

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

**IN THE MATTER OF THE APPLICATION BY PREVAILING WIND PARK, LLC  
FOR A PERMIT FOR A WIND ENERGY FACILITY IN BON HOMME, CHARLES MIX,  
AND HUTCHINSON COUNTIES, SOUTH DAKOTA, FOR PREVAILING WIND  
PARK ENERGY FACILITY**

**SD PUC DOCKET EL 18-026**

PREFILED TESTIMONY OF BRIDGET CANTY  
ON BEHALF OF PREVAILING WIND PARK, LLC

May 30, 2018

1 **I. INTRODUCTION AND QUALIFICATIONS**

2

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

4 A. My name is Bridget Canty. I am employed at sPower Development Company, LLC  
5 (“sPower”) and my business address is 201 Mission Street, Suite 540 San  
6 Francisco, California.

7

8 **Q. Briefly describe your educational and professional background and duties.**

9 A. I have a Bachelor of Science degree in Biology and a Master of Science degree in  
10 Environmental Science and Resources. I am a Certified Wildlife Biologist through  
11 The Wildlife Society. I am a member of the National Wind Coordinating  
12 Collaborative, the Raptor Research Federation, the California Nevada Golden Eagle  
13 Working Group, and The Wildlife Society Renewable Energy Working Group.

14

15 I am a permitting project manager responsible for siting and licensing utility-scale  
16 projects, with a focus in the renewable energy sector. I manage the permitting for  
17 wind and solar projects and develop environmental study and permitting strategies  
18 for those projects. I work with local, state, and federal regulators on project design  
19 and mitigation measures to ensure project success. I also assist with environmental  
20 compliance throughout the construction and operation of projects. I am currently  
21 managing permitting for 400 megawatts of wind energy. A copy of my resume is  
22 attached as **Exhibit 1**.

23

24 **Q. What is your role with respect to the Prevailing Wind Park Energy Facility**  
25 **(“Project”)?**

26 A. I am responsible for the Project’s compliance with local, state, and federal  
27 environmental regulations. I have managed or authored the environmental chapters  
28 of the Facility Permit Application, reviewed environmental survey data for the  
29 Project, and assisted with layout modifications to avoid and minimize impacts to  
30 environmental resources.

31

32 **II. PURPOSE OF TESTIMONY**

33

34 **Q. What is the purpose of your Direct Testimony?**

35 A. The purpose of my Direct Testimony is to provide information concerning existing  
36 environmental conditions in the area of the proposed Project (“Project Area”),  
37 potential impacts of the Project on the existing environment, and how the Project will  
38 avoid, minimize, or mitigate potential impacts. In addition, I describe the  
39 environmental survey work conducted on behalf of Prevailing Wind Park, LLC  
40 (“Prevailing Wind Park”) to analyze the Project Area, local permitting, as well as the  
41 associated federal and state agency correspondence and coordination. I also  
42 discuss decommissioning.

43

44 **Q. What sections of the Application for a Facility Permit for the Project**  
45 **(“Application”) are you sponsoring?**

46 A. I am sponsoring the following sections of the Application:

- 47 • Section 10.0: Environmental Information
- 48 • Section 11.0: Effect on Hydrology
- 49 • Section 12.0: Effect on Hydrology
- 50 • Section 13.0: Effect on Terrestrial Ecosystems
- 51 • Section 14.0: Effect on Aquatic Ecosystems
- 52 • Section 15.0: Land Use (with the exception of those subsections concerning  
53 sound, shadow flicker, and electromagnetic interference)
- 54 • Section 16.0 Local Land Use Controls
- 55 • Section 17.0: Water Quality
- 56 • Section 18.0: Air Quality
- 57 • Section 20.5: Cultural Resources
- 58 • Section 22.0: Cumulative Effects
- 59 • Section 24.0: Decommissioning of Wind Energy Facilities
- 60 • Section 27.1: Permits and Approvals
- 61 • Section 27.2: Agency Coordination
- 62 • Section 27.3: Public and Agency Comments

