

Case No. 2020-00370
Fleming Solar LLC
Responses to Harvey Economics' First Request for Information

- I. Construction phase activities—Generally, much more information was provided about the operational phase compared with the construction phase. Since impacts will occur during the construction phase, HE is requesting more information about construction, summarized below and detailed in subsequent inquiry categories.**
- A. Application documents indicate a construction period of about 12 months, with the construction of the substation potentially occurring over a period of 15 months. Unless you indicate otherwise, we will assume worst case impacts, or a 15-month construction schedule.**

Response:

Fleming Solar wishes to update what was stated in the Noise and Traffic Studies Report regarding headcount changes for a 15-month construction schedule. A 15-month schedule was discussed in application materials due to conversations Fleming Solar had with EKPC. EKPC stated verbally that construction of the utility substation could take up to 15 months, depending on the time of year the construction of the facility commenced. EKPC stated they can only take the transmission line out of service during Spring and Fall, which could extend the timeline for when the Project can come online. This extension in timeline will not affect total manhours required for the construction of the Project or substation and will not affect the time required to construct Project facilities outside of the utility substation. The Facilities Study Report, which has not yet been issued by PJM, will include EKPCs official construction timeline estimate for the utility substations. Until this report is received, Fleming Solar anticipates a 12-month construction schedule to be the most representative for the Project and for impacts related to noise and traffic.

Witness: Dominic Salinas and Randall Jenks

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B. Please provide a detailed description of construction activities, including a construction timeline and schedule.

Response:

Project engineering will occur prior to the start of site activities. Once all necessary permits are received, the site preparation phase of construction will begin. Civil works, including access roads and temporary lay down areas, areas where equipment and supplies are stored during construction, will be completed first. Lay down areas will also host the temporary construction offices and associated facilities needed to manage and support the construction effort. Fencing, pre-construction erosion control measures, vegetation removal, and grading also occur in this first phase of construction. Grading and vegetation removal is expected to be limited and will follow the requirements of the SWPP permit that will be issued prior to the beginning of site construction.

Following the site preparation phase, construction will progress in in two parallel fronts:

1) the substation and associated infrastructure, including the nearby operations, maintenance and storage buildings; 2) the PV field, including the single axis trackers, PV Modules, inverters and collection system.

Reseeding and revegetation plans will occur throughout the Project as each area/section's construction activities are completed. The construction lay down areas will be cleaned up and reseeded as well.

It is anticipated that the total construction period will be approximately 52 weeks and will be dependent on favorable weather, labor availability, and timely equipment delivery. The construction timeline provided in Exhibit D highlights the timeline for the phases of construction listed above and the anticipated labor expected to be on site during those phases.

The Preliminary Site Layout (Exhibit C) illustrates the primary points of ingress and egress to the site. Construction traffic will use public roads to reach these points of access and those trips will shift as project construction shifts to different areas of the Project. The highest volume of construction traffic and the heaviest trucks will occur in close proximity to the project substation and the operations and maintenance facility.

Witness: Dominic Salinas and Randall Jenks

- C. Will construction activities occur sequentially across the entire Project site, or will different activities take place at different times in different areas?**

Response:

The timing of construction activities will be determined by the EPC contractor. While certain activities may occur sequentially across the entire Project site (e.g. site prep and grading), Fleming Solar anticipates that they will largely take place at different times in different areas. Construction activities will be sequenced so as to be as efficient as possible given the restricted time windows for pile driving within 1,500 feet of a residences.

Witness: Dominic Salinas and Randall Jenks

D. When will the peak activity period occur and how long will the peak period last?

Response:

Fleming Solar's construction schedule has not been finalized, and the dates of peak activity period are not known at this time. However, based on the representative schedule provided as Exhibit D, the peak period (250 employees) will last approximately six weeks during the third quarter of construction.

Witness: Dominic Salinas and Randall Jenks

E. The Noise and Traffic Studies Report states that based on a 12-month schedule, "employee headcounts are expected to be below 100 for six of the months, between 100 and 200 for three of the months, and between 200 and 250 for three of the months." It goes on to state that "Should the substation take 15 months and elongate the schedule, employee headcounts would be expected to be below 100 for seven of the months, between 100 and 200 for four of the months, and between 200 and 250 for four of the months."

1. Please confirm the average number of workers on-site at any one time during:

a. A 12-month construction period

Response:

Based on the representative schedule provided in Exhibit D, the average value is 115; however, please note in the schedule provided that the anticipated range of workers on-site throughout construction varies widely, from 6 to 250 employees, and an average of this distribution provides limited value.

Witness: Dominic Salinas and Randall Jenks

b. A 15-month construction period

Response:

See response to Part A, which addresses an update to the statements quoted above. A fixed number of manhours are required to construct the facility and utility substation, regardless of whether it takes 12 or 15 months. Since the additional three months would be potentially due to a delay in EKPC's start of utility substation construction, the average value for a 15-month construction period will be somewhat lower than a 12-month construction period.

Witness: Dominic Salinas and Randall Jenks

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2. Please confirm the number of construction workers on-site during the peak period for:

a. A 12-month construction period

Response:

The number of construction workers on-site during the peak period of construction is anticipated to be 250.

Witness: Dominic Salinas and Randall Jenks

b. A 15-month construction period

Response:

The number of construction workers on-site during the peak period of construction is anticipated to be 250.

Witness: Dominic Salinas and Randall Jenks

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F. Please confirm our understanding of the construction schedule, as obtained from the Noise and Traffic Studies Report:

- 1. Construction will take place daily between 7:30am and 7:00pm, with the following exceptions:**
 - a. Pile driving activities within 1,000 feet of a non-participating structure will be restricted to the hours of 9am and 5pm**

Response:

Pile driving activities within 1,000 feet of a non-participating residence or business will be restricted to the hours of 9am to 5pm.

Witness: Dominic Salinas

- b. No heavy construction activities (including pile driving) will take place prior to noon on Sundays.**

Response:

Confirmed, this limitation was developed in consultation with a church located adjacent to the Project Boundary.

Witness: Dominic Salinas

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II. Site development plan—We need to better understand certain elements of the site development plan.

A. Exhibit A includes a map titled Potential Project Footprint, which illustrates the Project Boundary (~830 acres), the Potential Project Footprint (~725 acres) and the Security fence.

- 1. Why is the fenced area located inside the Potential Project Footprint? Figure 1 of the SAR notes that the fenced area will be 580.88 acres. Please confirm that the fenced area is within and smaller than the Footprint.**

Response:

The Potential Project Footprint represents the furthest extent that any project equipment (including the security fence) will be considered for placement and is based only on the setbacks related to proximity to neighboring properties. The fenced area in the original application was 580.88; the fenced area in the updated preliminary site layout in Exhibit C is 578.36 acres.

Witness: Dominic Salinas

- 2. Are the acreages noted above current and correct?**

Response:

Yes, the Project Boundary and Potential Project Footprint acreages are current and correct.

Witness: Dominic Salinas

- B. How many solar panels will be installed on-site? Figure 1 notes a total module quantity of 193,050. Is that correct and current?**

Response:

Yes, 193,050 solar panels (modules) are planned to be installed, based on the Preliminary Site Layout and the wattage of modules available to the Project. However, number of modules may change, depending on the type of module selected for final design.

Witness: Dominic Salinas and Randall Jenks

C. The Application states that “Fleming Solar would secure the Project perimeter using six- to ten-foot-high chain link fencing topped by barbed or razor wire and meeting national electrical code requirements.”

1. Section 6 of the SAR (Mitigation Measures) states that the Substation will have its own separate security fencing installed. Will there also be fencing placed around the O&M building?

Response:

No, the O&M building will not require separate fencing. The utility substation will have separate fencing in accordance with utility's safety and security requirements.

Witness: Dominic Salinas

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D. Construction laydown area

1. The SAR describes one construction laydown area to be used for construction deliveries.

a. Please confirm this will be the only laydown area within the Project boundary.

Response:

At this time, Fleming Solar does not anticipate the need for an additional laydown area.

Witness: Dominic Salinas and Randall Jenks

b. Will the laydown area have its own security fencing (in addition to the Project boundary fencing?)

Response:

No, the laydown area will not require separate fencing.

Witness: Dominic Salinas and Randall Jenks

c. Will the laydown area be removed and returned to original conditions once construction is complete, or will that area be utilized for solar panels?

Response:

At this time, Fleming Solar anticipates that the laydown area will be returned to original conditions once construction is complete; however, it will be considered (within the limitations of the Project's setbacks) for placement of solar panels if needed.

Witness: Dominic Salinas and Randall Jenks

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E. Distances to structures

- 1. Please provide a detailed table showing the number of residential structures located within 300-foot intervals from the Project fence line, i.e. from 0 – 300 feet, from 300-600 feet, up to 2,100 - 2,400 feet.**

Response:

The response provided below is based on the Preliminary Site Layout (Exhibit C). While the final location of the Project fence line may vary within the Potential Project Footprint, Fleming Solar will adhere to setbacks as provided in Mitigation Measure D5 of the application.

