

EXHIBIT D



Department of Transportation
Division of Secretariat
Office of Air, Rail & Transit
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TO: South Dakota Aeronautics Commission
FROM: Jack Dokken, Office of Aeronautics
DATE: August 20, 2018
SUBJECT: Willow Creek Wind Power LLC FAA Aeronautical Study Determination

Willow Creek Wind Power, LLC will erect 45 Wind turbines 12 miles NE of Newel SD at the locations seen in the included spreadsheet. Sturgis and Belle Fourche Municipal Airports are the closest public airports and are approximately 29 miles from the closest proposed turbine locations. Per FAA Aeronautical Studies 2018-WTE-2362-OE thru 2018-WTE-2406-OE, the FAA has issued a determination of No Hazard for these locations. Pursuant to South Dakota Codified Law 50-9-1 Air Navigation Hazards, Willow Creek Wind Power, LLC is fulfilling the statute requirement to notify the South Dakota Aeronautics Commission prior to the anticipated start of Construction on 1/2/2019 in lieu of the application.

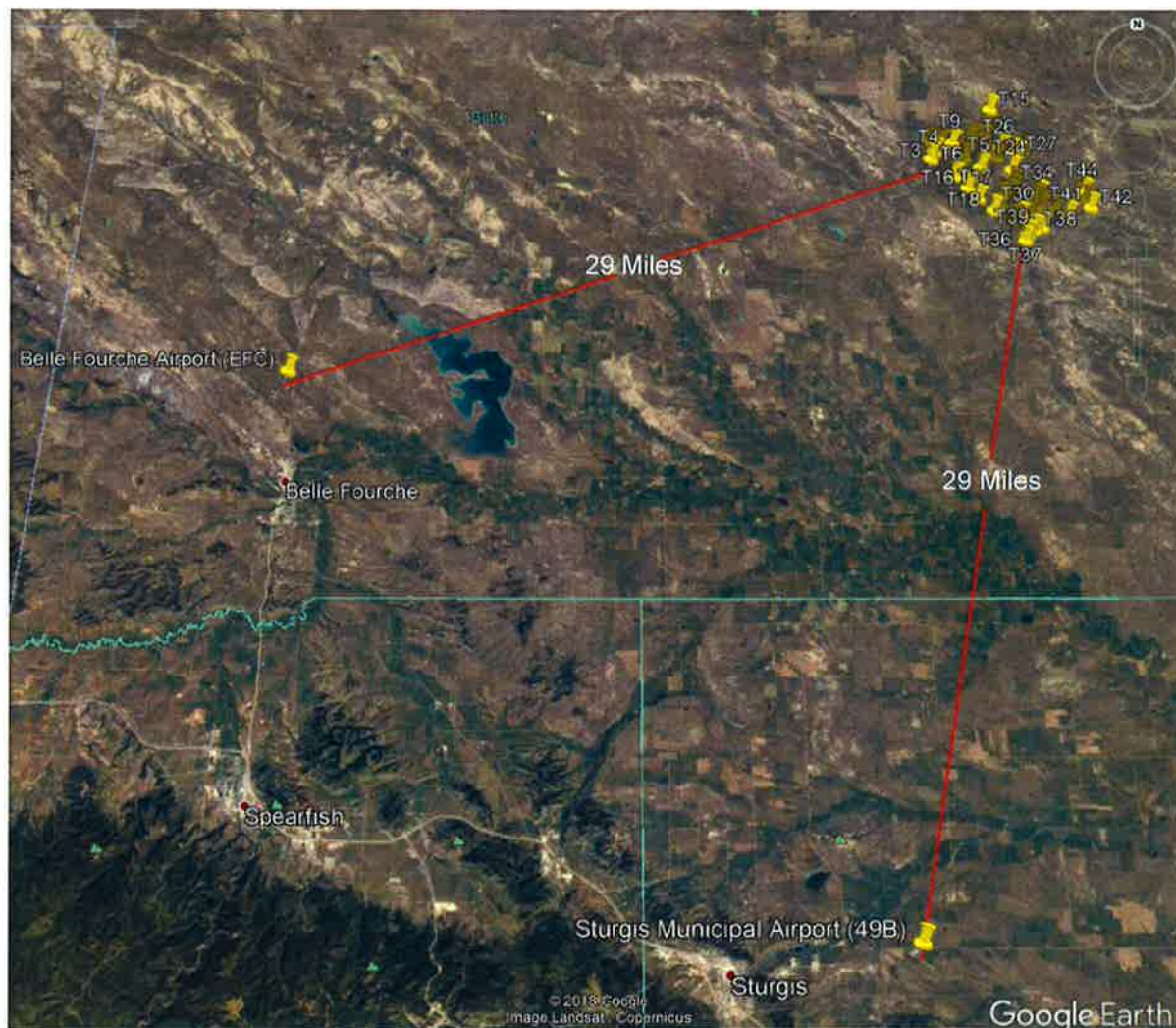
South Dakota Codified Law 50-9-1

50-9-1. Approval required for construction or alteration of certain structures. Any person or organization who intends to construct or alter a structure shall submit an application and obtain an approval permit from the commission for any construction or alteration that:

- (1) Exceeds two hundred feet above ground level;*
- (2) Is within twenty thousand feet of a state approved public airport or military airport that has at least one runway more than three thousand two hundred feet in actual length and the construction or alteration exceeds a one hundred to one surface ratio from any point on the runway;*
- (3) Is within ten thousand feet of a state approved public airport or military airport that has its longest runway no more than three thousand two hundred feet in actual length and the construction or alteration exceeds a fifty to one surface ratio from any point on the runway;*
- (4) Is within five thousand feet of a state approved public heliport and the construction or alteration exceeds a twenty-five to one surface ratio; or*
- (5) Is a highway, railroad, or other traverse way that the prescribed adjusted height exceeds the standards provided in this section.*

No application is needed if the construction or alteration of a structure would be shielded by an existing structure of a permanent and substantial character within the corporate limits of a municipality or by natural terrain or topographic features of equal or greater height. It must be evident beyond any reasonable doubt that the construction or alteration of the structure so shielded does not adversely affect safety in air navigation. For the purposes of this section, the term, structure, means any object constructed by human action.

