BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION BY OTTER TAIL POWER COMPANY AND WESTERN MINNESOTA MUNICIPAL POWER AGENCY FOR A FACILITY PERMIT FOR A 345-KV TRANSMISSION FACILITY AND ASSOCIATED FACILITIES IN GRANT COUNTY, SOUTH DAKOTA

SD PUC DOCKET _____

PRE-FILED DIRECT TESTIMONY OF KEVIN SCHEIDECKER
ON BEHALF OF OTTER TAIL POWER COMPANY
AND WESTERN MINNESOTA MUNICIPAL POWER AGENCY

April 15, 2024

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I. INTRODUCTION AND QUALIFICATIONS

Q. PLEASE STATE YOUR NAME, EMPLOYER, AND BUSINESS ADDRESS.

A. My name is Kevin Scheidecker. I am employed by Otter Tail Power Company ("Otter Tail"). My business address is 215 South Cascade Street, Fergus Falls, Minnesota 56537.

Q. WHAT IS YOUR POSITION WITH OTTER TAIL?

A. I am a Senior Environmental Specialist.

Q. BRIEFLY DESCRIBE YOUR EDUCATIONAL AND PROFESSIONAL BACKGROUND.

A. I have a Bachelor of Science in Biological Sciences from North Dakota State University. Early in my career, I worked for the U.S. Fish and Wildlife Service ("USFWS") as a biological technician, where I gained experience conducting environmental surveys, coordinating environmental programs, and conducting public outreach. After working for the USFWS, I was a technician and then a manager for local soil and water conservation districts, and also served as the basin coordinator for the Red River Basin Commission. In addition to environmental positions, I was a high school science teacher for several years, and also worked in the Otter Tail County, Minnesota Assessor's office, initially as an appraiser and then ultimately as the County Assessor. Since joining Otter Tail, my work has focused on overseeing and coordinating field survey efforts by environmental consultants, engaging in agency consultation, and supporting the preparation of permitting applications for infrastructure projects in multiple states. My resume is attached as **Exhibit A**.

Q. ARE YOU FAMILIAR WITH THE BIG STONE SOUTH TO ALEXANDRIA 345 KILOVOLT ("KV") TRANSMISSION LINE PROJECT ("BSSA PROJECT")?

A. Yes, it is a transmission line project being developed by Otter Tail and Western Minnesota Municipal Power Agency ("Western Minnesota"), through its agent Missouri River Energy Services ("MRES"). The BSSA Project extends from Otter Tail's existing Big Stone South Substation in Grant County, South Dakota to the existing Alexandria Substation near Alexandra, Minnesota.

Q. WHAT IS YOUR ROLE WITH RESPECT TO THE BSSA PROJECT?

A. I provide support to the BSSA Project for Otter Tail as a subject matter expert on environmental related issues. My support consists of assisting with the drafting of the South Dakota facility permit application and subsequent activities such as information requests and hearing testimony. I also assist with outreach and coordination with agencies, local units of government and the Tribes. Finally, I support planning, approval, and execution of the field survey plan including surveys for cultural resources, wetlands, threatened and endangered species, and other wildlife and habitat.

Q. IS A PORTION OF THE BSSA PROJECT LOCATED IN SOUTH DAKOTA?

A. Yes. Approximately 3.5 miles of the BSSA Project are located in South Dakota.

Q. IS THE SOUTH DAKOTA PORTION OF THE BSSA PROJECT ("PROJECT") THE SUBJECT OF THE APPLICATION SUBMITTED BY OTTER TAIL AND WESTERN MINNESOTA ("APPLICANTS") CONCURRENTLY WITH YOUR TESTIMONY?

A. Yes.

II. PURPOSE OF TESTIMONY

Q. WHAT IS THE PURPOSE OF YOUR DIRECT TESTIMONY?

A. The purpose of my testimony is to provide an overview of the environmental and land use analysis conducted by the Applicants when selecting the proposed right-of-way ("ROW")/Route and Flexibility Area depicted on the Figure 4 series of Appendix A, including agency consultation and a summary of studies that have been or will be conducted. Additionally, my testimony discusses the measures that have been or will be implemented to avoid, minimize, and/or mitigate potential impacts to existing land use and the environment.

