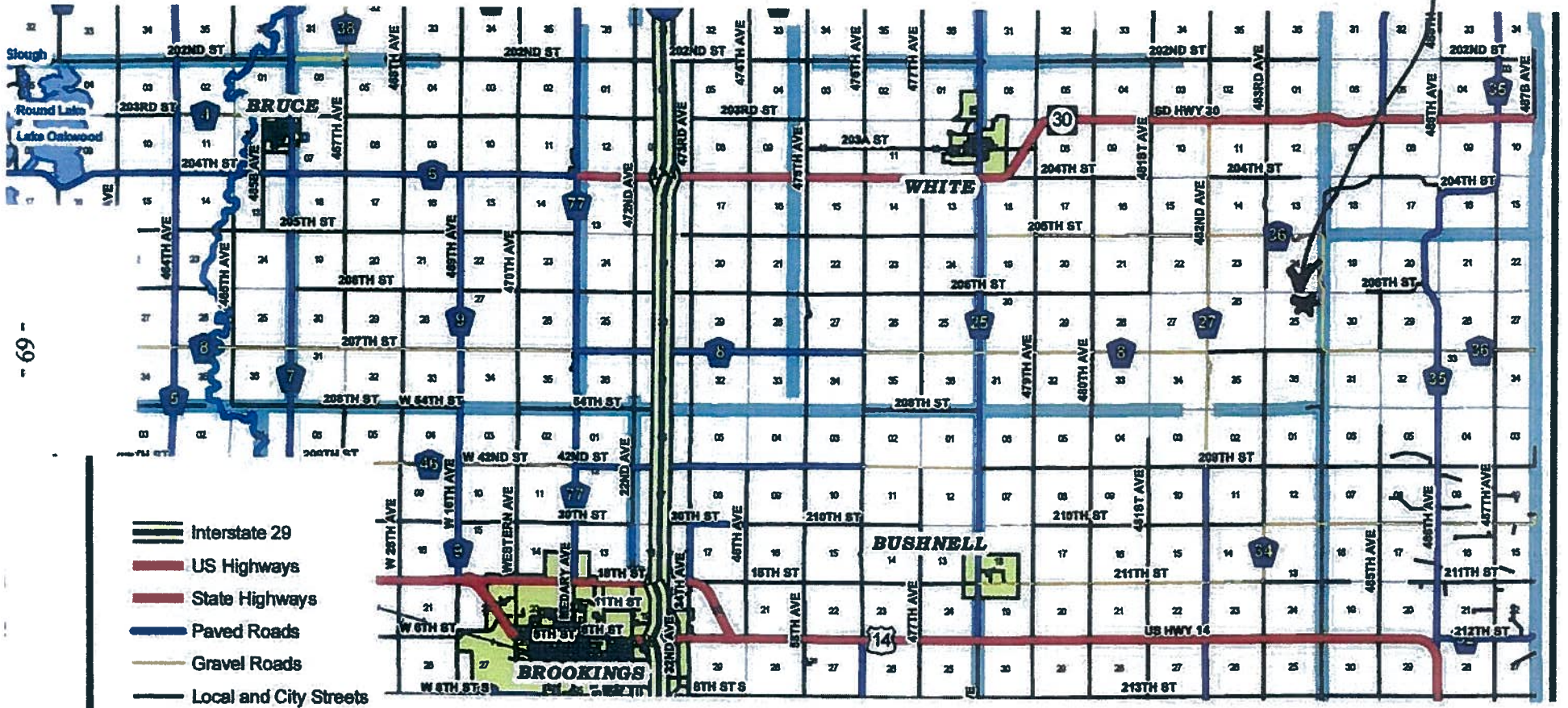


BROOKINGS COUNTY
South Dakota

GIS
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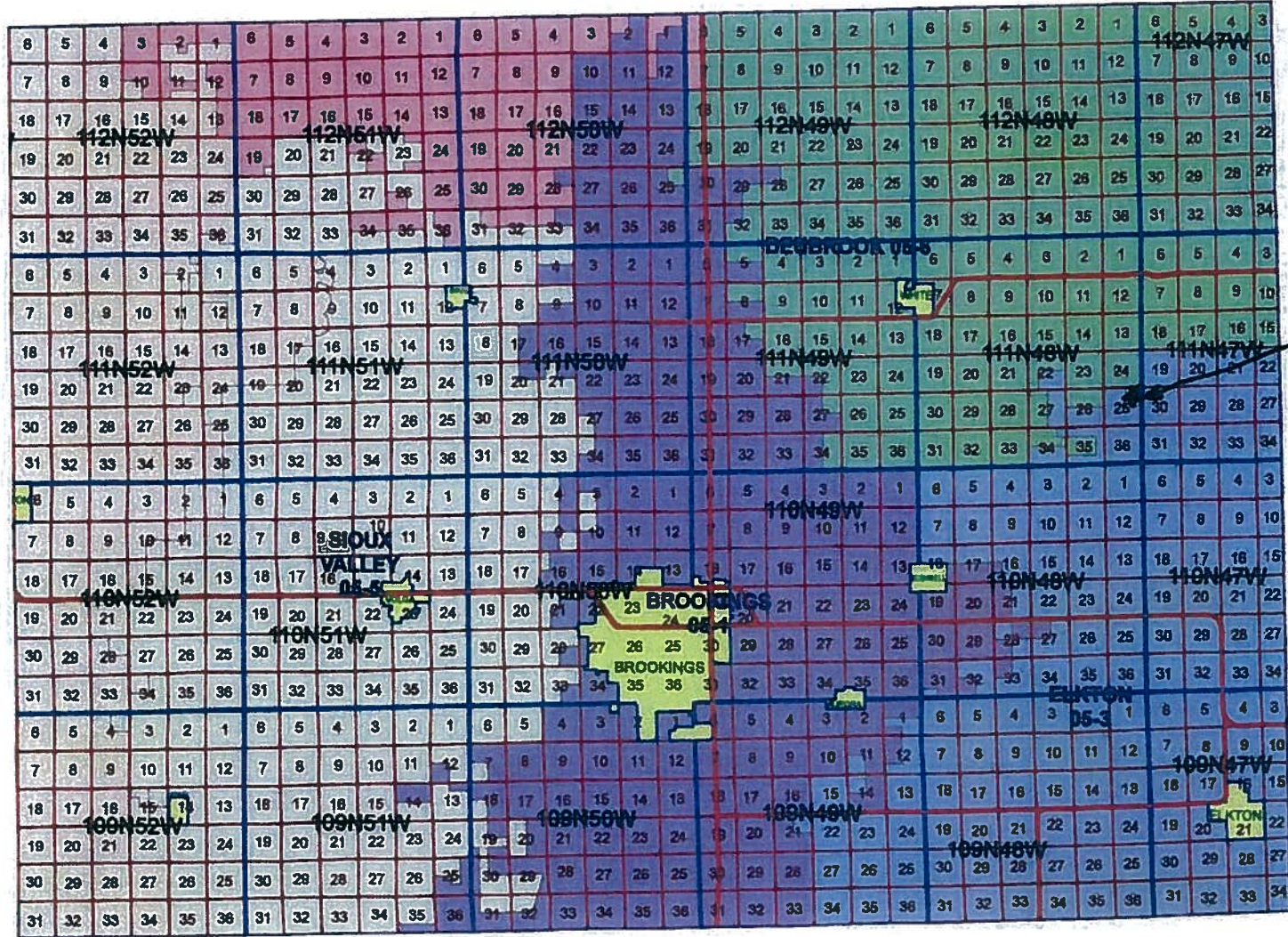


Site

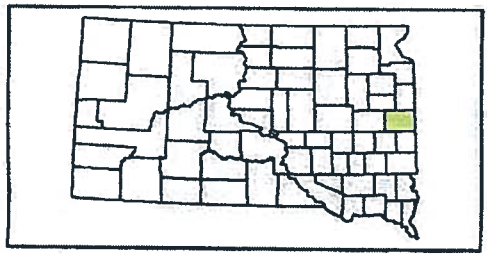


- Interstate 29
- US Highways
- State Highways
- Paved Roads
- Gravel Roads
- Local and City Streets
- Rail Road
- Incorporated Communities
- Big Sioux River
- Section Lines
- Township Lines
- Lakes

