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To: Chris Nelson
Public Utilities Commission
500 E. Capitol Ave.
Pierre, SD 57501

July 29, 2022

RECEIVED

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**SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION**

Dear Chris,

With your direction yesterday to submit this letter to your office for posting on the Commission's website, we thank you for this opportunity to address our concerns.

The Purpose of this letter is to address the ruling of the Board of Adjustment of Hughes County on July 27, 2022 regarding the North Bend/Engie Wind Farm Project.

First of all...we are residents of Pierre and are landowners in Hughes County. However, we don't "have a dog in this fight"...as none of our land is affected by the Wind Farm project...but as concerned citizens of this county, we feel after attending the meeting last Wednesday night, there are certain issues that we need to address.

We do not know the Bollwegs personally, nor their attorney...or any of the landowners in the project. We have not been asked to write this letter or be compensated in any way for it.

Our purpose herewith is mainly because we feel the Board of Adjustment did not render a fair and impartial protocol to the decision-making process whereby they reached a 4 to 1 vote to approve the measure with one pending exception that the Haul Road Agreement needed to be modified between the County and North Wind/Engie. This is very, very important because this is a 30 year project and much more care needs to be given to the way this decision was arrived at by the Board of Adjustment.

Before we begin here, let us give you a little information as to our professional background that forces us to come to the conclusions we will lay out for you so that you can see through our eyes why we are making this written complaint.

I personally have worked in and 'out' of the Oil and Gas industry since the early 1980's as an Oil and Gas Landman and title researcher of courthouse records. I have negotiated the acquisition of oil and gas mineral leases in my career from mineral owners in all 50 states and prepared title portfolios for oil companies for their readiness to drill wells in many different states.

Mary, my wife of 40 years, has worked most of her professional life as a paralegal, but in the last 15 years we have worked together as an acquisition team in the oil and gas leasing business. We are now semi-retired, but have an active interest in the ways and means in which our local and state government works to represent the people.

During and after the Board of Adjustment meeting, we were seriously disappointed in the lackluster method that they went about in arriving at their decision to approve the 30 year project. They needed to have made some critical adjustment in their decision-making process.

We feel there was a dereliction of duty to represent all the landowners in and around the project area itself because there was a lack of information forthcoming and not being pursued in regard and awareness from all interests of all the parties. I will explain further.

In the opposition to the project offered by various people, I was one of the first to get up and read my prepared statement. A copy of that statement is attached to this letter of complaint.

As we listened to the various people in opposition, we felt there were many who spoke contributed more specific information and data that intersected with the generalized points that I had made. It seemed that all the people in opposition to the project brought forth realistic points to the Board, whereas the landowners wanting the project to go forth just made statements about them having the right to do with their land what they wanted. That is not a sound basis for obstructions and subsequent problems that this Wind Farm could cause to non-participating landowners for such a long period of time.

North Wind/Engie continually had to apologize to the Board that they didn't have certain data or information with them in order to answer certain particular questions that were raised by the Board. They stated numerous times that they would simply have to 'get back to the Board' with those answers and the Board just quietly accepted those responses with no challenges.

In a rather surprisingly admission, one of the Board members asked Mr. Bollweg if the Board could have or make a copy of the Bollweg's map to copy and/or use to get a better understanding of locations of all the different turbine sites that the Bollwogs had requested to be denied.

The eight (8) turbine locations that the Bollwogs were objecting to were in close proximity to some of their tracts of land or bird habitats that they had various reasons and concerns about. Apparently, these locations would either affect their hunting business or their personal lives. However, after the Board made their request for the map, they simply never pursued it. This would have of course required time to study those location distances, but the Board simply ignored that necessity of using that map to further research the answer to their own questions.

They continued to make a decision without that information. Engie could not answer those map questions in specificity either.

Then, in another side manner of questioning, the operations manager for Engie could not say how the lights on the turbine project would work in their operation out there because he didn't live out there and couldn't see the answer. He didn't know when an airplane would come into the radar of the turbines if all the lights would go on the towers or not. Mr. Bollweg stated that he lives out there and all the lights come on all the time on the adjacent Triple H Project.

It was a real flat oversight in the Board's procedure to not take all the opposition's information under advisement...and then to wait until Engie produced all the missing data and answers to questions that they could not supply. The Board simply said during the remaining time of the meeting that they would simply modify the Haul Road Agreement with Engie and that would be sufficient to complete the Approval of the Project.

From our front row seat, the Chairman was mumbling out the calls to other board members to ask for a motion...where in their hesitation to respond, one of the members was playing with a rubber band...snapping it to paper on his desk while they voted and approved the vote 4 to 1. This was not a real professional looking and sounding way to appear to approve a 30 year project.

However, now in my closing remarks of this letter, we need to bring what we feel was one of the most important discoveries made in a round-about way from a moment of inquiry from the Board and the answers by Engie's representatives. This is what we consider was left out of the entire equation that I simply referenced above...and that was that the number of landowners who were non-participants in the project were unknown !