- 63 • Appendix B: Wildlife Report
- 64 • Appendix C: Wetland Desktop Determination
- 65 • Appendix D: Tiers 1 and 2 Wildlife Report
- 66 • Appendix E: Raptor Nest Survey Report
- 67 • Appendix F: Avian Use Surveys – Year One
- 68 • Appendix G: Avian Use Surveys – Year Two
- 69 • Appendix H: Bald Eagle Nest Monitoring
- 70 • Appendix I: Northern Long-Eared Bat Acoustic Survey
- 71 • Appendix J: Northern Long-Eared Bat Presence/Absence Survey
- 72 • Appendix K: Whooping Crane Habitat Review
- 73 • Appendix L: Bird and Bat Conservation Strategy
- 74 • Appendix R: Cultural Resources Literature Search (Not for Public Disclosure)
- 75 • Appendix S: Cultural Resources Desktop Review and Construction Grid (Not
- 76 for Public Disclosure)
- 77 • Appendix T: Agency Correspondence

78

79 **III. ENVIRONMENTAL SURVEYS/STUDIES**

80

81 **Q. What was the overall approach to environmental analysis of the Project Area?**

82 A. Prevailing Wind Park, and the prior project owner, Prevailing Winds, LLC, have  
83 conducted or authorized various environmental surveys and studies in and around  
84 the Project Area. The purpose of these studies was to identify existing human and  
85 environmental resources within the Project Area and develop strategies to avoid,  
86 minimize and/or mitigate impacts to those resources. The surveys and studies  
87 address numerous resources and have been conducted to comply with applicable  
88 regulations and guidelines, including the U.S. Fish and Wildlife Service (“USFWS”)  
89 Land-Based Wind Energy Guidelines, the USFWS Eagle Conservation Plan  
90 Guidance, and the South Dakota Siting Guidelines for Wind Projects. Survey and  
91 study results have informed Project design efforts and have been used to develop  
92 avoidance, minimization, and/or mitigation strategies to be implemented in  
93 connection with Project construction and operations.

94

95 **Q. Discuss the environmental surveys and/or studies conducted with respect to**  
 96 **the Project.**

97 A. The environmental studies and field surveys conducted for the Project, the dates of  
 98 those studies/surveys, and the status of each are provided in the table below (see  
 99 also Sections 2.0, 11.0-15.0, and 18.0, 19.0, and 21.0 of the Application).

100 **Environmental Studies and Surveys for the Prevailing Wind Park Project**

<b>Study</b>	<b>Dates</b>	<b>Status</b>
Tiers 1 and 2 Report	June 2016	Complete
Raptor Nest Survey	April 2016	Complete
Avian Use Surveys – Year One	March 2015-February 2016	Complete
Avian Use Surveys – Year Two	May 2016-April 2017	Complete
Whooping Crane Habitat Review	August 2016	Complete
Bald Eagle Nest Monitoring	March-July 2015 May-September 2016	Complete
Bird and Bat Conservation Strategy	May 2018	Complete
Northern Long-Eared Bat Acoustic Survey	July-August 2015	Complete
Northern Long-Eared Bat Presence/Absence Survey	July-August 2016	Complete
Rare Plant Habitat Assessment	May-June 2018	In process
Native Grassland Field Verification	May-June 2018	In process
Wetland Desktop Determination	March 2018	Complete
Wetland Field Delineation	May-June 2018	In process
Cultural Resources Literature Search	April 2018	Complete
Cultural Resources Desktop Review and Construction Grid	April 2018	Complete
Cultural Resources Archeological Survey	June-July 2018	Pending

<b>Study</b>	<b>Dates</b>	<b>Status</b>
Historical/Architectural Survey	June-July 2018	Pending
Engineering Report on Effects to FCC-Licensed RF Facilities	April 2016	Complete
Sound Study	April 2018	Complete
Shadow Flicker Analysis	May 2018	Complete

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In addition to these environmental studies, a sound study (Appendix M) and shadow flicker analysis (Appendix N) were completed, and those analyses are discussed further in the Direct Testimony of Mr. Chris Howell and the Direct Testimony of Mr. Aaron Anderson, respectively.

**Q. How has Prevailing Wind Park incorporated the results of those surveys and/or studies into Project design?**

A. Results of the surveys influenced Project design. For example, the results of the 2015 northern long-eared bat acoustic monitoring prompted modification of the Project Area to move it further to the north and away from the Missouri River. This shift in the Project Area was also intended to reduce risk to other species associated with woodland and riparian habitats. In addition, the results of the wetland and cultural resources desktop reviews were used to identify areas for avoidance.

