

Martin County Solar Project, LLC  
Response to Siting Board's Initial Request for Information  
Case No. 2021-00029

Request No. 1: Refer to the Application, Exhibit A, Project Map. Confirm whether there are any schools, public or private parks, hospitals, and nursing homes within the two-mile radius of the site.

Response: One community (public) park, Pigeon Roost Community Center, was identified 1.3 miles from the site. No schools, private parks, hospitals, or nursing homes were found within a two-mile radius of the Martin County Solar Project (the "Project") site.

Responding Witness: Josh Adams

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Request No. 2: There is a Hunting Access Area that pertains to most of the area east of the railroad and areas within the two-mile radius. This is maintained by the Kentucky Department of Fish and Wildlife Resources.

See: [https://app.fw.ky.gov/Public\\_Lands\\_Search/detail.aspx?Kdfwr\\_id=7101](https://app.fw.ky.gov/Public_Lands_Search/detail.aspx?Kdfwr_id=7101). Submit an additional map showing the Legacy III Hunting Access Area, roads, and the boundaries of the project site.

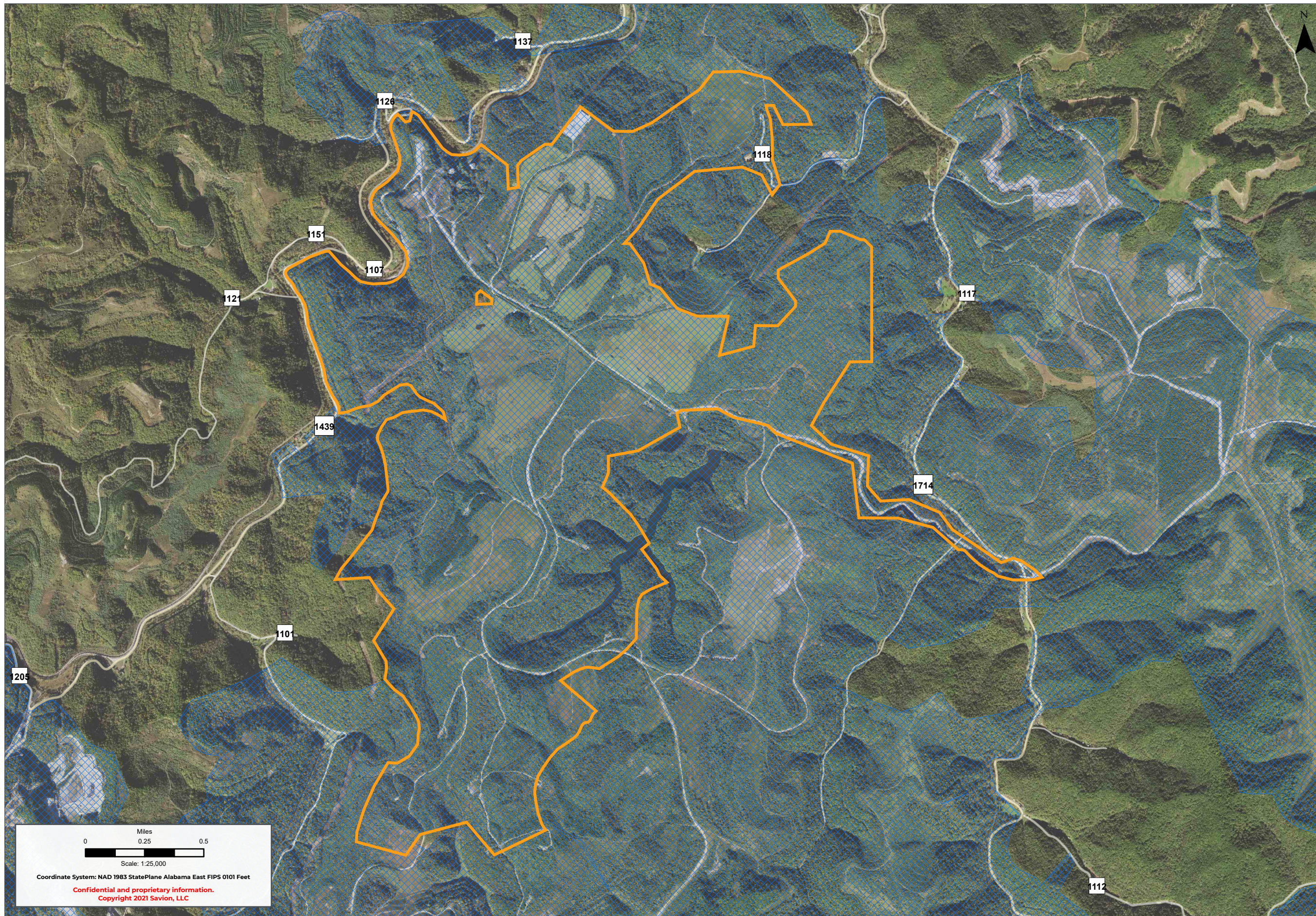
Response: The Project is aware of this area. The landowners will be contacting the Kentucky Department of Fish & Wildlife Resources to have enrolled land removed from the program. See attached map.

