

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA

Exhibit  
G19

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IN THE MATTER OF THE  
APPLICATION OF DEUEL HARVEST  
WIND ENERGY LLC FOR A PERMIT  
OF A WIND ENERGY FACILITY AND  
A 345-KV TRANSMISSION LINE IN  
DEUEL COUNTY

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\* GARRETT HOMAN'S RESPONSE TO  
\* STAFF'S FIRST SET OF DATA  
\* REQUESTS TO INTERVENORS

\* EL18-053  
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Below, please find Garrett Homan's response to Staff's First Set of Data Requests to Intervenors. The original request is restated and followed by my response to that request.

- 1-1) Provide copies of all data requests submitted to or by you and copies of all responses provided to those data requests. Provide this information to date and on an ongoing basis.

**The Applicant's first data request to Garrett Homan is attached to this response, and I will continue to provide all future correspondences.**

- 1-2) Refer to SDCL 49-41B-22.  
a. Please specify particular aspect/s of the applicant's burden that you intend to personally testify on.

**Particular aspects of the applicant's burden I intend to testify on include:**

- 1. The project as proposed does not comply with 49-41B-22 (3) since proposed turbines to the northwest, west, and southwest of our family's airstrip (western half of section 32 in Glenwood township) pose a substantial threat of serious injury or death to users of the airstrip (family, friends, approved users, and the public in emergency situations).**
- 2. The project as proposed does not comply with 49-41B-22 (3) since the minimum setbacks used for siting do not meet the wind turbine manufacturer's (GE) recommendations for the required safety distances surrounding turbines in freezing weather to mitigate hazards associated with ice throw. This puts the safety of neighbors and the general public using roads at risk.**
- 3. The project as proposed does not comply with 49-41B-22 (2) and (3) since construction, operation, and decommissioning of the turbines poses a threat of serious injury to the environment and the social and economic condition of current and future inhabitants as well as health and welfare of the inhabitants.**

- b. Please specify particular aspect/s of the applicant's burden of proof that you intend to call a witness to testify on.

**None at this time.**

- 1-3) Refer to SDCL 49-41B-25. Identify any “terms, conditions, or modifications of the construction, operation, or maintenance” that you would recommend the Commission order. Please provide support and explanation for any recommendations.
- a. Specifically, what mitigation efforts would you like to see taken if this Project is constructed.

**1. In regards to protecting the safety of users of our airstrip, I request the Commission order terms of the project to include:**

**a) no turbine sites under a one-sided (biased to the East) traffic pattern airspace sized for category B aircraft, and**

**b) no turbine sites within 10 rotor diameters (4,170 ft or .8 statute miles) of the runway and imaginary approach surfaces for the runway.**

**Regarding a), the dimensions of the traffic pattern airspace for our airstrip, defined per standards provided in FAA order JO 7400.2L, are 1.5 nautical miles (1.73 statute miles) from the north end, south end, and east side of the runway and .25 nautical miles (.29 statute miles) from the west side of the runway.**

**Regarding b), the imaginary approach surfaces for our runway, defined per the standards provided in 14 CFR 77.19 for utility runways with visual approaches, extend 5,000 ft from each end of the runway and expand to a width of 1,250 ft centered about the extended centerline. The 10x rotor diameter distance is applied from the outer boundaries of this shape comprised of an approach surface to the south, the runway, and an approach surface to the north. These safe setbacks currently effect turbine sites 106, 107, 108, 117, 123, and 124 from the application layout maps. See the appended figure showing these dimensions and our runway simply illustrated on an excerpt of the application layout map. This could be simplified into a rectangular shape extending 1 mile west, 1.75 miles north, 1.75 miles east, and 1.75 miles south of the extents of the airstrip runway surface.**

**2. In regards to protecting neighbors and the general public from risk of ice throw, I request the Commission order terms of the project to include minimum setbacks from non-participating property lines or public right of ways of at least 1100 ft to satisfy the recommendations to reduce risk from ice throw provided in “GE Power and Water,**

Technical Documentation, Wind Turbine Generator Systems 1&2MW Platform, Safety Manual" (safety manual).

