

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

In the Matter of the Transmission Permit for the
Big Stone South to Ellendale Project

EL13-028

**DIRECT TESTIMONY OF ANGELA
PINER**

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2 **BACKGROUND OF WITNESS**

3 **Q. Please state your name, business address, and your employer?**

4 A. My name is Angela Piner. I work for HDR Engineering, Inc. (“HDR”), and my
5 business address is 701 Xenia Ave., S, Suite 600, Minneapolis, MN 55416.

6 **Q. What is your current title with HDR?**

7 A. Associate Vice President.

8 **Q. What are your duties and responsibilities with HDR?**

9 A. I am a project manager for power projects and also assist in business development
10 activities. I am the environmental consulting project manager for the Big Stone South to
11 Ellendale Project at HDR. As project manager, I am responsible for the overall management,
12 approach and strategy for the environmental and public involvement portions of the Big Stone
13 South to Ellendale Project (“Project”). I work collaboratively with the Owners’ team and HDR’s
14 team to develop the state facility permit application, identify state and federal permits needed for
15 the project, and make decisions on routes for the project.

16 **Q. What is your educational background?**

17 A. I received a Bachelor of Science degree in biological sciences from California
18 Polytechnic State University, San Luis Obispo (Cal Poly) in 1999. In 2007 I completed my
19 Master of Science degree in Biological Sciences from Cal Poly and graduated with distinction.

20 **Q. How long have you worked for HDR?**

21 A. As of this coming summer, I will have worked for HDR for 12 years.

22 **Q. What were the positions you held before becoming the associate vice president,**
23 **and what did you do in those positions?**

1 A. In my 12 years at HDR, I have held positions related to project development and
2 regulatory permitting for power projects. My first position with the company was as an
3 environmental scientist that involved conducting field work, inventorying biological resources,
4 and drafting environmental review documents and permit applications. This role evolved into a
5 senior environmental scientist and project management role, which involved assisting clients
6 through state and federal regulatory processes, providing technical reviews and analysis of
7 environmental issues associated with power projects, as well as managing the public outreach
8 strategies. As Associate Vice President, I continue with project management and regulatory
9 activities but added the responsibility of business development for our power business.

10 **Q. What experience do you have working on transmission line projects?**

11 A. I have extensive experience preparing and managing the environmental review
12 process and analyses for transmission lines, wind farms, and other generation facilities across the
13 Upper Midwest. During the last 10+ years, I have successfully permitted approximately 2,300
14 miles of transmission lines that are currently in operation or in construction. I have also worked
15 on some of the largest transmission line projects in South Dakota including the CapX2020
16 Brookings County-Hampton Project, Otter Tail Power Company's Big Stone II Project, Xcel
17 Energy's Buffalo Ridge to White 115 kV Transmission Line Project, Xcel Energy's Wind
18 Transmission Project, and now, the Project. As a result of this experience, I have a broad
19 understanding of the regulatory framework related to federal, state, and local environmental
20 review of transmission lines. In support of these types of projects, I typically conduct or manage
21 the routing studies, gather environmental and land use data through windshield and field surveys,
22 analyze the data using a geographic information system (GIS), draft environmental review
23 documents, and participate in agency meetings, stakeholder outreach, and public open houses.

1 **Q. Have you ever testified as expert witness before?**

2 A. Yes. I provided expert testimony for a conditional use permit for the Grand Ridge
3 Wind Farm in Illinois.

4 **Q. Can you provide some background regarding HDR?**

5 A. HDR is a global employee-owned firm providing architecture, engineering,
6 consulting, construction and related services. We have over 8,000 professionals helping clients
7 in a variety of service areas in 185 locations worldwide. HDR is headquartered in Omaha,
8 Nebraska and is ranked No. 11 among Engineering News-Record's 2013 "Top 500 Design
9 Firms." We have offices in Rapid City and Sioux Falls, South Dakota, as well as two offices in
10 North Dakota and four offices in Minnesota.

11 **Q. Does HDR have any experience in transmission line projects?**

12 A. Yes, HDR has performed routing studies for 10 electric transmission line projects
13 with voltages of 345 kV or greater in the last five years or that are now in progress. These 10
14 projects alone total over 3,000 miles of transmission lines across the U.S. We have extensive
15 experience assisting clients with transmission line projects in the Midwest and have been
16 involved in the permitting of several of the 345 kV transmission line projects in South Dakota,
17 North Dakota, and Minnesota in recent years, including the CapX2020 Brookings County to
18 Hampton Project, Center to Grand Forks Projects, Xcel Energy's Wind Transmission Project.
19 Other South Dakota transmission line projects include the Buffalo to White Transmission Line,
20 Buffalo Ridge Wind Projects, Big Stone II, and MinnDakota Wind Project.

