

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE**

**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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**INTERVENOR JOHN HOMAN'S
REBUTTAL TESTIMONY**

EL18-053

STATE OF SOUTH DAKOTA

Intervenor John Homan's rebuttal testimony to the testimony of Tom Kirschenmann and Jon Thurber:

John Homan's Rebuttal Testimony:

Rebuttal Testimony of Tom Kirschenmann and of John Thurber:

I believe grouse surveys need to be done because grouse are known to be in the areas and project boundary areas.

The bat surveys need to be more extensive over the entire area of the project but especially in the area of Monighan Creek, due to the abundance of native tree areas and the many spring fed creeks and water bodies that support large insect population.

These areas also support large populations of raptors and numerous songbirds because of the terrain and connected areas of tree and shrubs, and many native species, that I have testified to in previous hearings.

The environment is suited to support a large population of bats, possibly including the Northern Longeared bat.

The spring fed, fresh water creeks are possible home to the Northern Redbellied Dace, which is on the states threatened species list.

I would ask for more in depth studies and surveys into all avian species, especially songbirds, raptors and waterfowl due to the numerous water sources abundant across the entire area.

The application is not realistic or accurate. The desktop review of wetlands and other waters of the US, as noted on page 13-7, should not be acceptable. The study of the survey corridor would not be sufficient to determinate impact on any of the wildlife of the project area.

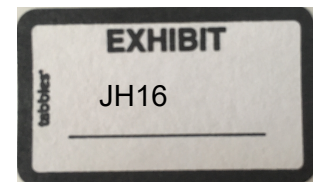
In the application, 13.3.1, **Existing Wildlife:**

A list of common wildlife species that are likely to be found in the project area is provided in table 13-5. Table 13.5 is a list of raptor species potentially in the project area.

Table 13.4, is still a completely inadequate list of wildlife in the project area!

In Application Section 13.3.1.2.2, **"Potential Raptor Migration"** states:

"no unique land features, habitat types, or seasonal differences are known to occur in the project area relative to the overall landscape of the region that could concentrate prey and potential use by raptors."



I can show areas that do concentrate large populations of deer and other wildlife in and bordering the project area. A large portion of the area is also designated as a duck nesting habitat by the US Fish and Wildlife Service.c

I am submitting a study and report, titled "Effect of Wind Energy Development on Breeding Ducks Densities in the Prairie Pothole Region." The study shows a 4-56% reduction in breeding pairs, from wetlands in wind sites. The study states that, "it adds to the body of evidence suggesting a negative effect of wind energy development." This is very important because the affected areas are vital to the sustainability of North American duck populations.

It also states that "time lags were important in detecting impacts for their meta-analysis with longer operating times of wind farms, resulting in greater declines in abundance of Anseriformes (Stewart et al. 2007).

Environmentally sensitive areas in the project area, and at the boundaries, need to be given a much greater setback from industrial wind turbines than is now proposed through county ordinances. Areas that are critical to wildlife reproduction and wintering need to be protected to insure the preservation of the habitat.

I will reference the article "Siting Guidelines for wind Power Projects in South Dakota." The cumulative impacts of wind energy development on natural and biological resources requires consideration, such as habitat and wildlife.

The guidelines in this article 1.) to encourage developers to select potential wind sites that are acceptable to all stakeholders. 2.) to protect South Dakota's rare and unique areas (eg., Coteau des Prairies, Missouri River, and Prairie Potholes.). Page 4. 2) Natural and Biological Resources =. Bird and bat issues- "However, wind development may be inappropriate in certain areas in South Dakota."

2-d) Avoid unnecessary ecological impacts of wind power development through proper planning. Examine landscape levels of key wildlife habitats, migration corridors, staging/concentration area, and breeding/ brood rearing areas to help develop general siting strategies. Situate turbines so they do not interfere with important wildlife movement corridors and staging areas.

Rebuttal Testimony of Jon Thurber-PUC staff:

IV. In regards o the county permit issued by Deuel County Board of Adjustment. The county permit has been denied because of the county ordinance requiring a super majority for a special exception permit they only received 3 of the 4 required votes. According to county ordinance, the applicant cannot reapply for the permit, that has been denied, for a period of 6 months. At the time, the Deuel County commissioners had not appointed replacements for the zoning board. I feel that the process will have to be restarted at the application point.

V. Decommissioning: I believe the decommissioning costs presented by the applicant is not close to the actual costs that would be incurred by someone. The amount of \$29,074.00 is not believable by me. My experience of 45 years in construction business is what I am basing my statements on. The cost of bringing in a crane large enough to perform the job would cost more than that by itself. The cost of concrete removal to a below grade depth of 3.5' and the removal of the access road could exceed the amount of their project total.

I. Setback from-Homan Field:

I would add to the testimony of Mr. Thurber. We were granted the county permit for our landingstrip, - Homan Field, before any county permit or application for a wind tower project. There were no interfering facilities or structures at the time of permit or any pending permits.

We met all county requirements. We were required to sign a letter of assurance stating that we understand existing laws. We retained all our rights under the law.

I will include the letter of assurance signed by me. We understand that setbacks for safety has been given by another wind energy project to a private airport. I would also like to offer testimony concerning the economic benefits to the county projected by the applicant. The applicant has included, in the benefits the county, the money that will be paid to landowners under contract that are non-residents of Deuel County. Therefore the totals of benefits are not correct. Over 40% of tower lease payments are to non-residents.

That concludes for now my rebuttal testimony. Thank you.

Date: April 1, 2019

/S/ John Homan

John Homan

Intervenor

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