3. In regards to protecting the environment and participants' and non-participants' health and safety, I request the Commission order terms of the project include a state-managed 24-7 hotline and response department for the intended purpose of providing a means for the public to report environmental, health, and safety issues (such as oil leaks or other pollution, ground water contamination, excessive noise and shadow flicker, road or property damage from ice throw or turbine failures, fire, etc.) observed during project construction and operation and to coordinate the appropriate independent assessments and corrective actions. This hotline and response department should be funded by the applicant via an escrow account for the duration of the project, but managed by the state to ensure the public's best interest is being served and to remove any potential for the applicant to delay or mishandle reports due to financial incentives.

- 1-4) Please list with specificity the witnesses that you intend to call. Please include name, address, phone number, credentials and area of expertise.

None are planned at this time, but I reserve the right to call witnesses at a later date.

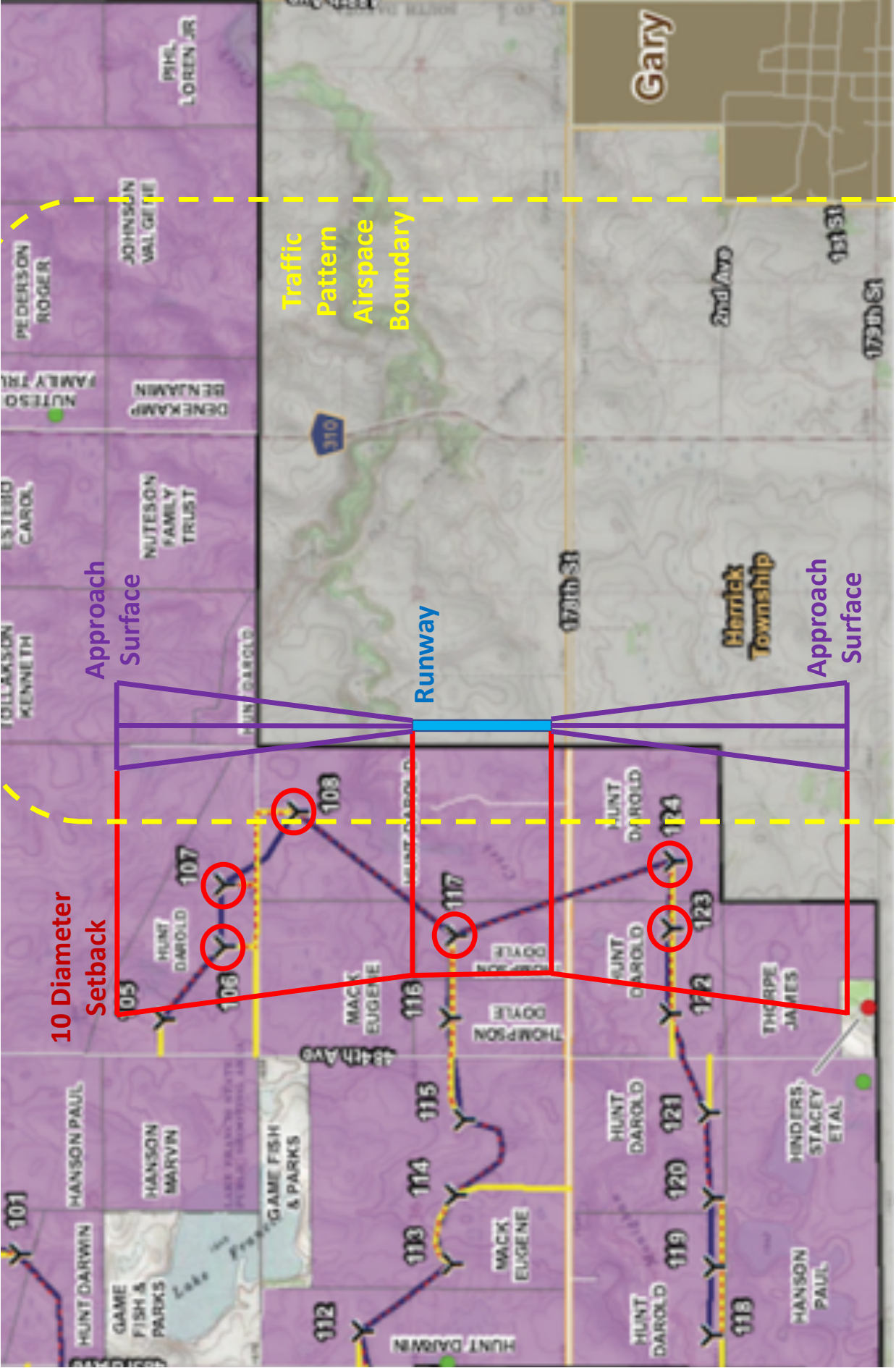
- 1-5) Do you intend to take depositions? If so, of whom?