Brookings County School Districts



- 70 -



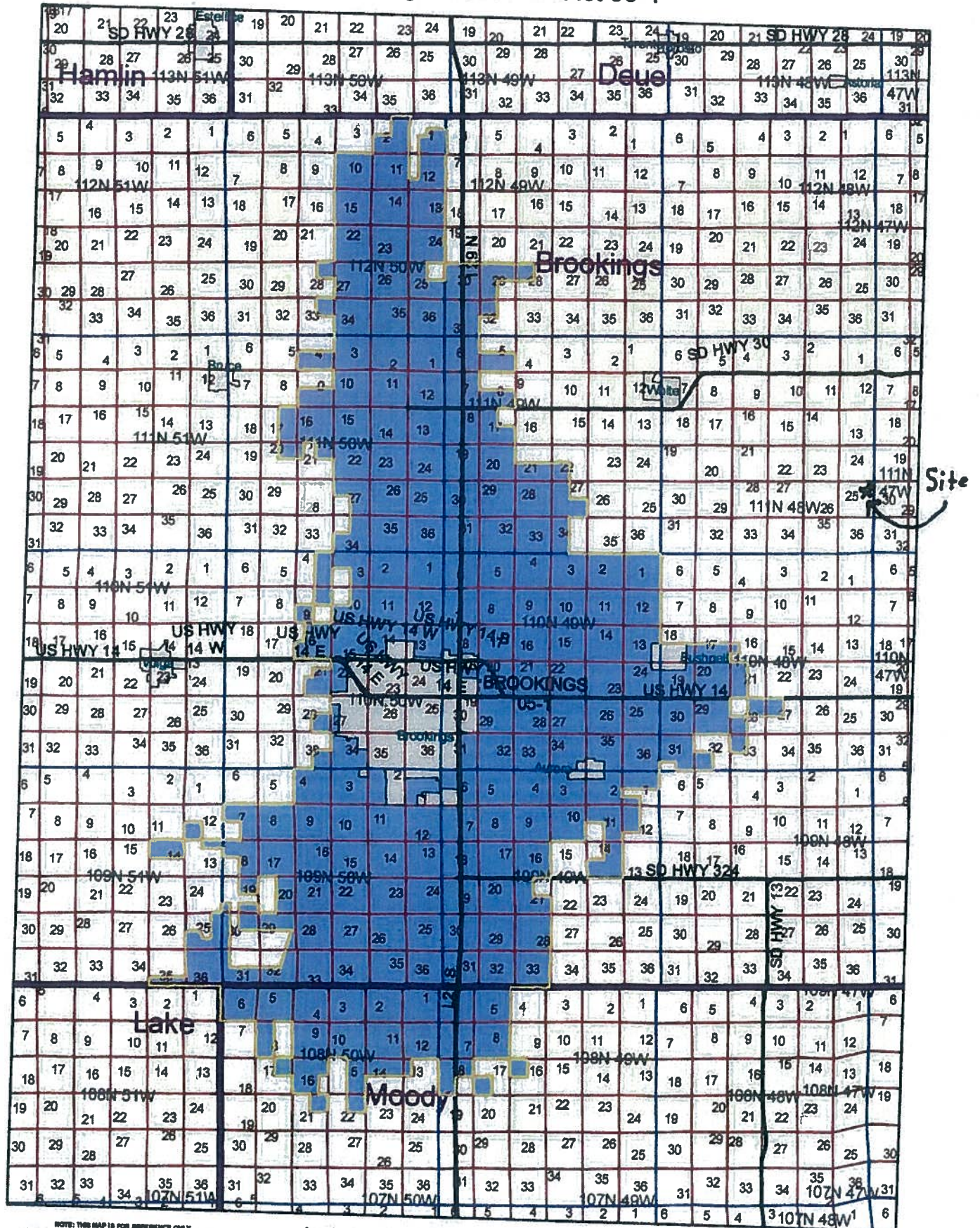
Prepared July 2008



NOTE: THIS MAP IS FOR REFERENCE ONLY
 Although every effort has been made to ensure the accuracy of information, errors and conditions originating from the physical sources used to develop the database may be reflected in the data supplied. The end user must be aware of the data conditions and ultimately bear responsibility for the appropriate use of the information with respect to possible errors, original scale, collection methodology, currency of data, and other conditions specific to certain data.

- School Districts**
- ARLINGTON 38-1
 - BROOKINGS 05-1
 - DEUBROOK 05-8
 - ELKTON 05-3
 - ESTELLINE 28-2
 - SIOUX VALLEY 05-5

Brookings School District 05-1



NOTE: THIS MAP IS FOR REFERENCE ONLY
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Prepared July 2005





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2007-2008 Profile of Brookings School District 05-1

2130 8th St S, Brookings, SD 57006-3507

Home County: Brookings

Area in Square Miles: 194

Revenue

	General	Capital Outlay	Special Education	Pension
Local	\$7,620,107	\$2,969,255	\$1,361,568	\$297,236
County	\$281,534	\$0	\$0	\$0
State	\$6,822,795	\$0	\$907,839	\$0
Federal	\$801,135	\$0	\$567,159	\$0
Total	\$15,525,570	\$2,969,255	\$2,836,565	\$297,236

Expenditures

	General	Capital Outlay	Special Education	Pension
K-12 Instruction	\$9,285,863	\$881,754	\$2,067,570	\$0
PK Instruction	\$0	\$0	\$139,917	\$0
Adult Instruction	\$0	\$0	\$0	\$0
Student/Staff Services	\$1,586,310	\$37,509	\$469,612	\$0
Administration Services	\$1,159,048	\$2,616	\$120,164	\$0
Transportation Services	\$349,261	\$70,170	\$72,905	\$0
Other Support Services	\$2,372,417	\$729,151	\$0	\$0
Community Services	\$28,002	\$0	\$0	\$0
Non-Programmed	\$3,529	\$0	\$0	\$236,124
Debt Service	\$0	\$1,022,344	\$0	\$0
Co-Curricular	\$680,839	\$41,035	\$0	\$0
Total Expenditures	\$15,465,269	\$2,784,579	\$2,870,168	\$236,124

Other Fund Data

	Revenue	Expenditures
Bond Redemption	\$1,091,349	\$1,229,413
Capital Projects	\$303,989	\$3,774,199
Other Special Revenue	\$0	\$0
Enterprise Funds	\$960,142	\$1,019,956

Ending Fund Balance

General	\$3,894,937
Capital Outlay	\$2,382,698
Special Education	\$95,320
Pension	\$446,052

State Aid

General Aid	\$6,338,534
Special Education	\$907,839
Sparsity	\$0
Reorganization Incentive	\$0
Extraordinary Cost Fund - SE	\$0
Total State Aid	\$7,246,373

**2007 Payable 2008
Taxable Valuations**

Agricultural	\$91,755,877
Owner Occupied	\$549,811,042
Non-Ag Z	\$2,739,032
Other Non-Ag/Utilities	\$357,205,889
Total	\$1,001,511,840

**2007 Payable 2008
Levy per Thousand**

Agricultural	\$3.06
Non-Ag Z	\$4.19
Owner Occupied	\$4.81
Other Non-Ag/Utilities	\$10.29
Special Education	\$1.40
Capital Outlay	\$3.00
Bond Redemption	\$1.26
Pension Fund	\$0.30

*District has opted out of
General Fund levy

Student Data

Fall 2007 PK-12 Enrollment	2,700
Fall 2007 K-12 Fall Enrollment	2,700
Open Enrolled Students Rec'd	39
Home School ADM	54.900
Fall 2007 State Aid Fall Enroll.	2,701.84
District Dropout Rate	2.3%
% Eligible for Free/Red. Lunch	20.6%
% Special Needs Students	14.7%
Students Transported	591
Student to Staff Ratio	15.4
District Attendance Rate	95.9%
Number of Graduates	169

Enrollment

	ADA	ADM
K-8	1,828.863	1,897.158
9-12	746.961	789.581
Total	2,575.824	2,686.739

Cost per ADM

General Fund Only	\$5,718
Educational Funds*	\$6,690

* Includes General, Special Education and Pension Funds

Special Education Federal Flowthrough

Part B, Sec. 619, PK	\$20,856
IDEA Part B	\$496,670
Total	\$517,526

Special Education Placement Categories

Regular Classroom	217
Resource Room	107
Self-Contained Classroom	30
Separate Facility	
Regular Early Childhood	32
Age 3-5 Special Ed Prg	
Age 3-5 Other SE Locations	
Total	398

American College Test (ACT)

English	22.6
Math	24.2
Reading	23.8
Science	23.4
Composite Score	23.7
Number Tested	127

December 2007 Federal Child Count

Deaf-Blind	
Emotionally Disturbed	20
Mental Retardation	31
Hearing Impaired	
Learning Disabled	220
Multiple Disabilities	12
Orthopedic Impairment	
Visually Impaired	
Deaf	
Speech/Language	60
Other Health Impaired	
Autism	17
Traumatic Brain Injury	
Developmental Delay	25
Total	398

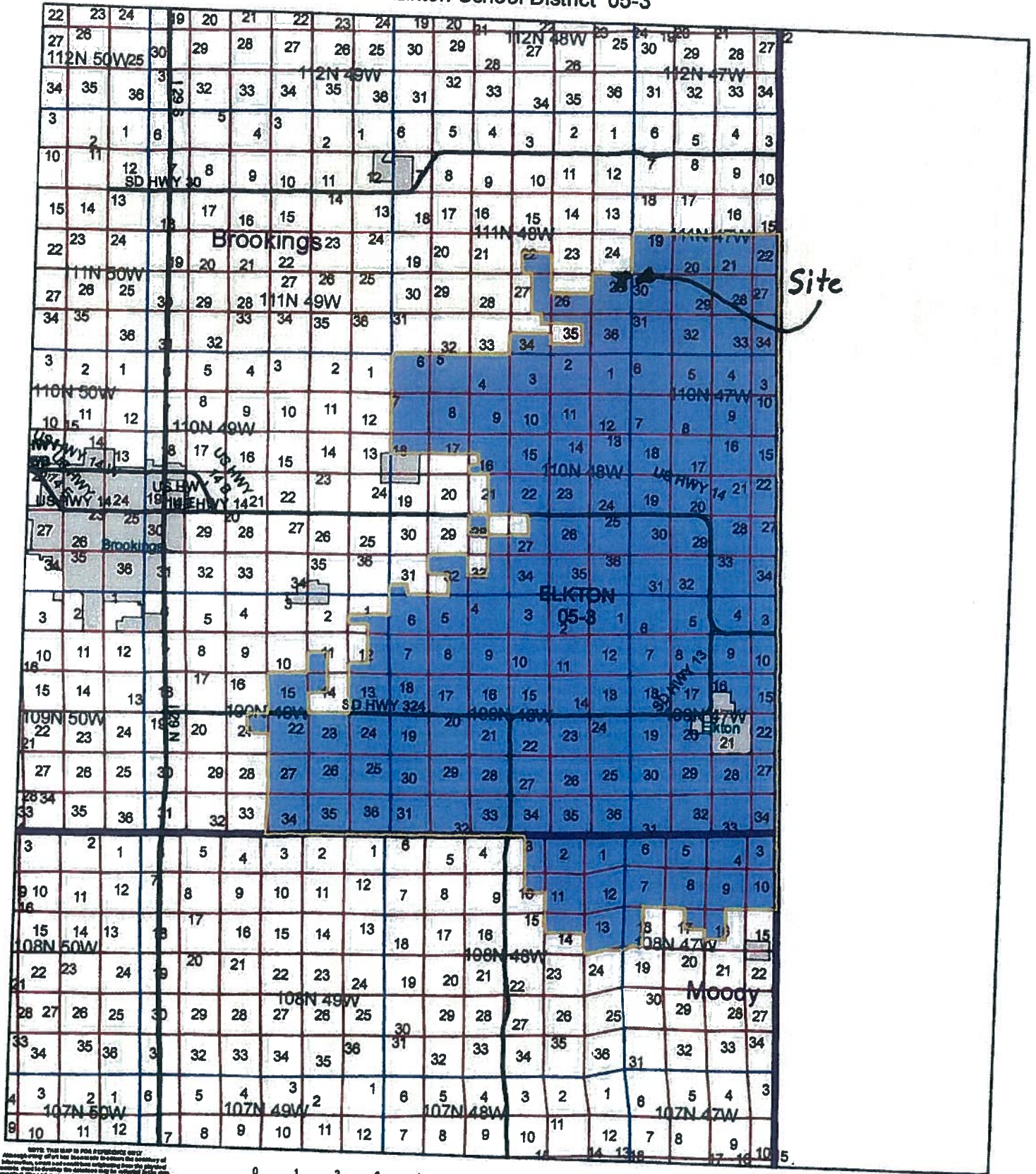
Teaching Staff Data

Average Teacher Salary	\$38,661
Experience Adjusted Salary	\$35,878
Avg Years of Experience	18.2
% with Advanced Degrees	23.2%
Certified Instructional Staff	175.7
Classroom Staff	0.0

*No Special Education or ACT data are reported when less than ten students are reported.

*No Free/Red. Lunch Eligible data are reported when greater than 90%.