Responding Witness: Josh Adams

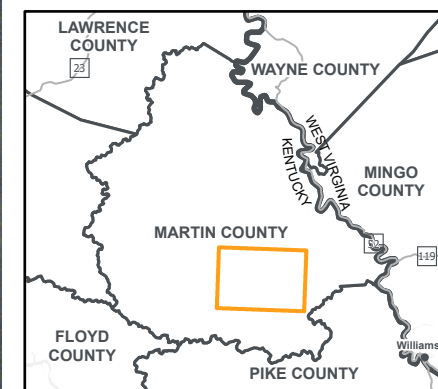
# MARTIN COUNTY SOLAR PROJECT



- Project Boundary
- Wildlife Management Area



Miles  
0 0.25 0.5  
Scale: 1:25,000  
Coordinate System: NAD 1983 StatePlane Alabama East FIPS 0101 Feet  
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**MARTIN COUNTY**  
Martin County, Kentucky  
Date: 7/14/2021  
Analyst: sraasch

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Request No. 3: Refer to Application, Exhibit A. The Exhibit shows six neighborhoods. Confirm whether Martin County Solar used the definition of residential neighborhood as defined in KRS 278.700(6). If no, compare in detail the definition used with the definition in KRS 278.700(6).

Response: Martin County Solar Project, LLC (the "Applicant" or "Martin County Solar") used the definition in KRS 278.700(6) to identify which neighborhoods in the surrounding vicinity of the project were residential neighborhoods and labeled them as such in Exhibit A of the application.

Responding Witness: Josh Adams

Martin County Solar Project, LLC  
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Request No. 4: Refer to the Application, page 6, where only one residential neighborhood falls within 2,000 feet of the "Project's facilities." Confirm which neighborhood falls within 2,000 feet.

- a. Confirm whether "Project's facilities" refers to the measurement from the boundaries of the project site or from the project footprint.
- b. Confirm whether any other neighborhoods as defined by KRS 278.700(6) are within 2,000 feet of the boundaries of the project site.

Response: Upon re-evaluation, applicant added Neighborhood #1 at 1,200 ft from project footprint. Neighborhood #2 (along Dye Bottom Road) is 1,300 feet away from Project footprint.

- a. Project Footprint.
- b. Upon re-evaluation, one Neighborhood (#1) was added at the end of Big Peter Cave Road. Therefore, a total of two neighborhoods as defined by KRS 278.700(6) fall within the 2,000 ft boundary of the Project footprint.

Responding Witness: Josh Adams

Martin County Solar Project, LLC  
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Request No. 5: Refer to the Legacy III Hunting Access Area within the Project's boundaries. Confirm whether Martin County Solar has held conversations with the Kentucky Department of Fish and Wildlife Resources regarding the location of the area. If yes, summarize these discussions.

- a. Submit a copy of the most recent lease with the Kentucky Department of Fish and Wildlife Resources for this area.
- b. Describe how Martin County Solar will notify hunters the project site is no longer open to hunters.
- c. Describe how Martin County Solar will secure the area from damage by hunters.

Response: Applicant has not had any conversations with KDFWR regarding this location.

- a. N/A
- b. The Project will coordinate with the Kentucky Department of Fish & Wildlife Resources to ensure appropriate public notice is provided.
- c. The Project will be secured by perimeter fencing.

Responding Witness: Erich Miarka

Martin County Solar Project, LLC  
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Request No. 6: The following questions compare the Application, Exhibit F: Site Assessment Report: Exhibit A "Site Layout Map", to the Application, Exhibit F: Site Assessment Report: Exhibit B "Tax Parcel Map", page 5. Of concern is the different project boundaries for each map.

- a. Confirm whether the Site Layout Map has the correct project boundaries for consideration by the Siting Board.
- b. Confirm whether Martin County Solar used the Martin County Property Valuation Administration's (PVA) GIS data to determine property owners adjoining the site boundaries.

Response:

- a. Confirmed
- b. AcreValue was utilized for this information.

Responding Witness: Erich Miarka

Martin County Solar Project, LLC  
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Request No. 7: Refer to Application, Exhibit F: Site Assessment Report: Exhibit B: Kirkland Appraisals Report, page 7. Kirkland states that “[t]he data above was compiled using the AcreValue website. According to the Martin County Property Valuation Administration, there is no online GIS for Martin County and AcreValue is a reasonable resource for this information.” There are 25 additional parcels in the analysis of the southwest portion of the map that do not adjoin the boundaries laid out on the layout map.

- a. Explain in detail why Kirkland was not able to use the Martin County PVA GIS data.
- b. Explain and reconcile the significant error caused by the additional 25 parcels when considering only 89 parcels are used in the Kirkland analysis.

Response:

- a. As was noted in the report, Kirkland reached out to the County PVA and was informed that no County PVA GIS data was available. The PVA further stated that "AcreValue is a reasonable resource for this information".
- b. The Project boundary expanded after the Kirkland report was prepared. The Applicant informed Kirkland of the expansion and according to Kirkland, the expansion is not expected to materially change the findings of its report.

Responding Witness: Jason Funk



Martin County Solar Project, LLC  
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Request No. 8: Refer to the Application, Exhibit F: Site Assessment Report: Exhibit D, Noise Assessment, page 1, item 1.2. Confirm whether there is a pipeline that transects the project site.

- a. Describe the location and the ownership of the pipeline, and confirm whether the pipeline is currently in operation.
- b. If in operation, confirm the substance transported by the pipeline.
- c. Provide the details of any conversations conducted with any parties regarding the pipeline.

Response: Several pipelines transect the Project site. The Project will not have exact locations identified until the ALTA survey have been completed, which is expected in September 2021.

- a. See Response to Request No. 8.
- b. See Response to Request No. 8.
- c. The Project has made inquiries into liquid mineral rights and reviewed historical maps identifying primary operators. At present the Project is still identifying minor operators and will coordinate with any owner of pipelines to obtain an encroachment agreement prior to construction.

Responding Witness: Erich Miarka

Martin County Solar Project, LLC  
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Request No. 9: Refer to the Kentucky Geological Survey Oil and Gas Wells Search (<https://kgs.uky.edu/kygeode/services/oilgas/>).