Q. WHAT EXHIBITS ARE ATTACHED TO YOUR DIRECT TESTIMONY?

A. The following exhibit is attached to my Direct Testimony:

- Exhibit A: K. Scheidecker Resume.

Q. PLEASE IDENTIFY WHICH SECTIONS OF THE APPLICATION YOU ARE SPONSORING FOR THE RECORD.

A. I am sponsoring the following portions of the Application:

- Section 1.0: Introduction
- Section 3.0: Project Development Summary (3.1, 3.2, and 3.3)
- Section 10.0: Alternative Sites and Siting Criteria (10.1 and 10.2)
- Section 11.0: Environmental Information
- Section 12.0: Effect on Physical Environment and Geological Resources
- Section 13.0: Effect on Hydrology
- Section 14.0: Effect on Terrestrial Ecosystems
- Section 15.0: Effect on Aquatic Ecosystems
- Section 16.0: Land Use
- Section 18.0: Water Quality
- Section 19.0: Air Quality
- Section 21.0: Community Impact (21.5)
- Section 22.0: Summary of potential impacts and avoidance, minimization, and mitigation measures
- Section 26.0: List of Potential Permits and Approvals
- Section 27.0: Additional Information in the Application
- Appendix A: Figures
- Appendix B: Completeness Checklist
- Appendix C: Correspondence and Stakeholder Consultation
- Appendix D: Aquatic Resources Delineation Report
- Appendix E: Level III Cultural Survey (confidential)

III. ENVIRONMENTAL SITE ANALYSIS OVERVIEW

Q. WHAT WAS THE OVERALL APPROACH TO ENVIRONMENTAL ANALYSIS OF THE PROJECT?

A. As discussed in the Direct Testimony of Jason Weiers, the Applicants started the routing analysis for the Project by obtaining land use and environmental data from local, state and federal agencies and entities for a broad area between the Big Stone

South Substation and the South Dakota-Minnesota border ("Study Area") (see Figure 3 of Appendix A). Using that data, the Applicants identified environmental and land use constraints and routing opportunities within the Study Area, which were used to identify a narrower corridor (see Figure 2 of Appendix A). Within that narrower corridor, potential routes were identified and analyzed. Field surveys for wetland/waterbodies and cultural resources were conducted in the fall of 2023 and spring of 2024 along potential routes where landowners had granted the Applicants survey access. Additionally, throughout the routing process, the Applicants sought landowner, agency, and other stakeholder input, which was used along with the desktop and environmental data to continually refine the route. Using all of this information, the Applicants identified the current 150-foot-wide ROW centered on the proposed route ("Route"), which are shown in the Figure 4 series of Appendix A to the Application.

Q. THE APPLICATION DISCUSSES A PROPOSED FLEXIBILITY AREA (SHOWN IN THE FIGURE 4 SERIES OF APPENDIX A). WAS A LAND USE AND ENVIRONMENTAL ANALYSIS CONDUCTED OF THE FLEXIBILITY AREA?

A. The same analyses of the proposed ROW/Route were completed for the Flexibility Area. For example, both desktop and field survey data (e.g., wetland/waterbodies, cultural resource, and Tribal resource survey data) have been collected and analyzed for the Flexibility Area, and the environmental and land use analysis in the Application addresses resources within the proposed ROW/Route and Flexibility Area.

Q. PLEASE PROVIDE A GENERAL OVERVIEW OF AREA WITHIN AND AROUND THE PROJECT ROW/ROUTE AND FLEXIBILITY AREA FROM A LAND USE PERSPECTIVE.

A. Land use in the Flexibility Area, including along the Project ROW/Route, is primarily agricultural consisting of cultivated land and some pasture/hay lands. The Project is routed in proximity to existing linear infrastructure including a Burlington Northern Santa Fe ("BNSF") railroad, U.S. Highway 12, and several local roads. As discussed in Mr. Weiers' Direct Testimony, the Project Route parallels existing transmission corridors (a 230-kV Northwestern Energy line and two 115-kV Great River Energy lines) and public roadways. Approximately one mile to the north/northeast of the Project is Big Stone City, South Dakota, which consists of more densely developed residential, commercial, and industrial land

use. The Big Stone Power Plant, a coal-fired electric generation facility, is also located approximately one mile from the proposed Project.