Distance from Project Fence	Count of Parcels with Residential Structure(s)
0 - 300 ft	1 (participating parcel)
300 - 600 ft	9
600 - 900 ft	17
900 - 1,200 ft	16
1,200 - 1,500 ft	12
1,500 - 1,800 ft	16
1,800 - 2,100 ft	16
2,100 - 2,400 ft	8
Total	95

Witness: Dominic Salinas

- 2. Please provide a detailed table showing the number of non-residential structures, by type of structure (ie church, school, commercial, barn, etc.) located within 300-foot intervals from the Project fence line, from 0 – 300 feet up to 2,100 - 2,400 feet.**

Response:

Fleming Solar, to the best of its ability, identified structures using aerial imagery. The response provided below is based on the Preliminary Site Layout (Exhibit C). While the final location of the Project fence line may

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vary within the Potential Project Footprint, Fleming Solar will adhere to setbacks as provided in Mitigation Measure D5 of the application.

Distance from Security Fence	Antenna	Barn	Garage	Shed	Silo	Unknown	Church	Total
0 - 300 ft		9		3		2		14
300 - 600 ft		8		6	1		1	16
600 - 900 ft		19	1	8		1		29
900 - 1,200 ft		15		6	3	1		25
1,200 - 1,500 ft		14	2	3	1			20
1,500 - 1,800 ft	1	5	2	3		1		12
1,800 - 2,100 ft		9	2	5		1		17
2,100 - 2,400 ft		13	1	6		2		22
Total	1	92	8	40	5	9		155

Witness: Dominic Salinas

- 3. Please provide a detailed table showing the number of residential structures located within 300-foot intervals from the Project Footprint, from 0 -300 feet up to 2,100 - 2,400 feet.**

Response:

Distance from Potential Project Footprint	Count of Parcels with Residential Structure(s)
0 - 300 ft	2 (participating parcels)
300 - 600 ft	33
600 - 900 ft	19
900 - 1,200 ft	8
1,200 - 1,500 ft	10
1,500 - 1,800 ft	7
1,800 - 2,100 ft	14
2,100 - 2,400 ft	13
Total	105

Witness: Dominic Salinas

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4. Please provide a detailed table showing the number of non-residential structures, by type of structure (ie church, school, commercial, barn, etc.) located within 300-foot intervals from the Project Footprint, from 0 -300 feet up to 2,100 - 2,400 feet.

Response:

Fleming Solar, to the best of its ability, identified structures using aerial imagery.

Distance from Potential Project Footprint	Antenna	Barn	Commercial	Garage	Shed	Silo	Unknown	Church	Total
0 - 300 ft		19			2	1	2		24
300 - 600 ft		10		1	13	1		1	26
600 - 900 ft		19		1	7	3	2		32
900 - 1,200 ft		11			4		1		16
1,200 - 1,500 ft	1	12		2	2				17
1,500 - 1,800 ft		8		1	6		1		16
1,800 - 2,100 ft		9		2	3				14
2,100 - 2,400 ft		8	1	1	4		2		16
Total	1	96	1	8	41	5	9		161

Witness: Dominic Salinas

- F. Please confirm that there are 10 different parcels included in the Project site. Are there also 10 separate lease agreements with participating property owners?**

Response:

There are ten parcels included in the Project Boundary; however, there are only eight separate agreements due to some agreements including more than one parcel owned by the same entity.

Witness: Dominic Salinas

G. Will any existing structures on the Project site be demolished or removed to accommodate the Project?

Response:

Yes, in accordance with agreements that are in place with the landowners, some structures on the Project site will be demolished or removed to accommodate the Project.

Witness: Dominic Salinas

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III. Setback Deviation Request—The Application indicates that a deviation of the statutory setback provisions will be requested. We acknowledge the filing of the Motion for Deviation from Setback Requirements from the Applicant.

A. What is the justification for requesting such a deviation, i.e. loss of generation capacity, cost, etc.?

Response:

The Project would not be feasible due to significant loss of generating capacity and increased costs.

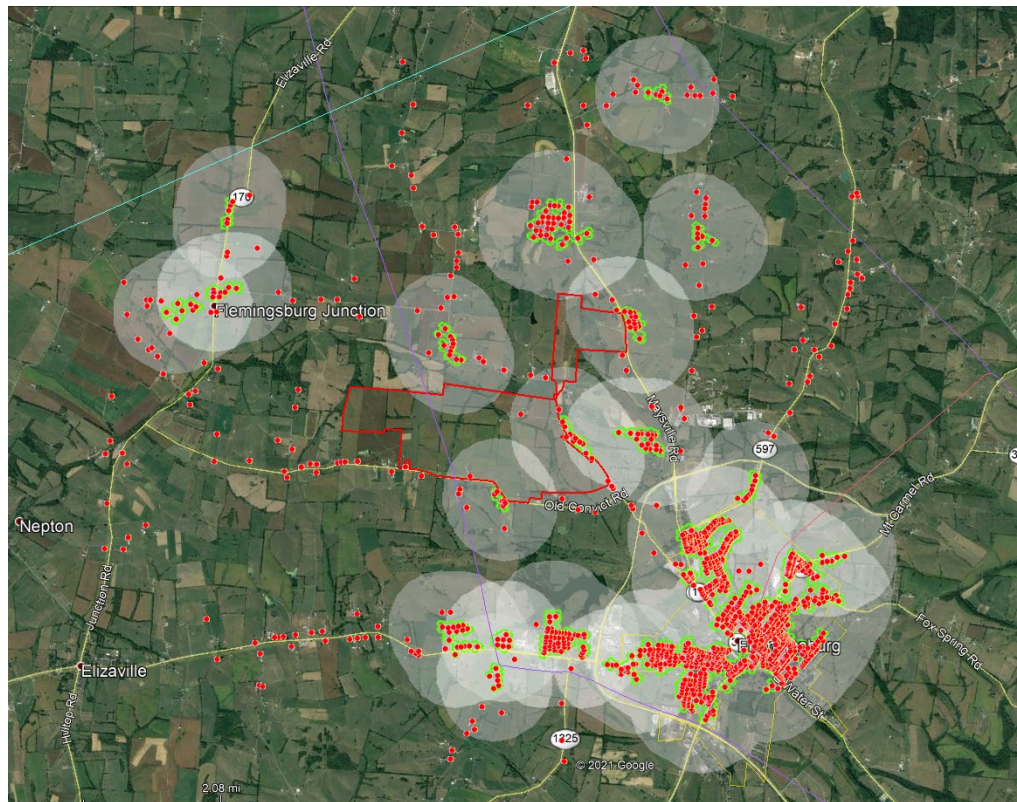
Witness: Dominic Salinas

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B. Could the solar panels and other structures be re-configured within the site boundaries to meet the setback requirements?

Response:

No. See figure below, which depicts a 2,000 foot buffer (white polygons) from residential areas (as defined in the statute). If Fleming Solar were to meet the setback requirements, only approximately 280 acres would be available for solar development. This project would not be feasible given the transmission line and other determining factors.



Witness: Dominic Salinas

IV. Property values and land use—Local landowners are often concerned about the effects on their property values during construction and operation. HE requests information about current property values in the area surrounding the site. We also need clarification on certain aspects of the Property Value Impact Report (Kirkland report).

A. What are the current property values of each property adjacent to the Project site?

Response:

Assessed property values for adjacent properties were obtained from Fleming County PVA. A table with this data is provided in Exhibit E.

Witness: Dominic Salinas

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- B. Please provide property values of raw land or residential structure values per constructed square foot of developed property in Fleming County in the vicinity of the Project site.**

Response:

Fleming Solar and the appraisal company are unable to provide property values of raw land or residential structure values per constructed square foot of developed property. However, Kirkland Appraisals has provided home values and population demographics within a 1-mile, 3-mile, and 5-mile radius of the Project (Exhibit F). The average home values are: \$223,000 within 1-mile; \$202,886 within 3-miles; and \$194,912 within 5-miles.

Witness: Dominic Salinas

C. Page 5 of the Kirkland report provides information on the distances between the nearest residences (and one church) and the Project Footprint. Does that table include ALL of the residences within 600 feet of the Project Footprint?

- 1. If not, please provide a map indicating all residences within 600 feet of the Project Footprint and a table stating the distances (within 10 feet) of those residences to the footprint.**

Response:

Nearest residences were defined throughout the application as those within 300 feet of the Project Boundary. The calculated distance from those nearest residences in the table on Page 5 were from the Project Footprint. See Exhibit G for a table and map of residences within 600 feet of the Footprint.

Witness: Dominic Salinas

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D. The matched pair analyses included in the Kirkland report note the degree of vegetative buffer associated with the properties adjacent to the solar facilities, with the buffers described as light, medium or heavy.

1. What are the definitions of light, medium or heavy buffers, in terms of amount of vegetation?

Response:

The definitions for the vegetated screen are based on the following:

Light – narrow vegetation screening either existing or added that provides up to a 20-foot wide visual barrier

Medium – moderate barrier with between 20 to 100 feet of wooded or landscaped area as a visual barrier

Heavy – significant wooded area over 100 feet of wooded visual barrier

Witness: Dominic Salinas

2. How was the level of buffering at each location measured or evaluated?

Response:

The measurement is based on Google Earth aerial imagery.