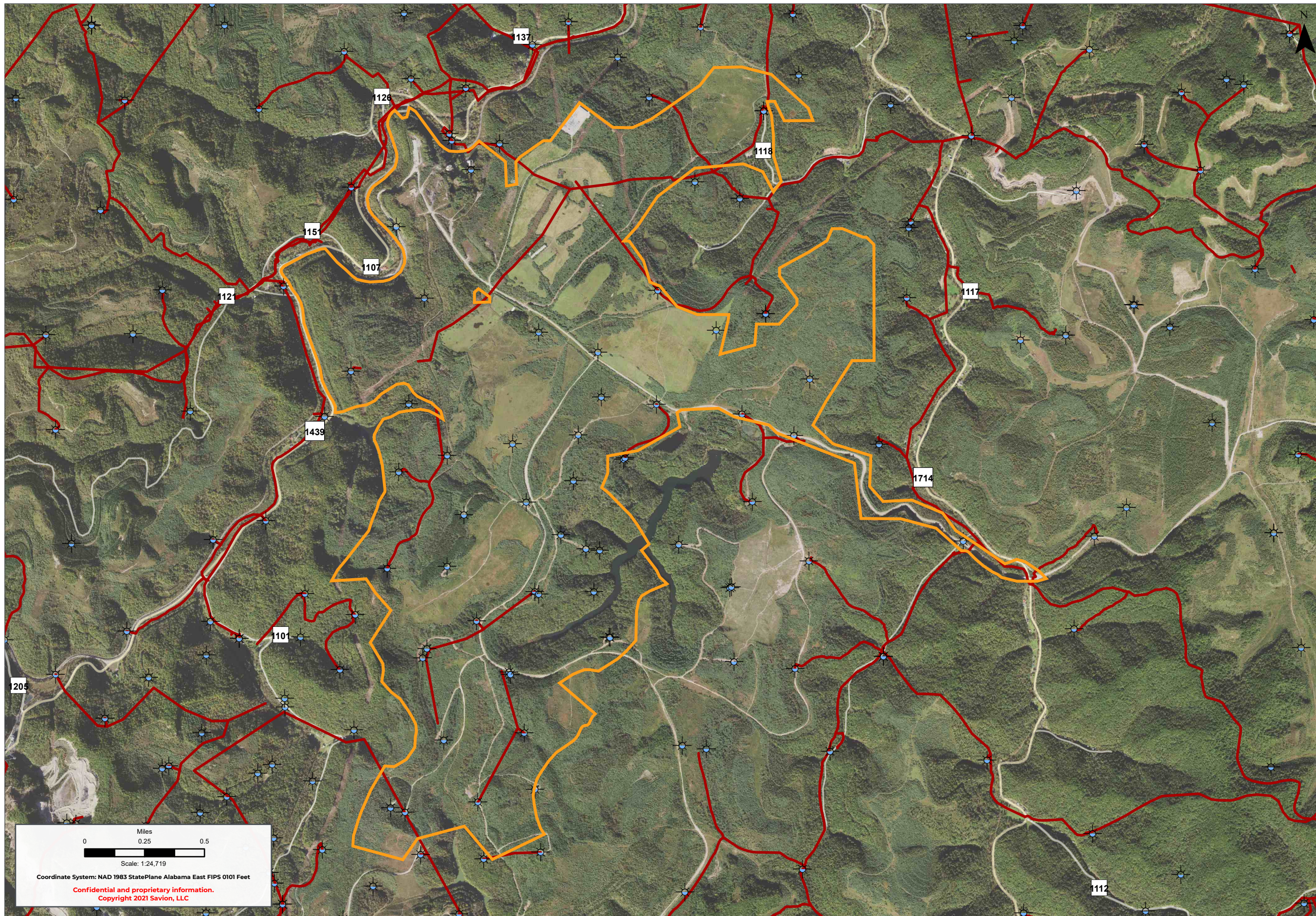
- a. File an updated site map with all active and inactive oil or gas wells on the proposed site. Also include any gas- gathering pipelines associated with the wells.
- b. Determine and confirm whether any of these wells are currently permitted and active.
- c. Confirm whether the existence of oil and gas wells and pipelines will require adjustments to the proposed location of solar panels.

Response:

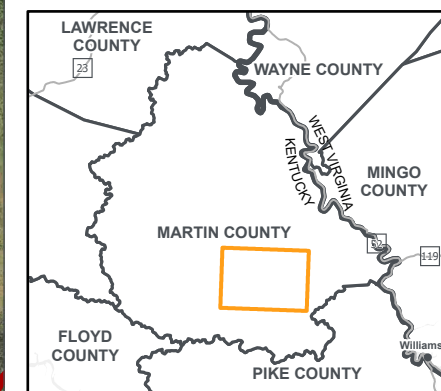
- a. See attached map showing all known oil/gas wells/pipelines located within the Project boundary.
- b. See attached map showing all known oil/gas wells/pipelines located within the Project boundary. The status of these wells has not yet been confirmed; however, the Project will coordinate with any owner of gas wells to obtain an encroachment agreement prior to construction.
- c. Confirmed. The Project will coordinate with any owner of wells/pipelines to obtain an encroachment agreement prior to construction.

Responding Witness: Erich Miarka

# MARTIN COUNTY SOLAR PROJECT



- Project Boundary
- Oil Gas Wells Unverified
- Underground Oil and Gas Lines



Miles  
0 0.25 0.5  
Scale: 1:24,719  
Coordinate System: NAD 1983 StatePlane Alabama East FIPS 0101 Feet  
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**MARTIN COUNTY**  
Martin County, Kentucky  
Date: 7/15/2021  
Analyst: sraasch

The following companies and organizations provided data that contributed to the production of this map - CoreLogic, Inc., Environmental Systems Research Institute (ESRI), U.S. Department of Agriculture (USDA), U.S. Federal Aviation Administration (FAA), U.S. Geological Survey (USGS), WhiteStar Corporation, Ventyx, Inc., An ABB Company

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Request No. 10: Refer to the Application, Exhibit E, page 8. Explain why the project evaluation is being conducted for 200 MWac, but the project will utilize a 300 MWdc sizing. Include in the explanation whether it is anticipated that additional solar capacity will be added to the site in the future.