Q. PLEASE DISCUSS THE APPLICANTS' AGENCY COORDINATION EFFORTS.

A. As noted above, the Applicants engaged with state and federal agencies to gather land use and environmental data for the broader Study Area, and continued those coordination efforts as more detailed analysis was conducted of proposed routes. The agencies contacted include:

- USFWS
- U.S. Army Corps of Engineers ("USACE")
- U.S. Department of Agriculture ("USDA") and USDA Farm Service Agency
- U.S. Bureau of Indian Affairs
- U.S. Environmental Protection Agency
- Federal Highway Administration
- South Dakota State Historical Society/State Historic Preservation Office ("SHPO")
- South Dakota Game Fish and Parks ("SDGFP")
- South Dakota Department of Agriculture and Natural Resources ("SDDANR")
- South Dakota Department of Transportation
- South Dakota Natural Resources Conservation Service ("NRCS")
- South Dakota Association of Conservation Districts

In addition to these agencies, the Applicants also coordinated with various Tribes regarding Tribal resource surveys, and with Grant County regarding local zoning and floodplain permitting.

IV. ENVIRONMENTAL SURVEYS/STUDIES

Q. WHAT ENVIRONMENTAL SURVEYS AND/OR STUDIES HAVE BEEN FOR THE PROJECT?

A. In addition to analyzing desktop information on various resources, the Applicants conducted the following field studies/surveys:

- Aquatic Resource Delineation: Field delineation/mapping of wetlands and waterbodies within a survey area that includes the Flexibility Area and

proposed Route were conducted October 10-12, 2023. A copy of the associated report is provided as Appendix D to the Application.

- Level I Cultural Resources Records Search: Analysis of previously recorded cultural resources within a broader area that includes the Flexibility Area and the proposed ROW/Route was conducted on November 1, 2023. The literature search results are included in the Level III Cultural Survey report, provided as Appendix E to the Application (confidential).
- Level III Cultural Resources Survey: Field surveys were conducted for cultural resources. Initial surveys of portions of the Flexibility Area and the proposed Route were conducted on November 14, 2023 and February 7, 2024. The remainder of the Flexibility Area and proposed Route were surveyed on April 9-11, 2024. The report for the survey work conducted in November 2023 and February 2024 is provided as Appendix E to the Application (confidential). The addendum report for the April 2024 survey is pending.
- Level III Historic Architectural Reconnaissance Survey: Field surveys for historic architectural resources within one mile of the broader cultural resource survey area (which includes the Flexibility Area and Project ROW/Route) were conducted on April 9-11, 2024. Results will be included in the addendum Level III cultural resource survey report.
- Tribal Cultural Resources Survey: Field surveys for tribal resources were conducted by representatives of the Flandreau Santee Sioux Tribes of South Dakota and the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation on April 9-10, 2024.

Q. IS THERE ANY ENVIRONMENTAL STUDY/SURVEY WORK YET TO BE COMPLETED FOR THE PROJECT?

A. Prior to construction, the Applicants will conduct surveys for bald eagle, golden eagle, other raptor, and migratory bird/birds of conservation concern nests along the Project ROW.

Q. PLEASE DESCRIBE THE ENVIRONMENTAL SURVEY AREA USED FOR WETLANDS AND WATERBODIES.

A. Wetland and waterbody surveys were conducted in October 2023. At that time, an approximately 1,973-acre area was surveyed, which includes the currently proposed ROW and Flexibility Area. This larger area was surveyed to provide the

Applicants with flexibility, as the route was still under development. This survey area is shown in the Aquatic Resource Delineation Report (Appendix D to the Application).