Elkton School District 05-3



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Prepared July 2008



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2007-2008 Profile of Elkton School District 05-3

508 S Buffalo St, Elkton, SD 57026

Home County: Brookings

Area in Square Miles: 150

Revenue

	General	Capital Outlay	Special Education	Pension
Local	\$1,112,311	\$338,656	\$197,044	\$39,484
County	\$24,809	\$0	\$0	\$0
State	\$1,013,773	\$0	\$227,424	\$0
Federal	\$47,509	\$0	\$68,844	\$0
Total	\$2,198,401	\$338,656	\$493,312	\$39,484

Expenditures

	General	Capital Outlay	Special Education	Pension
K-12 Instruction	\$1,180,553	\$43,492	\$249,561	\$0
PK Instruction	\$17,158	\$0	\$14,952	\$0
Adult Instruction	\$0	\$0	\$0	\$0
Student/Staff Services	\$72,971	\$1,432	\$114,788	\$0
Administration Services	\$283,612	\$0	\$0	\$0
Transportation Services	\$103,356	\$63,000	\$23,108	\$0
Other Support Services	\$272,718	\$80,480	\$37,733	\$0
Community Services	\$0	\$0	\$0	\$0
Non-Programmed	\$0	\$0	\$0	\$44,547
Debt Service	\$0	\$128,517	\$0	\$0
Co-Curricular	\$93,127	\$3,782	\$0	\$0
Total Expenditures	\$2,023,494	\$320,704	\$440,140	\$44,547

Other Fund Data

	Revenue	Expenditures
Bond Redemption	\$151,929	\$145,460
Capital Projects	\$0	\$0
Other Special Revenue	\$0	\$0
Enterprise Funds	\$135,125	\$138,548

Ending Fund Balance

General	\$717,185
Capital Outlay	\$529,965
Special Education	\$49,091
Pension	\$158,973

State Aid

General Aid	\$953,935
Special Education	\$26,787
Sparsity	\$0
Reorganization Incentive	\$0
Extraordinary Cost Fund - SE	\$200,637
Total State Aid	\$1,181,359

2007 Payable 2008 Taxable Valuations

Agricultural	\$89,266,325
Owner Occupied	\$29,221,778
Non-Ag Z	\$2,345,715
Other Non-Ag/Utilities	\$12,350,295
Total	\$133,184,113

2007 Payable 2008 Levy per Thousand

Agricultural	\$4.39
Non-Ag Z	\$6.01
Owner Occupied	\$6.90
Other Non-Ag/Utilities	\$14.76
Special Education	\$1.40
Capital Outlay	\$2.50
Bond Redemption	\$1.10
Pension Fund	\$0.30

*District has opted out of General Fund levy

Student Data

Fall 2007 PK-12 Enrollment	281
Fall 2007 K-12 Fall Enrollment	281
Open Enrolled Students Rec'd	26
Home School ADM	18.860
Fall 2007 State Aid Fall Enroll.	239.50
District Dropout Rate	0.0%
% Eligible for Free/Red. Lunch	37.4%
% Special Needs Students	9.6%
Students Transported	133
Student to Staff Ratio	10.8
District Attendance Rate	96.1%
Number of Graduates	27

Enrollment

	ADA	ADM
K-8	181.594	188.936
9-12	90.795	94.565
Total	272.389	283.501

Cost per ADM

General Fund Only	\$7,058
Educational Funds*	\$8,495

* Includes General, Special Education and Pension Funds

Special Education Federal Flowthrough

Part B, Sec. 619, PK	\$1,673
IDEA Part B	\$59,696
Total	\$61,369

Special Education Placement Categories

Regular Classroom	16
Resource Room	
Self-Contained Classroom	
Separate Facility	
Regular Early Childhood	
Age 3-5 Special Ed Prg	
Age 3-5 Other SE Locations	
Total	27

American College Test (ACT)

English	20.6
Math	21.4
Reading	20.3
Science	21.1
Composite Score	21.1
Number Tested	19

December 2007 Federal Child Count

Deaf-Blind	
Emotionally Disturbed	
Mental Retardation	
Hearing Impaired	
Learning Disabled	13
Multiple Disabilities	
Orthopedic Impairment	
Visually Impaired	
Deaf	
Speech/Language	
Other Health Impaired	
Autism	
Traumatic Brain Injury	
Developmental Delay	
Total	27

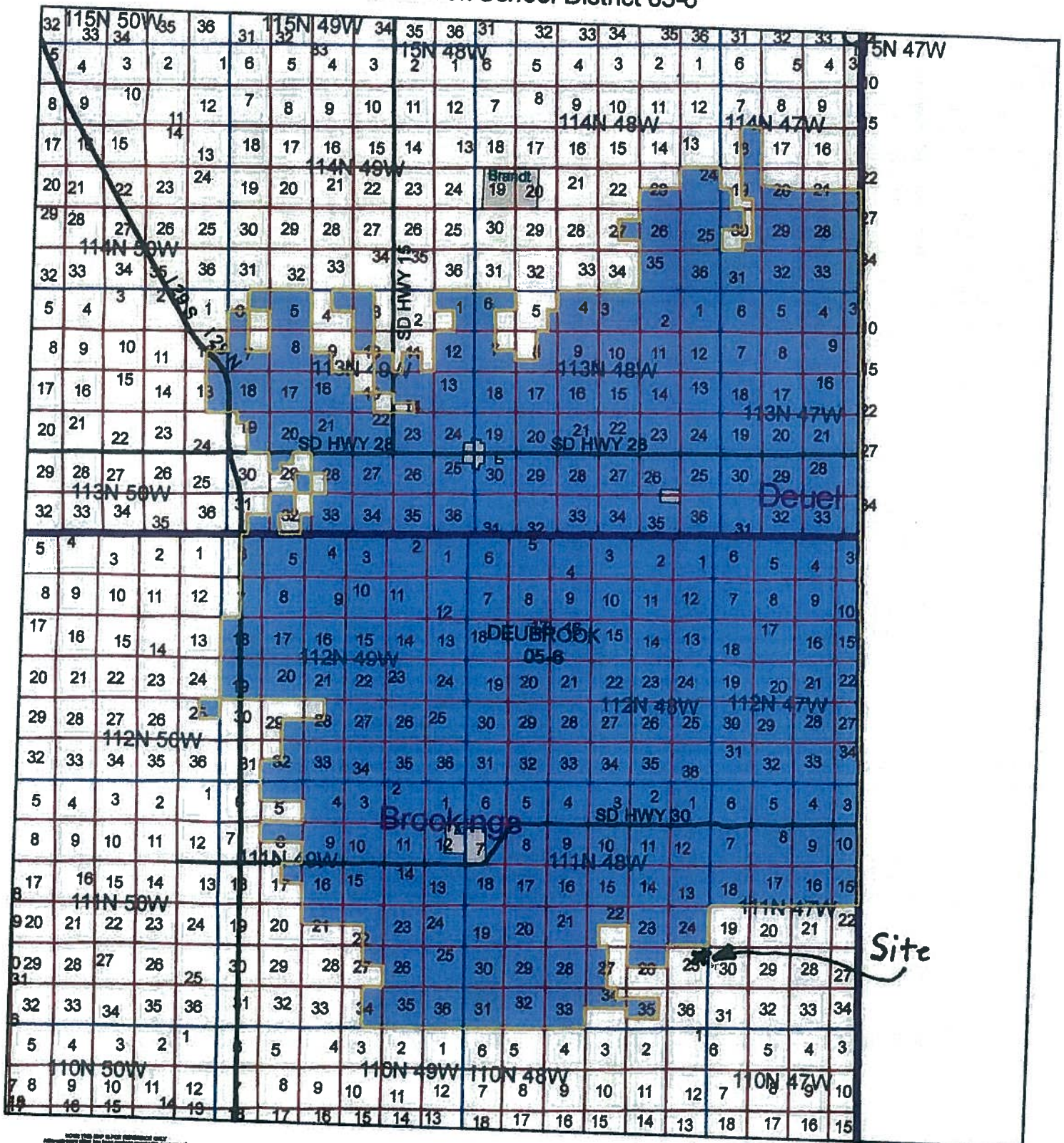
Teaching Staff Data

Average Teacher Salary	\$33,774
Experience Adjusted Salary	\$32,075
Avg Years of Experience	19.9
% with Advanced Degrees	10.7%
Certified Instructional Staff	25.9
Classroom Staff	0.0

*No Special Education or ACT data are reported when less than ten students are reported.

*No Free/Red. Lunch Eligible data are reported when greater than 90%.

Deubrook School District 05-6



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Prepared July 2006





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2007-2008 Profile of Deubrook Area School District 05-6

100 School Ave, White, SD 57276

Home County: Brookings

Area in Square Miles: 250

Revenue

	General	Capital Outlay	Special Education	Pension
Local	\$1,156,779	\$602,807	\$271,900	\$68,701
County	\$37,914	\$274	\$128	\$27
State	\$1,218,148	\$0	\$115,496	\$0
Federal	\$113,981	\$0	\$83,100	\$0
Total	\$2,526,822	\$603,081	\$470,624	\$68,728

Other Fund Data

	Revenue	Expenditures
Bond Redemption	\$0	\$0
Capital Projects	\$0	\$0
Other Special Revenue	\$0	\$0
Enterprise Funds	\$187,483	\$214,879

Ending Fund Balance

General	\$601,398
Capital Outlay	\$1,062,919
Special Education	\$15,765
Pension	\$299,023

State Aid

General Aid	\$1,152,400
Special Education	\$5,156
Sparsity	\$0
Reorganization Incentive	\$0
Extraordinary Cost Fund - SE	\$110,340
Total State Aid	\$1,267,896

Expenditures

	General	Capital Outlay	Special Education	Pension
K-12 Instruction	\$1,395,968	\$162,390	\$319,421	\$56,413
PK Instruction	\$14,603	\$1,815	\$19,840	\$793
Adult Instruction	\$0	\$0	\$0	\$0
Student/Staff Services	\$194,204	\$36,212	\$119,081	\$9,053
Administration Services	\$219,157	\$4,327	\$0	\$8,756
Transportation Services	\$153,649	\$25,000	\$0	\$0
Other Support Services	\$412,496	\$205,515	\$0	\$12,409
Community Services	\$6,200	\$0	\$0	\$0
Non-Programmed	\$0	\$0	\$0	\$8,138
Debt Service	\$0	\$100,506	\$0	\$0
Co-Curricular	\$103,284	\$16,674	\$0	\$2,207
Total Expenditures	\$2,499,562	\$552,440	\$458,342	\$97,769

**2007 Payable 2008
Levy per Thousand**

**2007 Payable 2008
Taxable Valuations**

Agricultural	\$129,281,709
Owner Occupied	\$43,028,456
Non-Ag Z	\$3,190,841
Other Non-Ag/Utilities	\$25,013,723
Total	\$200,514,729

