

residence in the center of section 11-96-62 CCTS have other land leased to the project (Figure 5 of appendix A) on which nine turbines are proposed to be built. Perhaps there is a fine line between participating and nonparticipating about which I am confused? Are the residents of the center of section 11-96-62 CCTS nonparticipating residents but participating landowners? Would they be nonparticipating residents due to the fact that no physical part of the facility would be constructed on the leased property on which they reside? If so, would there be something in play here like the definitions of ‘participating and nonparticipating noise receptors’ found in the Ontario Technical Guide to Renewable Energy Approvals, specifically Chapter 3:Required setback for wind turbines (<https://www.ontario.ca/document/technical-guide-renewable-energy-approvals/required-setback-wind-turbines>) which states in part:

“ 2.2.1 Participating vs. Non-participating Receptors Setback distances do not apply to noise receptors (so-called “participating” noise receptors) on a parcel of land where any part of a renewable energy generation facility will be located once the facility is installed, constructed or expanded in accordance with the REA. It must be emphasized that for setback distances not to apply, all or part of the renewable energy generation facility (e.g. turbine, transmission line) must be constructed on the parcel of land. Thus, this does not apply to lease options that do not result in the construction of facility components or other agreements to waive the 550m setback distance in consideration of financial compensation or other arrangements. Further, it should be noted that a temporary structure that does not form part of the operational facility is not considered sufficient to create a participating noise receptor.”

I am not aware of any other situations similar to this in the project area, but again this casts doubt on the application, at least for me.

- c) Has the “misidentifications of participating/nonparticipating residents” that Mr. Fuerniss is aware of been corrected as part of independent review of residences within the Prevailing Wind Park project and verification area attached to Bridget Canty’s rebuttal testimony?

I do not know that the review and verification apply to my concern.

- d) Please explain in detail what consideration should be provided for rural cemeteries. Please provide evidence to support this consideration.

The existing Beethoven wind farm locates one turbine within 1.1 miles of a rural Charles Mix County cemetery and nine within 1 mile (15 within 1.25 miles) including two within 500 ft. of a Hutchinson County rural cemetery. The proposed project would put two turbines less than 1.25 miles from a Hutchinson County rural cemetery, two turbines less than 1.0 mile from a Charles Mix County rural cemetery, three turbines less than 1.0 mile from a Bon Homme County rural cemetery where my Civil War veteran great-grandfather is buried, and two turbines less than 1.0 mile from a Bon Homme County church and cemetery. This ought not to be. The proponents of these facilities seem to care little enough for the living let alone for the living who are mourning the loss of a loved one.

When we laid my father to rest beneath the prairie beside St. Paul Evangelical Lutheran Church, on the western edge of this proposed project, on a clear crisp January

day we could hear the birds singing while the church bells rang. We prayed and sang hymns. We could hear the handfuls of soil thrown by family members as they hit the casket. We stayed talking, crying, laughing and grieving until the last shovelful. If we had had to endure the noise that we sometimes hear at our farm from a distance of 1.25 miles from Beethoven, I would have been angry enough to want to tear someone's head off and spit in their neck. I do not believe a one-mile setback for the amenity of a rural cemetery is too much to ask and an active church should have two miles.

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