Q. WHAT WERE THE RESULTS OF THE WETLAND/WATERBODY SURVEYS?

A. A total of 12 wetlands were identified. Wetlands 1-11 (referenced in Appendix D) were located on parcels to which the Applicants had been granted survey access and soil samples could be taken. The boundaries of these wetlands were field delineated by guidelines provided in the USACE Wetlands Delineation Manual (Environmental Laboratory 1987) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual Midwest Region (USACE 2010). An area was considered a wetland if it met the three USACE-defined requisite criteria as provided in the Manual and Supplement (Environmental Laboratory 1987, USACE 2010): hydrophytic vegetation, hydric soils, and wetland hydrology.

For one wetland (wetland 12, which is outside of the Flexibility Area), field sampling was not possible due to not having right of entry permissions and soils were conservatively presumed to be hydric based on desktop analysis of the National Wetland Inventory ("NWI") and saturated signatures detectable using aerial imagery. The boundaries of this wetland were mapped based on the visual inspection and available aerial data.

With respect to waterbodies, two small drainages that connect to the Whetstone River were identified and are crossed by the Project ROW and Flexibility Area.

Q. WHAT STEPS HAVE THE APPLICANTS TAKEN TO AVOID, MINIMIZE, AND/OR MITIGATE IMPACTS TO WETLANDS AND WATERBODIES?

A. The Project plans to span the two drainages of the Whetstone River, so the Project will not directly impact these waterbodies. It is also anticipated that temporary access roads will be sited to avoid crossing streams and drainage ways. If impacts were to occur, they will be temporary and restored in accordance with applicable requirements.

With respect to potential indirect impacts due to construction activities, the Project will obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities issued by the SDDANR, which includes the development and implementation of a Stormwater Pollution Prevention Plan ("SWPPP"). The SWPPP will outline best management practices ("BMPs") to

control erosion and sedimentation, and the Applicants will implement these BMPs to avoid and/or minimize the potential for sediment to reach surface waters.

With respect to wetlands, the Project has been designed to minimize potential permanent and temporary impacts, and Applicants will analyze structure placement during final design to determine if permanent wetland impacts can be further minimized or avoided. Currently, approximately 0.01 acres of permanent impacts and 4.2 acres of temporary wetland impacts are anticipated. Based on the current design, the potential impacts to wetlands would be within the threshold for authorization under the USACE Nationwide Permit ("NWP") program without pre-construction notification. The Applicants will comply with applicable NWP requirements to minimize potential wetland impacts.

Q. PLEASE DISCUSS THE LEVEL I CULTURAL AND HISTORIC ARCHITECTURAL RESOURCE LITERATURE REVIEW CONDUCTED.

A. The Level I records search identified 25 previous cultural resources surveys that have been conducted within one mile of the cultural resource survey area (discussed further below), with seven of the previous surveys overlapping the survey area. Three previously recorded cultural resources were identified within the survey area: two segments of the Chicago, Milwaukee, St. Paul & Pacific Railroad (one that is now the BNSF Railway and an abandoned segment), and a prehistoric and Euro-American artifact scatter. Of these, the two railroad lines are listed as eligible for the NRHP, and one line intersects the proposed Route.

Q. PLEASE DESCRIBE THE ENVIRONMENTAL SURVEY AREA USED FOR LEVEL III CULTURAL RESOURCE SURVEYS.

A. As discussed above, cultural resources were conducted in phases. The surveys in October 2023 and February 2024 covered areas (approximately 400-feet-wide) on parcels to which the Applicants had been granted survey access along the proposed Route and another potential route. That survey area is depicted in Appendix E.

In April 2024, the previously unsurveyed portions of the Flexibility Area, which includes the Project ROW/Route, were field surveyed for cultural resources. As a result, the entire Flexibility Area has now been surveyed for cultural resources.

Q. WHAT WERE THE RESULTS OF THE CULTURAL RESOURCE FIELD SURVEYS?

A. The Level III survey identified one previously recorded site (the segment of the former Milwaukee Railroad (now BNSF Railway)) within the Project ROW and the Flexibility Area. No new cultural resources were identified within the Flexibility Area during the Level III surveys, including the April 2024 surveys. An addendum Level III cultural resources report is being prepared with the April 2024 survey results.

