

1  
2  
3 **BEFORE THE**  
4 **PUBLIC SERVICE COMMISSION OF WISCONSIN**  
5

---

6  
7  
8 Application for a Certificate of Public  
9 Convenience and Necessity of Grant County  
10 Solar, LLC to Construct a Solar Generation  
11 Facility, to be Located in Grant County,  
12 Wisconsin.

Docket No. 9804-CE-100

---

15 **DIRECT TESTIMONY OF DANIEL CRAY**  
16  
17 **GRANT COUNTY INTERVENORS**  
18  
19

---

20  
21 **Q: Please state your name and address.**

22 A: My name is Daniel Cray, and my wife, Connie, and I live at 5491 Lone Elm Road, Potosi,  
23 Wisconsin.

24 **Q: Tell us about your home and farm.**

25 A: We live on a family farm that has been in my family since at least 1889, 131 years. We  
26 both grew up on dairy farms and we continued to be dairy farmers after our marriage. We  
27 sold our dairy herd in 2006, and we now have a small beef cow/calf operation and rent  
28 out our crop ground to some neighbors. My wife and I both work full-time jobs off the  
29 farm. I have lived and farmed here my entire life, and submit this testimony with vast  
30 knowledge of this area, and with deep concerns about the likely impacts of this project.

31 **Q: How is the project situated in relation to your farm?**

32 A: Our farm will be bordered on portions of all four sides by the Grant County LLC solar  
33 project area. To illustrate, below is a cropped map of our home, the "X" on the map, in



1 A: We first learned of this project from Bernard Yantz, Land Associate of Atwell, who  
2 stopped at our farm on June 14, 2018, and handed us a Solar Lease and Easement  
3 Agreement and asked us to sign and return it within 30 days for a payment of \$500.00 per  
4 acre for 30 years. We received numerous calls and visits from Mr. Yantz thereafter. The  
5 bullet point sheet and project map are attached as Ex.-GCI-Cray-2. Much of that  
6 information sheet discusses payments to landowners, and there is not much said about  
7 potential impacts. For this reason, we began to do some homework, and contacted Grant  
8 County Solar. I have attached two emails with Toni Darwish, Grant County Solar, about  
9 questions, concerns and lease provisions. Ex.-GCI-Cray-3. Since that time, we thought  
10 about the information we'd received, and did searches, and found we had even more  
11 questions.

12 **Q: In light of the information you have received, do you have concerns?**

13 A: Yes, we do have concerns, primarily because we did not get satisfactory answers to the  
14 questions that we had. We note that although the Public Service Commission has  
15 approved several very large solar projects, there is no project of this size in the Midwest  
16 that has been operational for any length of time that would allow for comparison of  
17 effects on the people who live nearby, wildlife, the environment, the land that we farm,  
18 and the community at large. Will there be an impact on us, on animals, wildlife, and  
19 birds? We are very concerned about the potential for damage due to the fierce storms in  
20 the area. We are concerned about impacts erosion and water drainage due to the  
21 impervious nature of solar panels, particularly considering the acreage that drains through  
22 our land and culvert. We are concerned about the potential for stray voltage in  
23 association with this project. As farmers, we are particularly concerned about the impacts

1 of this project on our very purposely agriculturally zoned community and economy. Weed  
2 control, vegetation management, and chemical use is also a concern. The project  
3 incorporates fencing that will affect wildlife movement and will catch snow. Public  
4 safety is another of our concerns.

5 **Q: Do you have specific questions about this solar project?**

6 A: Yes, we do. I have attached several pages of issues, thoughts that have occurred to us as  
7 we investigate this project. Ex.-GCI-Cray-4. We have reviewed the Application, the  
8 Environmental Assessment, and the testimony that has been provided by Grant County  
9 Solar, LLC. In the process of this permitting docket, we hope to find answers to these  
10 questions.

11 **Q: Did the project give you cause to consider these concerns?**

12 A: Yes. Some time ago, we were approached to sign an agreement, which stated, in part:

13 The Agreement between the Parties grants to Operator a non-exclusive  
14 over Owner's Property for audio, visual, view, light, flicker, noise,  
15 shadow, vibration, electromagnetic, electrical and radio frequency  
16 interference, and any other effects attributable to the Project located on  
17 the Owner's Property.

18  
19 This language from the agreement is such a broad range of potential problems and issues  
20 that it felt we were being asked to give away any right to make any complaint, or have  
21 any way to fix any problem if one or more of these things did occur and was traced back  
22 to the solar project. Obviously, there are expected or potential effects, or we wouldn't  
23 have been asked to sign off on them.

24 We received an email from Toni Darwish, NextEra Business Development,  
25 stating:

26 People have been safely living and working around solar panels for  
27 decades. Solar energy emits no pollution and the overall impact of solar  
28 on human health is overwhelming position. The health-related air quality

1 benefits from solar energy are worth more than the electricity itself.

2  
3 How can they say this when there has not been a solar facility this size operating in the  
4 Midwest to compare this to? Also, if it is so safe, why are we and others being asked to  
5 sign the Effects Easement and it is being filed on the property easement that will forever  
6 stay with the property, affecting not just the signer, but any new owner if it is sold to  
7 someone else? This was alarming. Needless to say, we did not sign that agreement.