21 **Q. Was HDR engaged as a consultant to the owners of the Project?**

22 A. Yes, HDR has been engaged as the environmental consultant to the Owners for the
23 Project.

1 **Q. What was HDR engaged to do for the Project?**

2 A. HDR’s scope for the project was to assist the Owners with routing the transmission
3 line, coordinating with regulatory agencies, developing and assisting with implementing a public
4 outreach strategy, and facilitating the development of applications to the North Dakota Public
5 Service Commission and South Dakota Public Utilities Commission. Additionally, HDR will
6 assist the Owners in the development of the applications for the federal and state permits and
7 approvals required for construction and operation of the Project. Surveys and studies may be
8 required to support the federal and state permit applications, and HDR would manage and
9 conduct these activities.

10 **Q. Was HDR involved in preparing the application to the South Dakota Public**
11 **Utilities Commission for a permit to build a transmission facility (“the Application”)?**

12 A. Yes, HDR assisted the Owners in preparing the Application and its amendment.

13 **Q. What was HDR’s role regarding the Application?**

14 A. HDR worked with our technical experts, the Owners’ legal counsel, Owners, and the
15 other Project consultants to assemble the applicable information in the Application. We were the
16 primary author of the Application and reviewed each section with technical experts from the
17 Owners’ team, where applicable. HDR worked with the team to cross reference and confirm all
18 the information required by SDCL 49-1-8 and ARSD 20:10:13:01(1) that is contained within the
19 Application. This completeness checklist is available in Section 1.1 of the Application.

20 **Q. Did HDR conduct any studies in support of the Application?**

21 A. Yes. HDR performed a Native Habitat Classification, a Bald Eagle Stick Nest and
22 Sharp-Tailed Lek Survey, desktop wetland delineation, and Cultural Resources Level I Records
23 Search to support the Application.

1 **Q. Where are these studies in the Application?**

2 A. The studies were included in Appendices E, F, and G of the Application. The
3 desktop wetland delineation results were included as Exhibit 2 to the Application.

4 **Q. Did HDR review scientific and environmental literature in preparing the**
5 **Application?**

6 A. Yes.

7 **Q. Where in the Application is the literature reviewed shown?**

8 A. The literature used in development of the Application is listed in Section 28.0 -
9 References of the Application.

10 **Q. Is this literature and studies the type of information typically relied upon by**
11 **environmental scientists such as you in their work regarding transmission projects?**

12 A. Yes.

13 **Q. Was HDR involved in contacting state, federal, local, and tribal governments**
14 **and agencies regarding the Project?**

15 A. Yes. HDR conducted significant coordination prior to the Application being
16 submitted to the Commission. HDR, on behalf of the Owners, contacted several state, federal,
17 local and tribal entities for the Project. The material correspondence with these agencies before
18 the filing of the Application is included in Appendix C of the Application. After the Application
19 was filed, the Project held additional meetings with United States Fish and Wildlife Service
20 (USFWS) to discuss the Letter of Non-Objection permitting process, National Resources
21 Conservation Services (NRCS) regarding the easement modification and easement subordination
22 process, the Department of Defense regarding impacts to military operations and training,
23 Federal Aviation Administration regarding impacts to aeronautics, Sisseton Wahpeton Oyate and

1 Standing Rock Sioux tribes regarding areas for Cultural Resources Class III Intensive Survey,
2 and United States Army Corps of Engineers (USACE) regarding the Section 10 and Section 404
3 permitting process.

4 **Q. Was HDR involved in coordinating the letters sent to Landowners?**

5 A. Yes, HDR participated in sending letters to landowners advising them of the public
6 input hearings. HDR obtained the list of landowners located within one-half mile of the
7 proposed route of the Project from the Project's consultants. HDR worked with the Project in
8 preparing letters advising these landowners of the Project and the public input hearings held on
9 October 17, 2013. HDR also coordinated the mailing of the letters with the mailing house. After
10 proposed route changes resulted in an additional public input hearing being scheduled for May
11 20, 2014, HDR again coordinated the drafting, finalizing, and mailing of the landowner letters.

12 **Q. What are exhibits 11 and 12?**

13 A. These are the affidavits of mailing of the landowner notice letters providing notice of
14 the public input hearings on October 17, 2013, and May 20, 2014.