Q. HOW HAVE THE APPLICANTS INCORPORATED THE CULTURAL RESOURCE DATA INTO PROJECT DESIGN?

A. The Project is designed to span the railroad segment within the Project ROW and Flexibility Area, and no construction activities will impact the site. As a result, no impacts to cultural resources are anticipated.

Q. PLEASE DISCUSS THE RESULTS OF THE LEVEL III HISTORIC ARCHITECTURE RECONNAISSANCE FIELD SURVEY.

A. On April 9-11, 2024, the Applicants completed a reconnaissance field survey of previously recorded architectural sites listed or eligible for listing on the NRHP and the State Register of Historic Places within a one-mile buffer of the cultural resource survey area. The only architectural historic properties within the one-mile buffer are in Big Stone City. Views of the existing transmission lines paralleling the proposed Project Route are obscured by other buildings and vegetation, and the historic properties are not visible from the proposed Project Route. Thus, the Project is not anticipated to have any visual impacts on historic architectural resources. These survey results will be included in the addendum Level III cultural resources report.

Q. WILL THE APPLICANTS HAVE PROCEDURES IN PLACE TO ADDRESS PREVIOUSLY UNIDENTIFIED CULTURAL RESOURCES ENCOUNTERED DURING CONSTRUCTION?

A. Yes. Prior to beginning construction, the Applicants will develop an unanticipated discovery plan, which will be followed during construction in the event that potential cultural resources or human remains are encountered. Once prepared, the plan will be submitted to SHPO for review.

Q. PLEASE DISCUSS THE PROJECT'S TRIBAL COORDINATION.

A. As discussed in the Application, the Applicants voluntarily engaged in coordination with 28 Tribes, and three of the Tribes expressed an interest in the Project. In early April 2024, representatives of two of those three Tribes participated in the cultural resource surveys of the Project and provided feedback regarding potential Tribal resources in the area. Coordination with the Tribes is on-going, but based on the survey results, the Project is sited to avoid potential impacts to Tribal resources.

Q. PLEASE DISCUSS THE PROJECT'S COORDINATION WITH THE SHPO.

A. In addition to more general outreach to the SHPO regarding the Project, the Applicants submitted the initial Level III cultural resources survey report (Appendix E to the Application) to the SHPO on March 8, 2024. The SHPO responded with comments on April 2, 2024, and those comments helped to inform the survey efforts completed on April 9-11, 2024. Once the addendum report for the most recent Level III cultural resource and historic architectural reconnaissance surveys is complete, the addendum will be submitted to SHPO for review, along with the unanticipated discoveries plan.

V. ADDITIONAL ENVIRONMENTAL RESOURCES

Q. YOU HAVE DESCRIBED THE ANALYSIS OF AND MINIMIZATION MEASURES IMPLEMENTED TO MINIMIZE IMPACTS TO SURFACE WATERS. PLEASE ALSO DISCUSS THE MEASURES THE PROJECT IS IMPLEMENTING TO MINIMIZE POTENTIAL IMPACTS TO EXISTING GROUNDWATER.

A. No groundwater resources will be used for construction of the Project, and any potential impacts to existing groundwater resources due to construction would be temporary. To minimize potential impacts to groundwater from construction activities, the Project will have a SWPPP outlining pollution prevention measures.

Q. WHAT STEPS HAVE BEEN OR WILL BE EMPLOYED TO AVOID, MINIMIZE, AND/OR MITIGATE POTENTIAL IMPACTS TO GEOLOGIC AND SOIL RESOURCES?

A. The Project has been routed to minimize impacts to geological resources. Geologic data indicate that the Project will not significantly affect soil conditions or bedrock geology. The risk of seismic activity and subsidence are low. No extractive

resources (e.g., gravel/sand pits or oil/gas wells) are located within the Project ROW or the Flexibility Area.

Prior to construction, the Applicants will conduct geotechnical soil borings at transmission line structure locations. This information will be incorporated into the structure foundation design to ensure the design is appropriate for the soil conditions.

