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

**IN THE MATTER OF THE APPLICATION OF WILD SPRINGS SOLAR, LLC FOR AN
ENERGY FACILITY PERMIT FOR THE WILD SPRINGS SOLAR PROJECT**

SD PUC DOCKET EL 20-018

**SUPPLEMENTAL DIRECT TESTIMONY OF MELISSA SCHMIT
ON BEHALF OF WILD SPRINGS SOLAR, LLC**

August 25, 2020

27 **I. INTRODUCTION**

28

29 **Q. Please state your name.**

30 A. My name is Melissa Schmit.

31

32 **Q. On May 15, 2020, did you provide Direct Testimony on behalf of Wild Springs**
33 **Solar, LLC (“Wild Springs”) for the Wild Springs Solar Project (“Project”)?**

34 A. Yes.

35

36 **II. PURPOSE OF TESTIMONY**

37

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

39 A. The purpose of my testimony is to provide additional information regarding the
40 following:

- 41 • Anticipated sound output from the Project;
- 42 • The Western Area Power Administration’s (“WAPA”) National Environmental
43 Policy Act (“NEPA”) review of the Project;
- 44 • Local permitting and coordination;
- 45 • Decommissioning financial assurance; and
- 46 • Discussions with Intervenor Bundorf Family Trust.

47

48 **Q. What exhibits are attached to your Direct Testimony?**

49 A. The following exhibits are attached to my Direct Testimony:

- 50 • Exhibit A9-1: Updated Vegetation Management Plan
- 51 • Exhibit A9-2: Pennington County Natural Resources Director Correspondence

52

53 **III. PROJECT SOUND**

54

55 **Q. At the public input meeting, questions were raised regarding the sound**
56 **generated by the Project’s inverters and trackers. Please provide further**
57 **detail regarding the sound that would be generated by the Project.**

58 A. Sound from the inverters will occur when the Project is operational during the day.
59 They will not make noise when insolation (exposure to the sun) stops between
60 dusk and dawn, or drops off during heavy cloud cover. The sound generated from
61 the inverters is made by the spinning of fans and moving air, similar to an air
62 conditioner condenser.

63
64 Similar to the inverters, the trackers will only produce sound when the Project is
65 operational during the day. Tracker motors produce very little sound for a short
66 duration of time throughout the day (roughly a few seconds every 15-20 minutes)
67 to follow the sun. Trackers moving slowly throughout the day and through the full
68 range of tilt at the end of the day will be undetectable, even if standing within the
69 Project arrays.

70
71 As discussed in Section 9.5.3.2 of the Energy Facility Permit Application
72 (“Application”), the County has established a noise standard of 55 dBA at the
73 closest parcel line. Utilizing noise modeling conducted by the manufacturers of
74 the technology under consideration for the Project, Wild Springs has designed the
75 Project to comply with the County’s noise standard. In the current Project design,
76 the distance between sound-producing equipment and the closest parcel line
77 ensures compliance with the 55 dBA standard (see Table 9A-1).

78

<u>Table 9A-1</u>		
<u>Current Project Design</u>		
Facility Type	Maximum Distance to 55 dBA	Distance to Parcel Line
Inverter	143 feet	150 feet
Tracker	10 feet	30 feet
Transformer	23 feet	59 feet

79
80 Additionally, based on manufacturers’ noise modeling data for the inverter (the
81 loudest Project facility), the loudest potential sound output level at a residence is

82 calculated to be 38.6 dBA. See also Section 9.5.3.2 of the Application for
83 additional discussion. Wild Springs will utilize the applicable manufacturers' sound
84 modeling data to confirm the final Project design complies with the County's noise
85 standard.

86

87 **IV. NEPA PROCESS**

88

89 **Q. What is the current status of WAPA's NEPA review?**

90 A. Currently, the Draft Environmental Assessment ("EA") for the Project
91 interconnection is under internal review by WAPA. It is anticipated that the Draft
92 EA will be made available for public comment in September. WAPA's NEPA
93 review remains on track for issuance of a final EA and Finding of No Significant
94 Impact ("FONSI") for the Project in the winter of 2020/2021.

95

96 **V. LOCAL PERMITTING AND COORDINATION**

97

98 **Q. What is the status of the Project's CUP application to Pennington County**
99 **("County")?**

100 A. The County Planning Commission held a public hearing on the Project's CUP on
101 August 24, 2020, at which it issued a CUP for the Project to Wild Springs.

