

August 17, 2018

**VIA ELECTRONIC FILING**

Ms. Patricia Van Gerpen  
Executive Secretary  
South Dakota Public Utilities Commission  
500 E Capitol Ave  
Pierre, SD 57501-5070

**RE: In the Matter of the Application by Dakota Range I, LLC and Dakota Range II, LLC for to the for an Energy Facility Permit in Grant County and Codington County, South Dakota, for the Dakota Range Wind Project  
EL 18-003**

Dear Ms. Van Gerpen:

In accordance with paragraph 22 of the Permit Conditions approved by the South Dakota Public Utilities Commission (“Commission”) and included as Attachment A to its July 23, 2018 Final Decision and Order Granting Permit to Construct Wind Energy Facility and Notice of Entry (“Order”) in the above-referenced docket, Dakota Range I, LLC and Dakota Range II, LLC (together, “Applicants”) submit the enclosed documents:

1. Affidavit of Brenna Gunderson in Support of Request for Approval of Turbine Adjustments;
2. Exhibit A – Maps of Turbine Adjustments (Public and Confidential Versions);
3. Exhibit B – Summary of Turbine Adjustment Requirement Compliance;
4. Exhibit C – Updated Sound Level Analysis Results;
5. Exhibit D – Updated Shadow Flicker Analysis Results; and
6. Certificate of Service.

As indicated in the enclosed Affidavit, Applicants propose two (2) turbine adjustments over 250 feet, and therefore are submitting a request for approval of the proposed turbine adjustments. As

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fredlaw.com

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Minneapolis, Minnesota  
55402-1425

Ms. Patricia Van Gerpen  
August 17, 2018  
Page 2

demonstrated by the enclosed documentation, with the exception of exceeding 250 feet, the proposed turbine adjustments meet the other requirements of paragraph 22 and the Commission's Order.

If you have any questions, please let me know.

Sincerely,

*/s/ Mollie M. Smith*

Mollie M. Smith

*Attorney at Law*

**Direct Dial:** 612.492.7270

**Email:** msmith@fredlaw.com

Enclosures

cc: Certificate of Service/Service Lists (*via e-mail*)

64583222.1

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

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**IN THE MATTER OF THE  
APPLICATION BY DAKOTA RANGE  
I, LLC AND DAKOTA RANGE II, LLC  
FOR A PERMIT OF A WIND ENERGY  
FACILITY IN GRANT COUNTY AND  
CODINGTON COUNTY, SOUTH  
DAKOTA, FOR THE DAKOTA RANGE  
WIND PROJECT**

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**AFFIDAVIT OF BRENNA  
GUNDERSON IN SUPPORT OF  
REQUEST FOR APPROVAL  
OF TURBINE  
ADJUSTMENTS**

**EL18-003**

STATE OF MINNESOTA            )  
  ) SS.  
COUNTY OF SHERBURNE        )

I, Brenna Gunderson, being first duly sworn on oath, depose and state as follows:

1. I am the Director of Project Development for Apex Clean Energy, Inc., which is assisting Dakota Range I, LLC and Dakota Range II, LLC (together, "Dakota Range") in the development of the Dakota Range Wind Project ("Project"). I have the authority to provide this affidavit on behalf of Dakota Range.
  
2. I am providing this Affidavit pursuant to paragraph 22 of the Permit Conditions approved by the South Dakota Public Utilities Commission ("Commission") and included as Attachment A to its July 23, 2018 Final Decision and Order Granting Permit to Construct Wind Energy Facility and Notice of Entry ("Order") in the above-referenced docket.
  
3. Since issuance of the Order, Dakota Range has determined that two (2) turbine adjustments greater than 250 feet from the locations approved by the Commission are needed for the Project. Maps showing the turbine locations approved by the Commission and the proposed turbine locations are attached hereto as **Exhibit A** (public and confidential). **Exhibit A** contains an updated Project constraints map (which includes the two turbine adjustments less than 250 feet submitted separately) and individual turbine maps (for only the two turbine adjustments over 250 feet).
  
4. A summary of the modifications is provided below:
  - A. Turbine 64 has been adjusted 784.9 feet to the north to avoid a microwave beam path.
  
  - B. Turbine 71 has been adjusted 340.9 feet to the southeast to avoid a microwave beam path.
  
5. The turbine adjustments comply with the specified noise and shadow flicker requirements set forth in paragraphs 27 and 29(c) of the Permit Conditions. Spreadsheets providing the

updated noise and shadow flicker modeling results for the entire Project (including the two turbine adjustments less than 250 feet submitted separately) are attached as **Exhibit C** and **Exhibit D**, respectively.

6. The confidential version of **Exhibit A** identifies the locations of environmental avoidance areas, including cultural resources and wetlands, in relation to the Project adjustments. In addition, **Exhibit B** provides a chart showing the distances of the turbines from residences, property lines, roads, and the shoreline of Punished Woman's Lake. As shown in **Exhibits A** and **B**, the proposed turbine adjustments comply with county and state setback requirements, cultural resource impacts are avoided or minimized per the CRMMP, environmental setbacks are adhered to as agreed upon with the USFWS and the GFP, and wetland impacts are avoided.
7. All modifications are located on land under lease/easement for the Project.
8. With respect to the Project, including the adjustments described herein, Dakota Range will comply with the Commission's Order, and all other applicable regulations and requirements.
9. Based on the foregoing, Dakota Range requests approval of the two (2) proposed turbine adjustments.