Agricultural	\$3.20
Non-Ag Z	\$4.38
Owner Occupied	\$5.03
Other Non-Ag/Utilities	\$10.76
Special Education	\$1.40
Capital Outlay	\$3.00
Bond Redemption	\$0.00
Pension Fund	\$0.30

*District has opted out of
General Fund levy

Student Data

Fall 2007 PK-12 Enrollment	377
Fall 2007 K-12 Fall Enrollment	377
Open Enrolled Students Rec'd	19
Home School ADM	4.000
Fall 2007 State Aid Fall Enroll.	383.00
District Dropout Rate	1.0%
% Eligible for Free/Red. Lunch	22.3%
% Special Needs Students	11.4%
Students Transported	350
Student to Staff Ratio	11.9
District Attendance Rate	97.7%
Number of Graduates	25

Enrollment

	ADA	ADM
K-8	249.214	252.769
9-12	133.436	138.960
Total	382.650	391.729

Cost per ADM

General Fund Only	\$6,070
Educational Funds*	\$7,352

* Includes General, Special Education and Pension Funds

Special Education Federal Flowthrough

Part B, Sec. 619, PK	\$2,219
IDEA Part B	\$79,443
Total	\$81,662

Special Education Placement Categories

Regular Classroom	33
Resource Room	
Self-Contained Classroom	
Separate Facility	
Regular Early Childhood	
Age 3-5 Special Ed Prg	
Age 3-5 Other SE Locations	
Total	43

American College Test (ACT)

English	22.8
Math	25.0
Reading	24.6
Science	23.4
Composite Score	24.1
Number Tested	16

December 2007 Federal Child Count

Deaf-Blind	
Emotionally Disturbed	
Mental Retardation	
Hearing Impaired	
Learning Disabled	30
Multiple Disabilities	
Orthopedic Impairment	
Visually Impaired	
Deaf	
Speech/Language	
Other Health Impaired	
Autism	
Traumatic Brain Injury	
Developmental Delay	
Total	43

Teaching Staff Data

Average Teacher Salary	\$32,319
Experience Adjusted Salary	\$32,171
Avg Years of Experience	16.3
% with Advanced Degrees	13.9%
Certified Instructional Staff	31.6
Classroom Staff	0.0

*No Special Education or ACT data are reported when less than ten students are reported.

*No Free/Red. Lunch Eligible data are reported when greater than 90%.

HEDA

Hendricks Economic Development Authority

P.O. Box 86
Hendricks, MN 56136

toothman@itctel.com
polson@itctel.com

Resolution of Support Deer Creek Power Plant

WHEREAS, Basin River Power Co-Op proposes to develop the Deer Creek Power Plant near Hendricks in east-central South Dakota, and,

WHEREAS, we find the project to be:

- Important in meeting current and future demands for electricity with non-foreign energy sources,
- Environmentally friendly in its use of natural gas and creative re-use of heat produced in the power generation process,
- Of significant potential economic benefit to our area in terms of short-term and long-term housing opportunities,

NOW THEREFORE BE IT RESOLVED, that the Hendricks Economic Development Authority extends its enthusiastic support for the Deer Creek Power Plant and urges approval of all permits which are necessary for the project.

Done this 7th day of July, 2009.


Brad Olson, EDA President


Paul Olson, EDA Secretary

Brookings County Commission

314 6th Avenue, Suite 2

Brookings, SD 57006-2041

Phone: (605) 696-8205

Fax: (605) 696-8208

Email: commission@brookingscountysd.gov ♦ Website: <http://www.brookingscountysd.gov>



June 9, 2009

South Dakota Public Utilities Commission
500 E. Capital
Pierre, SD 57501

Dear Commissioners:

The Brookings County Commission would like to go on record showing support for the application that Basin Electric is making for the proposed Deer Creek Station Project. The County Commission has been informed about the project and as a unified body this commission supports the utilization of local resources when they are available.

Please contact Stephanie Vogel, Commission Assistant, at 605-696-8205 if you have any questions pertaining to this letter.

Sincerely,

Donald Larson, Chairperson
Brookings County Commission

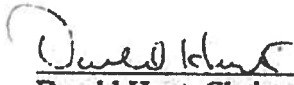
**Deuel County
Resolution #09-10**

WHEREAS, the Deuel County Commission believes that a ready supply of affordably-priced electricity is a necessity for rural South Dakota residents and;

WHEREAS, the Commissioners believe that Basin Electric Power Cooperative's proposed Deer Creek Station power plant is a responsible project that will supply needed electricity for rural South Dakota residents and businesses, and that the construction and operation of the proposed power plant will benefit the economy of Deuel County and eastern South Dakota;

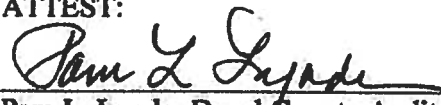
NOW THEREFORE BE IT RESOLVED, that the Deuel County Commissioners support the efforts of Basin Electric Power Cooperative to build the proposed Deer Creek Station.

Dated this 2nd day of June, 2009.



Darold Hunt, Chairman
Deuel County Commissioners

ATTEST:



Pam L. Lynde, Deuel County Auditor

Tim Reed

Office of the Mayor
311 Third Avenue
Post Office Box 270
Brookings, South Dakota 57006
(605) 692-6281 phone
(605) 692-6907 fax

June 23, 2009

To Whom It May Concern:

The City of Brookings is pleased to support Basin Electric's proposed Deer Creek Station Project which will help alleviate the demand for affordable electric power. The project will not only benefit Brookings, but also greater South Dakota.

Deer Creek Station will contribute to the economic viability and development in the area. The thirty permanent positions and the temporary construction workforce for the project are welcome to live, eat, play and enjoy everything Brookings has to offer.

A new, large-scale construction project may bring temporary challenges to local infrastructure, but the City of Brookings will work with Basin Electric and Brookings County in seeking solutions for any issues that may arise.

The need for energy is perpetual. The City of Brookings would be proud to have the Deer Creek Station Project part of our community.

Sincerely,



Tim Reed
Mayor, City of Brookings

**A RESOLUTION OF SUPPORT FOR THE PROPOSED
DEER CREEK STATION POWER PLANT PROJECT.**

WHEREAS, the City of Elkton believes that the future growth and economic vitality for all communities in South Dakota depend on an adequate supply of affordable electric power.

WHEREAS, Basin Electric Power Cooperative has announced its intention to construct the Deer Creek Station near Elkton.

WHEREAS, Basin Electric Power Cooperative's proposed Deer Creek Station power plant will supply electricity to help meet South Dakota's growing demands for energy.

WHEREAS, the construction of this proposed power plant will bring temporary workers whose local spending will strengthen communities such as Elkton businesses.

WHEREAS, the Deer Creek Station Project will bring new 30 permanent operational jobs to the area, and these permanent workers and their families will strengthen the economic viability of communities such as Elkton.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELKTON, SOUTH DAKOTA, that the city of Elkton South Dakota supports Basin Electric's proposed Deer Creek Station Project and associated gas pipeline and transmission delivery line.

Adopted this 4 day of May, 2009.


David Landsman, Mayor

ATTEST:


Susan Schuurman
Finance Officer

AGREEMENT FOR USE AND RESTORATION OF HAUL ROAD

Basin Electric Power Cooperative agrees to help maintain roads in SCANDINAVIA Township that may be damaged by the construction of the Deer Creek Station. This includes watering the road as necessary for dust control, blading as needed, gravel, and/or other repairs beyond normal maintenance. Basin Electric Power Cooperative or its assignee will be completing the work.

An inspection of the affected township roads will be made, preferably not to exceed thirty days prior to expected initiation of construction of the Deer Creek Station. The Inspection Report will determine the existing condition of the haul road, including the type, thickness, and width of surface material in place. After preparation of the Inspection Report, it shall be signed by Basin Electric Power Cooperative and the Township's Authorized Representative.

Upon completion of construction Basin Electric Power Cooperative agrees to restore affected township road beds to the conditions as reported in the Inspection Report.

BY: [Signature]
Authorized Representative
Basin Electric Power Cooperative

DATE: 10/15/09

BY: [Signature]
Authorized Representative
SCANDINAVIA Township

DATE: 10/15/09

AGREEMENT FOR USE AND RESTORATION OF HAUL ROAD

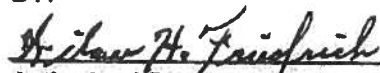
Basin Electric Power Cooperative agrees to help maintain roads in Alton Township that may be damaged by the construction of the Deer Creek Station. This includes watering the road as necessary for dust control, blading as needed, gravel, and/or other repairs beyond normal maintenance. Basin Electric Power Cooperative or its assignee will be completing the work.

An inspection of the affected township roads will be made, preferably not to exceed thirty days prior to expected initiation of construction of the Deer Creek Station. The Inspection Report will determine the existing condition of the haul road, including the type, thickness, and width of surface material in place. After preparation of the Inspection Report, it shall be signed by Basin Electric Power Cooperative and the Township's Authorized Representative.

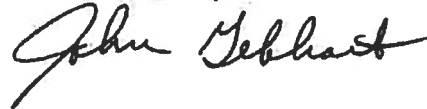
Upon completion of construction Basin Electric Power Cooperative agrees to restore affected township road beds to the conditions as reported in the Inspection Report.

BY: 
Authorized Representative
Basin Electric Power Cooperative

DATE: 10/26/09

BY: 
Authorized Representative
Alton Township

DATE: 10-20-09



AGREEMENT FOR USE AND RESTORATION OF HAUL ROAD

Basin Electric Power Cooperative agrees to help maintain roads in Richland Township that may be damaged by the construction of the Deer Creek Station. This includes watering the road as necessary for dust control, blading as needed, gravel, and/or other repairs beyond normal maintenance. Basin Electric Power Cooperative or its assignee will be completing the work.

An inspection of the affected township roads will be made, preferably not to exceed thirty days prior to expected initiation of construction of the Deer Creek Station. The Inspection Report will determine the existing condition of the haul road, including the type, thickness, and width of surface material in place. After preparation of the Inspection Report, it shall be signed by Basin Electric Power Cooperative and the Township's Authorized Representative.

Upon completion of construction Basin Electric Power Cooperative agrees to restore affected township road beds to the conditions as reported in the Inspection Report.

BY:


Authorized Representative
Basin Electric Power Cooperative

DATE: 11/2/09

BY:


Authorized Representative
Richland Township

DATE: 10-27-09

AGREEMENT FOR USE AND RESTORATION OF HAUL ROAD

Basin Electric Power Cooperative agrees to help maintain roads in Lake Hendricks Township that may be damaged by the construction of the Deer Creek Station. This includes watering the road as necessary for dust control, blading as needed, gravel, and/or other repairs beyond normal maintenance. Basin Electric Power Cooperative or its assignee will be completing the work.