Witness: Dominic Salinas

3. What portion of the designated level of buffer reflect the existing vegetation in the area vs. the solar company's mitigation plantings?

Response:

The vegetated buffer that is retained or planted are mixed, though in most cases Light vegetated buffers would be either solely plantings as part of the development or existing buffers that are likely supplemented where needed.

Witness: Dominic Salinas

4. Was the characterization of the level of buffer (light, medium or heavy) for different projects completed consistently in such a way that a light buffer for one project is comparable to a light buffer of another project?

Response:

Yes, the application of buffers was done consistently. Most projects have a mix of buffers depending on location. In these cases, either the most prevalent buffer was referenced in the report, or, if buffers were evenly mixed, both buffer types were referenced (e.g. Light to Medium).

Witness: Dominic Salinas

5. What are the main conclusions of the landscaping analyses provided on page 107 of the report?

Response:

The data provided on Page 107 of the report (and the similar breakdown for nearby projects on Page 52) show that there is no significant difference in the measured impacts regardless of landscaping buffer utilized. Medium buffers, which provide for a greater depth of visual barrier, show no significant difference on adjoining property values as compared to light buffers. In other words, projects that substantially screen a site with a light vegetated buffer up to 20-feet wide adequately address visual impacts. Once the light landscaping impact shows no impact on property value, higher levels of landscape buffering cannot improve on that finding of no impact.

Witness: Dominic Salinas

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V. Traffic —Increased traffic from construction and operation can be an issue for local residents. HE is seeking information about construction phase traffic which was not provided in the Application.

A. Construction Phase

- 1. The Noise and Traffic Studies Report states that concrete delivery trucks for building foundations will be scheduled for approximately three days. How many concrete delivery trucks will access the site per day for that three-day period?**

Response:

Concrete delivery trucks will primarily be needed for inverter foundations and substation construction. An average of approximately 7 trucks per day will access the site for the three-day period (assuming 12 trucks for inverters and 8 trucks for the substation).

Witness: Dominic Salinas and Randall Jenks

- 2. Table 10 of the Noise and Traffic Studies Report provides data on the average and peak day traffic at each entrance location. The Report states that typical deliveries will be made on 40 ton (max weight) semi-trailers and flatbed trailers. Please expand Table 10 to provide the number of vehicles by weight class that will access the Project site at each entrance.**

Response:

Once a construction contract is awarded, the EPC contractor will ultimately determine the means and methods of construction, so Fleming Solar is unable to provide an exact breakdown of vehicles by weight class until then. Delivery trucks in Table 10 correspond to “40 ton (max weight) semi-trailers and flatbed trailers,” with 10 maximum daily trucks and two average peak hour trucks to the KY Route 559 Construction Laydown Entrance. There is an anticipated maximum of 10 daily trucks and one average peak hour truck to the KY Route 11 North Entrance. Oversized trucks would include 60-ton Class 21 trucks, as well as the single transformer delivery to the substation on a multi-axle “lowboy” trailer which would weigh approximately 140 tons. Overweight vehicles will be permitted separately and must comply with their permit requirements.

Witness: Dominic Salinas and Randall Jenks

3. The Report (Table 10) shows that an average of 45 vehicles per day or a peak of 105 vehicles per day will utilize the KY Route 11 North Entrance. KY Route 11 is one of the more heavily used roads in the area with AADT of 7,528.
- a. Assuming shuttles, other vehicles and delivery trucks will access those entrances from the north and the south, please describe Fleming Solar traffic management plans at that location to allow for vehicle access to the site and to minimize disruption to non- project related traffic.

Response:

Since employees are anticipated to be shuttled to the site, and both the Main Entrance and Construction Laydown Entrance will be along KY Route 559, the North Entrance along KY Route 11 will be less frequently used. Impacts may be comparable to that of other driveways along KY Route 11 to the other businesses along the route. To facilitate deliveries, the construction contractor will conduct flagging operations when needed in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) Chapter 6E Flagger Control and applicable figures such as 6H-13 for a temporary stoppage and 6H-14 for a haul road intersection. The contractor will also follow applicable MUTCD figures as needed for work along or outside the shoulders such as Figure 6H-1 and Figure 6H-3, Road Work and Shoulder Work, which include advance temporary warning signs and channelizing devices. Traffic control will be coordinated through the Encroachment Permit process.

Witness: Dominic Salinas

- b. How often will traffic stoppages occur at that location? What would the delay time be for each traffic stoppage?

Response:

The Construction Laydown Entrance will be along KY Route 559 and will experience the majority of construction deliveries. Traffic may be stopped for a minute or two to permit trucks turning in and out of the site and up to around 10 minutes to allow any oversized truck to travel along KY Route 559 to or from KY Route 11 less

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than 1.5 miles away. Based on Table 10, an average of five and a maximum of 10 delivery trucks, plus an average of one and a maximum of five larger trucks are anticipated in a day, or fewer than one an hour on average. Traffic stoppages along KY Route 11 are anticipated to be infrequent, though this ultimately depends on the EPC contractor's schedule. If vehicles delivering the solar equipment have difficulty turning in and out of KY Route 11, stoppages would be a minute or two, just long enough to facilitate a truck turning in or out.

Witness: Dominic Salinas

- 4. Table 10 shows that an average of 50 vehicles per day or a peak of 135 vehicles per day will utilize the KY Route 559 Entrances. Given that KY Route 559 sees very little traffic (about 147 AADT) in the vicinity of those entrances and the fact that there are several residences in that area, please expand on the basis for the statement that “traffic impacts will be temporary in nature and will be minor”.**

Response:

KY Route 559 is 18 ft wide, so stoppages may be conducted to avoid traffic conflicting with wide vehicles. Since the construction entrance is within 1.5 miles of KY Route 11, traffic stoppages are anticipated to last less than 10 minutes. With such low traffic volumes on KY Route 559, there will not likely be any residual delays caused by a temporary traffic stoppage.

Witness: Dominic Salinas

- 5. Will any residents experience delays or difficulties accessing their residences during or after construction?**

Response:

Residents may occasionally experience delays during construction if there is a larger truck making a delivery. Construction equipment will not block driveways. Residents will not experience delays or difficulties after construction.

Witness: Dominic Salinas

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6. Please provide an approximate percentage breakdown of where the construction workers will commute from each day, if possible.

Response:

Fleming Solar is not able to provide this information until the Project commences construction and the details of each employee is known.

Witness: Dominic Salinas

7. Please provide an approximate breakdown by point of origin for the traffic from other construction-related vehicles (i.e., component delivery vehicles, trailers, etc.).

Response:

The requested information is unavailable at this point in the Project development timeline.

Witness: Dominic Salinas

8. Both the Noise and Traffic Studies Report and Section 6 of the SAR (Mitigation Measures) states that the construction contractor "will be responsible for restoring impacted roadway to pre-construction conditions as required through the permitting process." Please confirm that this means that Fleming Solar will pay for or fully fix any road damage that occurs as a result of Project construction.

Response:

Yes, Fleming Solar will pay for or fully fix any road damage that occurs as a result of Project construction.

Witness: Dominic Salinas

9. Have you met with the Fleming County Road Department or the Kentucky Transportation Cabinet about traffic management

concerns? If so, please describe the scope and resolution of those discussions.

Response:

Fleming Solar has not met with the Fleming County Road Department or the Kentucky Transportation Cabinet about traffic management concerns. These entities will be engaged once EPC contractor is identified.

Witness: Dominic Salinas

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A. Operational Phase

- 1. The Noise and Traffic Studies Report describes the traffic patterns associated with operational employees accessing the site. Will any larger delivery trucks or oversized trucks access the site on a regular, periodic or infrequent basis during the operational period?**
 - a. If yes, please provide data regarding the weight and frequency of each vehicle category that will be traveling to the site during operations.**

Response:

The Project does not expect to receive oversized or large delivery trucks on a regular or periodic basis during operation. Large deliveries may be required infrequently for repairs; however, Fleming Solar cannot estimate weight since it will depend on the type of repair.

Witness: Dominic Salinas and Randall Jenks

VI. Dust —Dust especially during the construction phase can be an issue for local residents.

A. Construction Phase

- 1. Approximately how many miles of internal roadways will be developed within the Project site?**

Response:

Based on the Preliminary Site Layout, approximately 5.7 miles of internal roadways will be developed; however, total length will vary in final design.

Witness: Dominic Salinas

- 2. Will there be odor impacts from diesel fumes or other sources from construction vehicles that will be noticeable by nearby residents?**

Response:

No. All vehicles will have emissions controlled.

Witness: Dominic Salinas

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B. Operational Phase

- 1. Will the Project site be irrigated to promote vegetation growth and reduce potential erosion?**

Response:

In the Operational phase, there are no plans to irrigate the property to promote vegetation growth. Areas where vegetation has not taken will be reseeded.