15 **Q. Was HDR involved in making information available to the public?**

16 A. HDR worked with the Owners to develop a public outreach plan, which began in
17 August 2012 and has continued to today. A summary of the public, agency, and tribal
18 involvement activities as of August 14, 2013 is included in the Application as Table 5.

19 **Q. Have you updated Table 5?**

20 A. Yes, Exhibit 13 is an updated version of Table 5 reflecting the public, agency, and
21 tribal involvement activities occurring through the date of this prefiled testimony.

22 **Q. What else did HDR do for the Project as part of the public outreach?**

1 A. A project website and toll-free information phone line was created on September 10,
2 2012. At various times, HDR coordinated updates to the project website and toll-free
3 information phone line.

4 AGENCY APPROVALS

5 **Q. Did HDR undertake on behalf of the Project to identify all required state,
6 federal, and local permits and approvals?**

7 A. Yes. HDR assisted in identifying the required permits and approvals.

8 **Q. Are those permits and approvals identified in the Application?**

9 A. Yes, the permits and approvals known as of the date of the Application were included
10 in Section 24, Table 24. Through additional consultation with U.S. Fish & Wildlife Service
11 (USFWS), U.S. Army Corps of Engineers (USACE) and National Resources Conservation
12 Services (NRCS), the Project clarified the permits and permit processes required by each of
13 them. HDR and the Owners are continuing to coordinate with the USFWS on the review and
14 approval process for crossings of USFWS easements as well as the necessary supporting
15 documentation and application materials. HDR and the Owners are also continuing to coordinate
16 with the NRCS in regard to the applicable approval process for the proposed crossings of NRCS
17 easements. In addition, HDR and the Owners have spoke with the USACE regarding the Section
18 10 and Section 404 nationwide permit.

19 **Q. Is HDR aware of any information at this time that would prevent the Project
20 from acquiring all necessary state and federal permits and approvals?**

21 A. No.

1 OPINIONS

2 **Q. Based on your education, experience, training, work on the Project, the studies**
3 **and research performed, and the work of the Project consultants, have you formed any**
4 **opinions in this matter?**

5 A. Yes, I have formed opinions?

6 **Q. In forming those opinions, did you consider the Application including its studies**
7 **and literature?**

8 A. Yes, I considered all of the information in the Application along with my training,
9 education, and experience.

10 **Q. Is this the type of information typically relied upon by environmental scientists?**

11 A. Yes, it is.

12 **Q. From your perspective as an environmental scientist, do you have an opinion**
13 **regarding whether the facility to be constructed will comply with all applicable laws and**
14 **regulations known to exist?**

15 A. Yes, I have an opinion.

16 **Q. What is your opinion?**

17 A. That the facility will comply with all applicable laws and rules known to exist.

18 **Q. As an environmental scientist, do you have an opinion regarding whether the**
19 **proposed facility will pose a serious injury to the environment and economic conditions of**
20 **the people residing in the area of the Project or the people expected to reside in the Project**
21 **area?**

22 A. Yes, I have an opinion.

23 **Q. What is that opinion?**

1 A. As discussed in Sections 10 through 19 of the Application, the construction of the
2 facility will not have a serious injury to either the environment or the economic conditions of the
3 people in the Project area.

4 **Q. As an environmental scientist, do you have an opinion regarding whether the**
5 **facility will substantially impair the health, safety and welfare of the people in the Project**
6 **area?**

7 A. Yes, I have an opinion.

8 **Q. What is that opinion?**

9 A. As indicated in Section 23.4 of the Application, the South Dakota Facility will not
10 impair the health, safety, or welfare of people in the Project area.

11 **Q. As an environmental scientist, do you have an opinion regarding whether the**
12 **South Dakota facility will unduly interfere with the orderly development of the region with**
13 **due consideration given to the views of the governing bodies and affected units of local**
14 **government?**

15 A. Yes, I have an opinion.

16 **Q. What is the opinion?**

17 A. The Project will not unduly interfere with the orderly development of the region with
18 due consideration given to the views of the governing bodies and affected units of local
19 government

20 **Q. As an environmental scientist, do you have an opinion regarding whether any**
21 **environmental issues prevent issuance of the permit and construction of the Project?**

22 A. Yes, I have an opinion.

23 **Q. What is that opinion?**

1 A. I am not aware at this time of any environmental considerations preventing issuance
2 of the facility permit requested in the Application.

3 **Q. To your knowledge does the Application, as amended, provide all the**
4 **information necessary for the Commission to grant the requested permit and satisfy the**
5 **form and content required?**

6 A. Yes.

7 **Q. Does this complete your direct testimony?**

8 A. Yes, it does.