An inspection of the affected township roads will be made, preferably not to exceed thirty days prior to expected initiation of construction of the Deer Creek Station. The Inspection Report will determine the existing condition of the haul road, including the type, thickness, and width of surface material in place. After preparation of the Inspection Report, it shall be signed by Basin Electric Power Cooperative and the Township's Authorized Representative.

Upon completion of construction Basin Electric Power Cooperative agrees to restore affected township road beds to the conditions as reported in the Inspection Report.

BY:



Authorized Representative
Basin Electric Power Cooperative

DATE: 11/2/09

BY:



Authorized Representative - Clerk
Lake Hendricks Township

DATE: 10/28/2009



1815 Third Street
Brookings, SD 57006
jong@swiftel.net
605-691-4015

December 1, 2009

Brookings County Planning Commission
601 4th Street, Suite 105
Brookings, SD 57006

I attended the Brookings County Planning Commission meeting held Tuesday, December 1, 2009, at 7 PM at the Brookings County Resource Center in Brookings. One of the items on the agenda was an application for a conditional use for the Deer Creek Facility and its accoutrements such as water line and transmission line and gas pipeline.

Basin Electric was represented by Gavin McCollam Project Manager, David Erickson Lead Civil Engineer, Kelly Suko ROW Agent, Cris Miller Environmental Coordinator and Nancy Beech local onsite assistant. They gave a short presentation and answered questions from the Planning Commissioners. Highlights of the presentation included:

The plant is 54% efficient in relation to coal plants that are 30%

31 full time employees anticipated

Basin has road agreements with Lake Hendricks, Richland and Alton townships

They expect to have all permits by July of 2010 and will immediately start construction

Operation is planned for June of 2012

They will have the cost of the jumper bridge when bids are received in January

There were no questions or comments from the audience. Only two landowners attended the meeting and they talked privately with Basin staff after the meetings.

The Brookings County Planning Commission unanimously approved the requested conditional use. The findings of fact and conditions were as follows:

PUC approval is required

SD DENR Permits are required

No burning of construction debris

16 SQFT construction signs are allowed

Sherman Township road agreement is required prior to construction

Road agreements are required between Brookings County Highway Department and Basin Electric Power Cooperative

A copy of the Conditional Use Permit Application and Permit # 2009cu017 are attached.


Gregg E. Jongeling

APPLICATION FOR CONDITIONAL USE PERMIT

Date of Application: November 10, 2009

Permit Number: 2009CU017

To: **Brookings County Planning Commission**
601 4th St, Suite 105
Brookings, South Dakota 57006

A.) I/We, the undersigned property owner (s), do hereby petition the Brookings County Planning & Zoning Commission of Brookings County, South Dakota, to grant a Conditional Use to the Brookings County Zoning Regulations for the purpose of:

Basin Electric Power Cooperative is proposing to construct and own a 300-megawatt (MW) (net) combined-cycle natural gas energy conversion facility and associated linear facilities. Main components of the project include the combined-cycle natural gas energy conversion facility, 1.5-mile-long water pipeline and associated well, a 0.75-mile-long transmission line, and a 13.2-mile-long natural gas pipeline.

B.) Section(s) of Zoning Regulations authorizing Conditional Use:

Brookings County Zoning Ordinance, Article 5.00 provides general conditional use requirements. Article 11.00 indicates conditional uses allowed in areas that are zoned Agricultural.

C.) Legal Description of Property:

Energy conversion facility site: NE quarter of T111N R48W Sect. 25
Well site and water pipeline: SE quarter of T111N R48W Sect. 25 and
NE quarter of T111N R48W Sect. 36.
Natural gas pipeline: T111N R48W Sect. 25, 24, and 13; T111N R47W
Sect. 18, 7, 6, and T112N R47W Sect. 32, 29,
20, 19, 18, 7, 8, 6 and 5, T113N R47W Sect. 31 and 30.

Form continued on page 2

D.) Time and Date Set for
Hearing before Brookings
County Planning Commission.

December 1st 2009
Date

7:00 P.M.
Time

Approved

Rejected

12-1-2009
Date

Dwaine Hunt
Chairman of Brookings County Planning
and Zoning Commission

Gavin McCollam
Person filing petition – print

Gavin McCollam
Person filing petition – sign

1717 East Interstate Avenue
Address

Bismarck
City

North Dakota
State

58503-0564
Zip Code

(701) 223-0441
Telephone

A conditional use that is granted and not used within three (3) years will be considered invalid.

SKETCH

Please draw a sketch of the site. Show both the existing and the proposed structures. Include the location of public roads, septic treatment systems, feedlots, streams, lakes and drainage areas.

N

SEE ATTACHED PERMIT APPLICATION PACKET.

Name: _____

Address: _____

BROOKINGS COUNTY ZONING

CONDITIONAL USE PERMIT # 2009cu017

An Application for a Conditional Use Permit having been filed with the Brookings County Zoning Commission, a copy of the Application being attached hereto. Such Application being made by: Basin Electric Power Cooperative by Gavin McCollam, regarding the following real property: (legal description):

"NE1/4 of Section 25, SE1/4 of Section 25, NE1/4 of Section 36, Sections 24, 25, 13 all in T111N, R48W (Sherman Township); Sections 18, 7, 6 of T111N, R47W(Lake Hendricks Township); Sections 32, 29, 20, 19, 18, 7, 8, 6, 5 of T112N, R47W (Lake Hendricks Township).

After due notice, a public hearing having been held on the Application on the 1st day of December 2009.

1. The Brookings County Zoning Commission hereby finding that it is empowered to grant such Conditional Use under the following Section(s) of the Brookings County Zoning Ordinance: Article 11: Section 11.01: "A" Agricultural District and further finding that the granting of the Conditional Use will not adversely affect the public interest.

2. The Brookings County Zoning Commission further finds and certifies that the following specific rules governing the conditional use requested will be complied with:

(list as applicable)

PUC Approval is required.
SD DEUR Permits are required.

3. The Brookings County Zoning Commission further finds that satisfactory provisions and arrangements have been made concerning the following, where applicable:

- a. Entrance and exit to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Requirements: (if any) 484th Ave
Entrance off of

- b. Off-street parking and loading areas where required, with particular attention to the items in (a) above and the economic, noise, glare or other effects of the special exception on adjoining properties and properties generally in the district.

Requirements: (if any) NO COMMENTS

- c. Utilities, refuse and service areas, with reference to locations, availability, and compatibility.

Requirements: (if any) NO burning of construction debris
Trash hauling service will be used.

- d. Screening and buffering with reference to type, dimensions and character.

Requirements: (if any) NO COMMENTS

- e. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district.

Requirements: (if any) 16 sq ft signs
Construction signs are allowed.

- f. Required yards and other open spaces.

Requirements: (if any) NO COMMENTS

- g. General compatibility with adjacent properties and other property in the district.

Requirements: (if any) Comprehensive plan requirements met for agricultural district.

4. The Brookings County Zoning Commission further determines and conditions this Conditional Use Permit upon the following additional special conditions or safeguards:

Sherran Township road agreement is required prior to construction.

Road Agreements ^{are} ~~are~~ required between Brookings County Highway Department and Basin Elec Power Corp.

The Brookings County Zoning Commission by two-thirds (2/3) vote of its full membership hereby grants the above Petitioner(s) a Conditional Use Permit for the above described real property for the use as follows:

A natural gas power plant.

This Conditional Use Permit is specifically conditioned upon initial and continued compliance with all of the requirements and conditions in 3 and 4 above and upon compliance with all applicable provisions of the Brookings County Zoning Ordinance.

The Brookings County Zoning Director is ~~is~~ ^{is} authorized to issue any required building permits for construction consistent with the requirements of this Conditional Use Permit.

Dated this 1st day of December 2009.


Chairman Brookings County
Zoning Commission



1815 Third Street
Brookings, SD 57006
long@swiftel.net
605-691-4015

Brookings County Highway Department

Highway Superintendent Larry Jensen

605-696-8271

October 15, 2009

I met with Supt. Larry Jensen at 1PM in his office at 422 Western Avenue in Brookings. We discussed the project and its probable effects on the road system, both County and Township, during and after construction. Mr. Jensen had received a copy of the Traffic and Transportation Technical Report developed for Basin Electric by Burns & McDonnell.

He has been working with wind tower installations in the area and with the development of the electrical sub-stations already in place near the site of the proposed Deer Creek Energy Conversion Station. He has been contacted by contractors who will be working on the project and who will be providing heavy haul services to the site. He is satisfied with the amount and timeliness of information being provided.

I posed the following questions that had come up during a review of the project and transportation technical report:

1. Is 207th St from 482nd Ave to 484th Ave county or township responsibility?
 - a. This two miles of road is the responsibility of Sherman Township. Craig Haber at 690-7346 is his contact. Mr. Haber and the township board has met with Basin Electric about road issues.
2. Who maintains bridges on township roads? Who replaces them?
 - a. The County does bridge maintenance and is responsible for bridge replacement. The County will install culverts but at that time the culvert maintenance becomes the township's responsibility.
3. Why are there no load limits on the bridge on 207th 0.2 mi east of 484th?
 - a. This bridge is rated to carry legal loads. However, the bridge 0.5 mi east of 484th has weight restrictions of 17T/28T/32T.
4. Heavy haul is planned for 484th from US 14 to site. The bridge just south of 207th is posted for 7T. The contractor is proposing to place a jumper bridge. It has been suggested that the contractor pay part of the cost of a permanent fix such as a new bridge or replacement culverts. What are your thoughts?
 - a. He had been approached just this morning about the possibility of replacing the bridge with culverts. This bridge is between Sherman and Richland Township. When replaced the townships would be responsible for maintenance.

- b. Mr. Jensen would support this replacement and would like to have Basin Electric participate to the extent that they will be benefited by not having to install a “jumper” bridge over the current structure. This would be a permanent solution to the problem of hauling heavy equipment into this area. It is likely that more transformers will be needed for generation expansion in the area in the future.

- 5. Burns and McDonnell proposed pavement on some county roads at intersections and along the east side of the site (484th). Is this something you wish to see done?
 - a. Mr. Jensen is in favor of the installation of asphalt pavement as detailed in the Burns & McDonnell Transportation Technical Report. He agrees that the intersections will become wash-boarded and difficult to maintain. This will also cut down on dust at the intersections so traffic can be better observed for safety.

- 6. Burns and McDonnell proposed road signing for construction routes. Are these the routes you wish to have used? Were you contacted by the engineers?
 - a. The proposed routes are serviceable and will carry the worker traffic. Haul road agreements will be required from the various contractors who wish to utilize the County Roads for construction activity.
 - b. Over weight and over width permits are required by the county for each load being brought onto Brookings County roads. Mr. Jensen has already been in contact with many of the possible contracting companies to make them aware of this requirement. Spring load limits will be in effect during much of March and April and allow only a 7 ton per axle loading.