Witness: Dominic Salinas and Randall Jenks

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VII. Noise—Noise especially during construction, can be an issue for local residents.

A. Construction Phase

- 1. Table 1 of the Noise and Traffic Studies Report (Appendix C of the SAR) provides distances between residences and the nearest inverter and between residents and the Project Footprint.**

- a. Please provide similar information about the distances between individual non-residential noise receptors (churches, businesses) and the Project Footprint, up to 600 feet from the Project Footprint and up to 1,650 feet from the nearest inverter.**

Response:

See Exhibit H.

Witness: Dominic Salinas

- 2. Please expand Table 2 of the Noise and Traffic Study to 2,500 feet or to the point at which noise is reduced to 50 dBA.**

Response:

The sound levels for pile driving in Table 2 (originally submitted) represent ideal, maximum anticipated outdoor sound levels at a given distance. These do not account for any mitigating circumstances, which may include the following: atmospheric conditions (including humidity, temperature, wind speed, etc.), dense vegetative buffers, line of sight obstructions, curvature of the earth, etc. At the distances shown, it is anticipated based on practical engineering knowledge that real world noise levels will be significantly less than those listed in the table.

The original values provided are considered highly conservative based on this knowledge. Additional extrapolation to show noise level reduction down to a level of 50 dBA (which would be equivalent to approximately 18,000 feet of distance) would not practically represent the sound levels expected to be realized in the real world.

However, considering the request, the following table has been constructed for the Siting Board to review.

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Distance (ft)	dBA Contribution
3	125.0
25	106.6
50	100.6
100	94.5
150	91.0
200	88.5
300	85.0
500	80.6
1000	74.5
1500	71.0
2000	68.5
2500	66.6

Witness: Dominic Salinas

- 3. Please describe the process and noise levels associated with installation of the security fencing.**

Response:

Please refer to Fleming Solar's response to the Siting Board Staff's Request No. 9a.

Witness: Dominic Salinas

- 4. Please provide a table that shows the range of noise level that each nearby residence or nearby non-residential noise receptor (shown in an expanded Table 1) will experience over the course of the construction period.**
- a. That range should reflect ambient noise levels, noise levels during construction activities, and any construction vehicle traffic. Please distinguish incremental and cumulative noise levels.**

Response:

Nearby residences will experience a sound level dependent on the equipment in use and the relative distance to the nearby residence.

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The closest non-participating residence to the Potential Project Footprint is 326 feet. Based on the sound levels previously submitted, it is expected that the highest outdoor sound level impact from construction will be equivalent to approximately 85.0 dBA due to piling activity when that activity is closest to the residence and such activity is in progress.

The lowest level of sound impact to this residence would be conservatively estimated at 50 dBA due to vehicle traffic at this distance.

Residences at distances greater than that of the nearest residence would experience a lesser sound level impact during construction.

Witness: Dominic Salinas

5. Please provide a table that shows the peak noise level that each nearby residence or nearby non-residential noise receptor (shown in an expanded Table 1) will experience during the construction period.

- a. That peak level should reflect noise levels during construction activities and any construction vehicle traffic. Please distinguish incremental and cumulative noise levels.**

Response:

As described in Fleming Solar's response to 4.a above, the maximum anticipated sound level impact for any residence during construction is anticipated to be approximately 85.0 dBA due to piling activity.

For residences at further distances, this impact would be expected to be less.

Witness: Dominic Salinas

- b. Over what period of time will peak noise levels occur for each noise receptor?**

Response:

Pile driving will be limited from 9:00AM through 5:00PM for piles driven within 1,000 feet of non-participating residences and

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businesses and from 7:30AM through 7:00PM elsewhere on Monday through Saturdays, and between 12:00 noon to 5:00PM on Sundays. Pile-driving activities are anticipated to take two to four months Project-wide.

Witness: Dominic Salinas

c. What is the duration (in minutes or hours) of each peak noise event?

Response:

We anticipate individual piles will require 5-30 minutes to drive (including staging), however this will vary depending on soil conditions.

Witness: Dominic Salinas and Randall Jenks

6. How long (in hours or days) will the pile drivers remain and work in one general location?

Response:

Pile driving will be limited from 9:00AM through 5:00PM for piles driven within 1,000 feet of non-participating residences and businesses and from 7:30AM through 7:00PM elsewhere on Monday through Saturdays, and between 12:00 noon to 5:00PM on Sundays. Pile-driving activities are anticipated to take two to four months Project-wide.

Witness: Dominic Salinas

7. When the pile drivers move to the next location, what is the typical distance to the next spot (in feet)?

Response:

Spacing will depend on the site characteristics and supplier of the trackers. Generally, piles would be 10-15 feet apart.

Witness: Dominic Salinas and Randall Jenks

- 8. Will any specific mitigation measures be undertaken to reduce the noise associated with pile driving activity for nearby residences or other noise receptors?**

Response:

Please refer to Fleming Solar's response to the Siting Board Staff's Request No. 16.

Witness: Dominic Salinas and Randall Jenks

- 9. How many days, or weeks, will any single-family home experience periodic noises greater than 55 dBA throughout a day?**

Response:

The duration of specific activities will depend on contractors' schedule against overall available construction time, site conditions, weather, and other factors. Focusing on pile driving as the most sound-emitting activity, the estimated duration for a project of this size is between two and four months.

Witness: Dominic Salinas

- 10. Has the Applicant met with or coordinated with the nearby church to ensure noise from construction activities will not interfere with any church activities?**

Response:

Yes, see response to Section IX C.

Witness: Dominic Salinas

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11. What is the basis for the statement that the ambient noise around the Project is between 50 and 60 dBA?

- a. Has an ambient noise study been completed? If so, please provide that study.**

Response:

An ambient noise study has not been completed for Fleming Solar.

Witness: Dominic Salinas

- b. Why would the ambient noise study completed for the AEUG Fleming solar project be relevant to Fleming Solar, given that projects' location, closer to Flemingsburg?**

Response:

Based on site location and layout it is anticipated that vehicle traffic on the intersecting roadways that traverse the project locations will be the major contributors to the sound levels at both locations. These roadways will dominate the sound level impacts for both sites resulting in similar impacts due to their similar nature.

Witness: Dominic Salinas

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B. Operational Phase

- 1. Please confirm that there will be 22 inverters on the Project site.**

Response:

Confirmed.

Witness: Dominic Salinas

- 2. Will an HVAC unit be co-located with each inverter?**

Response:

Cooling fans (not HVACs) are co-located with each inverter; sound levels generated by the fans were included as a sound source for inverters in the Noise Study.

Witness: Dominic Salinas

- 3. The Noise and Traffic Studies Report states that the noise associated with tracking motors was not considered or addressed because “their sound levels are generally 40.0 dBA at 10 feet and well below the existing anticipated background noise levels.” However, wouldn’t the noise of those tracking motors add to the cumulative noise generated by other solar components (inverters, HVAC)?**

- a. If yes, please provide the cumulative noise levels with the inverters (see question 6 below).**

Response:

Based upon the assumptions of the Noise Study performed by GAI and professional judgment and experience, the sound level of the tracking motors beyond 10 feet from the source is considered an insignificant contribution to other sound levels in the study area.

It is the assumption under Section 2.3 of the report that the ambient daytime outside sound level for the area surrounding this Project is anticipated to average between 50.0 and 60.0 dBA. It is further estimated that the tracking motors produce a sound level of approximately 40.0 dBA at 10 feet. Based upon the method of adding decibels as provided in Table 7 of the report, and assuming

a lower end ambient outside sound level of 50.0 dBA, the contribution of the 40.0 dBA tracking motors against the ambient background at 10 feet from the motors would be zero decibels, thus insignificant (since the difference between the sound levels is 10 decibels; 50.0 dBA versus 40.0 dBA). At further distances from the source of the tracking motors (e.g. > 10 feet), the sound levels would degrade at a rate similar to other sources onsite (e.g. as shown in Tables 4 through 6), based upon the inverse square law, as described in the Noise Study Report. Thus, we can assume the contribution of the tracking motors is insignificant against background ambient sound at distances greater than 10 feet. In the presence of other operating sources for the Project (inverters, HVAC units, and substation), which are shown to be approximately the same or slightly greater than background levels at short distances it would further be assumed that the tracking motors would have an insignificant contribution. This is discussed in further detail in the response to question 6.

Witness: Dominic Salinas

- 4. Please provide a detailed table showing the number of residential structures located within 300-foot intervals from the substation, from 0 - 300 feet up to 1,650 feet.**

Response:

The response provided below is based on the location of the substation fence as identified in the Preliminary Site Layout (Exhibit C). Please note that the GSU transformer, which is the only sound-producing equipment within the substation area, will be located within the northern portion of the fenced substation area. The precise location of the GSU transformer can only be established after EKPC finalizes their site layout; however,

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Fleming Solar will adhere to the setbacks provided in Mitigation Measure D5 of the application.