Response: No additional phases are planned. The Project is sized as a 300MWdc (200MWac) using a 1.5 DC/AC ratio. The DC/AC ratio is used to adjust the size of the Project due to electrical losses in converting the energy from direct current (DC) to alternating current (AC) through the inverters.

Responding Witness: Josh Crumpler

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Request No. 11: Refer to the Application, Exhibit E, page 8.

a. The Inez Substation is owned and operated by Kentucky Power Company. Explain whether the project will inject power into Kentucky Power Company's distribution system or Appalachian Power's system.

b. Explain whether Kentucky Power Company or other American Electric Power affiliates in Kentucky has committed to purchasing the output from the project, and if so, provide a copy of the contract.

c. Explain what unique construction challenges are presented by building the project on reclaimed coal mine land and whether tests have been conducted on the proposed site to determine the suitability of supporting the solar arrays. If so, provide the report explaining the results of the tests.

Response:

a. Kentucky Power Company distribution system.

b. No such contract presently exists.

c. Due to the Project site being an abandoned coal mine, the subsurface conditions for the site have impacted the design for the installation of the piles that support the racking of the modules. Based on the draft geotechnical studies and reports, the Applicant intends to use two methods of installing piles. In one method the pile hole will be pre-drilled and the post placed with lean concrete, whereas the other method would be to use a ground screw system. All responsive reports

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and studies are currently in draft form. Once those studies and reports are finalized, summaries can be provided upon request.

Responding Witness: Erich Miarka

Martin County Solar Project, LLC  
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Request No. 12: Refer to the Application, Exhibit E, page 8 and 19. If much of the labor force to construct the project will come from outside Martin County, explain why the JEDI model was calibrated to Martin County only and not to include surrounding or more regional counties.

Response: Both Martin County and Kentucky statewide effects as a whole were addressed. No regional effect was considered including direct impacts to surrounding counties. It is expected that the additional state effects on labor force outside of Martin County would be attributed to the immediate surrounding counties.

Responding Witness: Jason Funk

Martin County Solar Project, LLC  
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Request No. 13: Refer to the Application, Exhibit E, page 19. Explain how Savion estimated the percentages of project materials and labor that will be coming from within Martin County and the state of Kentucky.

Response: Estimates of local materials and labor were based on industry averages of comparable projects.

Responding Witness: Jason Funk



Martin County Solar Project, LLC  
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Request No. 14: Refer to the Application, Exhibit E, page 19.

- a. Explain how the model differentiates between short-term and long-term economic impacts.
- b. Explain whether any of the jobs created during the construction phase last beyond the construction phase.
- c. Explain whether the 11 jobs created during the project's operational phase are jobs directly employed by the project owners during the operation and maintenance of the solar arrays, and associated facilities. If not, explain how many jobs are directly associated with the operational phase of the project.

Response:

- a. Short term jobs are associated with Project development and construction. Long Term jobs are associated with Project operations and maintenance.
- b. No jobs created during construction are expected to be carried over to the operations phase.
- c. The 11 jobs created are anticipated to be employed by the Project owners and outside contractors. Project owners expect to directly fill 4-6 positions.

Responding Witness: Jason Funk

Martin County Solar Project, LLC  
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Request No. 15: Refer to the Application, Exhibit E, page 22. Explain whether any of the estimated tax revenue is expected to create any jobs in Martin County. If not, explain what level of economic stimulus is required to create public sector jobs.

Response: Martin County and the Board of Education are empowered to expend the tax revenue as they deem appropriate. To our knowledge, Martin County nor the BOE have made any commitments or plans for new hires at this time. It is likely, however, that the additional revenue to the County will spur growth that would necessitate the hiring of new employees.

Responding Witness: Erich Miarka

Martin County Solar Project, LLC  
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Request No. 16: Explain the process that Martin County Solar will employ to construct the fencing surrounding the boundary of the project and the noise level associated with the construction at the five nearest receptors measured in dBA.

Response: Standard commercial grade fencing will be used for the perimeter of the site and substation. The fencing will be a standard chain-link style fence and will use a small backhoe or track mounted post hole digger to install the posts.

Responding Witness: Josh Crumpler

Martin County Solar Project, LLC  
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Request No. 17: Provide a detailed proposed construction schedule.

Response: See attached

Responding Witness: Josh Crumpler

## MARTIN COUNTY PROJECT SCHEDULE

PROJECT MILESTONE	START	FINISH
NOTICE TO PROCEED	Mar-22	-
MOBILIZATION	Mar-22	-
CIVIL WORKS INCLUDING FENCING AND ACCESS ROADS	Mar-22	Apr-23
PIER INSTALLATION	May-22	Oct-22
RACKING AND MODULES	Jun-22	Jan-23
COMBINER TO INVERTER ELECTRICAL	Jun-22	Feb-22
SUBSTATION (ENERGIZE)	-	Mar-23
COMMISSIONING	Apr-23	Jun-23
MECHANICAL COMPLETION	-	Apr-23
SUBSTANTIONAL COMPLETION	-	May-23
FINAL COMPLETION	-	Jun-23

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Request No. 18: Provide the distance from the substation to the five nearest sound receptors and the anticipated noise level measured in dBA.