- 7. Burns and McDonnell proposed taking down the stop sign for 207th entering 484th and putting a yield sign on 484th/207th. What is your opinion of this change?
 - a. If the proposed paving is to be done at the intersection of 207th St and 484th Ave the driver expectations at the intersection will change. He believes that further study is needed at this intersection in the interest of safety.
 - i. Sight distance from the north is not good. When the road is reworked the hill should be cut down.
 - ii. It may be advisable to reconstruct the intersection as a 90 deg crossing and install four way stops. This could be done with no additional ROW and would provide the safest possible condition.

- 8. Burns and McDonnell proposed dust control as needed. Has the county done any of this? What has been successful?
 - a. The county does not provide dust control. If a resident wishes to have dust control applied by a private contractor the resident must obtain a Permit for Self-Application of Dust Control. Mr. Jensen is aware of at least one local contractor in Bruce, SD (Dust Control LLC) and one general contractor in Brookings (Bowes Construction) that will apply a dust control treatment. Magnesium chloride is most often used for dust control.

- b. Mr. Jensen believes that significant dust control measures must be anticipated by the responsible contractors on this project. Basin Electric should be aware of this need and make provisions to have it done as necessary during the life of the construction project. The County permit process will still apply.
9. Haul road maintenance agreements may be used. What has been your experience with these? Can you control legally loaded vehicles? Can load limits be applied to township roads?
- a. Haul road maintenance agreements are routinely used by the County. He has assisted the townships in getting the agreements but asks that a township supervisor be present at the inspections of before and after conditions.
 - b. Problems can arise when more than one contractor is utilizing the same road during the same time period and when loads are arriving at unscheduled times. This has been a problem and the County will do its best to monitor the situation during the project. Having a good working relationship with each contractor is critical and the staff will do their best to establish that relationship.
 - c. Mr. Jensen has advised Basin Electric that they may need to designate haul roads in their contracting process so that each contractor is aware of his responsibility to get an agreement and to adhere to the contractually designated routes.

Mr. Jensen noted that a project involving the installation of 130 wind driven turbines has just begun with the construction headquarters located north of White near the county line. This project will span an area near the proposed Deer Creek Energy Conversion Project. Also, work continues on the sub-station near the site and on a major electric transmission line leading to the sub-station. Basin Electric will be contracting for installation of a 13 mile long natural gas pipeline from the Northern Border Pipeline to the Deer Creek site. All of this construction will result in additional traffic from workers, contractor truck and equipment traffic, and possible increased deterioration of county and township roads.

Items for LRC discussion:

1. Immediately begin a study and discussion of the replacement of the bridge on 484th Ave just south of 207th St.
2. Have a study of the intersection of 207th/484th done to determine the best geometrics of grade and alignment. Determine the necessary signage which will provide adequate protection for the traveling public and the contractor's employees.

I interviewed Larry Jensen, Brookings County Highway Superintendent, at the Brookings County Highway Department office on Thursday, October 15, 2009, at 1 PM.


Gregg E. Jongeling



1815 Third Street
Brookings, SD 57006
jong@swiftel.net
605-691-4015

Brookings County Sheriff's Department

Sheriff Marty Stanwick 605-696-8300

October 20, 2009

1. From experience with the construction of the Soybean Plant in Volga and the Verasun Plant in Aurora have you any concerns about the proposed construction of the Basin Electric Deer Creek Plant by White?
 - a. During these construction projects there were no big problems. The Sheriff's Department received some noise complaints from a campground at Danceland where a number of workers were staying in campers.
2. Burns and McDonnell proposed road signing for construction routes. Are these the routes you wish to have used? Were you contacted by the engineers?
 - a. I was not contacted during the study. He can see that there may be a concern with the two miles of Sherman township road (207th St from 482nd to 484th Avenue) due to its width and condition.
3. Burns and McDonnell proposed taking down the stop sign for 207th entering 484th and putting a yield sign on 484th/207th. What is your opinion of this change?
 - a. In the country no one stops for stop signs. He has a concern for the change in signage suggested in the Burns & McDonnell Transportation Study at the intersection of 207th St and 484th Ave. This intersection requires further study as to geometrics and signage.
4. Burns and McDonnell proposed dust control as needed. Have you received complaints in the past about dust and speeding traffic in the rural areas due to construction projects?
 - a. We have received dust complaints for many reasons. If someone in an area does not like a project they do tend to complain more quickly about dust or other project related activity. He saw this with detours in Aurora. Dust can create complaints.
5. Do you feel that the Brookings County Sheriffs Department is prepared to deal with the influx of temporary workers over the next two to three years?
 - a. Sheriff Stanwick feels that his department is prepared. They have one extra deputy now due to a COPS grant. This site is further from the

Sheriff's Office than the Aurora and Volga projects were and will be a little farther for his deputies to patrol. He expects to use the Retired Senior Volunteer Patrol to help cover the area.

6. Do you provide law enforcement services for White, Aurora, Elkton and Bushnell?
 - a. Yes

7. Are there any items of concern that the Local Review Committee should take under advisement?
 - a. When the wind tower projects were underway rolls of copper were stolen from the sites and some tools were also stolen.

I interviewed Sheriff Marty Stanwick at the Brookings Sheriff's Office on Tuesday, October 20, 2009, at 3:45 PM.


Gregg E. Jongeling



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City of Brookings Police Department

Jeff Miller, Chief of Police
Mark Stratton, Director of the Communications Division

605-692-2113
605-692-2113

October 20, 2009

1. From experience with the construction of the Soybean Plant in Volga and the Verasun Plant in Aurora have you any concerns about the proposed construction of the Basin Electric Deer Creek Plant by White?
 - a. Problems between co-workers did happen at motels. They had a couple of stabbings which are out of the ordinary for this area. Crime was mostly between workers and not with local residents. He expects that there will be a small amount of increased traffic.
2. Does the site have adequate cell phone coverage for 911 calls? Will the calls always be directed to the Brookings Communications Center?
 - a. Mark Stratton, Director of the Communications Division, expects that 911 calls will be directed to the Brookings Center if made from the construction site. He recommends that a test be made from the site to determine cell coverage and 911 response.
3. What will be the probable response procedures for sending ambulance and fire/rescue to the site?
 - a. Mark Stratton noted that the site is in the White ambulance and fire department coverage area. He noted that when a call requires acute care the Brookings ambulance will be sent as part of the response procedure.
4. Do you feel that the City of Brookings Police Department is prepared to deal with the influx of temporary workers over the next two to three years?
 - a. Chief Miller stated that his department is prepared to deal with the expected influx of construction workers within the City of Brookings.
5. Are there any items of concern that the Local Review Committee should take under advisement?
 - a. Both Chief Miller and Director Stratton answered "no".

I interviewed Chief Jeff Miller and Mark Stratton, Director of the Communications Division at the Brookings Police Department on Tuesday, October 20, 2009, at 3 PM.


Gregg E. Jongeling



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Robert Hill

**Brookings County Planning, Zoning and Drainage Director
601 4th Street, Suite 105
Brookings, SD 57006
605-696-8350
rhill@brookingscountysd.gov**

I met with Mr. Hill at his office on Wednesday, October 28, 2009, at 9 AM. I asked him if he was familiar with the project and he stated that Basin Electric had done a good job of keeping him and the Planning Commission well informed. The county was granted "party" status by the PUC for this project so they receive all communications. Mr. Hill also monitors the PUC website for information.

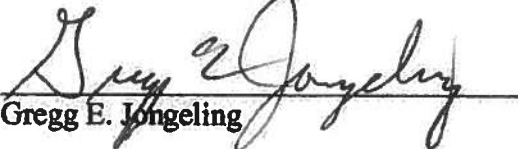
Brookings County has adequate zoning controls in place to handle the development of the Deer Creek Station project. The next step for Basin Electric will be to apply for a conditional use permit for the facility. There is a small application fee for this and the request will go to the Brookings County Planning Commission for their action. Contained in the permit will be a requirement that Basin Electric have road maintenance agreements in place with the county and the affected townships before construction begins.

A building permit will be required before construction can begin. This permit will generate a substantial fee for the county. During the construction process Mr. Hill expects to visit the site and area on a weekly basis to monitor progress and look for any problems of concerns.

Mr. Hill reiterated the energy construction projects that have been or are being permitted for the area. Minn Dakota was a group of wind driven turbines near the intersection of Us 14 (212th St) and County Road 35 (486th Ave). Buffalo Ridge I was a total of 24 wind driven turbines just east of this proposed project. Buffalo Ridge II is permitted for 130 towers with 87 expected to go in at this time. This project stretches northwesterly to Deuel County. Navitas is planning to install towers by 2011 in the area southeast of White. The county has received \$114,888 in permit fees for these projects so far. As a utility the wind tower projects are centrally assessed. Annual property taxes due for 2009 were Brookings County \$61,895, Richland Township \$5,125 and Elkton School District \$94,224.

From what Mr. Hill has gathered through meetings and conversations he feels that the main concern is traffic and road maintenance. The two mile stretch of Sherman Township 207th Street from 482nd Avenue to 484th Avenue has been raised as a concern. Property owners have expressed that the road is narrow and has very steep ditches. Farm equipment utilizing this two miles could be a hazard to workmen traveling the street. Mr. Hill has observed the intersection of 484th Avenue and 207th Street. He has a concern about sight distance from the north and traffic violating the stop sign from the south. He and I discussed the need for reconstruction of this intersection and we agreed that it needed to be discussed by the local review committee. The other concern is the bridge on 484th Avenue just south of 207th Street. This bridge is planned to be spanned by a temporary structure during heavy haul operations. He had heard comment that the cost of the temporary bridge should be offered to the county and township and they should investigate bridge replacement or culvert installation as a permanent fix for this bridge.

For reference Mr. Hill noted that the County now has a GIS Department headed by Jason Meusburger who is overseen by Commission Assistant Stephanie Vogel.


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Tom Davis
Land Owner and Alton Township Board 605-695-1394
48185 210th St
Elkton, SD

October 16, 2009

I had a phone conversation with Tom Davis at 9:30 AM. He had gotten my name from the PUC and had initiated the call. We discussed the project and its probable effects on the road system during construction. Mr. Davis, as a member of the Alton Township Board had received and reviewed the Traffic and Transportation Technical Report developed for Basin Electric by Burns & McDonnell.

His major concern is the two miles of Sherman Township road 207th Street from 482nd Avenue to 484th Avenue. He feels it is too narrow and has no shoulders. It is used as a haul road for his farming operation and he is concerned that the construction traffic will create a very unsafe situation. Construction trucks meeting farm equipment or trucks may be a serious safety hazard.

His solution to this problem is for the township, Excel Energy, Novitas wind energy and Basin Electric to share in the cost of rebuilding and widening this section of road. He is a land owner along most of the two mile section and will willingly cooperate with easements for construction.