**Q. Is there any environmental study work yet to be completed for the Project?**

A. Yes. Prevailing Wind Park must complete wetland and waterbody delineations, cultural resource surveys and a rare plant habitat assessment to finalize the micro-siting of turbines. The wetland and waterbody delineations and rare plant habitat assessment are in process. Additionally, Prevailing Wind Park is in the process of field verifying areas of potential untilled grasslands identified during the 2018 desktop analysis.

124 In addition, the Western Area Power Authority (“WAPA”) is preparing an  
125 Environmental Assessment (“EA”) for the Project interconnection in accordance with  
126 the applicable requirements and standards of the National Environmental Policy Act  
127 (“NEPA”). The proposed interconnection of the Project to WAPA’s transmission  
128 system is a Federal action under NEPA. In order to execute an interconnection  
129 agreement to connect the Project to WAPA’s existing Utica Junction Substation,  
130 WAPA must analyze the potential environmental impacts of the Project to determine  
131 whether the Project would result in significant environmental impacts under NEPA.  
132 The EA is currently being prepared, and Prevailing Wind Park anticipates that WAPA  
133 will approve a final EA and issue a Finding of No Significant Impact (“FONSI”) in  
134 Fourth Quarter 2018.

135

136 **Q. Does the remaining environmental study work need to be completed to**  
137 **determine whether the Project complies with State siting requirements?**

138 A. No. The remaining study work is not anticipated to affect the environmental analysis  
139 set forth in the Application, or the conclusion that the Project will meet all applicable  
140 local, state, and federal permitting requirements.

141

142 **IV. ENVIRONMENTAL SITE ANALYSIS OVERVIEW**

143

144 **Q. Could you please provide a general overview of the Project Area from a land**  
145 **use perspective?**

146 A. Land use within the Project Area is predominantly agricultural, consisting of a mix of  
147 cropland, hayland, pastureland, and rangeland. There are 83 occupied residences  
148 within the Project Area.

149

150 **Q. What steps will Prevailing Wind Park take to avoid, minimize, and/or mitigate**  
151 **impacts to the existing land uses?**

152 A. As discussed in more detail in Section 15.0 of the Application, Project construction  
153 will result in conversion of only a small portion of the land within the Project Area  
154 from existing land uses into a renewable energy resource. Landowners will be

155 compensated for losses to crop production during Project construction, and following  
156 completion of construction, areas disturbed due to construction that will not host  
157 permanent facilities will be re-vegetated with vegetation types matching the  
158 surrounding agricultural landscape.

159

160 There will be no displacement of residences or businesses due to construction of  
161 Project facilities.

162

163 **Q. Could you describe the existing geological and soil resources, seismic risks,  
164 and subsidence potential in the Project Area?**

165 A. Discussions of existing geological and soil resources are provided in Sections 11.1  
166 and 11.2 of the Application, respectively. The risk of seismic activity in the vicinity of  
167 the Project Area is low, and the risk for subsidence within the Project Area is  
168 considered negligible.

169

170 **Q. What steps will Prevailing Wind Park take to avoid, minimize, and/or mitigate  
171 potential impacts to geologic and soil resources?**

172 A. In general, it is not anticipated that impacts to geologic resources will occur. With  
173 respect to soil resources, the minimum amount of vegetation required to develop the  
174 Project will be removed in the areas associated with proposed Project components.  
175 The Project layout has been designed to limit construction cut and fill work and limit  
176 construction in steep slope areas. During Project construction, Prevailing Wind Park  
177 will also develop and implement a Storm Water Pollution Prevention Plan  
178 (“SWPPP”) in accordance with South Dakota Department of Environmental and  
179 Natural Resources storm water permitting requirements, which will include the  
180 implementation of best management practices (“BMPs”) to control storm water runoff  
181 and mitigate erosion and sedimentation. These BMPs may include use of silt  
182 fences, straw wattles, erosion control blankets, temporary storm water sedimentation  
183 ponds, and re-vegetation. Finally, Project facilities will be decommissioned after the  
184 end of the Project’s operating life. In connection with Project decommissioning,  
185 surfaces will be graded, reseeded, and restored as nearly as possible to their



186 preconstruction conditions. After decommissioning of the Project is complete, no  
187 irreversible changes to soil resources will remain.

