LAWYERS ALSO ADMITTED IN MINNESOTA, IOWA, NORTH DAKOTA, AND WYOMING

110 N. MINNESOTA AVENUE SUITE 400 SIOUX FALLS, SD 57104 605-332-5999 FAX 605-332-4249

135 E. Colorado Boulevard Spearfish, SD 57783-2755 605-722-9000 Fax 605-722-9001 909 St. Joseph Street Suite 800 Rapid City, SD 57701 605-342-2592 Fax 605-342-5185

REPLY TO: Sioux Falls 605-332-5999

From the office of Miles F. Schumacher e-mail address: mschumacher@lynnjackson.com

March 27, 2020

Ms. Patricia Van Gerpen, Execute Director South Dakota Public Utilities Commission Capital Building, 1st Floor 500 East Capital Avenue Pierre, SD 57501-5070

> Re: Docket No. EL19-003 Application to the SD PUC for a Facility Permit to Construct A 300 Megawatt Wind Facility

Dear Ms. Van Gerpen:

Pursuant to Condition No. 44, Crowned Ridge Wind, LLC ("Crowned Ridge") provides the following post construction information.

- *a)* As-built location of structures and facilities, including drawings clearly showing compliance with the setbacks required by state and local governments and the voluntary commitments set forth in Table 13.1.2 of the Application are provided as Attachment A.
- b) ArcGIS shapefiles of the final turbine and facility layout are provided as Confidential Attachment B.
- *c)* The status of remedial activities for road damage, landowner property damage, crop damage, environmental damage, or any other damage resulting from Project construction activities. Information regarding each category is provided:
 - <u>Road Damage</u>: Remedial activities for road damages will commence during either the Phase I or Phase II Road Remediation Activities.

Ms. Patricia Van Gerpen March 27, 2020 Page 2

- Phase I Road Remediation Schedule: Includes the county and township roads that were damaged during the Crowned Ridge construction process and will not be further utilized during the planned construction of Crowned Ridge Wind II. Certificates of completion with the affected townships are not expected until Q3 of 2020 as remediation efforts are delayed until when weather conditions permit.
- Phase II Road Remediation Activities: Includes the county and township roads that were damaged during the Crowned Ridge construction process and are further scheduled for use during the planned construction of Crowned Ridge Wind II. These roads include: 158th street, 161st street, 162nd street, 163rd street and 164th street of the east west direction and 463rd street, 464th street, 465th street and 466th street of the north south direction. Certificates of completion with the affected townships are not expected until Q1 of 2021 but could lapse into Q2 of 2021 depending on weather conditions.
- <u>Landowner Property Damage</u>: Property restoration activities will commence in Q2 of 2020 when weather conditions permit and are expected to be completed by Q3 of 2020.

Fences impacted during construction have been repaired with temporary fencing during construction and will be repaired to long term fencing solutions at the same time restoration activities are completed.

- <u>Crop Damage</u>: To date, Crowned Ridge has received sign off on crop compensation packages for 17% of all affected property owners and anticipates all sign-offs on crop compensation packages and payments to landowners will be completed by Q2 2020.
- <u>Environmental Damage</u>: Restoration of areas impacted by construction activities has commenced and will be completed by Q3 2020. No long-term environmental damage has occurred.
- d) A summary of known landowner complaints and Applicant's plan for resolving those complaints: There is one outstanding landowner complaint that Crowned Ridge team is actively working to resolve. On February 29, 2020, landowner Robert Welder communicated to Crowned Ridge Public Liaison Officer, Brian Riniker, that he believes the increased construction traffic on the gravel road adjacent to his property caused his home to shift off its foundation. The Public Liaison is working with Crowned Ridge and the landowner to have qualified individual(s) to make an assessment of the complaint in the next few weeks.

Ms. Patricia Van Gerpen March 27, 2020 Page 2

If you have any questions, please contact me.

Yours very truly, LYNN, ACKSON, SHULTZ & LEBRUN, P.C. Miles F. Schumacher

MFS/kab Enclosures