I asked him about the bridge on 484th Avenue just south of 207th Street. He would like to see this bridge replaced. He understands that culverts may be the preferred method. Again, he owns land on the east side of the road and would be cooperative. He would like to see any needed hydraulics study be initiated as soon as possible. Mr. Davis suggested that cooperative funding be explored for this bridge replacement. It was his understanding that Sherman and Richland Townships share equally the cost of road maintenance on this segment of 484th Ave from 207th St to 208th St. He gave me a contact of Craig Habers for Sherman Township.

I asked about the intersection of 207th and 484th. The traffic study had suggested removing the stop sign and placing a yield on 207th from the east. He was concerned about the lack of sight distance from the north. We discussed the possibility of realigning the roads by removing the curve on County Road 36 and making the intersection a cross with four way stop signs. The hill from the north on 484th should be cut down if work is done on this section of road.


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November 2, 2009

Robert McGrath 605-693-3667
Director of Solid Waste for the City of Brookings

I met with Bob McGrath at his office at the Brookings Landfill at 11:45AM on Monday, November 02, 2009.

I asked Bob about his experiences during the construction of the Soybean Plant in Volga and the Verasun Ethanol Plant in Aurora. He was Director of Solid Waste during these projects. He stated that he had seen only traditional construction waste come in and that the volume was quite low. Most of the construction projects do a very good job of recycling so the waste stream is reduced.

Bob expects the waste and roll-offs to be delivered to the Brookings Landfill as this area up to Astoria tend to come to Brookings. The most likely solid waste services from Brookings are Waste Connections (Cooks) and Brookings Dumpster Service.

Brookings landfill can take soil contaminated with gas, oil or diesel fuel. They can also take other materials that may have some contamination if it is tested first and meets their standards.


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November 2, 2009

Highway Superintendent Larry Jensen
Brookings County Highway Department

605-696-8271

Larry called me today at 3PM. He wanted me to know that he had been contacted by representatives of Sherman Township regarding the bridge on 484th Ave just south of 207th St and the two miles of township road (207th St) from 482nd Ave to 484th Ave. The representatives wanted the bridge replaced and the two miles of road taken over by the county.

He told them that the bridge was not in a schedule to be replaced as some of them may have been led to believe. Larry told me that he had contacted Banner about the engineering needed to determine if culverts could go into the site to replace the bridge. The person from Banner was out until next week so it would be awhile before he would have an answer.

Larry stated that the representatives told him they were planning to go to the County Commission Meeting Tuesday (Nov 3) to discuss these items with them. Larry told them it was premature but he did not know if they had changed their minds.


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November 3, 2009

Henning Hansen, Supervisor
Joel Koch, Chair
Richland Township

605-542-5181
605-695-3009

I met with Mr. Hansen and Mr. Koch on Tuesday, November 03, 2009, at 10 AM after they had made a presentation to the Brookings County Commission.

Mr. Hansen noted that Richland Township shares the cost of maintenance of 484th Ave from 207th St to 206th St with Sherman Township. Richland takes care of the road and bills Sherman for half of the cost. The county takes care of bridge maintenance.

He and Mr. Koch stated that the township would like to see the bridge replaced or a box culvert installed or CMP put in place of the bridge. Farmers cannot cross the bridge with even a tractor or truck. The bridge load limit is as low as 7 tons. It is their opinion that funds that Basin Electric would expend to jumper the bridge in order to haul heavy loads over it could better be spent in sharing the cost of a replacement with the County.

They believe that 484th will become a major travel route when the two miles of 207th from 482nd to 484th become rough or damaged due to the major traffic expected on the route to be signed as the access to the Deer Creek site. Joel Koch suggested that Brookings County take over the two miles of Sherman Township road 207th St from 484th to 482nd. This would connect two county roads.

Mr. Koch and Jensen also stated that spring thaw and runoff on the steep hills will contribute to township road damage.

Mr. Hansen noted that there is a sight distance problem at the intersection of 207th St and 483rd Ave. Traffic coming from the south cannot see to the east. He feels that this should be looked at also.

I asked them their opinion of the safety problems at the intersection of 207th and 484th. They agreed that the sight distance from the north could contribute to accidents, especially when the traffic increases during construction.


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November 3, 2009

Brookings County Commission Meeting

Present:

Commissioners

Dennis Falken

Al Gregg

Don Larson

Mary Negstadt

Deanna Santema

Highway Superintendent

Larry Jensen

Planning, Zoning, Drainage Director

Robert Hill

Richland Township Supervisors

Joel Koch, Chair

605-695-3009

Henning Hansen, Supervisor

605-542-5181

During Larry Jensen's staff report he alluded to the concerns of some landowners in the area of the Deer Creek Station project. He noted that he had been called by Henning Hansen. At this point the Commission asked for input from the two members of the Richland Township Board present, Henning Hansen and Joel Koch.

Mr. Hansen spoke first about the bridge on 484th Ave just south of 207th St. He noted that Richland and Sherman townships share the cost of maintenance for this mile of road and the county maintains the bridge. This bridge is rated for only 7 tons which means that the farmers cannot cross with anything but pickups. They have to drive two miles out of their way for each trip with equipment. He stated that the Township Board wants to see the bridge removed and culverts installed to allow better access in the area. He would like the commission to work this out with Basin Electric to get a cost sharing proposal in place. Mr. Hansen alluded to the tax revenue, load permits and building permit charges collected by the county and asked that some of those funds be reinvested in the township transportation system in the area.

Larry Jensen stated that a bridge would cost \$300,000, a box culvert \$250,000 and metal culverts could be purchased for about \$25,000 with the county doing most of the installation themselves with their equipment. If the bridge or box option would be used it could take a couple of years which would defeat the purpose of the replacement. It needs to be done next year at the latest to allow Basin Electric to complete the 25 heavy hauls that they plan over this route. Issues with the Topeka Shiner that used to stop all bridge

construction during the summer months can now be mitigated by providing an alternate channel during construction.

Mr. Falken noted that the townships should get haul road maintenance agreements with Basin Electric's contractors and should carefully monitor damage to the roads. He asked Larry Jensen if a lot of the work of putting in culverts can be done by the county and Mr. Jensen answered "yes". He also asked if Mr. Jensen had adequate funds for 2010 for doing this type of work and Mr. Jensen replied that it could be made to fit within his budget. He has \$50,000 in his budget for 2010 for culverts.

Mr. Hansen also spoke of his concern for dust control. He noted that dust can be a serious problem both for safety and aesthetics. Vehicles can be hidden in the dust. Also, the dust can make farmyards very uncomfortable for the occupants of the property. He would ask that provisions be in place to deal with the dust.


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November 20, 2009

Banner Associates, Inc

605-692-6342

Brad Wermers

I met with Brad at 9:45 AM in his office at Banner. We discussed the scope of the work that Basin Electric had requested from Banner. Brad stated that he was to investigate the two miles of 207th St from 482nd Ave to 484th Ave. Banner had just gotten the contract and was doing some survey work. Brad had toured the site and one point of interest by Basin electric was the limited sight distance at 207th and 483rd.

I discussed the concerns that the Local Review Committee had about the intersection of 484th and 207th. He understood those concerns and will make note of them in his discussions with Basin Electric.

Dave Odens

I met with Dave at 10:30. We discussed the extent of Banner's work for Basin Electric on the water supply for the project. He told me that Banner had prepared and Basin Electric had submitted a Water Right Application to the Division of Water Rights at the SD DENR on 10-29-09.

He told me that the Final Engineering Report for Water Supply was completed in December of 2008. The Test Well Report was done in August of 2009. Banner is in the process of designing the water supply line for the project.

Banner has not been involved in any studies of waste water handling for either the domestic waste water or the process waste water on the Deer Creek site.


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November 24, 2009

Brookings Fire Department

605-692-6323

Daryl Hartmann, Chief
Pete Bolzer, Deputy Chief

I met with Chief Hartmann and Deputy Chief Bolzer at 10:45 AM in their office at 607 20th Ave in Brookings. They were familiar with the Basin Electric project. Daryl explained that the Brookings County Firefighter's Association is a compact of volunteer departments within the County and even some departments including Astoria, Arlington and Estelline in neighboring counties and Hendricks in Minnesota. White, Elkton and Aurora are included in the county association.

Pete and Daryl reviewed the information previously gathered by First District Association of Local Governments and found it to be quite complete. The only changes they noted were that Pete Bolzer's title is Deputy Chief and that Elkton now has an ambulance service. Hendricks, Minnesota also has an ambulance service that is run through the hospital in Hendricks.

Daryl stated that he does not expect the construction to create much of a load for their department or for any of the departments in the area. White would be first to respond and White would also respond with an ambulance if needed. If additional assistance would be needed White would make the call.

When the soybean plant in Volga was constructed there was very little interaction with emergency services. In contrast, when the ethanol plant in Aurora was constructed there was constant interaction with the fire service. Daryl expects that the contractor and Basin Electric will set up meetings at the project startup to familiarize emergency services with the construction and plant operation.

One thing Daryl and Pete would like to see is involvement with plant operational personnel as the plant goes on line so they can train their volunteers and familiarize them with the Deer Creek facility.


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December 3, 2009

Tony Simons
Superintendent of the Elkton School District

605-542-2541

I called Mr. Simons at 11:20 AM on Thursday, December 3, 2009. I filled him in on my function as Consultant to the Local Review Committee and mentioned to him that he was the Elkton School District's representative on the LRC. I did not have to explain the project to him as he was very familiar with it. He has attended a number of meetings with Basin Electric and all of the meetings of the LRC.

Mr. Simons was aware that the utility would be centrally assessed and that the education portion of the property tax would go to the Elkton School District. He stated that with the wind turbines the district gets one check once a year.

The Elkton district has a student population of 332 in K-12 which includes the school in Elkton and two colony schools. Their buildings can handle additional students with no problems.

Mr. Simons stated that he sees this as a very positive project. They gain tax revenue and hopefully will gain students. The district can handle and would like additional students. Keith Kinner has started a housing development in Elkton that has 27 new homes. Most of them are already sold but there is land for more housing to expand into.

When asked if he had thought of any negatives from the project he did not have any educationally related items. From his review with the LRC he was aware of the extra traffic that would be generated from construction which may create problems. Also, law enforcement may have additional work based on the large workforce to be in place for a year or two of construction.


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December 8, 2009

Dr. Roger DeGroot
Superintendent of the Brookings School District

605-696-4700

I called Dr. DeGroot at 11: 15 AM on Tuesday, December 8, 2009. I filled him in on my function as Consultant to the Local Review Committee and mentioned to him that School Board Member Marysz Rames was the Brookings School District's representative on the LRC. I explained the project to him as he was not very familiar with it. He had been interviewed by First District back in February of this year.