188

189 **Q. Could you describe the hydrologic resources, including surface and**  
190 **underground resources, present within the Project Area?**

191 A. A discussion of hydrologic resources within the Project Area is provided in Section  
192 12.0 of the Application. The following types of hydrologic resources were analyzed  
193 with respect to the Project:

- 194 • Groundwater resources: The groundwater system underlying the Project  
195 Area is nearly exclusively based on glacial outwash aquifers. Glacial drift and  
196 alluvium aquifers in South Dakota vary in depth from 0 to 400 feet, with a  
197 range of yield from 3 to 50 gallons per minute.
- 198 • Surface water resources: The Project Area is located within the Missouri  
199 River Basin surface water drainage system and is associated with the  
200 Missouri-Big Sioux Sub-Region of the Missouri Region. The Project Area is in  
201 the Lewis and Clark Lake Sub-Basin. Drainage generally flows from the  
202 northwest to the southeast within this Sub-Basin, and named streams include  
203 Dry Choteau Creek and Little Emanuel Creek.
- 204 • National Park Service Nationwide Rivers Inventory: There are no NRI-listed  
205 rivers within the Project Area. The closest NRI segment is the James River,  
206 located approximately 16 miles east of the Project Area.
- 207 • Impaired waters: There are no impaired waterbodies within the Project Area;  
208 the nearest downstream 303(d)-listed waterbody is Emanuel Creek, located  
209 approximately 2 miles east of the Project Area. Emanuel Creek is also in the  
210 Lewis and Clark Lake Sub-Basin.
- 211 • Floodplains: There are no Federal Emergency Management Agency  
212 (“FEMA”) mapped floodplains within the Project Area. FEMA flood maps are  
213 available for Charles Mix and Hutchinson counties but have not been  
214 produced for Bon Homme County.

215

216 **Q. Are significant impacts anticipated to hydrologic resources?**

217 A. Significant impacts to hydrologic resources are not anticipated. Construction of  
218 Project facilities, particularly wind turbine foundations and collector line trenches,  
219 could require groundwater dewatering; however, dewatering is not anticipated to be  
220 a major concern within the Project Area because wind turbines are typically placed  
221 at higher elevations where the water table tends to be deeper. Project facilities have  
222 been designed to avoid impacts on surface water resources to the extent  
223 practicable.

224

225 **Q. What measures will Prevailing Wind Park employ to avoid, minimize, and/or**  
226 **mitigate potential impacts to hydrologic resources?**

227 A. As I previously noted, Prevailing Wind Park will develop and implement a SWPPP,  
228 which will result in the implementation of BMPs to control storm water runoff and  
229 mitigate erosion and sedimentation in connection with Project construction activities.

230

231 **Q. Could you describe the wetlands present within the Project Area?**

232 A. Desktop wetland determination reviews conducted to date for the proposed Project  
233 have identified a total of 2,696 acres of known and potential wetlands in the Project  
234 Area.

235

236 **Q. Are significant impacts anticipated to wetland resources?**

237 A. Based on the Project's desktop wetland determination, the Project could result in  
238 permanent impacts to two wetlands (0.004 acre and 0.0002 acre of impacts) and  
239 three intermittent streams (62.4 linear feet). These permanent impacts are a result of  
240 access road crossings of these wetlands and streams. I note that for the three  
241 stream crossings, appropriately designed culverts or low water crossings would be  
242 placed to maintain the free flow of water.

243

244 **Q. What measures will Prevailing Wind Park employ to avoid, minimize, and/or**  
245 **mitigate potential impacts to wetland resources?**

246 A. Prevailing Wind Park will obtain coverage under a United States Army Corps of  
247 Engineers ("USACE") Section 404 permit in connection with impacts to wetlands or

248 waterbodies under the jurisdiction of the USACE and will comply with applicable  
249 permit requirements.

250

251 **Q. Are aquatic ecosystems present in the Project Area and, if so, what measures**  
252 **will Prevailing Wind Park employ to avoid, minimize, and/or mitigate potential**  
253 **impacts?**

254 A. As I previously discussed, surface waters are present within the Project Area;  
255 however, state or federal listed species are not expected to use these areas, and  
256 Prevailing Wind Park will employ various BMPs to avoid, minimize, and/or mitigate  
257 any impacts to aquatic habitat.