Q. WILL THE PROJECT IMPLEMENT MEASURES TO MINIMIZE POTENTIAL IMPACTS TO AIR QUALITY?

A. Yes. To minimize the potential for fugitive dust during construction, the Applicants will implement dust control measures, such as watering unpaved roads and loose gravel areas, implementing spray-on amendments (e.g., calcium chloride, water), staging construction activities to limit soil disturbance, mulching and planting vegetation, limiting construction traffic speeds, and other applicable measures, as necessary.

Q. DISCUSS THE VEGETATION PRESENT WITHIN THE PROJECT ROW AND FLEXIBILITY AREA, AND HOW IMPACTS HAVE BEEN OR WILL BE AVOIDED, MINIMIZED, AND/OR MITIGATED.

A. Land use within the Project ROW and Flexibility Area is primarily cultivated agricultural land, with some pasture and hay land. No potentially undisturbed grassland or rare/protected plant species are present within the Project ROW or Flexibility Area. One area with a limited trees (a drainage/stream crossing) is crossed by the Project ROW and Flexibility Area.

Given the limited vegetation within the Project ROW and Flexibility Area, impacts to vegetation will be limited. In vegetated areas impacted by temporary construction activities, the Applicants will reseed the areas with a seed mix recommended by the NRCS or other resource agency, unless otherwise requested by the landowner. Tree removal will be minimal, and will be limited to the extent possible.

Noxious weeds have the potential to be spread through construction activities. The Applicants will minimize the potential for the spread of noxious weeds by using weed-free seed mixes and applying herbicides, where allowed, as necessary. Additionally, the Applicants will develop and implement a noxious weed control plan to minimize the potential for introduction and spread of noxious and invasive weeds.

Q. IS THE PROJECT ANTICIPATED TO IMPACT FEDERALLY-LISTED SPECIES, FEDERALLY-DESIGNATED CRITICAL HABITAT, OR STATE-LISTED SPECIES?

A. No. As discussed above, the Project ROW and Flexibility Area contain primarily disturbed lands. No potentially undisturbed grasslands are within the Project ROW or Flexibility Area, which minimizes the potential to impact grassland wildlife species. Additionally, no designated critical habitat is present within the Project ROW or Flexibility Area.

The Northern Long-eared Bat ("NLEB") and the Tricolored Bat have the potential to occur within the vicinity of the Project. However, trees in the Project ROW and Flexibility Area are limited to one stream/drainage crossing, which limits the species' likelihood to occur in the area. Applicants will minimize tree removal to the extent possible. Tree removal, if required, will be restricted to periods outside of bat roosting and summer pup rearing periods (April 1 – October 31), in accordance with tree restrictions for the NLEB per the Endangered Species Act. A Determination Key review through the USFWS Information for Planning and Conservation ("IPaC") for potential effects of the Project on NLEB resulted in a "no effect" finding; this review was provided to the USFWS via email on April 3, 2024. As such, the Project is not anticipated to impact bats generally, or the NLEB or the Tricolored Bat, specifically.

Other species, such as eagles, rufa red knot, osprey, and the Monarch butterfly, also have the potential to pass through the Project area. However, since the Project ROW/Route and Flexibility Area contain primarily disturbed areas (cultivated crops and linear infrastructure), suitable habitat is either unlikely to be present or is limited. Based on consultations with the USFWS, the Project is not anticipated to impact these species.

Q. ARE AQUATIC ECOSYSTEMS PRESENT WITHIN THE PROJECT ROW AND FLEXIBILITY AREA AND, IF SO, WHAT MEASURES WILL THE APPLICANTS EMPLOY TO AVOID, MINIMIZE, AND/OR MITIGATE POTENTIAL IMPACTS?

A. Aquatic species/habitat within the Flexibility Area is limited. No federally-listed or state-listed aquatic species have the potential to occur in proximity to the Project.

It is anticipated that the Project will span the streams/drainages crossed by the Route. Therefore, no permanent impacts to aquatic ecosystems as a result of the Project are anticipated. During construction, the Project will implement

erosion and sediment control measures to minimize the potential for runoff into surface waters and wetlands.