The Brookings district has a student population of 2810 in K-12. Their buildings can handle additional students with no problems. He believes that the increase in students from the families of the 30 workers will be spread around the three districts of Brookings, Deubrook and Elkton. During construction he does not expect to see any increase as the families of the workers do not usually accompany them to the area.

Dr. DeGroot stated that he sees this as a very positive project. Brookings District hopefully will gain students. The district can handle and would like additional students. They strive for class sizes in elementary of 18-21 students.

When asked if he could think of any negatives from the project he did not have any educationally related items.


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December 3, 2009 and
December 10, 2009

Kevin Keenaghan
Superintendent of the Deubrook School District

605-629-1100

I called Mr. Keenaghan at 1:30 PM on Thursday, December 3, 2009. He was busy and he agreed to return my call when he had more time.

Mr. Keenaghan returned my call at 10:05 AM on December 10, 2009. I filled him in on my function as Consultant to the Local Review Committee and mentioned to him that he was the Elkton School District's representative on the LRC. I did explain the project to him as he was somewhat familiar with it, although he has not been able to attend the meetings of the LRC.

The Deubrook district has a student population of 364 in K-12 which includes the school in Toronto (K-6) and in White (7-12). Their buildings can handle additional students with no problems.

Mr. Keenaghan stated that he sees this as a positive project. The Deubrook District may gain students. The district can handle and would like additional students

When asked if he had thought of any negatives from the project he did not have any educationally related items


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December 12, 2009

Terry Lovre
Mayor of Astoria and LRC Member

605-832-2801

I called Mr. Lovre at 11:35 AM on Saturday, December 12, 2009. He was not available so I left a message asking that he return my call. At 1 PM that day Mr. Lovre returned my call. I filled him in on my function as Consultant to the Local Review Committee and mentioned to him that he was the City of Astoria's representative on the LRC. I did not have to explain the project to him as he was very familiar with it. He has attended Basin Electric and PUC meetings along with regular attendance at the Local Review Committee meetings.

Mayor Lovre stated that he does not believe the people of Astoria have any problems with the Deer Creek Energy Facility construction. He expects that a few houses in Astoria may be for rent to the workers during the project construction. Astoria has very little to offer in the way of businesses so not much revenue will be gained.

Mr. Lovre said that he personally supports the facility and is glad that it is being constructed in the area. Having another reliable source of power will be good for the area.

He spoke of the problem of dust on gravel roads and knows that this is a problem to be dealt with. In Astoria they use dust control that cost about \$4000 per mile. It will get pot holes, especially if high speeds are present. His thoughts are that speed limits should be placed to control the high speeds. This will lessen dust and help prevent pot holes.

Overall, Mayor Lovre stated that the town of Astoria supports the project and hopes that some economic benefit will be forthcoming, at least in the immediate period of construction.


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December 13, 2009

Dave Huebner
Mayor of Bushnell and LRC Member

605-693-4589

I called Mr. Huebner at 11:45 AM on Saturday, December 12, 2009. He was not available so I left a message asking that he return my call. At 7:30 PM that day Mr. Huebner returned my call but I missed the call so he left me a message.

At 3:15 PM on Sunday, December 13, 2009, I returned his call. I filled him in on my function as Consultant to the Local Review Committee and mentioned to him that he was the City of Bushnell's representative on the LRC. I did not have to explain the project to him as he was very familiar with it. He has attended Basin Electric and PUC meetings along with regular attendance at the Local Review Committee meetings.

Mayor Huebner stated that he does not believe the people of Bushnell have any concerns with the Deer Creek Energy Facility construction. He reports that no houses in Bushnell are for sale or available for rent to the workers during the project construction. Bushnell has very little to offer in the way of businesses so not much revenue will be gained. As Mayor Huebner remarked, there is only the "Bushnell Garage" (the local tavern).

Mayor Huebner noted that the one possible road that could see extra traffic is the north/south highway (County Road 25) which has been paved by the county. Because the road is asphalt the extra traffic should not be objectionable to the community.

Mr. Huebner said that he does not think the community of Bushnell has any negative concerns about the Deer Creek facility. In fact, they probably don't have any feelings about it at all!


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December 14, 2009

Wilmer Friedrich, Supervisor
John Gebhart, Board Member
Alton Township

605-693-4538
605-542-3321

I called Mr. Friedrich at 8:15 PM about the agreement with Basin Electric as he was the representative from Alton Township who signed the agreement with Basin Electric. Because Mr. Friedrich had not attended as many of the meetings, he directed me to Mr. John Gebhart for information.

I called Mr. John Gebhart at 8:30 PM. He told me that he was familiar with the project and had attended meetings with Basin Electric. Mr. Gebhart stated that he and the other members of the Alton Township Board were comfortable with the project and the agreement with Basin Electric on road maintenance. Their main involvement will be on the heavy haul route along 484th Avenue.

They do not see dust as much of a problem on that route as only one owner, Joel Koch, lives close to the road. Therefore, the township is satisfied with their agreement with Basin Electric and has no negative concerns about the project.


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December 14, 2009

Craig Haber, Supervisor
Chris Berndt, Board Member
Sherman Township

605-629-2521
605-692-6531

I called Mr. Berndt at 7:45 PM as he was the contact given me by Curt Pearson of Basin Electric. Mr. Berndt directed me to Mr. Craig Haber who is serving as Supervisor for Sherman Township this year.

I called Mr. Craig Haber at 7:50 PM. He told me that he was familiar with the project and had attended meetings with Basin Electric. Mr. Gebhart stated that he and the other members of the Sherman Township Board were not completely comfortable with the project and the agreement with Basin Electric on road maintenance. Their main involvement will be on the two miles of 207th St. from 482nd to 484th Ave. Therefore, they have chosen not to sign the road maintenance agreement with Basin Electric at this time. Mr. Haber stated that they are waiting for more information from Banner Associates and their study of 207th Street. This study was undertaken by Banner at the direction of Basin Electric.

Mr. Haber stated that he had talked with David Erickson of Basin Electric earlier today about the two miles of 207th Street. The main concerns were the limited sight distance at 483rd Avenue and the narrow roadway width and steep ditches.

Mr. Haber stated that the township would like to have Brookings County accept maintenance of 207th from 482nd to 484th. This would make the county road continuous across Brookings County. They see this road as becoming much more utilized and it now fits the level of a county highway. The townships are having a difficult time finding the additional funds needed to keep the roads in the area in adequate condition due to the increased activity with energy development.

I asked if the township would object to the removal of the curve on the county road at the intersection of 207th and 484th. Mr. Haber stated that it would not be objectionable. He was aware of the limited sight distance on 484th coming from the north and the safety hazard that could entail.

As per dust control it is their understanding that the contractor for Basin Electric will run a water truck as necessary to control dust.


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December 15, 2009

Fred Weeks
Mayor of Aurora and LRC Member

605-693-3548

I had previously called Mr. Weeks. He was not available so I left a message asking that he return my call. At 10:30 AM, Tuesday, December 15, 2009, Mr. Weeks returned my call.

I reminded him of my function as Consultant to the Local Review Committee and mentioned to him that he was the City of Aurora's representative on the LRC. I did not have to explain the project to him as he was very familiar with it. He has attended Basin Electric and PUC meetings along with regular attendance at the Local Review Committee meetings. He also stated that this is his fourth time of serving on a local review committee.

Mayor Weeks stated that he believes the people of Aurora are excited about the prospect of energy growth in the area and he hopes that some of the permanent employees will locate in the city. Aurora has an affordable housing development underway in the city. At least 28 lots remain in that development with a possible 119 more available in a proposed expansion of the site. A number of apartments are available within the city as a new building has just been completed.

Aurora has the Agfirst Farmers Cooperative Elevator, Brownie's Bar, Lemke's Bar and Restaurant and Aurora Auto Body and Glass shop for businesses. The bars and the restaurant should see increased economic activity during construction as the heavy haul contractor will be unloading materials from rail cars at the siding owned by the elevator.

At one time Mr. Weeks was concerned about disruption at the elevator during unloading operations. He has since talked with the operators at the elevator and found that they lease the siding for the unloading and are in constant coordination with the contractors involved. Therefore, he no longer has any concerns about the project.

Mayor Weeks sees this project as positive for the area and very positive for the community of Aurora. He is excited about the prospect of attracting additional residents, both during the construction, and hopefully, during the operational phase of the Deer Creek Facility.


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December 17, 2009

Randy Brown
Mayor of White and LRC Member

605-629-6401

After the Local Review Committee meeting held in Aurora I was able to interview Mayor Brown in regard to the impacts on the City of White, SD.

I reminded him of my function as Consultant to the Local Review Committee and mentioned to him that he was the City of White's representative on the LRC. I did not have to explain the project to him as he was very familiar with it. He has attended Basin Electric and PUC meetings along with regular attendance at the Local Review Committee meetings.

Mayor Brown stated that he believes the people of White are excited about the prospect of energy growth in the area and that he expects that some of the permanent employees will locate in the city. White has housing lots available in three locations around the city. There are lots by the ball park, the golf course and on the east side of town. A number of apartments are available within the city. The city has RV spots available near the city park for rent to construction workers.

White has a convenience store on Highway 30 and the Palace Café downtown along with a bar. The bar, convenience store and restaurant should see increased economic activity during construction.

Mayor Brown sees this project as positive for the area and very positive for the community of White. He is excited about the prospect of attracting additional residents, both during the construction, and hopefully, during the operational phase of the Deer Creek Facility.


Gregg E. Jongeling



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December 17, 2009

David Landsman
Mayor of Elkton and LRC Member

605-542-4531

After the Local Review Committee meeting held in Aurora I was able to interview Mayor Landsman in regard to the impacts on the City of Elkton, SD.

I reminded him of my function as Consultant to the Local Review Committee and mentioned to him that he was the City of Elkton's representative on the LRC. I did not have to explain the project to him as he was very familiar with it. He has attended Basin Electric and PUC meetings along with regular attendance at the Local Review Committee meetings.

Mayor Landsman stated that he believes the people of Elkton are excited about the prospect of energy growth in the area and that he expects that some of the permanent employees will locate in the city. Elkton has housing lots available in the city. There are new homes available for sale in a new housing development in the city. A number of apartments are available within the city as two new four-plexes have recently been built. The city has RV spots available for rent to construction workers.

Elkton has a couple of convenience stores on the highway leading into town and a cafe downtown along with a bar. The bar, convenience stores and restaurant should see increased economic activity during construction. Elkton also has a grocery store and locker plant in town which should see increased activity.

Mayor Landsman sees this project as positive for the area and very positive for the community of Elkton. He is excited about the prospect of attracting additional residents, both during the construction, and hopefully, during the operational phase of the Deer Creek Facility.


Gregg E. Jongeling