258

259 **Q. Are any federally-listed species, federally-designated critical habitat, or state-**  
260 **listed species present within the Project Area?**

261 A. There is the low potential for certain federally-listed wildlife species to occur within  
262 the Project Area, including interior least tern, whooping crane, piping plover, red  
263 knot, Topeka shiner, and the northern-long eared bat. No designated critical habitat  
264 for federally-listed wildlife species is present within the Project Area. With respect to  
265 state-listed wildlife species, there is limited potential for the northern river otter.  
266 There is no potential for the pallid sturgeon to occur in the Project Area.  
267 Additionally, there is potential for the western prairie fringed orchid, a plant species  
268 federally listed as threatened, to occur in the Project Area. See Sections 13.0 and  
269 14.0 of the Application for additional detail.

270

271 **Q. Is the Project anticipated to impact federally-listed species, federally-**  
272 **designated critical habitat, or state-listed species?**

273 A. No. Project facilities have been sited to avoid, to the extent practicable, impacts to  
274 federally-listed and other special-status wildlife species. Impacts to federal  
275 threatened and endangered wildlife species resulting from Project construction and  
276 operations are anticipated to be low due to the low likelihood and/or frequency of  
277 species presence in the Project Area and implementation of species-specific

278 conservation measures, consistent with the *Upper Great Plains Wind Energy Final*  
279 *Programmatic Environmental Impact Statement* (“PEIS”), as appropriate.

280  
281 With respect to the western prairie fringed orchid, no impacts are likely to occur, as  
282 this species is possibly extirpated from South Dakota. However, Prevailing Wind  
283 Park is completing a habitat assessment, and if suitable habitat is identified, areas of  
284 ground disturbance will be surveyed during the orchid’s blooming period prior to  
285 construction. If the species cannot be avoided, USFWS will be contacted for  
286 guidance.

287

288 **Q. Discuss the analysis conducted of eagle use of the Project Area.**

289 A. In April 2016, Prevailing Winds, LLC conducted an aerial raptor nest survey,  
290 including eagle nests. Three occupied bald eagle nests were recorded during the  
291 April 2016 survey, all outside the Project Area. A total of six bald eagle nests (three  
292 occupied; three unoccupied) were documented during the survey; all bald eagle  
293 nests observed were outside of the Project Area. The nearest occupied bald eagle  
294 nest to the Project Area is located approximately 0.5 mile from the Project Area (see  
295 Figure 1 in the Eagle Nest Monitoring Report in Appendix H to the Application). The  
296 same nest is located approximately 2 miles from the nearest proposed turbine. This  
297 nest was confirmed to be active in March 2018.

298  
299 Bald eagle nest monitoring surveys were conducted at the nearest active bald eagle  
300 nest (0.5 mile from the Project Area) in 2015 and 2016 in accordance with agency  
301 recommendations to document flight paths and use within the vicinity of an active  
302 bald eagle nest identified during aerial raptor nest surveys conducted for the Project.  
303 The nest is located east of the Project (see Figure 1 in the Eagle Nest Monitoring  
304 Report in Appendix H to the Application). In 2015, 27 bald eagle observations were  
305 recorded during the 12 hours of surveys (see Table 1 in Appendix H to the  
306 Application); individual eagles, both adults and young-of-year birds, were observed  
307 multiple times. Of the bald eagles observed, most were perched on or near the nest.  
308 Bald eagles were observed flying for only 11 minutes. In 2016, 11 bald eagle

309 observations were documented during the 10 hours of surveys (see Table 1 in  
310 Appendix H to the Application). As in 2015, individual bald eagles, both adults and  
311 young-of-year birds, were observed multiple times. Bald eagles were observed  
312 flying for a total of 10 minutes 2016.

313

314 Golden eagles have not been documented in the Project Area. There was one  
315 unidentified eagle was observed in 2016.