Distance from Substation	Count of Parcels with Residential Structure(s)
0 - 300 ft	1 (participating parcel)
300 - 600 ft	1
600 - 900 ft	1
900 - 1,200 ft	0
1,200 - 1,500 ft	4
1,500 - 1,650 ft	0
Total	7

Witness: Dominic Salinas

- 5. Please provide a detailed table showing the number of non-residential structures, by type of structure (ie church, school, commercial, barn, etc.) located within 300 foot intervals from the substation, from 0 -300 feet up to 1,650 feet.**

Response:

Fleming Solar, to the best of its ability, identified structures using aerial imagery. The response provided below is based on the Preliminary Site Layout (Exhibit C). Please note that the GSU transformer, which is the only sound-producing equipment within the substation area, will be located within the northern portion of the fenced substation area. The precise location of the GSU transformer can only be established after EKPC finalizes their site layout; however, Fleming Solar will adhere to the setbacks provided in Mitigation Measure D5 of the application.

Distance from Substation	Barn	Shed	Unknown	Total
0 - 300 ft	3	2	1	6
300 - 600 ft	2	1		3
600 - 900 ft	2	1		3
900 - 1,200 ft		1		1
1,200 - 1,500 ft				
1,500 - 1,650 ft	2	1		3
Total	9	6	1	16

Witness: Dominic Salinas

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- 6. Please indicate the total cumulative dBA, including ambient noise, during operations, from all project components combined (inverters, motors, HVAC units and substation) for each of the nearby residences and non-residential noise receptors listed in an expanded Table 1 of the Report.**

Response:

The closest non-participating residence to the Potential Project Footprint is 326 feet. Based on the sound levels previously submitted, it is expected that the operational outdoor sound level impact from operation will be equivalent to less than approximately 45.6 dBA based upon the following: From Table 4, the contribution of the inverters at 300 feet (less than the 326 feet of the closest non-participating residence mentioned herein) would be 45.6 dBA. From Table 5, the contribution of the HVAC units at 300 feet would be 27.0 dBA. From Table 6, the contribution of the GSU Transformer would be 31.0 dBA. Calculating the contribution for the tracking motors using the inverse square law and associated formulas in Section 2.2, for a reference sound level contribution of 40.0 dBA at 10 feet, renders a calculation of approximately 10.5 dBA at 300 feet. Based upon the method of adding decibels as provided in Table 7, any addition to the sound level from the inverters of 45.6 dBA at 300 feet of more than 10 decibels less than 45.6 dBA would have a contribution of zero decibels to the overall contribution of all the sources. As the HVAC units at 300 feet (27.0 dBA), the GSU Transformer at 300 feet (31.0 dBA) and the tracking motors at 300 feet (10.5 dBA) are more than 10 decibels less than the inverters (45.6 dBA), we can calculate the total contribution of the sources, due to operation of the Project combined, to be 45.6 dBA.

Assuming the contribution of existing ambient sound level is 50.0 dBA (assumed in the report to be between 50.0 and 60.0 dBA), following the addition of the contribution from the Project (45.6 dBA) as described in the text in Section 2.3 (after Table 7) of the report, the total sound level would be 51.0 dBA. If the existing ambient sound level were to assume to increase closer to a level of 60.0 dBA, based upon the addition of sound levels from Table 7, the existing ambient sound level of 60.0 dBA compared to the contribution of project sound levels (45.6 dBA) would be 60.0 dBA (zero contribution from the operation of the Project at 300 feet). Thus, we can expect that for an ambient sound level of 50.0 to 60.0 dBA, the proposed project during operation at 300 feet would contribute between 0.0 and 1.0 dBA to the overall ambient sound level resulting in sound levels between 51.0 dBA and 60 dBA. As discussed in Section 2.3 the average human ear's

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sensitivity to sound level changes is plus or minus three dBA; changes to the sound level below this threshold are deemed to be insignificant.

Witness: Dominic Salinas

7. Will solar components (inverters, motors, HVAC units and substation) be completely silent at night?

a. If no, what would the typical noise levels be at night for each of the nearby residences and non-residential noise receptors?

Response:

Solar plants operate during periods of sunlight. When inoperative at night, the inverters, motors and substation would be effectively silent. HVAC on the O&M building and cooling fans on inverters and transformers might operate at night if ambient temperatures are high enough to require cooling.

Witness: Dominic Salinas

VIII. Topography/Scenery—Visual impacts can be important for some projects, depending on the topography, surrounding land uses, and the nature of the project.

A. The Visual Assessment (Appendix D of the SAR) identifies areas where vegetative buffers are recommended to reduce sight of the solar panels or other structures from nearby residences or along roadways.

1. Will the proposed vegetative buffers be located outside the Project fencing?

Response:

Yes. Please refer to Fleming Solar's response to the Siting Board Staff's Request No. 23 for additional information.

Witness: Dominic Salinas

2. We are aware of the photos provided in the Visual Assessment, which includes computer generated images of views with panels and mature vegetative buffers at different locations.

a. Have you generated any additional computer-generated images portraying the solar panels, six-foot fence, and newly planted trees or shrubs after construction is complete? If yes, please provide them.

Response:

No, this condition was not simulated.

Witness: Dominic Salinas

B. Section 6 of the SAR (Mitigation Measures) states that evergreen trees planted as part of the vegetative screen will be a minimum of 8 feet tall within four years of planting.

1. Will any other forms of visual barrier be implemented between the time of planting and the time that those trees will reach mature height?

Response:

Fleming Solar does not anticipate including additional visual barriers between the time of planting and the time that trees will reach mature height.

Witness: Dominic Salinas

2. Will they completely shield the solar panels when the panels are at their maximum height of 10 feet?

Response:

Due to existing topography, the top of some panels may be visible beyond the proposed vegetative screen, though view will be obscured. See Viewshed 04 from the Visual Assessment as an example.

Per the Visual Assessment, "The facility is proposed to be well screened by existing and proposed vegetation, as well as structures associated with the development. It should be noted that all screening solutions benefit those who reside nearest the project, while areas such as roadways and rural residential development located outside of built communities could have possible elevated views towards the project site. This does present the opportunity of views that could vary from completely screened to partially and unobstructed screening with every attempt made towards screening the proposed development."

Witness: Dominic Salinas

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- C. Section 6 of the SAR (Mitigation Measures) states that vegetation will be maintained or replaced as needed. Please describe the plan for maintaining the shrubs and replacing dead shrubs throughout the operational period.**

Response:

A landscape management plan has not yet been prepared. The Operations and Maintenance crew will be responsible for surveying vegetation and identifying any management actions. Should replacement be required, the crew will employ standard best practices.

Witness: Dominic Salinas and Randall Jenks

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IX. Public awareness/ involvement/ meeting materials—We want to make sure that the information in the Application is consistent with the information provided to the public thus far.

- A. We are aware of the following attachments to the Application: Public Notice Evidence (Exhibit B) and Public Involvement Documents (Exhibit E). Please provide any additional documents/ maps/ graphics/ other materials that have been presented to the community/ other groups as part of outreach efforts, if applicable.**

Response:

See Exhibit I for all additional materials provided to the public since the date of filing the application. Fleming Solar hosted a Community Picnic on June 5, 2021 at the New Creation and Praise Worship Center. Mailed invitations were delivered to over 140 neighbors who live within 2,400 feet of the Project, along with a corresponding full-page ad posted in the local Fleming Shopper. This family-friendly event provided an opportunity for neighboring members to cultivate relationships with our team, learn about the long-term benefits of Fleming Solar, and understand the steps Core Solar is taking to meet the needs of local residents. Informational packets, third party documentation, visual simulations of the project, and enlarged displays of the potential project footprint provided an open forum to clarify any questions related to future development and construction activities. This event offered a catered lunch and kid-friendly activities to encourage the community to spend quality time at the event, where our Project Developers could personally communicate with each of the over 30 attendees.

Core Solar gave back to Fleming County at the event through donations to the New Creation and Praise Worship Center, Flemingsburg Police Department, Fleming County Schools, and the Flemingsburg Fire Department. Additionally, to extend support of local businesses, a raffle giveaway featured local Fleming County establishments from neighborhood restaurants, grocery stores, and garden centers.

Additionally, Fleming Solar came before the Fleming County Fiscal Court in a regular monthly meeting on June 8, 2021. An overview of the IRB process in Kentucky and proposed an initial payment in lieu of taxes (“PILOT”) proposal to the county was presented. Discussion was held regarding the current project status as well as long-term decommissioning plans and property valuation impacts.

Witness: Dominic Salinas

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B. What specific issues or concerns have been brought up by the public or others as the result of public meetings or through other avenues?

Response:

Please see the questions provided in part D below, the comments sent to the Public Service Commission, and the summary provided in the Public Involvement section of the application. Aside from these, Fleming Solar learned from one of its participating landowners that there were a couple of neighbors who were concerned about viewshed impacts and being “surrounded by panels.” Early in outreach efforts (prior to determining setbacks and the Potential Project Footprint), Fleming Solar provided a depiction of the Project Boundary, which had some neighbors assuming that panels would extend up to their property line. Since then, Fleming Solar continues to make every effort to communicate the setbacks and vegetative screening that will be used.

