



Chris Nelson, Chairman
Kristie Fiegen, Vice Chairperson
Gary Hanson, Commissioner

South Dakota

PUBLIC UTILITIES COMMISSION

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August 3, 2021

Barbara Leesman

Blunt, SD 57522-5503

Dear Ms. Leesman,

Thank you for your letter regarding the North Bend Wind siting permit request filed with the commission, docket EL21-018.

My fellow commissioners and I base our decisions on evidence as required by law and filed in the docket. The primary determination of a siting docket is whether or not the location, construction and operation of the project's facilities will produce minimal adverse effects on the health, safety and welfare of South Dakota's environment and citizens. The standards with which to make these determinations are set forth in South Dakota's Codified Laws and Administrative Rules. As a commissioner, I will be voting on the resolution of this docket. In order to avoid unlawful ex parte communication, I cannot discuss the specifics with you outside of a noticed, public meeting.

You relay concern over the roads in Hyde County due to developer Engie's work on the Triple H project, docket EL19-007. There is specific language in the commission's permit issued to Triple H, addressing roads. You can find this order posted in the docket and here are key excerpts addressing your concern:

After construction, Applicant shall repair and restored deteriorated roads resulting from construction traffic or compensate governmental entities for their repair and restoration of deteriorated roads, such that the roads are returned to their preconstruction condition. Within 180 days of completing construction and reclamation of the Project, Applicant shall submit documentation to the Commission identifying that the roads were repaired in accordance with this Condition 8 and to the satisfaction of the affected townships and county. If the townships or county will not provide such documentation, then Applicant shall provide a report to the Commission on the outstanding road repair issues and how those issues will be resolved.

A Certificate of Final Approval was provided by Hyde County's engineer and is posted in the docket, dated April 20, 2021. It states: *As Project Engineer for Hyde County (Owner), and as a Registered Professional Engineer in the State of South Dakota, I do hereby certify that I have inspected the haul road restoration for the construction of Trip H Wind Farm performed by Engie (Developer) and find them satisfactorily accomplished. Bradley D. Stangohr, Ulteig Engineers, Inc.*

This document was approved per the following: *The haul road restoration done by the above-mentioned developer has been accepted by formal Hyde County Commission Resolution dated June 1, 2021. The developer is released from maintenance requirements.* It is signed by Hyde County Robert Bawdon, Chairman and Mary Ring, Auditor.

You may wish to reach out to Hyde County Auditor Marilyn Ring, email hydeaud@venturecomm.net and phone 605-852-2519, per the docket's Service List.

Your letter and this response will be posted under Comments and Responses in the EL21-018 and EL19-007 dockets online. The enclosed Siting Guide, posted in the dockets, helps explain the commission's processing of siting permit requests such as this.

I appreciate hearing your concerns about the North Bend permit request and encourage you to attend the public input meeting on the project's siting application to be held at 6:30 p.m. CDT on Wednesday, Aug. 11, at the Capitol Lake Visitors Center, 650 E Capitol Ave in Pierre.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Nelson". The signature is stylized and cursive.

Chris Nelson