316

317 **Q. Is the Project anticipated to impact bald and golden eagles?**

318 A. The survey results indicate low use of the Project Area by bald eagles and likely no  
319 use by golden eagles. Potential impacts during operations will be avoided,  
320 minimized, and/or mitigated, if necessary, as described in the Bird and Bat  
321 Conservation Strategy (“BBCS”), included as Appendix L to the Application.

322

323 **Q. Is the Project anticipated to impact other wildlife species?**

324 A. During Project construction activities, disruption of habitat could occur, thus,  
325 impacting other species of wildlife. Permanent habitat loss will be minimal and  
326 localized. Following construction, terrestrial wildlife species are expected to  
327 habituate to routine facility operation and maintenance activities in a manner similar  
328 to relationships with existing farming operations.

329

330 With respect to wildlife species impacts, bird and bat species are typically the  
331 primary concern associated with wind energy facility construction and operation.  
332 The Project is likely to directly impact birds and bats. However, the Project has been  
333 sited in an area and designed in a manner to avoid and minimize impacts to birds  
334 and bats. For example, as discussed above, the Project Area has been modified to  
335 move it further to the north and away from the forested riparian habitat along the  
336 Missouri River. Therefore, it is expected that impacts to birds and bats will be within  
337 acceptable levels.

338

339 **Q. What measures will Prevailing Wind Park implement to avoid, minimize, or**  
340 **mitigate impacts to other wildlife species?**

341 A. Prevailing Wind Park will implement all applicable avoidance, minimization, and  
342 mitigation measures set forth in the PEIS, prepared jointly by WAPA and the  
343 USFWS. As part of WAPA's EA process, which I discuss further below, Prevailing  
344 Wind Park is coordinating with WAPA and the USFWS to identify additional  
345 mitigation measures that will be implemented for the Project as a condition of EA  
346 approval.

347  
348 With respect to bird and bat species, Prevailing Wind Park has prepared a BBCS  
349 (see Appendix L to the Application) in accordance with the USFWS Land-Based  
350 Wind Energy Guidelines. The BBCS will be implemented to minimize impacts to  
351 avian and bat species during construction and operation of the Project. See Section  
352 13.4 and Appendix L of the Application for a complete discussion of Prevailing Wind  
353 Park's avoidance, minimization and mitigation strategies.

354  
355 **Q. Is the Project anticipated to impact existing water or air quality?**

356 A. No, as discussed in Sections 17.0 and 18.0 of the Application, the Project is not  
357 anticipated to have significant impacts to water or air quality.

358  
359 **Q. With respect to cultural resources, what steps has Prevailing Wind Park taken**  
360 **to identify cultural resources within the Project Area?**

361 A. In April 2018, Prevailing Wind Park conducted a Level I Cultural Resources Records  
362 Search for the Project Area and a 1-mile buffer ("Study Area"). Data was collected  
363 from the South Dakota Archaeological Research Center ("SDARC"), including data  
364 regarding previously recorded archaeological sites and surveys, bridges,  
365 cemeteries, structures, and miscellaneous cultural features within the Study Area.  
366 The Level I Cultural Resources Records Search identified 11 previously documented  
367 archaeological sites, 27 previously inventoried architectural structures, and 20  
368 previously inventoried bridges within the Study Area. This information was used to  
369 develop a construction guidance grid, which Prevailing Wind Park has used to site

370 Project facilities in areas that have a lower likelihood for containing intact cultural  
371 resources. Prevailing Wind Project has not sited any Project facilities, including  
372 temporary disturbance areas, in areas identified as “Areas of Caution” on the  
373 construction grid.

374  
375 Beginning in June 2018, Prevailing Wind Park will conduct a Level III Archaeological  
376 Survey for all areas of temporary and permanent disturbance in the Project  
377 Area. These areas may include, but are not limited to, the proposed turbine  
378 locations, substation, temporary work areas, staging areas, access roads, crane  
379 paths, met towers and cable routes.

380  
381 In addition to a Level III Archaeological Survey, Prevailing Wind Park will conduct a  
382 Historic Architectural Resources Reconnaissance Survey using a 2-mile area of  
383 potential effect that will cover both direct and indirect effects. The architectural  
384 survey and Historic Architectural Resources Reconnaissance Survey will focus on  
385 identifying and evaluating historic-era structures eligibility for listing in the National  
386 Register of Historic Places (“NRHP”).