8 **Q: You mentioned concerns about storm damage. Can you be more specific?**

9 A: Certainly. We had \$90,000 in storm damage from over 100 mile per hour winds in June  
10 2015. There was more storm damage in 2020, when a tornado came through the area.  
11 We had damage to three large buildings on our farm. Debris from a farm that was hit by  
12 the tornado two miles away littered our farm. A different neighbor's farm corn bin set-up  
13 was severely damaged along with multiple buildings in the area and downed powerlines.  
14 There was extensive crop damage on our farm, and corn was flattened. Crops were also  
15 severely damaged on neighboring farms. I have attached as Ex.-GCI-Cray-5 to verify  
16 these and other storms in the area. Concerns of tornadoes, very high winds, and storm  
17 damage are reasonable.

18 Because of the frequent storm paths through the area, we are highly concerned that the  
19 adjacent land covered in solar panels will directly affect us if those panels become loose  
20 and wind or tornadoes carry them as has occurred with other structures in the past. We  
21 would be in their direct path, with panels hitting our house, our buildings, landing in the  
22 fields, or hitting us and/or our animals. Who is responsible for that clean-up? We are not  
23 qualified, and should not bear the burden or cost, to remove or deal with such destruction.

24 **Q: Do you have other concerns?**

1 A: Yes. After reviewing the project plans, we have concerns about water drainage and  
2 runoff. The Grant County Land Conservation Office put together a map showing water  
3 drainage through our farm culvert. Ex.-GCI-Cray-6. All of the run off from properties  
4 marked on the map adjoining ours flows down through our waterways and flows into the  
5 start of Arrow Creek, which eventually leads to the Mississippi River, roughly 4 miles  
6 away. During the last several years with the high rainfall events, we have had a  
7 tremendous amount of water flow down through our waterways and into our creek. We  
8 have spent thousands of dollars over the years to bulldoze, shape, and maintain our  
9 waterways to keep them from eroding and having deep gullies.

10 The County information states that there are 499.4 acres with an average slope of  
11 6.1% with a flow length of 6,028 feet at its longest point, over one mile. Those 499.4  
12 acres drain down through our culvert. Of those 499.4 acres, approximately 160 acres  
13 would be our farm acres. The remaining 339.4 acres, which are part of the Grant County  
14 Solar project, will drain down through our farm. In addition, according to p. 14 of the  
15 application, there will be 31.43 miles of permanent roads and 38.6 miles of permanent  
16 impacts due to 23.9 miles of access road construction of roads 12-20 feet wide.

17 With all the panels that are planned to be installed, along with the numerous  
18 access roads which will be graveled and will direct and concentrate the water flow, other  
19 impervious areas such as the substation or foundations for inverters, how do we deal with  
20 all the additional water, how will the amount of water that goes through our farm, and  
21 through the culvert, be controlled? Who will pay to repair our waterways in the event of  
22 a huge storm, especially if it were to occur in the states of construction?

23 These planed access roads are marked on the map, Ex.-GCI-Cray-6. We have

1 asked numerous times for a plan for water control, to assure that it is not more than what  
2 this drainage system can handle, solutions such as dams, diversions, barriers, and we have  
3 received no response. Also, in the September 30, email from Toni Darwish, NextEra  
4 Business Development, she states, “For these project conditions, the effective  
5 imperviousness of the solar modules has been determined to be just under 50%.” Ex.-  
6 GCI-Cray-3, p. 1. This impervious surface addition to the drainage system through our  
7 farm will have an impact on waterflow.

8 This change in water flow, the already “moderately high runoff in the project  
9 area” (application p. 38-39) and increase in impervious surface will increase pollutants  
10 and turbidity in our creek water that supplies water to our cattle and wildlife, including  
11 eagles and deer. What will Grant County Solar LLC do to preserve water quality, not  
12 destroy it?

13 If this project is built, it will no longer be agricultural land, no longer farmland  
14 preservation land, and as a large scale electric generating plant, a utility, Grant County  
15 Solar, LLC should be required to control the water coming off their project areas.

16 **Q: Do you have thoughts about what this project means for your community, what the**  
17 **impact of an electric generating project could be?**

18 A: Yes, I do. We are farmers, have been for generations. This town, Potosi Township, is  
19 zoned agricultural. How is a solar project generating electricity “agricultural?” The  
20 township and county have made this a “Farmland Preservation District.” This means that  
21 the ground is designated as agricultural land, not to be a commercial or industrial  
22 enterprise. Some of the best farmland is here, a part of the Driftless Region of the State  
23 of Wisconsin.

1           The Environmental Assessment says clearly that this project is “not in keeping  
2 with the goal of using those acres as active farmland.” The project will cover the  
3 farmland with solar panels and the land will not be cultivated for the 30-50 years of the  
4 project’s life. The town of Potosi and Grant County and its Land Conservation Office  
5 should have local control of the land in its borders, rather than the Public Service  
6 Commission making these decisions, particularly where there are no siting rules for a  
7 project this size. Loss of this large amount of land, land taken out of agricultural  
8 production, would change our community, change our way of life.