102

103 **Q. Did any local entities or agencies provide specific recommendations during**
104 **the CUP process?**

105 A. Yes. During the County's CUP application review, the County's Natural Resources
106 Director ("Director") provided recommendations regarding noxious weed and
107 prairie dog control. With respect to noxious weed control, the Director provided a
108 proposed Noxious Weed Management Plan, which was executed by Wild Springs
109 and the Director. Wild Springs has incorporated the Noxious Weed Plan into the
110 Project's Vegetation Management Plan (see Appendix 4), and the updated plan is
111 attached as Exhibit A9-1. In addition, Wild Springs and the Director exchanged

112 correspondence regarding recommended measures for control of prairie dogs, and
113 that correspondence is attached as Exhibit A9-2.

114

115 **Q. Do you have any other local permitting updates?**

116 A. Yes. Approximately 82 acres of the Land Control Area is located within a Federal
117 Emergency Management Agency (“FEMA”) mapped flood hazard area and, as
118 such, a Floodplain Permit from the County is required for the Project. As a
119 precursor to submitting a Floodplain Permit application, Wild Springs completed
120 an assessment to determine if the Project would result in any adverse upstream
121 impacts to the base flood elevation. Based on the results of the assessment, the
122 actual extent of the floodplain appears to be significantly less than indicated by the
123 FEMA mapping, and the Project is very unlikely to have adverse upstream impacts.
124 As a result, Wild Springs has coordinated with the County and plans to seek a
125 Letter of Map Revision (“LOMR”) from FEMA, which would update the FEMA flood
126 hazard area maps to reflect the actual extent of the floodplain in relation to the
127 Project. It is anticipated that the LOMR application package will be ready for
128 submittal by mid-September 2020, with a determination anticipated in 6-9 months.
129 Assuming the mapping revision is granted, a Floodplain Permit from the County
130 will not be required. Alternatively, if the mapping revision is not granted, Wild
131 Springs will complete the Floodplain Permit process with the County.

132

133 **VI. DECOMMISSIONING FINANCIAL ASSURANCE**

134

135 **Q. Please discuss the form of decommissioning financial assurance Wild
136 Springs is proposing to provide.**

137 A. Pursuant to Section 317-A-15-f of the Pennington County Zoning Ordinance, Wild
138 Springs is required to provide to the County’s Planning Department a performance
139 or surety bond covering the total cost to decommission the Project prior to
140 beginning construction. The Project’s Decommissioning Plan was reviewed by the
141 County as part of the CUP process, and the County included a condition in the
142 CUP that Wild Springs (1) provide decommissioning financial security prior to

143 construction in the form of a letter of credit or a surety bond in the amount of \$2.323
144 million; and (2) provide an updated decommissioning cost estimate at year 10 of
145 operations, which would be used to update the decommissioning financial security,
146 as needed.

147
148 To avoid duplicative financial assurance requirements, Wild Springs requests that
149 the Commission defer to the County's decommissioning financial assurance
150 requirement. However, as discussed in my Direct Testimony, to ensure the
151 Commission also has the ability to access the decommissioning financial
152 assurance, Wild Springs proposes naming both the County and the Commission
153 as beneficiaries of the security instrument. In addition, to account for potential
154 changes in decommissioning costs, Wild Springs proposes providing an updated
155 decommissioning cost estimate to the County and the Commission at year 10 of
156 Project operation, which would be used to update, as needed, the amount of the
157 decommissioning financial security.

158

159 **VII. DISCUSSIONS WITH INTERVENOR BUNDORF FAMILY TRUST**

160

161 **Q. Has Wild Springs engaged in any discussions with Intervenor Bundorf**
162 **Family Trust ("Trust")?**

163 **A.** Yes. The Trust provided Commission Staff with a list of questions regarding the
164 Project, which Commission Staff provided to Wild Springs. On July 31, 2020, Wild
165 Springs provided Commission Staff with written responses to the Trust's questions,
166 which Commission Staff provided to the Trust.

167
168 On August 12, 2020, a conference call was held involving Judy Bundorf on behalf
169 of the Trust, Commission Staff, and Wild Springs. During the conference call, Wild
170 Springs answered Ms. Bundorf's questions and the parties discussed Ms.
171 Bundorf's concerns.

172

173 Following the conference call, Ms. Bundorf provided responses to Commission
174 Staff's data requests that indicate a willingness to settle on terms similar to those
175 included in the Revised Settlement Stipulation approved by the Commission in the
176 Lookout Solar Park I, LLC proceeding (Docket No. EL 18-059). Wild Springs plans
177 to coordinate with Ms. Bundorf and Commission Staff regarding further settlement
178 discussions.

179

180 **VIII. CONCLUSION**

181

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

183 A. Yes.

184

185 Dated this 25th day of August, 2020.

186



187

188 Melissa Schmit

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