387  
388 **Q. Discuss the South Dakota State Historical Society’s (“SHPO’s”) involvement in**  
389 **establishing the cultural and architectural resource survey protocols**  
390 **employed for the Project.**

391 A. All cultural and architectural resource survey work conducted by Prevailing Wind  
392 Park will be conducted in accordance with the South Dakota Guidelines for  
393 Compliance with the Historic Preservation Act and South Dakota Codified Law 1-  
394 19A-11.1

395  
396 As part of the NEPA process for approval of the WAPA interconnection, the Project  
397 will require compliance with Section 106 of the National Historic Preservation Act of  
398 1966, as amended. As such, Prevailing Wind Park is coordinating with WAPA to  
399 determine the most appropriate inventory strategy for the Project. WAPA is

400 consulting with SHPO and interested tribes as part of the Section 106 compliance  
401 process.

402

403 **Q. What steps will Prevailing Wind Park take to avoid, minimize, and/or mitigate**  
404 **impacts to cultural and tribal resources?**

405 A. For cultural resources identified during the surveys, a recommendation of NRHP-  
406 eligibility of the resource will be made. Sites determined to be NRHP-eligible will be  
407 avoided by the Project to the extent practicable. If avoidance is not practicable,  
408 Prevailing Wind Park will work with WAPA and SHPO to develop appropriate  
409 minimization or mitigation measures.

410

411 **V. NEPA Process**

412

413 **Q. Why is the Project subject to review under NEPA?**

414 A. As I previously discussed, the proposed interconnection of the Project to WAPA's  
415 transmission system is a Federal action under NEPA. In order to execute an  
416 interconnection agreement to connect the Project to WAPA's existing Utica Junction  
417 Substation, WAPA must analyze the potential environmental impacts of the Project  
418 to determine whether the Project would result in significant environmental impacts  
419 under NEPA. While WAPA must analyze impacts of the entire Project, WAPA's  
420 Federal action is limited to the approval of the interconnection.

421

422 **Q. Please describe the NEPA environmental review process for the Project, and**  
423 **its current status.**

424 A. WAPA is preparing EA for the Project interconnection in accordance with applicable  
425 NEPA requirements. The EA will tier off the analysis conducted in the PEIS,  
426 prepared jointly by WAPA and the USFWS. The PEIS assesses environmental  
427 impacts associated with wind energy development and identifies management  
428 practices to address impacts. The EA for the Project will focus on site-specific  
429 issues that are not already addressed in sufficient detail in the PEIS. The EA is



430 currently being prepared, and Prevailing Wind Park anticipates that WAPA will  
431 approve a final EA and issue a FONSI in Fourth Quarter 2018.

432

433 **VI. LOCAL PERMITTING**

434

435 **Q. Has the Project obtained the land use approvals and building permits**  
436 **required for the Project from Bon Homme, Charles Mix, and Hutchinson**  
437 **counties?**

438 A. No, not at this time. Prevailing Wind Park is coordinating with Bon Homme, Charles  
439 Mix, and Hutchinson counties and, as discussed above, has applied applicable  
440 county setbacks in designing the current Project configuration. Prevailing Wind Park  
441 intends to file an application for a Large Wind Energy System Permit with Bon  
442 Homme County and for a conditional use permit in Hutchinson County this summer.  
443 Building permits will be obtained from each county prior to commencing Project  
444 construction activities for which the permit is required.

445

446 **VII. AGENCY COORDINATION**

447

448 **Q. Please discuss Prevailing Wind Park’s agency coordination efforts.**

449 A. As discussed in Section 27.2 of the Application, Prevailing Wind Park has  
450 coordinated with various federal, state, and local agencies to identify concerns  
451 regarding the Project. Numerous meetings and discussions have been held with the  
452 USFWS and South Dakota Game, Fish, and Parks (“SDGFP”) regarding avoidance,  
453 minimization, and mitigation of potential impacts to wildlife and associated habitat.  
454 Prevailing Wind Park anticipates that Project discussions with both agencies will  
455 continue, both directly and in connection with WAPA’s preparation of an EA for the  
456 Project interconnection in accordance with NEPA.