9           This project will also change the environment in this area forever. There will be  
10 changes to the wildlife, changes to the water flow, and changes in this Driftless Region of  
11 Wisconsin along the Mississippi Flyway. Wildlife will be limited in movement and will  
12 be forced to leave the area. Bird habitat will be destroyed and they may leave, migrating  
13 birds and raptors, including eagles, could be affected. Water will also be forced to  
14 different paths due to the many access roads and impervious surfaces installed with this  
15 project. Visual effects, changes in viewshed will affect not only those living in the area,  
16 but the many who come here to enjoy the Driftless Region, with the change from  
17 agricultural fields to so many acres of solar panels.

18           This land, the agricultural foundation, is why we and most of the neighbors chose  
19 to live here. We believe it is, and would be, agricultural land and not a utility,  
20 commercial, or industrial facility. Wisconsin has very few rules regarding the siting of  
21 large scale commercial solar facilities. The local townships and counties have little or no  
22 input in the process. Our local laws, such as farmland preservation, can just seemingly be  
23 by-passed and the developers can come in here as they please with no care given to the

1 effects on neighboring landowners and homes and farms in the area because they are  
2 paying enough to local governments to secure approval.

3 It is very disturbing that this land, designated as agricultural land, farmland  
4 preservation, is being leased and developed for 30-50 years by landowners and investors  
5 who don't have to deal with any of these effects, who will not mind signing their rights  
6 away, because they do not live by this project. This feels like a total disregard for our  
7 lives, all we have built over generations, and what we want for our future. We are here,  
8 in this agricultural community, and this project is moving in, encroaching on everything  
9 that is important to us.

10 If this project life is 30-50 years, as planned, this land will never be the same.  
11 Access roads will be graveled within the project areas and collector system trenches will  
12 be dug and backfilled with lime or gravel product. The topsoil will be disturbed and  
13 removed or replaced. Solar panels will cover the ground as far as the eye can see. These  
14 changes, with land undisturbed for 30-50 years, mean that it is likely the land will never  
15 be re-farmed again. That is an irreparable loss.

16 There is no guarantee that the land can every be returned to cultivation. Yet there  
17 is no decommissioning plan, and it will not be provided until after a project is approved.  
18 Instead, the Public Service Commission should require a bond, and a solid  
19 decommissioning plan set up so that if the project fails, the costs do not go back to the  
20 local landowners, township, or county.

21 **Q: What about local governments' role in this project?**

22 A: Local governments are selling out residents they are supposed to be representing. The  
23 proposed tax revenue and income being offered to the local Town Board and County

1 Board is quite persuasive to balance budgets that are struggling in today's times.  
2 Representatives are making decisions with long term implications without hearing from  
3 their constituents, lacking information, but making those decisions based on the proposed  
4 financial benefit to the governmental unit.

5 **Q: Are there safety concerns tied to the project as well?**

6 A: Yes, there are several safety issues. First is stray voltage. With the collector system  
7 buried underground, connecting to our electrical system, there is potential for stray  
8 voltage. This can be a serious problem for a farm, harming the health of cattle, reducing  
9 production and reproduction, thereby reducing income. The Environmental Assessment  
10 acknowledges potential for stray voltage. There should be testing, and if there is a stray  
11 voltage problem caused by this project, Grant Count Solar needs to fix the problem.

12 Snow build up can also present safety issues. Winds blow snow across Highway  
13 61 and the roads in Potosi Township that are going to have fencing on one side or both  
14 will make it more difficult and costly to keep those roads cleared. Fencing is sure to  
15 catch more snow, which already blocks the highway, making it worse. Fencing will also  
16 block wildlife movement, and some animals may be trapped inside the fencing, getting in,  
17 but unable to get out.

18 Safety concerns are heightened by incorrect information in the application. The  
19 nearest school to this project is not Cassville, it is Potosi and Lancaster. The nearest  
20 hospital or health care facility is not Platteville, it is in Lancaster. Although the nearest  
21 daycare is in Lancaster, there are multiple young families with young children within a  
22 mile or mile and a half from this project area, and with COVID and staying home, and  
23 distance learning, these children are home now more than previously.

1           Another safety issue is fire prevention and control. If the project area is in a  
2 vegetative state, if the weeds or other vegetation is dry, and there is a fence and controlled  
3 access, how is a fire going to be handled? Will it become a large-scale fire that could  
4 potentially spread to our land and harm us and our animals? How do the fire departments  
5 handle such a situation when the area will be fenced and inaccessible? Will there be  
6 special training and/or equipment required?

7           There is also a safety issue regarding use of chemicals. As farmers, we are very  
8 mindful of the impacts of chemicals on the soil and on us, and we are concerned about the  
9 potential for use of chemicals for weed control. There is an obvious need to control the  
10 weeds under the panels, and there is also the potential for spread of weeds from the  
11 project to our property. The vegetation plan provided by Grant County Solar is blocked  
12 out so that we cannot read much of it. We need to know the company's plans.

13 **Q: Does this conclude your testimony?**

14 **A:** Yes, it does.

15

16