Witness: Dominic Salinas

- C. Has the Applicant contacted either the New Creation Praise and Worship Center or the privately owned golf course located to the east of the Project site? Have any concerns been noted from those entities?**

Response:

Yes, Fleming Solar has met with the New Creation Praise and Worship Center Pastor who provided information on the timing of its activities and programs. As stated on page 13 of the application materials, "Fleming Solar received feedback from the pastor that the noise and visual mitigation measures proposed were sufficient and appreciated." New Creation Praise and Worship Center welcomed Fleming Solar to use its parking lot for the Community Picnic location.

Fleming Solar has not contacted the privately owned golf course located across Helena Road from the project. The main building to the golf course is located approximately 0.4 miles from the Project Boundary, with the entrance and parking lot being along Maysville Road. Fleming Solar included the golf course property as a receptor in its glare study, which reported no potential for glare for any of the receptors. Notices of the public meetings and community picnic were mailed to the golf course address.

Witness: Dominic Salinas

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D. Are full transcripts available from the public meetings? We request any written or oral comments offered by the public or government agencies.

Response:

Full transcripts from the meetings are not available. Fleming Solar has not received any written comments other than those that were sent to the Public Service Commission.

Below is a table of the questions that were asked during the public meetings.

Date	Feedback
12/11/2020	Do you have all your power sold?
12/11/2020	Do the panels emit any radiation?
12/11/2020	Will the project impact property values?
12/11/2020	Will the power from the project be sent elsewhere?
12/11/2020	What happens to the panels after the life of the project?
12/11/2020	Is there nuclear waste being disposed of in Fleming County?
12/11/2020	Will the land be reclaimed to its previous state?
12/11/2020	Will the panels shade the grass on the ground and potentially kill the grass?
12/11/2020	If this project goes through will the nearby, competing project go through?
12/11/2020	Aside from the two projects already in the works, can more projects come through the same transmission line?
12/11/2020	Is this project in conjunction with East Kentucky Power Coop to replace coal plants that may shut down?
12/11/2020	Is solar more cost effective than other resources for generating electricity? Will it lower residential electric bills?
12/11/2020	How far off the road is the project offset?
12/11/2020	How does the project plan on dealing with property taxes? Will there be recorded leases with surveys that she can use to separate the project from the rest of the landowner's property?
12/11/2020	Are harmful chemicals used to clean the panels?
3/25/2021	Do panels contain toxic chemicals?
3/25/2021	What is the impact on top soil during construction?
3/25/2021	Where does the power go when its put on the grid?

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3/25/2021	How will additional renewable energy on the grid impact on local utility rates?
3/25/2021	What kind of environmental/wildlife permitting and mitigation is Core Solar doing?
3/25/2021	How will the project impact property values?
3/25/2021	Are consultant reports reviewed by another third party not paid by Core Solar?
3/25/2021	What happens if there is a storm or something like what happened in TX?
3/25/2021	How are taxes calculated?
3/25/2021	Does Core own and operate projects?
3/25/2021	How does bond money work?
3/25/2021	What is the performance rating of the panels?
3/25/2021	Who is our EPC contractor?

Witness: Dominic Salinas

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E. Please state how many individuals attended the public meetings.

Response:

Estimated attendance for the public meetings was provided on pages 11 and 12 of the Application Materials.

First public meeting (estimated): 10 virtual, 6 in person

Second public meeting (estimated): 15 virtual, 17 in person

Witness: Dominic Salinas

F. Section 6 of the SAR (Mitigation Measures) states that Fleming Solar will establish a dedicated voicemail and email prior to construction of the Project. To register a complaint or concern, individuals may either call the voicemail, send an email, or submit a form on the website.

- 1. Please explain how Fleming Solar will address individual complaints as they come in and the anticipated process of working with local residents to come to resolution on complaints.**

Response:

Fleming Solar will coordinate with the complainant to quickly and effectively address issues such that both parties are satisfied. Complaints will be logged and the construction manager will assign an appropriate on-site construction or development staff to investigate the complaint.

Fleming Solar will determine if complaints violate federal, state, or local laws or permit conditions, and if there are notifications or required steps to address those violations. Fleming Solar will also determine if outside resources are necessary to address issues. Once a corrective action or response has been determined, Fleming Solar will contact the complainant by telephone or return mail to inform them of the proposed corrective action, if any.

Fleming Solar is committed to resolving reasonable complaints within 30 days, unless extenuating circumstances necessitate a longer time period, or it is determined that the complaint is unresolvable. Fleming Solar will provide an explanation to the complainant for the extended period and the timeline for addressing the complaint should complaint resolution take longer than 30 days.

Individuals who register a complaint with Fleming Solar will receive correspondence from Fleming Solar as soon as possible, but no later than three (3) business days after registering the complaint. The intent of the initial correspondence is to gather more information to better understand the complaint.

Within 30 days of the complaint being logged, Fleming Solar will initiate reasonable action to resolve the legitimate interference or disturbance that is a direct result of the Project.

The logbook will also document Fleming Solar's recommended resolution, the date agreement was reached on a proposed resolution, and the date

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when the proposed resolution was implemented. Fleming Solar personnel will generate a quarterly report based on the information recorded in the log book about the nature and resolution of all complaints received in that quarter, and file the report at the site office during construction.

Witness: Dominic Salinas

X. Other permitting activities—HE wants to confirm information provided by the Applicant is consistent with information provided in other permitting processes.

A. The Application lists other permits which Fleming Solar may have already obtained or will obtain from other agencies before construction or operation. Please provide copies of any submittals to those agencies, other than those provided, that address any of the specific topics addressed in this inquiry.

Response:

There are no permits or additional submittals at this time.

Witness: Dominic Salinas

XI. Economic Impact Study Report (Exhibit H of the Application)—This topic is not specifically called for in these applications, but the Board will have an interest in Project benefits.

- A. Please confirm that the analysis included in the Economic Impact Study Report reflects an anticipated 12-month construction schedule. How would these impacts change with a 15-month construction schedule?**

Response:

All of the results in the Economic Impact Study Report are based on fulltime equivalent jobs (FTE) and are therefore indifferent to a 12-month versus a 15-month construction schedule. A FTE is normalized to 2,080 hours of work. Presumably, a 15-month construction schedule would use fewer fulltime workers over a longer period of time to accomplish this work. There would be no change to the impacts estimated in the Report.

Witness: Dominic Salinas and David G. Loomis

B. The Report notes that “Core Solar estimated the percentages of project materials and labor that that will be acquired within Fleming County and the Commonwealth of Kentucky.”

1. How much money is likely to be spent on purchases of materials, supplies, equipment or other items in Fleming County in support of facility construction?

Response:

Fleming Solar provided conservative assumptions (0%) for Fleming County purchases as inputs to the economic impact study. We anticipate that the EPC contractor will arrange for local purchase of concrete, gravel, fencing and other locally available commodities as construction commences. Due to availability limitations, inverters, modules, and trackers and specialized pre-construction equipment will be sourced elsewhere.

Witness: Dominic Salinas

2. How much money is likely to be spent on purchases of materials, supplies, equipment or other items outside of Fleming County, but within the Commonwealth of Kentucky in support of facility construction?

i. How much sales or use tax revenue would be generated due to construction activity?

Response:

Commodities will be sourced locally by the EPC contractor, when available. Fleming Solar provided conservative assumptions (0%) for Commonwealth of Kentucky purchases as inputs to the economic impact study. Due to availability limitations, inverters, modules, and trackers and specialized pre-construction equipment will be sourced elsewhere.

The state of Ohio provides a good case study for how a large number of solar projects can drive investment in local manufacturing plants. See Exhibit J for a news article covering the announcement of a third solar panel manufacturing plant in Ohio.

Witness: Dominic Salinas

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C. Table 2 of the Report seems to indicate an average of 99 “on the ground” construction jobs created during construction (direct jobs), with 62 of those jobs created occurring in Fleming County.

1. Is the term “jobs” consistent with “FTEs” or with individual people?

Response:

In the Report, Strategic Economic Research uses the term “jobs” to be equivalent to “FTEs.”

Witness: Dominic Salinas and David G. Loomis

2. Assuming FTEs, does that data mean that 99 FTEs would be hired for construction, and that 62 of those would be hired from within Fleming County?

i. If so, those numbers suggest that about 63 percent of the hired construction workforce would be local residents. That is a high percentage compared to other rural solar developments. Please confirm our understanding of the data.

Response:

The total FTEs working on the Project would be greater than 99 as we expect some specialized workers to come from out-of-state. We did not estimate the total number of FTEs globally used by the project, so it is impossible to estimate the exact percentage of the total workforce coming from within Fleming County but it would be less than 63 percent.

Witness: Dominic Salinas and David G. Loomis

3. How does the estimate of 99 FTEs comport with the average of 125 workers on-site over a 12-month period as shown in Table 9 of the Noise and Traffic Studies Report? Are those datasets inconsistent?

