

From: Jason Kerkvliet [REDACTED]
Sent: Saturday, November 2, 2024 8:10 PM
To: PUC-PUC <PUC@state.sd.us>
Subject: [EXT] EL 24-023 Deuel Harvest Energy South

Please see the attached letter as public comment on EL 24-023 Deuel Harvest Energy South.

Thank you!

Jason and Jenny Kerkvliet
[REDACTED]
Clear Lake, SD 57226
[REDACTED]

Public Utilities Commission
Capitol Building, 1st Floor
500 East Capitol Avenue
Pierre, SD 57501-5070
Re: EL 24-023 Deuel Harvest Energy South

To the Public Utilities Commissioners:

We are writing to urge you to deny the Invenergy Application for the Deuel Harvest Wind Farm. We reside on the southeast edge of the proposed project in the half-mile buffer zone area, on land that has been in our family for five generations. We also farm two quarters that have existing wind turbines operated by Invenergy. We would like the commission to consider three points:

1. As this is an application of a company that has an existing, approved wind tower project in the area, you can assess the extent to which the company is: a) complying with the terms and agreements set forth and b) generally doing business in a manner that benefits the area. I can tell you that the company has over promised and under delivered. The largest issue we have is lack of notification when accessing the land to make repairs. In this past year alone, I can provide three instances in which Invenergy failed to meet the agreed terms:

a. This spring, Invenergy, or one of their subcontractors, completed an unnotified repair on one of the quarters we farm. They brought in a crane, parking equipment and supplies in a large radius around the tower and road, driving over and destroying planted crops. Although we were compensated for the crops destroyed, with the wet spring, the ruts and compaction from the large equipment sitting in the field, along with the weeds that grew without crops present, will continue to decrease yields and create extra work for us in years to come.

b. A wind tower access road through a field we farm was covered in unusable fill gravel, full of landscape fabric that blew all over the quarter. Despite multiple requests to have the road graded and cleaned up before harvest, it sat unusable for weeks, and throughout harvest. It forced those needing to use the access road to drive in our field instead. We were also told the 'road is not for your use' by an employee, which is not accurate per the terms of the agreement (landowner owns the road).

c. As we write this, one of the wind towers on the land we farm sits not operational, under repair for a hole in one of the blades. When we started bean harvest, a vehicle had clearly driven over

ripe beans to make a repair to the tower, damaging the crop. I contacted the Invenergy rep and told him that they need to notify us if anyone will be on the field to make repairs, and they can wait until the harvest is over to finish. Not more than a week or so later, I went to harvest corn on the same field, and two Invenergy employees were out working on the tower, again unnotified, in the middle of harvest. I was driving down the field with the combine. I didn't realize they used harnesses attached to a pickup to lift employees up on the tower, and nearly drove over a harness rope, which I couldn't see in the field. The employees left (after a not so friendly request), and I was able to finish harvest. Had they asked, we would have simply said to wait a few days until harvest was over, and they could easily access the tower to repair, without putting anyone at risk.

Again, these are just the situations from this year...it's a continual battle to farm around these towers because the employees repeatedly access the property to make repairs without notification of the landowners.

2. The commission has taken the input of multiple impact studies completed and funded by Invenergy selected contractors and has also heard testimony from their selected stakeholders. But no systematic efforts have been undertaken to gather the perspectives of those people who will be impacted by living near this proposed project. This input is needed to fully assess the impact on the social, economic, and overall welfare of the population within this project area. Yes, any resident has the right to provide public comment. But when you talk with people in Deuel County, most think it's futile to provide feedback – the wind towers will get approved by the commission regardless of what input is provided.

At the very least, as a commission, you owe it to the people residing in this area to gather their perspectives. Not just the perspectives of the people who have a financial interest in the construction of the wind towers (this has already been provided by Invenergy), but those who have to, or will have to, deal with the noise and flicker from the wind towers on a daily basis. And from those of us who have to deal with the repair issues that impact our farming operations. If you specifically surveyed or asked people residing and farming/working in and around the proposed project area, I think you would find a very different view than what Invenergy has presented.

3. Invenergy failed to address questions or provide requested information at the public hearing held in August. The Invenergy representatives didn't answer one question that was asked (other than the required distance from residence, which was very indirectly answered). The purpose of a public information meeting is to address the questions of the public. Despite Commissioner Fiegen asking them to address questions, they continued to evade or respond with not having the information needed to address.

Invenergy is not complying with the outlined agreements, insufficient input has been gathered from the impacted South Dakota residents about how this project will affect their well-being, and public meeting requirements were not fulfilled. For these reasons, we urge you NOT to approve the project.

Sincerely,

Jason and Jenny Kerkvliet

[REDACTED]
Clear Lake, SD 57226

[REDACTED]