None are planned at this time.

Date 2/24/19



Garrett Homan  
Intervenor  
5669 Maple Grove Road  
Hermantown, MN 55811  
garhoman@gmail.com



10 Diameter Setback

Approach Surface

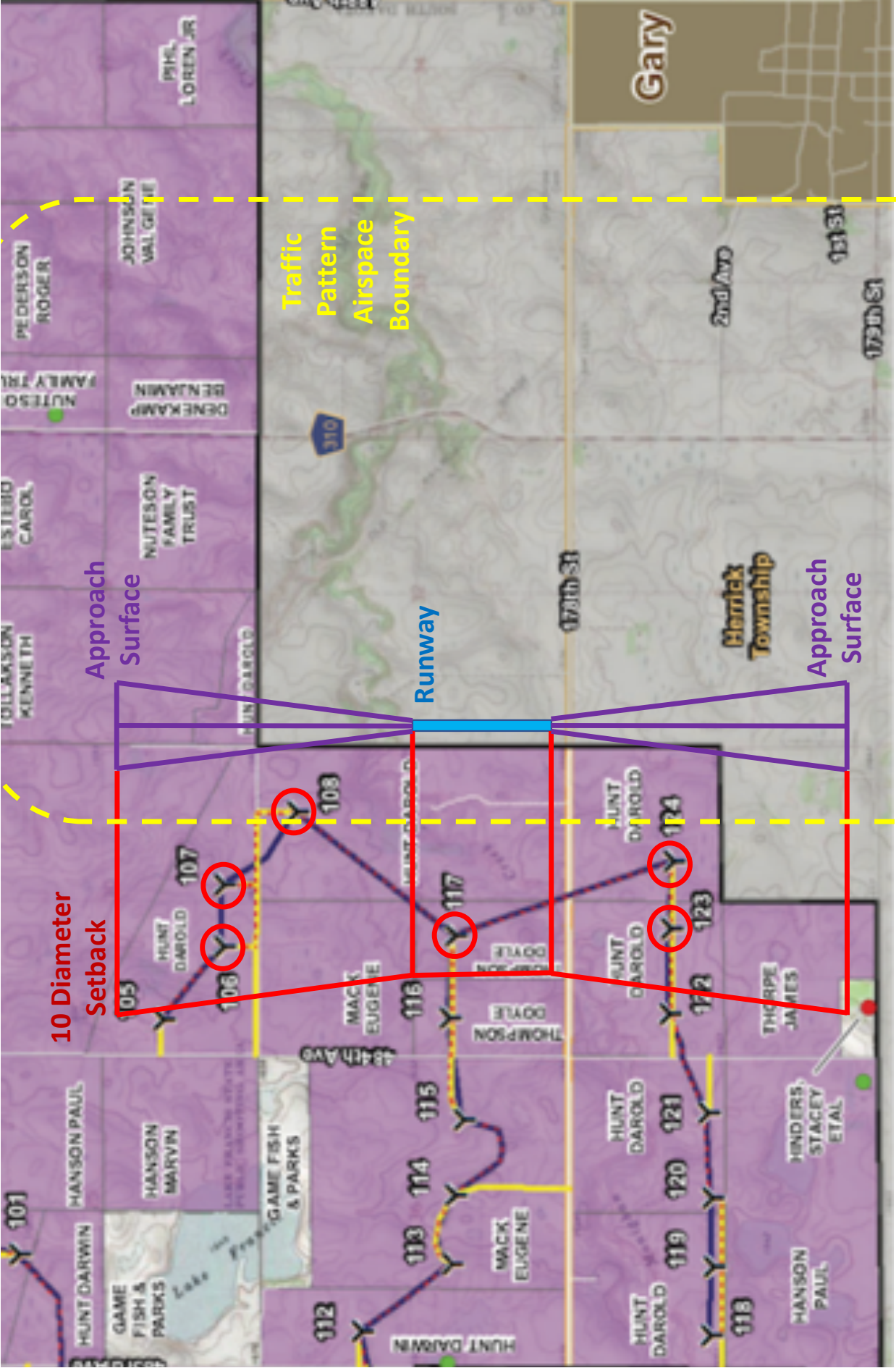
Runway

Traffic Pattern Airspace Boundary

Approach Surface

Herrick Township

Gary



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\* **APPLICANT’S FIRST SET OF DATA**  
\* **REQUESTS TO GARRETT HOMAN**  
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\* **EL18-053**  
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Below, please find Deuel Harvest Wind Energy LLC’s (“Applicant”) First Set of Data Requests to Garrett Homan. Please submit responses within 10 business days or promptly contact the undersigned to discuss an alternative arrangement.

- 1-1) Provide copies of all data requests submitted by PUC staff to you in this proceeding and copies of all responses to those data requests. Provide this information to date and on an ongoing basis.
- 1-2) Identify the address of your permanent residence (where you reside).
- 1-3) Identify all property you own within the vicinity of the Deuel Harvest North Wind Farm (“Project”) and the location (by section, township, and range) of such property. Are there any habitable buildings on the property you own?
- 1-4) If you have a residence in the vicinity of the Project, identify whether you live at the residence throughout the entire year and, if not, how many months of the year you reside at the residence.
- 1-5) Identify how you use your land, including, but not limited to, whether you use your land for agricultural purposes.
- 1-6) Identify any sensitive or unique features of your property that you assert would be impacted by the Project.
- 1-7) Describe your concerns regarding the Project.
- 1-8) Describe what mitigation measures would address the concerns you identified in response to Request 1-7 and whether any of the mitigation measures identified by the Applicant in its Application could address any of your concerns.
- 1-9) Identify any documents, information, education, training, or professional experience you have relied upon to form your opinions concerning the Project. Where you have relied upon documents or other tangible materials, please provide such documents and/or materials.

- 1-10) Identify any witnesses, including expert witnesses, you plan to have testify on your behalf. For each witness (including expert witnesses), please provide a resume or statement of qualifications of the witness(es), identify the subject matter regarding which the witness will testify, and identify and provide any exhibits the witness will refer to or introduce.