Response:

To the degree that they differ, they differ in a conservative sense for each study.

Witness: Dominic Salinas

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D. Table 2 of the report indicates 6.6 FTEs will be needed for facility operations and suggests that all those employees will be residents of Fleming County.

1. Please confirm that understanding.

Response:

The 6.6 FTEs would be employed in Fleming County. Fleming Solar anticipates that the employees would likely reside in the County.

Witness: Dominic Salinas

2. Table 3 of the Report provides annual earnings data for those employees, including \$326,581 of employee earnings in Fleming County, but \$651,658 of employee earnings for the Commonwealth. Will there be additional employees beyond the 6.6 FTE's living outside Fleming County? If yes, how many?

Response:

There will not be additional employees beyond the 6.6 FTEs living outside of Fleming County. The difference in the two earnings numbers comes from the differences in modeling. The first earnings amount uses the earnings multiplier for just Fleming County and the second amount uses the earnings multiplier for the Commonwealth. The average wage rate and earnings multiplier is higher for the Commonwealth as a whole and yields a higher earnings result. The \$326,581 of earnings would be a more accurate estimate of the employees in Fleming County.

Witness: Dominic Salinas and David G. Loomis

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E. How much money will be spent on the purchase of materials / supplies in the local area (Fleming County) each year during the operational phase?

1. What types of items would be purchased locally?

Response:

An estimated \$157,500 would be spent in Fleming County on materials and equipment throughout the life of the Project, or roughly \$4,500 per year for a 35-year project lifespan. Please note this amount does not include Fleming County spend toward services or lease payments for the operational period.

Local purchases will include a variety of commodities, such as office supplies and equipment, warehouse and shop tools, "bin spares" (nuts, bolts, etc.), fence repair material, vegetation management materials, and transportation equipment (pickup trucks, onsite carts) and their maintenance support.

Witness: Dominic Salinas

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F. The Report states that the Applicant intends to request that Fleming County issue and Industrial Revenue Bond (IRB).

1. How far along is the Applicant in that process? What has the response been from the County? How likely is the County to issue an IRB?

Response:

Fleming Solar has requested that the Fiscal Court of Fleming County adopt a resolution agreeing to issue bonds to finance the project at the appropriate time in the future. Applicant is currently in discussions with the officials of the County about the terms and conditions of the resolution and the bonds that will be issued, including negotiated contractual payments while the bonds are outstanding.

Witness: Dominic Salinas

2. The Report states that “The negotiated contractual payments are expected to be between \$48 thousand and \$96 thousand in the first year. Over 35 years, the total contractual payments are expected to be between \$835 thousand and \$1.67 million.”

i. What specific jurisdictions would receive those funds?

Response:

It is anticipated that the negotiated contractual payments will be paid to the county, and the county can distribute those funds to other jurisdictions.

Witness: Dominic Salinas

ii. How much would each receiving jurisdiction be paid over the 35-year life of the project?

Response:

As described in response to Request XI.F.2.i, the county will be the recipient of contractual payments. Depending on final IRB issuance, it is expected that the county could be paid between \$835,000 and \$1,670,000 over the 35-year life of the project.

Witness: Dominic Salinas

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XII. Decommissioning – This topic is not specifically called for in these applications, but the Board and local officials have an interest in decommissioning activities and commitments.

A. Please confirm that the expected life of the Project is approximately 35 years.

Response:

Confirmed.

Witness: Dominic Salinas

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B. Section 6 of the SAR (Mitigation Measures) states that Fleming Solar will develop an explicit decommissioning plan.

1. When will that plan be prepared and ready for review?

Response:

The decommissioning plan will be completed prior to posting the decommissioning bond at Notice to Proceed.

Witness: Dominic Salinas

2. The Public Involvement Documents note that equipment will be removed and the area will be restored to pre-construction conditions.

a. Please provide a description of the decommissioning plan and decommissioning activities, including what will happen to the facilities/ structures on site.

Response:

As the Project approaches the end of its operational life (35 years), it will adhere to a decommissioning plan that emphasizes the minimization of environmental impacts. Decommissioning and restoration activities will adhere to the requirements of the leases and appropriate governing authorities and will be in accordance with applicable federal and state permits. The decommissioning and restoration processes include the removal of above-ground structures and underground wiring; grading, to the extent necessary; restoration of topsoil (if needed) and seeding. The Project will consist of numerous materials that can be recycled, including steel, aluminum, glass, and copper and plastics. The components and materials will be transported to the appropriate facilities for reconditioning, salvage, recycling, or disposal. Measures will be taken to minimize transportation impacts. Temporary erosion and sedimentation control Best Management Practices (BMPs) will be used during the decommissioning phase of the project.

Witness: Dominic Salinas and Randall Jenks

- b. Will decommissioning include removal of all facilities above and below ground, except those requested to remain by the landowners?**

Response:

Yes, the Owner can request all or any part of the Roadway Improvements be left for use.

Witness: Dominic Salinas

C. Section 6 of the SAR (Mitigation Measures) states the following: “As applicable to individual lease agreements, the Applicant, its successors, or assigns will abide by the specific land restoration commitments agreed to by individual property owners as described in each signed lease agreement.”

1. What commitments regarding land restoration are included in the landowner lease agreements?

Response:

The landowner lease agreements are provided in Exhibit A. Fleming Solar is seeking confidential treatment of the agreements in Exhibit A.

Witness: Dominic Salinas

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Fleming Solar LLC
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D. The Public Involvement Documents note that a bond will be issued towards the end of the initial lease term for removal of equipment.

1. Will the Company be willing to issue that bond prior to construction?

Response:

Yes, Fleming Solar would be willing to issue the bond prior to construction but no sooner than Notice to Proceed.

Witness: Dominic Salinas

2. How will the amount of that bond be estimated?

a. What activities will that bond encompass, such as additional costs of land restoration in addition to removal of facilities and equipment?

Response:

See response to XII. 2A for a summary of decommissioning and restoration activities, which the bond will encompass.

The landowner lease agreements are provided in Exhibit A. Fleming Solar is seeking confidential treatment of Exhibit A.

Witness: Dominic Salinas

b. Would the County be the beneficiary of the bond?

Response:

No, the Project landowner is the beneficiary of the bond.

Witness: Dominic Salinas

c. Will the amount of the bond be adjusted as costs rise over time?

Response:

Yes.

Witness: Dominic Salinas

XIII. Cumulative Effects of Multiple Solar Projects in One Area – We are aware of the AEUG Fleming solar project and that project's proposed location within Fleming County. We wonder about the cumulative effects on various resources due to the construction and operation of that project in combination with the Fleming Solar project.

A. Has Fleming Solar reviewed the AEUG Fleming application and subsequent materials to understand that project in detail – construction activities, traffic levels, noise, etc.?

Response:

Yes, Fleming Solar has reviewed the AEUG Fleming application and subsequent materials.

Witness: Dominic Salinas

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B. Has Fleming Solar evaluated the cumulative effects of the two projects on the values or land uses of nearby properties? If so, what is the effect on property values?

Response:

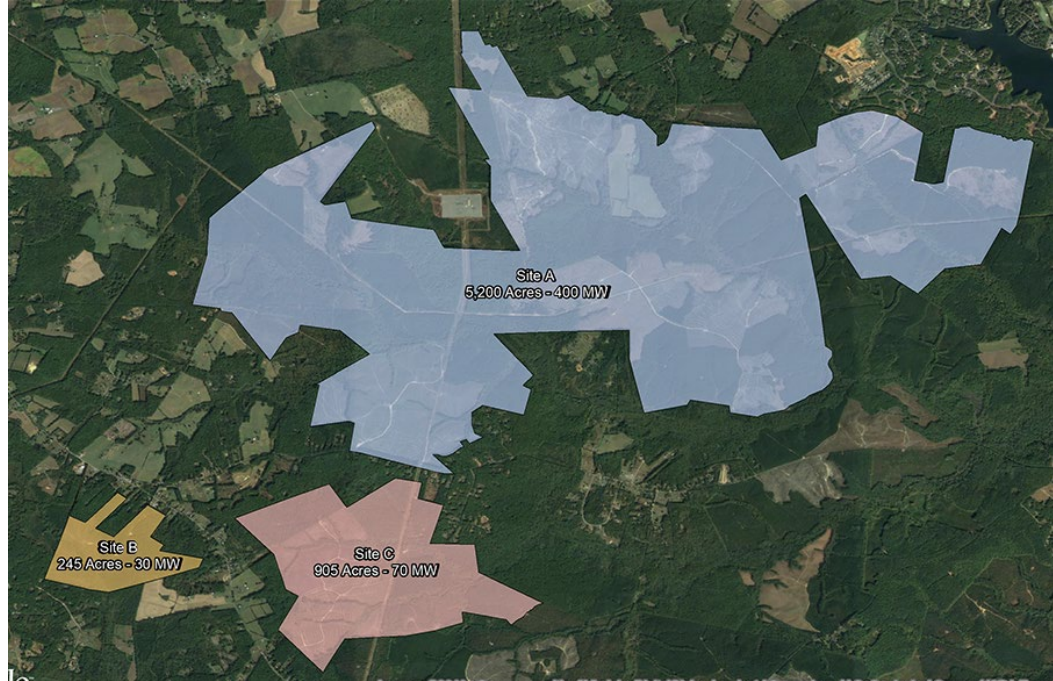
Fleming Solar does not anticipate there to be any negative impacts to property values or land uses due to the proximity of the AEUG Fleming project. It is not uncommon for large solar projects to be developed in phases, or for multiple projects to be sited near one another along a powerline corridor. Kirkland Appraisals included such examples in the matched pair dataset for Fleming Solar's Property Value Impact report. Fleming Solar further engaged Kirkland Appraisals to provide a specific response to this question:

"Solar farms clustered along a powerline corridor are not uncommon, and I have found a number of locations where multiple smaller solar farms were located in close proximity. Larger solar farms are less likely to cluster but they are more likely to sprawl. Because larger solar farms are developed over a wide assemblage of land and attempt to get around homes, wetlands and other features, they generally end up having divisions much like what is shown at Fleming Solar where the single solar farm is actually split into a northern and southern portion. There are many examples of solar farms where the layout of a single solar farm can be more divided and actually appear to be multiple solar farms.