Response: The distance from the substation to the five nearest sound receptors and the anticipated noise levels are as follows:

Receptor 3 is 1,341 feet from a substation and has an estimated dBA of 7;

Receptor 4 is 1,388 feet from a substation and has an estimated dBA of 7;

Receptor 1 is 1,473 feet from a substation and has an estimated dBA of 6;

Receptor 5 is 1,553 feet from a substation and has an estimated dBA of 6; and

Receptor 2 is 1,583 feet from a substation and has an estimated dBA of 6.

All are anticipated to be lower than a whisper when measured at the receptor.

Responding Witness: Josh Adams

Martin County Solar Project, LLC  
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Request No. 19: Provide the distance from the inverters to the five nearest sound receptors and the anticipated noise level measured in dBA.

Response: The distance from the inverters to the five nearest sound receptors and the anticipated noise levels are as follows:

Receptor 11 is 779 feet from an inverter and has a dBA of 35;

Receptor 9 is 1,013 feet from an inverter and has a dBA of 33;

Receptor 8 is 1,104 feet from an inverter and has a dBA of 32;

Receptor 7 is 1,224 feet from an inverter and has a dBA of 31; and

Receptor 10 is 1,332 feet from an inverter and has a dBA of 30.

Responding Witness: Josh Adams

Martin County Solar Project, LLC  
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Request No. 20: Provide the distance from the tracking motors to the five nearest sound receptors and the anticipated noise level measured in dBA.

Response: The distance from the tracking motors to the five nearest sound receptors and the anticipated noise levels are as follows:

Receptor 11 is 334 feet from a tracking motor and has a dBA of 62;

Receptor 9 is 670 feet from a tracking motor and has a dBA of 55;

Receptor 8 is 746 feet from a tracking motor and has a dBA of 55;

Receptor 7 is 782 feet from a tracking motor and has a dBA of 54; and

Receptor 6 is 918 feet from a tracking motor and has a dBA of 53.

Additionally, tracking motors only run for about 1 minute out of every 15 minutes.

Responding Witness: Josh Adams



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Request No. 21: Provide a description of any construction method that will suppress the noise generated during the pile-driving process (i.e., semi-tractor and canvas method; sound blankets on fencing surrounding the solar site; or any other comparable method) that Martin County Solar plans to employ and the associated reduction in noise that each method produces.

Response: The noisiest activity during construction includes the use of pile drivers to install the solar panel supports. Pile drivers will only be used very briefly (approximately 30 seconds to 1 minute per pile) and would move around the site during construction. Temporary noise barriers are capable of reducing noise between 10-20 dBA. Due to the unique nature of the site, both that it is a reclaimed mine site and that it is significantly higher in elevation than all noise receptors, Martin County Solar Count Project does not intend to employ noise mitigators during construction.

Responding Witness: Josh Adams

Martin County Solar Project, LLC  
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Request No. 22: Provide any studies or guidelines that Martin County Solar relied on to determine that noise levels from the construction and operation of the solar facility are insignificant contributors to the operational sound levels of the site.

Response: Multiple sources were used to determine that the noise levels from the construction and operation of the solar facility are insignificant contributors to the operational sound levels of the site. These include multiple transportation guidelines as well as information from the CDC (KYTC 2020 Noise Analysis and Abatement Policy; CDC Common Sources of Noise and Decibel Levels; FTA Transit Noise and Vibration Impact Assessment Manual).

Responding Witness: Josh Adams

Martin County Solar Project, LLC  
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Request No. 23: Detail how many worker commuter vehicles are expected to drive to the project site each day during construction.

- a. Detail the number on an average day.
- b. Explain whether this number will differ on a peak day and detail the number of vehicles on a peak day.

Response:

a. The expected number of commuter cars and trucks during the construction will be approximately 40-60. It will be encouraged to carpooling to occur to reduce the number of vehicles.

b. It is difficult to determine the peak day, however approximately 60 cars would be the higher end of the expected range of commuter cars and trucks during construction. Carpooling will be encouraged to reduce the number of vehicles.

Responding Witness: Josh Crumpler

Martin County Solar Project, LLC  
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Request No. 24:

- a. Describe in detail the expected maximum weight of the largest vehicles that will be brought to the site during construction (including any materials or equipment that the truck is hauling).
- b. Explain whether Martin County Solar has considered additional or different vehicle load requirements at the site based on the site's status as a reclaimed surface mine.

Response:

- a. The expected weight of the largest truck will be a flat bed truck delivering the main power transformer. The main power transformer weight is anticipated to be approximately 200,000 lbs.
- b. The subsurface conditions are not expected to be of concern as the heavy loads will be using the existing access roads installed during the mining operations.

Responding Witness: Josh Crumpler

Martin County Solar Project, LLC  
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Request No. 25: Explain where the construction crew, supervisors, and others will park on-site.

Response: Parking areas will be determined closer to the start of the construction. The site has ample space to provide onsite parking.

Responding Witness: Josh Crumpler

Martin County Solar Project, LLC  
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Request No. 26: Detail Martin County Solar's plans for paving (or putting down gravel) for roads associated with the project.

Response The access road paving will be determined closer to construction based on the needs of the EPC contractor.

Responding Witness: Josh Crumpler

Martin County Solar Project, LLC  
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Request No. 27: Explain in detail where the entrances and exits to the construction site will be located on KY-1714 and KY-1439.

a. Describe which access points will be the primary points of entry and exit into and out of the site during construction and operations.

b. File an updated site map with access points marked. Make this filing in PDF format.

Response: See attached map. The two entrances (both construction and operation) will utilize existing entrances that were in place from previous mining operations.

a. See attached map. The two entrances (both construction and operation) will utilize existing entrances that were in place from previous mining operations.

