

CASE NO. 2020-00206
AEUG FLEMING SOLAR, LLC
RESPONSES TO SITING BOARD'S SECOND REQUEST FOR INFORMATION
ON REHEARING TO AEUG FLEMING SOLAR, LLC

1. Refer to AEUG Fleming's response to Siting Board Staff's First Request for Information (Staff's First Request), Item 2.b. Provide a copy of the Social Impact Management program that is specifically designed for the proposed solar project.

Response: The Social Impact Management program is started during the first year of a project's operations when we will reach out to local stakeholders for proposals for specific projects that will impact the local community. There is no specific written program for Fleming Solar, LLC, rather there is an internal process which is implemented to achieve the programs goals.

Witness: Mary Connor

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2. Refer to AEUG Fleming's response to Staff's First Request, Item 2.d. regarding the question and answer to the issue of noise impacts from solar facilities. The answer states that the hum from the motors in the trackers is not audible "off site," especially "with plantings." Confirm that this answer indicates that noise impacts can be mitigated by vegetative buffering.

Response: AEUG Fleming's response to Staff's First Request, Item 2.d stated that the hum from the motors in the trackers is not audible "off site" which is intended to mean outside of the Project Boundary. The response went on to further qualify the reduction in facility noise as greater "with plantings." To clarify, there is no assertion of a measurable reduction in project noise by a set number of dBs as the result of "plantings" but there is an expectation that vegetation has the ability to lessen or absorb noise much like road noise is more noticeable in the winter when trees have dropped their leaves. Vegetative buffers do have the ability to lessen audible impacts with appropriate design. There is no expectation that the audible impacts from this project will occur at a level that will require such design or installation.

Witness: Austin Roach

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- 3. Refer to AEUG Fleming's response to Staff's First Request, Item 2.e.**
- a. Regarding the use of sheep grazing as vegetation management, provide the status of AEUG Fleming's determination on vegetation management practices and whether sheep grazing will be used as part of that process.**
- b. Regarding the concerns expressed by some residents over wetlands impact, state how the proposed solar is designed to avoid such impacts.**
- c. Regarding the discussion with the one landowner after the meeting about vegetative screening for that landowner's property, provide an update on the status of how AEUG Fleming is addressing this landowner's concern.**

Response:

- a. Acciona is exploring options, in the engineering & construction and O&M phases that would promote a sheep grazing operation on site, but there are no assurances of Acciona's ability to subcontract the vegetation management to a supplier that will perform sheep grazing.
- b. To the extent that wetlands are regulated by the US Army Corps of Engineers, the project will either avoid wetlands or seek permits for wetland impacts in accordance with applicable regulations.
- c. AEUG Fleming has followed up on numerous occasions with this individual – including numerous phone calls and online visual assessments, as well as an in-person site visit to this landowner's property in January. At the in-person site visit, AEUG Fleming concluded that it will likely move forward with vegetative screening options for this specific property owner. AEUG Fleming is also in the

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process of engaging an engineering contractor to conduct a comprehensive report that will assess various locations around the project to be considered for screenings. We will await the results of these findings before we finalize next steps for the landowner in question.

Witness: David Gladem & Mark Randall & Austin Roach

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4. Refer to AEUG Fleming's response to Staff's First Request, Item 3.a. The response is not responsive to the question posed. With respect to the Visual Simulation 2 - Old Convict Road and 3 - Flemingsburg Baptist Church, state whether any measures can be implemented at these two locations to mitigate any visual impacts caused by the proposed solar facility. If no measures can be implemented to reduce visual impacts, fully explain why.

Response: The view at VP2 is representative of a roadway view, e.g., not a view from a residence or business. It is possible to mitigate such views with plantings along the property boundaries adjacent to the roadway. The decision whether any 'roadway' view should be mitigated depends on the community's interest in such mitigation, the effectiveness of such plantings, and the cost of implementation and on-going maintenance.

The view from VP 3 Flemingsburg Baptist Church is already partially obscured by existing vegetation. This view could be further mitigated by additional plantings if the Church so desires.