- 1-11) Are you asserting that the Project will negatively impact your property value? If so, provide copies of any appraisals or other valuations that have been conducted for such property within the last ten years.
- 1-12) Identify any communications, written or otherwise, you have had with units, officials, and/or representatives of local, state, and/or federal governments or agencies concerning the Project.
- a) For any written communications, provide a copy of the communication; and
  - b) For any unwritten communications, provide the date of the communication, the persons involved, and the subject matter of the communication.
- 1-13) In the last five years, how often have you visited South Dakota? Of those visits, how many times did you use aircraft as transportation?
- 1-14) What locations in South Dakota have you visited in the past five years?
- 1-15) How many times in the past five years you have landed an aircraft in South Dakota and, of those times, how many landings were at the Clear Lake Airport?
- 1-16) Describe any ownership interest you have in, or right to use, a personal aircraft.
- 1-17) Describe any interest you have in Homan Steel Construction, Inc. (“Homan Construction”) or the W1/2 Section 32-116-47, Glenwood Township, Deuel County, South Dakota (“Glenwood Property”)
- 1-18) In your January 15, 2019 comment to the PUC, you state that your “family is currently constructing a 2,350 foot long turf runway, named Homan Field, on the western half of section 32 in the Glenwood township of Deuel County” (“Private Landing Strip”). With respect to the Private Landing Strip:
- a) What is the intended use of the Private Landing Strip?
  - b) You state that turbines on the northeast side of the proposed Private Landing Strip have been removed and “This allows for a one-sided traffic pattern to be flown without flying over any wind turbines, except turbine number 108 which is under the margin the FAA standards establish on the far side.” i) What FAA standards are you asserting apply? ii) Is turbine location No. 108 the only turbine location you assert will interfere with the Private Landing Strip? If not, please explain.

- c) You include a discussion of and figure showing approach surfaces. What regulations are you asserting establish these surfaces for the Private Landing Strip?
- d) What experience, education and training do you have regarding wake turbulence and wind shear?
- e) Provide any correspondence to or from the Federal Aviation Administrative regarding the Private Landing Strip.

Dated this 13th day of February 2019.

By /s/ Lisa Agrimonti

Mollie M. Smith

Lisa M. Agrimonti

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