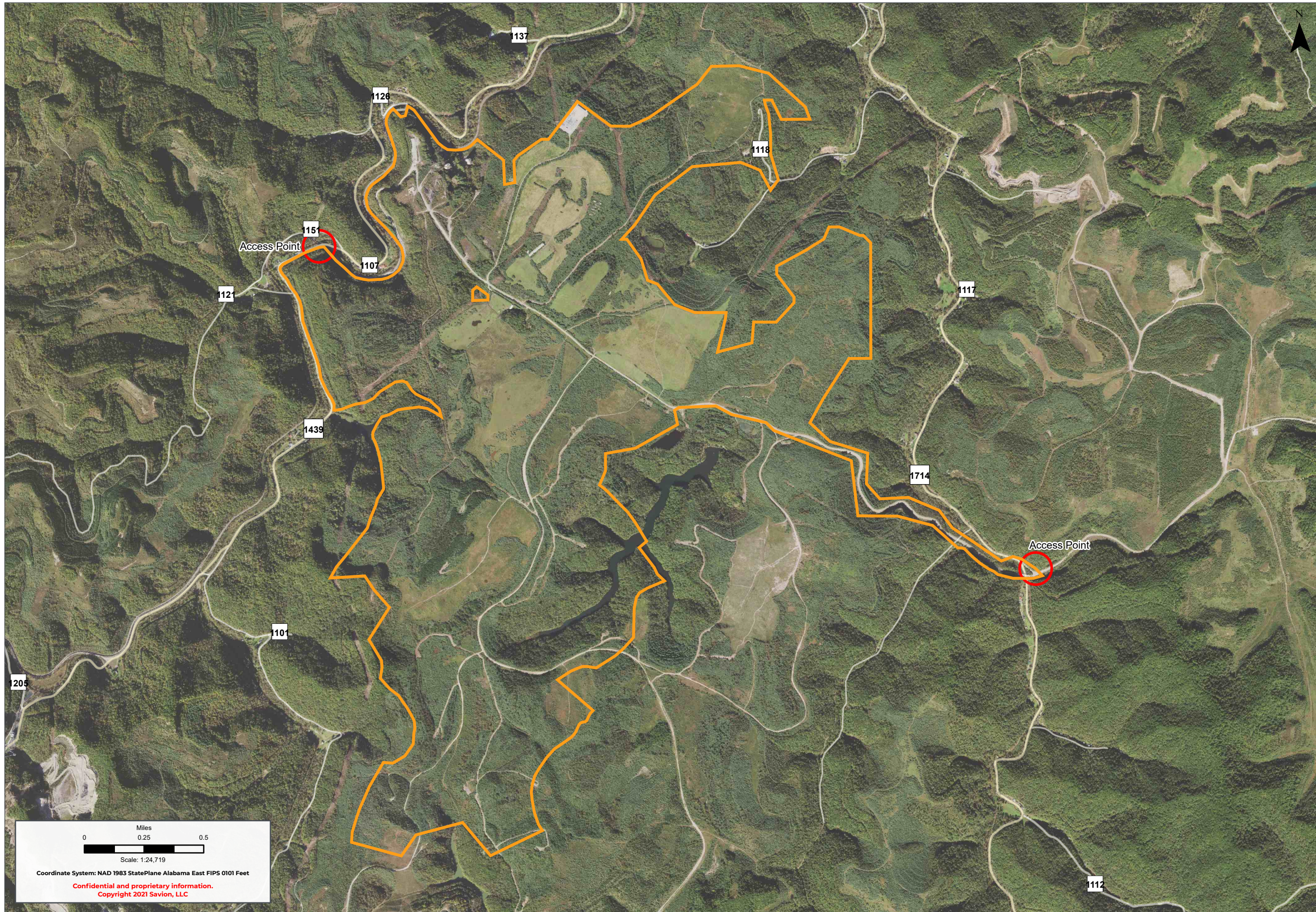
b. See attached map.

Responding Witness: Josh Crumpler

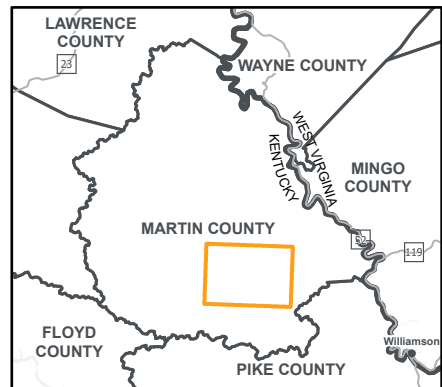
# MARTIN COUNTY SOLAR PROJECT



- Project Boundary
- Project Access Points



Miles  
0 0.25 0.5  
Scale: 1:24,719  
Coordinate System: NAD 1983 StatePlane Alabama East FIPS 0101 Feet  
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**MARTIN COUNTY**  
Martin County, Kentucky  
Date: 7/15/2021  
Analyst: sraasch



Martin County Solar Project, LLC  
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Request No. 28: Describe any signage and traffic signals that will be present near entrances and exits.

Response: Signage for the site will follow the Manual on Uniform Traffic Control Devices (MUTCD) guidelines for construction traffic.

Responding Witness: Josh Crumpler

Martin County Solar Project, LLC  
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Request No. 29: Describe how often traffic signaling is expected to be necessary.

Response: Traffic signaling is not anticipated; however, the Martin County Solar will follow the Manual on Uniform Traffic Control Devices (MUTCD) guidelines for construction traffic.

Responding Witness: Josh Crumpler

Martin County Solar Project, LLC  
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Request No. 30: Confirm whether studies have been done to ascertain the amount of dust created during construction.

a. Explain and detail the level of dust expected and outline the impacts expected during construction.

b. File any relevant studies conducted in PDF format.

