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Patricia Van Gerpen
Executive Director
Public Utilities Commission
500 E Capitol Ave
Pierre, SD 57501

RE: EL 19-003 In the Matter of the Application by Crowned Ridge Wind, LLC for a Permit of a Wind Energy Facility in Grant and Codington Counties

Ms. Van Gerpen,

On September 30, 2020 Public Utilities Commission Staff (Staff) contacted me via email and asked for a list of road complaints that I have received as the public liaison officer for the Crowned Ridge Wind I, LLC (Crowned Ridge) project (the Project) in Grant and Codington Counties. This request was focused on the Codington County asphalt roads that the project has utilized in the construction and reclamation of the Project.

The topic of road conditions comes up in most of my communications with landowners; however, after brief discussion, the landowners quickly transition to the substance of their complaints. It is a topic that everyone acknowledges exists but generally agree that it is a temporary consequence of the construction activities. With that being said, I have only received two official complaints regarding roads in Codington County.

The first complaint was in April and upon receiving the complaint I immediately communicated with Rick Hartley (Codington County highway superintendent) to determine if he shared the concern regarding road conditions. He informed me that he was in communication with Crowned Ridge's team and they had formulated a plan to patch the areas of pavement breakup with gravel surfacing and post signage warning the public until a later time for more permanent repairs. The second complaint was received in September and I approached it in the same manner – contacting Rick Hartley and determining the action plan. The action plan was the same – patching areas of pavement breakup with gravel and maintain the gravel patch until more permanent repairs.

I have communicated with Rick Hartley and it is my understanding that he addressed the county commission about the road conditions earlier this week. Since the county commission meeting minutes have not been approved yet, Rick indicated his willingness to produce a letter to the South Dakota Public Utilities Commissioners depicting his position on this latest complaint and plans to work on the letter soon.

I have asked Rick on each occasion if he would like Staff's assistance in working with Crowned Ridge Wind LLC and he has politely declined the offer at the time but would like Staff to know that he would be asking for their help in the future. He feels that Staff's assistance may be required once the conversation transitions from maintenance and patches to long term more costly repairs or possible replacement. I have informed him that Staff and I are ready and willing to help at any time that he would request assistance.

Unfortunately, with the extremely wet weather that the area received during the construction period last fall the weather conditions exacerbated the roads with their condition worsening especially after the spring thaw. The road use agreement executed between Codington County and Crowned Ridge specifies that the roads will be in like or better condition at the end of the project with both pre and post construction condition assessments by professional civil engineers licensed in the State of South Dakota. I believe that the process defined by the Road Use agreement will ensure that the Codington County roads will be repaired to the satisfaction of Codington County.

At this juncture it is well known to the general public, Codington County commissioners, Codington County highway superintendent, and Crowned Ridge that there has been substantial damage as a result of Crowned Ridge's use of these roads for their project.

Upon a site visit on October 1, 2020, I observed multiple crews from Bituminous Paving Co. performing full depth repairs to multiple locations simultaneously. I believe these repairs will be completed soon. Codington County considers these as temporary to get through the winter. Long term replacement will likely be needed in 2021 pending results of the Post Construction Condition Assessment.

Based upon my communications with Rick Hartley, I do not believe that there is an immediate need to bring the county road issue to the Commission for action.

I appreciate the opportunity to address the Commission on this matter. Thank you for your time. Please feel free to contact me should there be any further question on this matter.

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