Witness: Mark Randall

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5. Refer to AEUG Fleming's response to Staff's First Request, Item 3.b. To the extent not identified in the Visual Assessment, state whether AEUG Fleming has evaluated all areas adjacent to the propose solar facility site where there are currently no visual buffer to determine the visual impact caused by the solar facility and whether any mitigation measures can be implemented to reduce such visual impacts.

Response: AEUG Fleming is currently engaged in evaluating areas adjacent to the proposed solar facility to determine the visual impact caused by the solar facility and whether any mitigation measures can be implemented to reduce such visual impacts.

Witness: Mark Randall

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6. Refer to AEUG Fleming's response to Staff's First Request, Item 4, regarding a no glare study being performed for the proposed solar facility.

a. For other ACCIONA solar projects, state whether a glare study was only performed where the solar site is located near an airport or adjacent to a major interstate or highway.

Response: Acciona conducts glare studies are required by federal or local regulation.

b. State whether it is industry standard to conduct a glare study only where a solar facility is located near an airport or adjacent to a major interstate or highway.

Response: The industry standard is to conduct glare studies when required by the Federal Aviation Administration or by the local jurisdiction. The FAA requires analysis of glare impacts to airport facilities under FAA guidance Policy 78 FR 63276. Otherwise, state and local jurisdictions may require glare studies.

c. State whether AEUG Fleming will be monitoring glare impacts once the solar facility is in operation and that it will make adjustments to the resting angles of the solar trackers during the early morning and early evening hours.

Response: AEUG Fleming will monitor glare impacts once the solar facility is in operation and that it will make adjustments to the resting angles of the solar trackers during the early morning and early evening hours.

d. State whether AEUG Fleming will be monitoring glare impacts once the solar facility is in operation and that it will make adjustments to the resting angles of the solar trackers during the early morning and early evening hours.

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Response: AEUG Fleming will monitor glare impacts once the solar facility is in operation and will make adjustments to the resting angles of the solar trackers during the early morning and early evening hours, as needed to mitigate glare.

Witness: Mark Randall

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7. Refer to AEUG Fleming's response to Staff's First Request, Item 5. State whether AEUG Fleming has identified any nearby properties that will need to have screening measures other than fencing to mitigate visual impacts and identify what those screening measures will be.

Response: AEUG Fleming is currently engaged in evaluating areas adjacent to the proposed solar facility to determine the visual impact caused by the solar facility and whether any mitigation measures can be implemented to reduce such visual impacts.

Witness: Mark Randall

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8. Refer to AEUG Fleming's response to Staff's First Request, Item 26.b. As part of the supplemental response to the Flemingsburg Water SWAPP Plan, which is yet to be filed, in addition to identifying whether the solar panels conform to the SWAPP Plan, but also the proposed substation, Operations & Maintenance building, and the well to provide water to the site.

Response: AEUG Fleming is still attempting to locate a copy of the Flemingsburg Water SWAPP Plan. We have contacted Kentucky Source Water Protection program staff and the Buffalo Trace Area Development District, neither entity were able to located a copy and are currently working with the Buffalo Trace Area Development District who have not been able to locate a copy to date.

Witness: April Montgomery

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9. Refer to AEUG Fleming's response to Staff's First Request, Item 26.d. Confirm that the percentage of SWAPP Zone 1 that is in the Project Area for Flemingsburg Water is $(241.8 \text{ acres} / 556.7 \text{ acres}) \times 100 = 43.4$ percent and that the percentage of SWAPP Zone 3 that is in the Project Area for Cynthia Municipal Water Works is $(1,460 \text{ acres} / 110,697 \text{ acres}) \times 100 = 1.3$ percent.

Response: The numbers above appear to be pulled from a different application. AEUG Fleming's response to Staff's First Request, Item 26.d stated that thirteen percent (13%; 241.8 acres) of the Project Area (1,857.5 acres total) occurs in the SWAPP Zone 1. Seventy-eight percent (78.6%; 1460 acres) of the Project area occurs in SWAPP Zone 3. AEUG Fleming confirms these numbers and will update them after receipt and review of the Flemingsburg Water SWAPP Plan

Witness: April Montgomery

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10. Refer to the questions propounded by Harvey Economics Consulting, which are attached as an Appendix to this information request and provide responses to those questions.

Response: See attached