Response: No studies conducted.

a. Dust generation is expected to be minimal and less than that created by previous land uses. According to the Traffic Study any dust created by construction would be temporary. Dust would be controlled by appropriate revegetation measures, including the application of water, or covering of spoil piles. Additionally, open-bodied trucks transporting dirt will be covered while moving. Martin County Solar will comply with all KY Energy and Environment Cabinet requirements regarding dust.

b. N/A.

Responding Witness: Josh Crumpler

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Request No. 31: Confirm whether reclamation of the prior surface mining site been completed.

a. Provide a copy of the reclamation plan for the property in question and the date any such plan was completed.

b. Confirm compliance with all air and water quality laws since the reclamation of the prior surface mining property.

Response: There are no active mining operations on site and reclamation activities are principally complete. Permit revisions are in progress to facilitate final bond release. See Response to Request #31a.

a. The Martin County Solar Project, LLC is composed of areas that contain seven Surface Mining Permits. Lexington Coal Permits 889-0272, 880-0273, 880-0276, 880-0283, 880-8023, 880-7047 and Revelation Energy 880-7037. Reclamation on the vast majority of these permits has been substantially completed for many years. Reclamation of Permit 880-8023 was completed in late 2020 and Phase I bond release was achieved February 16, 2021. These permits are currently undergoing revisions by Martin County Solar to allow for final bond release.

Permit 880-0272 was transferred to Lexington Coal Company, LLC on November 19, 2018. This permit was originally permitted by Martiki Coal Corporation, January 12, 1979. The remaining permit area is in Phase I bond release status and will obtain full release when the current permit revision is completed.

Permit 880-0273 was transferred to Lexington Coal Company, LLC on November 19, 2018. This permit was originally permitted by Martiki Coal Corporation, January 12, 1979. The

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remaining permit area is in Phase II bond release status and will obtain full release when the current permit revision is completed.

Permit 880-0276 was transferred to Lexington Coal Company, LLC on December 4, 2018. This permit was originally permitted by Martiki Coal Corporation, August 26, 1985. The remaining permit area has been revegetated and is in reclamation only status. The permit will obtain full release when the current permit revision is completed.

Permit 880-0283 was transferred to Lexington Coal Company, LLC on December 19, 2018. This permit was originally permitted by Martin County Coal Corporation, September 3, 2009. The remaining permit area, with the exception of 1.82 acres, is in Phase I bond release status. The permit will obtain full release when the current permit revision is completed.

Permit 880-8023 was transferred to Lexington Coal Company, LLC on May 10, 2018. This permit was originally permitted by Martiki Coal Corporation, December 29, 1978. The remaining permit area is in reclamation only status with Phase I bond release and will obtain full release when the current permit revision is completed.

Permit 880-7047 was transferred to Lexington Coal Company, LLC on December 5, 2018. This permit was originally permitted by 17 West Mining, Inc., October 26, 1999. The remaining permit area is composed of a permanent haul road and will obtain full release when the current permit revision is completed.

Permit 880-7037 was transferred to Revelation Energy, LLC on February 18, 2014. This permit was originally permitted by Martiki Coal Corporation, May 6, 1974. The remaining permit area is composed of permanent roads and fish & wildlife habitat, which are in reclamation only status and will obtain full release when the current permit revision is completed.

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- b. There are no outstanding air or water quality violations based on permitted area.

Responding Witness: Jason Funk

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Request No. 32: Confirm whether any studies have been performed since reclamation of the prior mining property to detect potential toxicity in the soil or surface materials.

a. Detail any concerns regarding the contents of the dust that may be created during construction.

b. File in PDF format any studies referenced in response to Data Request 23.

Response: A Phase I Environmental Site Assessment completed for the project identified Recognized Environmental Conditions associated with former mining activities and oil and gas operations on the property. A subsequent Phase II investigation identified slightly elevated levels of arsenic in site soils. Arsenic concentrations identified on site range from non-detectable to 30.5 milligrams per kilogram (mg/kg), which is consistent with ambient arsenic levels in Kentucky soils, which can range from 0.66 to 55.5 mg/kg. A soil management plan will be prepared to address elevated levels of metals in soil during construction and operations.

a. See response to Data Request Items 30a and 32.

b. For purposes of this answer, Martin County Solar assumes the question meant to refer to Data Request 32. The Phase I & II Environmental Assessment Reports are currently in draft form and once finalized, summaries can be provided upon request.

Responding Witness: Jason Funk

Martin County Solar Project, LLC  
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Request No. 33: Confirm whether there will be grass or vegetation under and around the panels.

- a. Explain any expected problems or concerns regarding the viability of the vegetation that is expected to be planted, due to the amount of soil and/or content of the soil available.
- b. Confirm whether the site will be irrigated to promote vegetation.

Response: Once construction has been completed, the site will be stabilized using grass and/or native low growing vegetation under the panels.

- a. There are no concerns as vegetation is currently growing on the site.
- b. There will not be an irrigation system and normal rainfall will be adequate.

Responding Witness: Josh Crumpler



Martin County Solar Project, LLC  
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Request No. 34:

- a. Explain in detail how Martin County Solar will accommodate emergency access to the facility.
- b. Explain in detail any locks or security features that will be placed on entry points to the facility.

Response:

- a. All first responders will be given keys to the locks on site and will have access in the event of an emergency.
- b. All first responders will be given keys to the locks on site and will have access in the event of an emergency.

Responding Witness: Josh Crumpler

Request No. 35:

- a. Explain in detail whether Martin County Solar anticipates increased environmental compliance costs based on the topography, soil, and past usage of the site.
- b. Explain whether Martin County Solar expects these costs to be ongoing or only during construction of the facility.