Let me make my case crystal clear here. In our oil and gas leasing career, many times there were reluctant mineral owners who simply did not want to lease their minerals because of various reasons. Many times it the issue more bonus money, royalty, length of contract...or contractual changes the mineral owner, or his attorney would want in the lease form.

Sometimes those requests were able to be honored by our client. However, as the leasing agent, I had to inform them that if they did not choose to lease, there were some financial repercussions that they might have to face in the future. This was always my responsibility to the mineral owner in his or her decisions to lease or be a non-participant because it was a risk that they would be in control of taking or not taking.

As the leasing agent in all of my oil and gas projects that we worked on, I kept specific logs of contact with all mineral owners in the project area that I had contacted or even had not been able to find.

By rule of our client's desires, we kept records of conversations for our negotiations for future verification to any state governing body when it came to the time of establishing a unit of production. That was simply a given business practice.

In comparison...we heard nothing in the meeting in Engie's responses about knowing the number of these unknown non-participants in the total area that the Wind Farm project involved. Nothing was mentioned by Engie in the meeting about how they had communicated with these non-participants. All the Engie rep said was that they were willing to talk to anybody and yet they even seemed to say that they have not even been in communication with the Bollwegs or even had negotiations with them.

So...at this juncture, these unknown non-participants in the Wind Farm project do not have any choice in this matter. These landowners could be living on the land...or they could be out-of-state absentee owners. If they have ignored any mailings or newspaper information about something that is going to affect their land...that is then on their table of responsibility.

However, if the truth of the matter is that Engie has not contacted all interested parties in the Wind Farm area, then that is shameful and very irresponsible on their part. Again...we don't know all of the missing information out there, but the Board should have pursued all the answers to the unknowns in this matter before making a decision to approve or even disapprove.

I know this has been lengthy in words and in-deed...but we do it for a purpose because it appears the Board did not pursue all that they could have in this 30 year matter that may affect more people in this county than they realize. We could be wrong in these assumptions, but our only evidence in that hearing was that it appears much has been severely overlooked and especially concerning non-participating landowners. Much, much, more needs to be done before this project is voted on. The outstanding possibility is that this project could be denied.

Perhaps the bottom line here was that the dreamlike large tax revenue numbers that could be possibly coming to Hughes County is what blind sighted the Board's real decision-making process. By ignoring the real opposition to the project, and all other unknown factors, it was simply easier to just take a vote...approve it and "let it ride".

We thank you for your diligent attention to this oversight matter.

We remain respectfully,

John and Mary Baldrige

John and Mary Baldrige

Gentlemen... I am John Baldrige and live here in Pierre. July 27, 2022

I'm going to read my prepared statement and include some important points about the impact of turbines on the landscape and then the people of Hughes County.

First of all...in the eyes of so many people all over South Dakota and over this country...they are considered worse than eyesores...they are monuments of intrusion upon the landscape...encouraging the use of the most defining word of them all... **DEFILEMENT...of the land.**

Turbines cause division between neighbors...even to the point of poisoning relationships...creating lawsuits...which have already happened in this North Wind project. They create problems for future years that are overlooked in the present time because of the potential of income that could be coming forth to the landowners and the taxable revenues to Hughes County.

One such future problem that many landowners may not be considering is what happens at the end of the contract with North Wind/Engie North America...or at the '**End of the Wind**'. No one can control the wind...the weather...nor the competing prices of natural gas and/or oil. When energy prices are high...turbines can compete. When energy prices return to non-inflated prices, turbines cannot compete.

So what happens when our government stops forking out subsidies and incentives to the wind industry...and North Wind/Engie goes into bankruptcy or just abandons the Hughes County project...and the turbines sit there on the land like dinosaurs... producing no income.

The turbines also become liabilities to the landowner. If they want them removed the landowner must do so at his/her cost. If the blades get worn out...they then become landfill problems for Hughes County.

If turbine blades strike and kill eagles...will some Environmental group file a lawsuit against North Wind...with the landowner then becoming a 3rd party to the action ? No one can prevent a lawsuit from coming forth at them.

But here is my final point in this matter...and that is the wind industry...along with the solar industry...and so many other Green Entities are all inbred one way or another to this Green Energy Deal/Climate Change Agenda. All of this is just that...It is an Agenda that is being forced fed to Americans by this Biden Administration that is influenced by Globalist Elite Groups who are making this into a type of One World Religion...so we can all live on the same grid...under their control.

Look at what happened last year in the Big Texas Freeze. The Turbines froze up...and created a problem in the state power grid because they were integrated as a source that was supposed to be reliable. It ended up not being sustainable and hurt a lot of people.

If the Hughes County Commissioners and/or The Board of Adjustment are supposed to be a protectorate type of agency for the citizens of Hughes County...we beseech you to vote this North Wind Project down. Its potential is there to hurt more people than help the people of Hughes County and South Dakota.

Thank you.