Q. IS THE PROJECT ANTICIPATED TO IMPACT OTHER WILDLIFE SPECIES?

A. No. There is the potential for wildlife in the vicinity of the Project to be temporarily impacted during construction. However, following construction, wildlife species are expected to adapt to the presence of the Project, as they have to the existing infrastructure and agricultural uses.

Q. YOU MENTION ABOVE THAT YOU COORDINATED WITH USFWS AND THE SDGFP REGARDING THE PROJECT. PLEASE DISCUSS THAT COORDINATION.

A. In the fall of 2024, the Applicants sent consultation letters to the USFWS and the SDGFP providing information regarding the Project and requesting data regarding environmental resources and public lands in the vicinity of the Project. In response, the USFWS and SDGFP provided information regarding managed lands, protected species/species of concern, and associated habitats. Information was also obtained from online data sources, including the USFWS IPaC website, the SDGFP Environmental Review Tool, and the South Dakota National Heritage Program ("NHP") database. This information was considered by the Applicants in developing a survey plan, as well as identifying avoidance and minimization measures.

In April 2024, the Applicants met with the USFWS to discuss the Project, an analysis of wildlife resources in the Project ROW and Flexibility Area, and a proposed survey plan. The USFWS did not have comments or concerns regarding the Project and concurred with the proposed survey plan, as indicated by the stamped/signed meeting summary provided by USFWS on April 4, 2024 (see Appendix C).

In a letter dated February 28, 2024, the SDGFP recommended that the Applicants consider conducting certain surveys, and offered siting and design recommendations. On April 4, 2024, following the meeting with USFWS, the Applicants sent an e-mail to the SDGFP addressing its recommendations and providing the survey plan concurred with by the USFWS. This information is discussed in more detail in Sections 14.0 and 15.0 of the Application and copies of the correspondence are provided in Appendix D.

Q. WHAT MEASURES HAVE OR WILL THE APPLICANTS IMPLEMENT TO AVOID, MINIMIZE, AND/OR MITIGATE IMPACTS TO WILDLIFE SPECIES?

A. As noted above, the Route selected minimizes the potential for impacts to wildlife, including protected species. The Route avoids potentially unbroken grasslands and critical habitat, contains limited trees and surface waters, and is primarily cultivated land.

The Project's design further minimizes potential impacts by spanning streams/drainages, minimizing tree clearing, and minimizing potential wetland impacts. Additionally, in accordance with the USFWS and SDGFP recommendation, the Project will be designed in accordance with the Avian Power Line Interaction Committee ("APLIC") Suggested Practices for Avian Protection On Power Lines: State of the Art in 2006 to minimize the potential for avian collisions and electrocution.

During construction, implementing erosion and sediment control measures and complying with applicable USACE NWP and SDDANR stormwater permitting requirements will also minimize the potential to impact wetlands areas. Overall, minimal impacts to wildlife are anticipated.

VI. PERMITS AND APPROVALS

Q. IN ADDITION TO ENERGY FACILITY PERMIT, WHAT OTHER PERMITS ARE REQUIRED FOR THE PROJECT?

A. Various federal, state, and local approvals may be required for the Project. Table 26-1 in the Application identifies potential permits or approvals required for the construction and operation of the Project, and also identifies the status of each permit/approval.

Q. WILL THE PROJECT OBTAIN ALL PERMITS REQUIRED FOR THE PROJECT PRIOR TO ENGAGING IN THE ACTIVITY REQUIRING THE PERMIT?

A. Yes.

VII. CONCLUSION

Q. BASED ON THE ANALYSES THE APPLICANTS HAVE CONDUCTED, HAS THE PROJECT BEEN SITED TO MINIMIZE POTENTIAL HUMAN AND ENVIRONMENTAL IMPACTS?

A. Yes. As detailed in the Application, my Direct Testimony, and the Direct Testimony of Jason Weiers, the Project has been thoughtfully designed and routed to avoid and/or minimize potential impacts to the community, land use, and environmental resources. A summary of avoidance, minimization, and mitigation measures is presented Table 22-1 of the Application.

Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?

A. Yes.

Dated this 15th day of April, 2024.

Kevin Scheidecker