FURTHER AFFIANT SAYETH NOT.

Dated this 17 day of August, 2018.

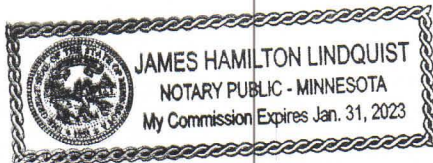
  
Brenna Gunderson

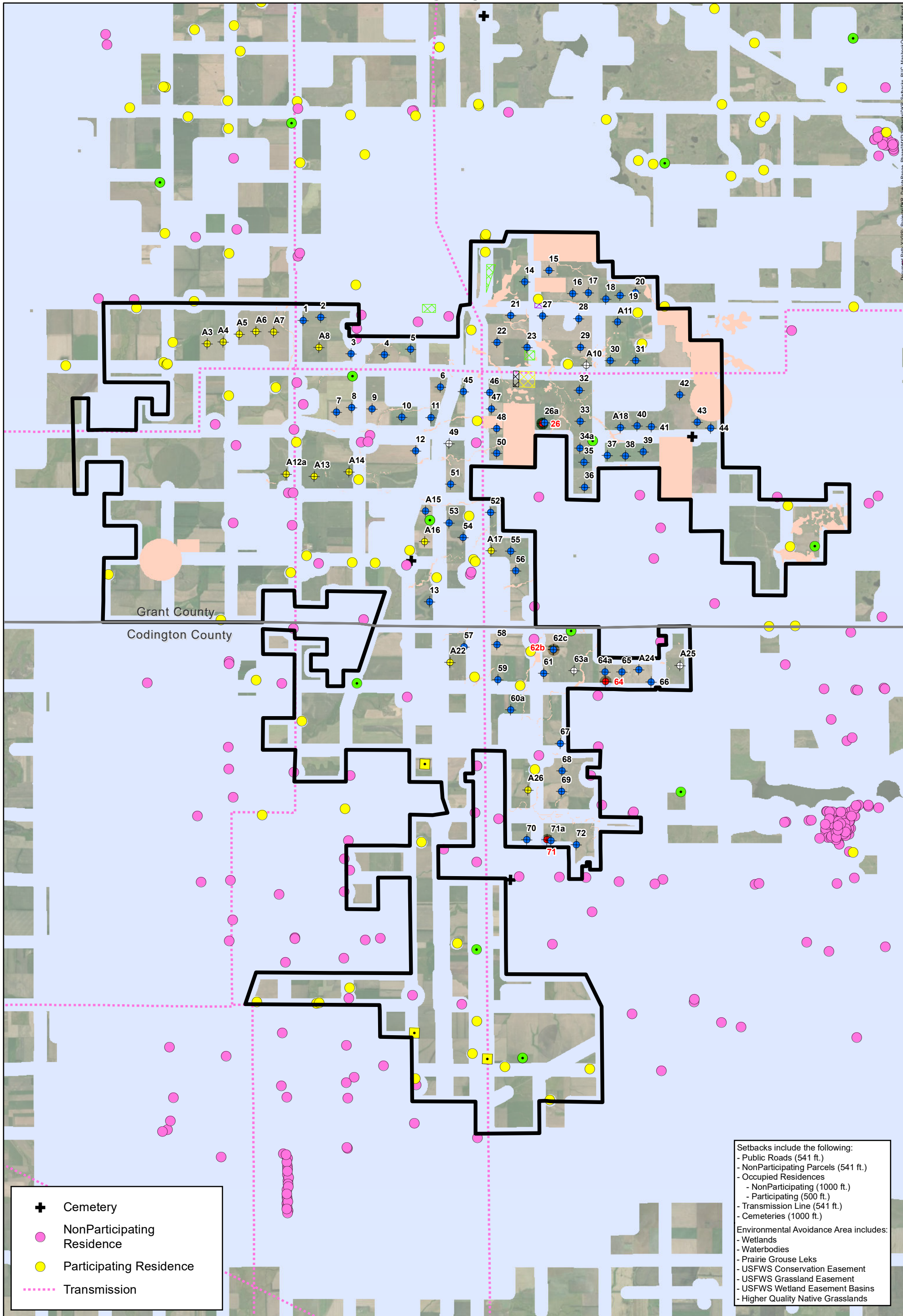
Subscribed and sworn to before me on this 17 day of August, 2018.

  
Notary Public

My Commission Expires: 01-31-2023

64539793.3





- Cemetery
- NonParticipating Residence
- Participating Residence
- Transmission

Setbacks include the following:

- Public Roads (541 ft.)
- NonParticipating Parcels (541 ft.)
- Occupied Residences
  - NonParticipating (1000 ft.)
  - Participating (500 ft.)
- Transmission Line (541 ft.)
- Cemeteries (1000 ft.)