The best example Kirkland Appraisals can identify is a site in Spotsylvania in Virginia. This solar farm was approved as a single solar farm, but was divided up into three sections for a combined total of 617 MW. Section C, also known as Pleinmont 1 Solar includes 99.6 MW of that total area. Maps and a full description of this project as well as the matched pairs adjoining it start on Page 47 of the appraisal report. They show homes adjoining different sections of that larger project having no negative impact on those home sales.

A map showing the three distinct sections is below. As can be seen on the larger blue assemblage, even that single section includes a significant area with some peninsulas of unincluded land showing areas with solar panels effectively on three sides of some areas.

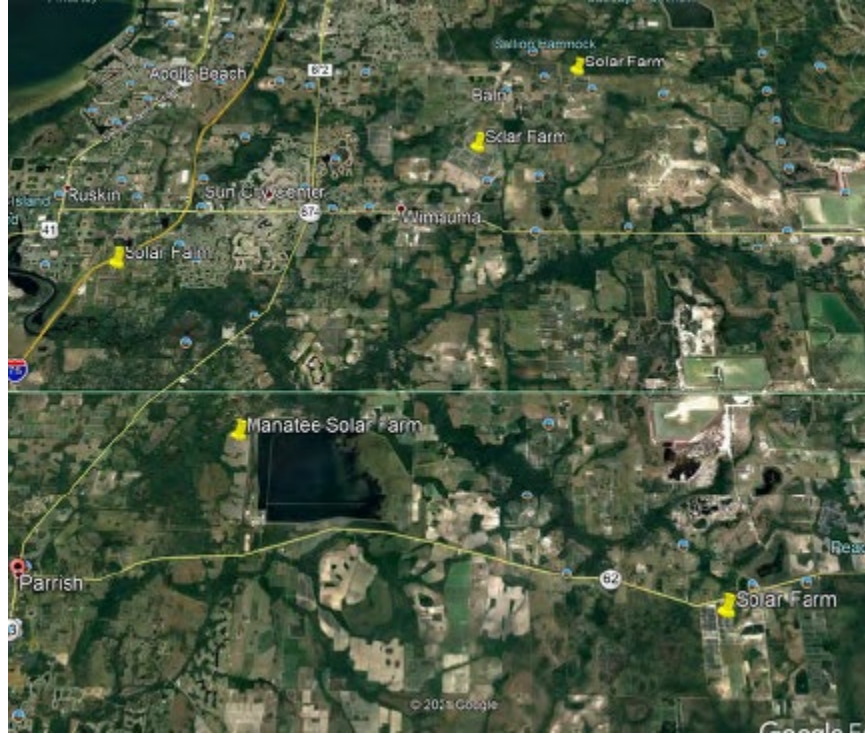
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As another example, the 80 MW facility at Moyock NC (Page 64) has another solar farm being developed to the north east on the other side of the golf course shown adjoining that solar farm. This was approved in Currituck County after a solar moratorium had been in place for that county to establish a new solar ordinance. The first solar farm approved following the new solar ordinance was this one located on the other side of that golf course community with a finding of no impact by the Currituck County Board of Commissioners. But given the scale and the distances involved, there aren't many areas where that would really cause a single home site to be surrounded.

The Manatee Solar Farm showed no impact on property value and on Page 70. Below I have identified four nearby solar farms around the Manatee Solar Farm as shown in the map below and there is no indication that the nearby solar farms contributed to any impact on this matched pair either."

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Witness: Dominic Salinas

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C. Are the construction phases of the two projects anticipated to overlap at all?

1. If so, for how long?

Response:

Fleming Solar is aware that AEUG Fleming, LLC has signed an interim Interconnection Services Agreement, and is therefore ahead of Fleming Solar's development schedule. Fleming Solar does not anticipate any overlap in construction activities at this time. However, final construction schedules have not been completed for either project, so Fleming Solar is not able to confirm this.

Witness: Dominic Salinas

2. What activities will take place concurrently?

Response:

See response to Part C1 above. Should any concurrent construction activity take place, it will likely be the earlier stages of Fleming Solar's construction and final stages of AEUG Fleming Solar's construction; in other words, peak construction activities are unlikely to overlap.

Witness: Dominic Salinas

3. Will Fleming Solar coordinate with the AEUG Fleming folks during construction to minimize traffic, noise or other effects?

Response:

Fleming Solar has held several calls with AEUG Fleming development leadership and will continue regular engagement to ensure a common understanding of development and construction schedules. Fleming Solar's EPC contractor will endeavor to establish a relationship with AEUG Fleming construction or operations staff to discuss mitigation measures for traffic, noise, or other effects as appropriate.

Witness: Dominic Salinas

D. Has Fleming Solar evaluated the cumulative effects of the two projects on traffic levels during Fleming Solar's construction phase? The operations phase?

1. If so, what are the anticipated total traffic volumes on individual roads in the vicinity of the projects during construction?

Response:

Fleming Solar engaged GAI to consider the cumulative effects of the two projects on traffic based on the November 2020 AEUG Fleming Solar, LLC Kentucky State Board on Electric Generation and Transmission Application and its Noise and Traffic Study. All of our subsequent responses are based on that study. Any changes or revisions that may have occurred since November 2020 have not been evaluated.

The AEUG Fleming Solar Project is south of Fleming Solar's site, and both have proposed entrances along KY Route 559. During construction, the AEUG Fleming Solar facility is anticipated to generate an average of 51 vehicles per day and a maximum of 116 vehicles per day (Table 3.2-1) using either of the proposed construction site entrances along KY Route 559 and KY Route 32. KY Route 559 currently carries from 147 to 717 vehicles per day as it approaches KY Route 11. Fleming Solar is anticipated to add 135 maximum daily vehicles during construction, 50 on average. Even if both facilities were undergoing peak construction at the same time total traffic on KY Route 559 west of KY Route 11 would still have a volume under 1,000 vehicles per day.

Witness: Dominic Salinas

2. If so, what are the anticipated total traffic volumes on individual roads in the vicinity of the projects during operations?

Response:

Each facility is not expected to employ more than 10 workers, so the combined maximum impact during operation is anticipated to be up to 20 vehicles per day. No adverse traffic impacts are anticipated.

Witness: Dominic Salinas

**E. Will vehicles from each project use the same roads during construction?
During operations?**

1. If so, how will road impacts and the associated mitigation be assigned to each Company?

Response:

Yes, vehicles heading to and from each facility will likely both use KY Route 11 and KY Route 559 during construction and operation. Both facilities require Encroachment Permits, so road impacts will be determined through the permitting process.

Witness: Dominic Salinas

F. Has Fleming Solar evaluated the cumulative effects of the two projects on noise levels during Fleming Solar's construction phase? During the operations phase?

- 1. If so, what will the cumulative noise levels be for local residents, businesses or others during Fleming Solar's construction and operations phases?**

Response:

Fleming Solar has not evaluated the cumulative effects of the two projects.

Witness: Dominic Salinas

- 2. If the AEUG Fleming project is constructed and in operation prior to construction of the Fleming Solar project, how will that project affect ambient noise levels during Fleming Solar's construction?**

Response:

Neither Fleming Solar or its noise consultant, GAI, is involved in the construction or final design of the AEUG Fleming Project. As such, GAI cannot render an opinion on this question beyond what was provided by AEUG's Baseline Sound Monitoring Report.

In Table 8 of AEUG's Report, Calculated Sound Levels at Nearest Noise-Sensitive Areas Due to Operation of this report, it is stated that the Calculated L_{eq} Total (dBA) related to this project "As Proposed" is 48.1 dBA.

Since 48.1 is below the low end of the sound levels during construction anticipated for the Fleming Solar project, and given the distance between the two sites, the contribution to the existing sound environment at the location of the Fleming Solar project is anticipated to be negligible.

Witness: Dominic Salinas