Any person or organization, who intends to construct or alter a structure that exceeds two hundred feet above ground level and that is outside the zones described in this section and who has obtained a Federal Aviation Administration determination of no hazard, may provide that determination to the commission prior to the start of construction in lieu of the application and permit required by this chapter.



Willow Creek Wind Power, LLC
 Willow Creek
 Capitol Airspace Group
 02/28/2018

<u>Structure Name</u>	<u>Latitude</u>	<u>Longitude</u>	<u>SE (ft)</u>	<u>AGL (ft)</u>	<u>ASN</u>	<u>Determination</u>	<u>Determ Date</u>	<u>Exp Date</u>	<u>7460-2.2</u>	<u>M&L</u>
T1	44-53-44.33	103-18-30.73	3119	499	2018-WTE-2362-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T2	44-53-43.27	103-17-52.10	3101	499	2018-WTE-2363-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T3	44-53-18.62	103-18-16.31	3121	499	2018-WTE-2364-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T4	44-52-59.67	103-18-29.99	3127	499	2018-WTE-2365-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T5	44-52-36.59	103-17-54.75	3102	499	2018-WTE-2366-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T6	44-52-13.03	103-17-22.31	3117	499	2018-WTE-2367-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T7	44-52-59.56	103-16-42.97	3060	499	2018-WTE-2368-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T8	44-53-17.21	103-16-42.44	3062	499	2018-WTE-2369-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T9	44-53-42.47	103-17-15.65	3069	499	2018-WTE-2370-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T10	44-53-47.49	103-16-23.62	3033	499	2018-WTE-2371-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T11	44-53-54.20	103-15-54.23	3009	499	2018-WTE-2372-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T12	44-54-06.39	103-15-28.97	3003	499	2018-WTE-2373-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T13	44-54-26.67	103-15-06.92	2986	499	2018-WTE-2374-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T14	44-54-46.58	103-15-08.05	2992	499	2018-WTE-2375-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T15	44-55-15.72	103-15-00.15	3028	499	2018-WTE-2376-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T16	44-51-41.79	103-16-43.92	3092	499	2018-WTE-2377-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T22	44-51-37.85	103-14-19.82	3047	499	2018-WTE-2378-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T23	44-51-53.54	103-14-18.66	3043	499	2018-WTE-2379-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T24	44-52-29.81	103-14-14.77	3032	499	2018-WTE-2380-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T25	44-53-00.42	103-15-00.10	3032	499	2018-WTE-2381-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T26	44-53-28.15	103-14-41.98	3019	499	2018-WTE-2382-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T27	44-53-11.95	103-13-53.92	3032	499	2018-WTE-2383-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T28	44-53-23.08	103-13-30.33	3007	499	2018-WTE-2384-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T35	44-51-41.12	103-12-48.36	3042	499	2018-WTE-2385-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T45	44-51-46.24	103-10-35.19	2991	499	2018-WTE-2386-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T17	44-51-11.80	103-16-16.79	3088	499	2018-WTE-2387-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T18	44-50-41.33	103-15-31.97	3085	499	2018-WTE-2388-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T19	44-50-52.44	103-15-05.80	3104	499	2018-WTE-2389-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T20	44-51-16.65	103-15-06.02	3101	499	2018-WTE-2390-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T21	44-51-24.63	103-14-33.11	3086	499	2018-WTE-2391-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T29	44-50-16.42	103-14-33.19	3103	499	2018-WTE-2392-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T30	44-50-26.08	103-14-12.35	3137	499	2018-WTE-2393-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T31	44-50-32.23	103-13-42.83	3110	499	2018-WTE-2394-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T32	44-50-46.07	103-13-01.36	3124	499	2018-WTE-2395-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T33	44-51-11.47	103-13-10.91	3081	499	2018-WTE-2396-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T34	44-51-23.19	103-12-59.76	3103	499	2018-WTE-2397-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T36	44-49-24.23	103-14-05.58	3025	499	2018-WTE-2398-OE	DNE	06/04/2018	12/04/2019	x	wpsrl

T37	44-49-38.70	103-13-55.85	3126	499	2018-WTE-2399-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T38	44-49-52.06	103-13-31.30	3125	499	2018-WTE-2400-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T39	44-49-57.40	103-13-05.91	3145	499	2018-WTE-2401-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T40	44-50-41.63	103-12-17.94	3120	499	2018-WTE-2402-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T41	44-50-26.61	103-11-37.96	3085	499	2018-WTE-2403-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T42	44-50-48.96	103-10-21.92	3048	499	2018-WTE-2404-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T43	44-51-07.41	103-10-34.59	3022	499	2018-WTE-2405-OE	DNE	06/04/2018	12/04/2019	x	wpsrl
T44	44-51-29.39	103-10-34.90	3023	499	2018-WTE-2406-OE	DNE	06/04/2018	12/04/2019	x	wpsrl

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