Environmental Avoidance Area includes:

- Wetlands
- Waterbodies
- Prairie Grouse Leaks
- USFWS Conservation Easement
- USFWS Grassland Easement
- USFWS Wetland Easement Basins
- Higher Quality Native Grasslands



**Dakota Range Wind**  
**Project Micrositing**  
 Grant and Codington County, SD  
 45.159283, -97.058736

- Primary Turbine Location - LAY 43 (72)
- Spare Turbine Location - LAY 43 (13)
- Cancelled Turbine Location (LAY 41) (4)
- Moved Turbine (LAY 41) (4)
- Temporary MetTower, Existing
- PermenantMet, Proposed
- Project Area Boundary
- Laydown Yard
- O and M Facility
- Project Substation
- Interconnect Switchyard
- Setbacks
- Environmental Avoidance Area

Note:  
 1. Turbines are not drawn to scale.  
 2. Turbine numbering is not sequential.

0 0.3750.75 1.5 2.25 3  
 0 0.25 0.5 1 1.5 2  
 Kilometers  
 Miles

Coordinate System: NAD 1983 StatePlane South Dakota North FIPS 4001 Feet  
 Projection: Lambert Conformal Conic  
 Date: North American 1983  
 False Easting: 1,968,500.0000  
 False Northing: 0.0000  
 Units: Foot US

**APEX**  
 CLEAN ENERGY

Date: 8/17/2018  
 Author: MR

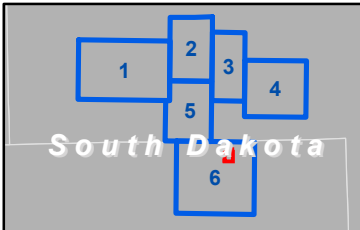
Document Path: Y:\GIS\Projects\SDR\Setbacks\_PUC\_Mapbook\Overview\_11.mxd

Cemetery  
 Transmission

- Setbacks include the following:
- Public Roads (541 ft.)
  - NonParticipating Parcels (541 ft.)
  - Occupied Residences
    - NonParticipating (1000 ft.)
    - Participating (500 ft.)
  - Transmission Line (541 ft.)
  - Cemeteries (1000 ft.)
- Environmental Avoidance Area includes:
- Wetlands
  - Waterbodies
  - Prairie Grouse Leaks
  - USFWS Conservation Easement
  - USFWS Grassland Easement
  - USFWS Wetland Easement Basins
  - Higher Quality Native Grasslands



Document Path: Y:\GIS\Projects\DKR\_Setbacks\_PUC\_Mapbook\_Moves.mxd



**Dakota Range Wind**  
 Project Micrositing  
 Grant and Codington County, SD  
 45.159283, -97.058736

- Project Area Boundary
- Setbacks
- Environmental Avoidance Area
- Primary Turbine Location (LAY 042)
- Primary Turbine Location (LAY 043)

Note:  
 1. Turbines are not drawn to scale.  
 2. Turbine numbering is not sequential.

0 0.0075 0.015 0.03 0.045 0.06 Kilometers  
 0 0.0075 0.015 0.03 0.045 0.06 Miles

Coordinate System: NAD 1983 StatePlane South Dakota North FIPS 4001 Feet  
 Projection: Lambert Conformal Conic  
 Datum: North American 1983  
 False Easting: 1,968,500.0000  
 False Northing: 0.0000  
 Units: Foot US

Date: 8/6/2018  
 Author: MR

+ Cemetery  
----- Transmission

Setbacks include the following:

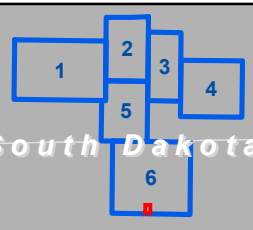
- Public Roads (541 ft.)
- NonParticipating Parcels (541 ft.)
- Occupied Residences
  - NonParticipating (1000 ft.)
  - Participating (500 ft.)
- Transmission Line (541 ft.)
- Cemeteries (1000 ft.)

Environmental Avoidance Area includes:

- Wetlands
- Waterbodies
- Prairie Grouse Leis
- USFWS Conservation Easement
- USFWS Grassland Easement
- USFWS Wetland Easement Basins
- Higher Quality Native Grasslands



+ 71 ← → + 71a  
 Move Distance: 340.9 ft.



**Dakota Range Wind**  
 Project Micrositing  
 Grant and Codington County, SD  
 45.159283, -97.058736

- Project Area Boundary
- Setbacks
- Environmental Avoidance Area
- + Primary Turbine Location (LAY 042)
- + Primary Turbine Location (LAY 043)

Note:  
 1. Turbines are not drawn to scale.  
 2. Turbine numbering is not sequential.

Coordinate System: NAD 1983 StatePlane South Dakota North FIPS 4001 Feet

Projection: Lambert Conformal Conic

Date: North American 1983

False Easting: 1,968,500.0000

False Northing: 0.0000

Units: Foot US

Date: 8/6/2018  
 Author: MR