BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

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IN THE MATTER OF THE APPLICATION BY CROCKER WIND FARM, LLC FOR A PERMIT OF A WIND ENERGY FACILITY AND A 345 KV TRANSMISSION LINE IN CLARK COUNTY, SOUTH DAKOTA, FOR CROCKER WIND FARM

AFFIDAVIT OF MELISSA SCHMIT IN SUPPORT OF REQUEST FOR APPROVAL OF TRANSMISSION LINE ADJUSTMENTS

EL17-055

STATE OF MINNESOTA)) SS. COUNTY OF HENNEPIN)

I, Melissa Schmit, being first duly sworn on oath, state and allege as follows:

- 1. I am the Permitting Manager at Geronimo Energy, LLC, which is assisting Crocker Wind Farm, LLC ("Crocker") in the development of the Crocker Wind Farm and associated 345 kV Transmission Line ("Project"). I have the authority to provide this affidavit on behalf of Crocker.
- 2. I am providing this Affidavit pursuant to paragraph 25 of the Permit Conditions approved by the South Dakota Public Utilities Commission ("Commission") and included as Attachment A to its June 12, 2018 Final Decision and Order Granting Permit to Construct Facilities and Notice of Entry ("Order") in the above-referenced docket.
- 3. Since issuance of the Order, Crocker has determined that two adjustments to the 345 kV transmission line outside of the 150-foot-wide right-of-way are needed and, therefore, are material changes. Maps showing the 345 kV transmission line centerline approved by the Commission (black dashed line) and the currently proposed transmission line centerline (solid purple line) are attached hereto as **Exhibit A** (public and confidential versions). <u>Exhibit A</u> (public and confidential versions) also shows the permitted 150-foot right-of-way (in solid blue) and the adjusted right-of-way (in dashed blue).
- 4. The reasons for the transmission line adjustments identified in **Exhibit A** are provided below:
 - A. The transmission line has been adjusted up to approximately 99 feet outside the permitted 150-foot-wide right-of-way for approximately 1,568 feet exiting the collection substation. This adjustment is a result of finalizing design of the collection substation and, in turn, how the transmission line will exit the substation.
 - B. The transmission line has been adjusted up to approximately 340 feet outside the permitted 150-foot-wide right-of-way for approximately 464 feet entering the

Basin Electric interconnect switchyard. This adjustment is a result of Basin Electric finalizing design of the interconnect switchyard and, in turn, how the transmission line will enter the switchyard.

- 5. The confidential version of **Exhibit A** identifies the locations of cultural resources, sensitive species habitat, and wetlands in relation to the proposed adjustments. As shown in **Exhibit A**, the proposed adjustments avoid cultural resources, sensitive species habitat, and wetland impacts. Attached as **Exhibit B** (confidential) is a copy of the second addendum to the Level III Cultural Resource Survey, which includes the results of the cultural resource survey work conducted for the portion of the transmission line outside of the previously surveyed 150-foot right-of-way.
- 6. Since issuance of the Order, Crocker has also determined that the best placement for one of the 345 kV transmission line structures is in an area identified as a wetland; therefore, the adjustment is a material change. At the time of the Application, wetland delineations for the Project, including a portion of the transmission line corridor, were ongoing and wetland surveys conducted in June of 2018 identified a wetland within the transmission line corridor. The transmission line design requires a pole within the wetland to avoid intersecting a nearby microwave beam path. Additionally, the wetland was determined to be non-jurisdictional by the U.S. Army Corps of Engineers and impacts do not require additional permitting. Maps showing the proposed structure location in relation to the wetland are attached hereto as **Exhibit C** (public and confidential versions).
- 7. The confidential version of **Exhibit C** also identifies the locations of cultural resources and sensitive species habitat in relation to the proposed adjustments. As shown in **Exhibit C**, the proposed adjustments avoid cultural resources and sensitive species habitat.
- 8. All modifications are located on land under lease/easement for the Project and transmission easements have been amended to reflect the updated right-of-way.
- 9. With respect to the Project, including the proposed transmission line adjustments, Crocker will comply with the Commission's Order and all other applicable regulations and requirements.
- 10. Based on the foregoing, Crocker requests approval of the proposed transmission line adjustments.

FURTHER AFFIANT SAYETH NOT.

Dated this Star of February, 2019.

Melissa Schmit

Subscribed and sworn to before me on this <u>Stiday</u> of February, 2019.

Notary Public My Commission Expires: JAH. 31, 2021

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