457

458 **Q. Discuss any comments provided by state and federal agencies regarding the**  
459 **Project and how Prevailing Wind Park has addressed, or will address, those**  
460 **comments.**

461 A. The following agencies and local governments have provided comments concerning  
462 the Project: USFWS; SDGFP; SHPO; Bon Homme County; Charles Mix County;  
463 and Hutchinson County. As discussed in more detail in Section 27.2 of the  
464 Application, Prevailing Wind Park has considered these comments, and where  
465 applicable, they have been incorporated into Project design.

466

467 **Q. Is the Project compatible with existing land uses and future development in**  
468 **and around the Project Area?**

469 A. Yes, the proposed Project is compatible with the existing agricultural land uses in the  
470 Project Area. Over 60 percent of the Project Area consists of cropland. The  
471 proposed wind farm is compatible with crop use as agricultural uses will continue  
472 within the Project Area during construction and operation of the Project. The  
473 Project is not anticipated to interfere with any current or future land use in the Project  
474 Area.

475

476 **VIII. PERMITS AND APPROVALS**

477

478 **Q. In addition to an Energy Facility Permit, what other permits are required for the**  
479 **Project?**

480 A. In addition to an Energy Facility Site Permit from the South Dakota Public Utilities  
481 Commission, various federal, state, and local approvals may be required for the  
482 Project. Table 27-1 in the Application identifies potential permits or approvals  
483 required for construction and operation of the Project. Table 27-1 also identifies the  
484 status of each permit/approval.

485

486 **Q. Will Prevailing Wind Park obtain all local, state, and federal permits required**  
487 **for the Project?**

488 A. Yes. Prevailing Wind Park or its contractor will obtain all permits and licenses  
489 required for the Project.

490

491

492 **IX. DECOMMISSIONING AND SITE RESTORATION**

493

494 **Q. What is the estimated life of the Project?**

495 A. The anticipated life of the Project is approximately 30 years from the date of  
496 commencement of commercial operation.

497

498 **Q. Will the Project be decommissioned at the end of its useful life?**

499 A. Once the facilities constructed have reached the end of their useful life, it may be  
500 determined that it is appropriate to retrofit or otherwise upgrade the Project facilities  
501 and continue operations. If retrofitting or upgrading is not done, then the Project will  
502 be decommissioned.

503

504 **Q. If the Project is decommissioned, will the Project comply with all applicable  
505 state and local requirements for structure removal and site restoration?**

506 A. Yes. Decommissioning will comply with applicable state and local requirements,  
507 including the requirements of Bon Homme County, as described in greater detail in  
508 Section 24.0 of the Application.

509

510 **Q. Has Prevailing Wind Park analyzed the cost of decommissioning the Project?**

511 A. Prevailing Wind Park estimates that the costs of decommissioning will be in the  
512 magnitude of the estimate provided for the up to 72-turbine Dakota Range Wind  
513 Project. The Dakota Range Wind Project developer estimated the cost per turbine  
514 (no resale) to be \$38,900 per turbine. Prevailing Wind Park has commissioned  
515 DNV-GL to provide a decommissioning plan with a cost estimate, which will be  
516 submitted to the Commission for review shortly after this application is submitted.

517

518 **Q. Who will be responsible for covering all anticipated decommissioning costs?**

519 A. Prevailing Wind Park will be responsible for covering all anticipated  
520 decommissioning costs.

521

522

523

524 **X. CONCLUSION**

525

526 **Q. Based on the analysis Prevailing Wind Park has conducted of the Project**  
527 **Area, has the Project been sited so as to minimize human and environmental**  
528 **impacts?**

529 A. Yes. As discussed herein and throughout the Application, Prevailing Wind Park  
530 does not expect the Project to have any significant, long-term effects on humans or  
531 the environment. Construction impacts are anticipated to be minor and temporary,  
532 and only 45 of the total 50,364 acres within the Project Area will be permanently  
533 impacted during the life of the Project. Moreover, Prevailing Wind Park has  
534 committed to complying with all applicable regulatory and permit requirements,  
535 implementing resource-specific avoidance, minimization, and mitigation measures,  
536 and utilizing BMPs during construction and operation. Therefore, the Project is not  
537 anticipated to have long-term negative impacts.

538

539 **Q. Does this conclude your Direct Testimony?**

540 A. Yes.

541

542 Dated this 30th day of May, 2018.



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Bridget Canty