Response:

- a. Some increased costs are anticipated. Generally, increased costs associated with developing a reclaimed surface mine site are related to higher insurance premiums, increased cut and fill for grading activities to achieve acceptable slopes, subsurface conditions that require alternative engineering solutions, and increased permitting costs.
- b. These increased costs are primarily experienced during development and construction phases.

Responding Witness: Josh Adams

Martin County Solar Project, LLC  
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Request No. 36: Explain in detail all cemetery facilities that may be affected by the project.

a. Confirm whether Martin County Solar has consulted with the county, city, or private individuals regarding access to the cemetery.

b. Confirm what impact, if any, construction and operation may have on access to the cemetery facilities.

Response: During construction noise impacts are anticipated at the Jude & Fletcher Cemetery which is located approximately 218 feet from the site boundary. However, noise would likely be attributed to the use of pile drivers to install the solar panel supports. Pile drivers will only be used very briefly (approximately 30 seconds to 1 minute per pile) and would move around the site. So, this impact would be temporary and vary by location. Access to this cemetery will be maintained during construction and operation. No other impacts are anticipated to cemetery facilities.

a. Martin County Solar has not consulted with anyone regarding access to the cemetery, however access will be maintained throughout construction and operation.

b. There will be no impact on access to cemetery facilities.

Responding Witness: Josh Adams, Erich Miarka

Martin County Solar Project, LLC  
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Request No. 37: Explain whether Martin County Solar has consulted with the state regarding plantings on reclaimed surface mine lands.

a. If yes, explain whether Martin County Solar believes their proposed vegetative buffers meet all obligations imposed.

b. If no, explain why and when Martin County Solar intends to have these conversations.

Response: The Project has not consulted with the state regarding plantings on reclaimed strip mines and does not anticipate the need to consult.

Responding Witness: Josh Adams

Martin County Solar Project, LLC  
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Request No. 38: Explain, list, or otherwise outline in detail the specific community involvement Martin County Solar has conducted in the area.

Response: See attached

Responding Witness: Erich Miarka

<b>Date</b>	<b>Event</b>	<b>Savion Lead</b>	<b>Audience</b>
11/13/2019	Meeting w/ Judge Exec and Econ Dev Authority	Rod Northway	
3/10/2020	Public Fiscal Court Meeting	Alex Baker	Fiscal Court and public.
12/2/2020	Public FC meeting; IRB passage	Erich Miarka	FC and public.
12/8/2020	Meeting and Site Visit w/ Judge Exec, Deputy Judge, and reporters on site.	Erich Miarka	Public
12/8/2020	WSAZ News Report	Erich Miarka	Public, tv broadcast on CBS affiliat
12/11/2021	Martin County Board of Education meeting	Erich Miarka	BOE and public
12/20/2021	WKYT Kentucky Newsmakers Report		Public broadcast on the Martin Solar Project
12/22/2020	Lexington Herald Leader article	Erich Miarka	Public, newspaper article
2/10/2021	Virtual Public Meeting	Erich Miarka	General Public
3/9/2021	Martin Solar Workfoce and Economic Development Meeting	Erich Miarka	Big Sandy Community and Technical College Big Sandy Community and Economic Development
3/18/2021	Martin Solar Presentation at VA Solar Summit	Rod Northway	General Public, solar industry
4/27/2021	Martin County Solar IRB and PILOT call with County	Erich Miarka	Fiscal Court
6/24/2021	Martin County Workforce and Economic Development Meeting and Site Visit	Erich Miarka	Big Sandy Community and Technical College Job Corps Martin County Fiscal Court Mountain Association One East KY KY Economic Development Corporation Center for Rural Development KY Community & Technical College System Soar KY Eastern KY Concentrated Employment Program Big Sandy Community and Economic Development
7/12/2021	Workforce Development Meeting	Erich Miarka	Office of Employer & Apprenticeship Services KY Career Center

Request No. 39: Refer to Application, Description of Proposed Site, page 4. The racking system will be supported by approximately 105,000 steel posts installed with combination of pile-driving machines and augers.

- a. Confirm whether Martin County Solar has conducted any site testing to determine the stability/compactness of the reclaimed land.
- b. Explain whether Martin County Solar have any concerns with the construction and pile driving of these steel post on a mine reclamation site.
- c. Confirm whether Martin County Solar is aware of any other solar sites built on a reclaimed mining site and explain those sites in detail.

Response:

- a. The site has had geotechnical investigations completed to determine if settlement from the mining operations will be a future issued. Based on the reports received, future settlement should not be an area of concern due to the length of time since the mine was reclaimed and the Project loads.
- b. Based on the analysis completed by the geotechnical engineering firms, auger refusal is anticipated during the pile driving operations. Based on the recommendations of the geotechnical firm reports and testing, pre-drilling the post holes, backfilling with lean concrete, and placing the posts in the lean concrete filled holes is one option being analyzed. Additionally, an alternative using ground screws is being analyzed.

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c. At present, the Applicant is unaware of any projects constructed to date; however, several development companies have been evaluating solar on reclaimed mines for the last several years with one (Duke Energy Renewables Solar, LLC) announcing this past April that its proposed 175-megawatt Hoosier Jack Solar farm will be located on 1,500 acres of reclaimed coal mine land and will begin construction in 2023.

Responding Witness: Josh Crumpler



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Request No. 40: Refer to the questions propounded by BBC Research and Consulting, which are attached as an Appendix to this information request, and provide responses to those questions.

Response: See below.

Responding Witness: Various

**BBC Questions**

BBC Request No. 1: Page 2 of the Site Assessment Report (SAR) describes meteorological towers that will be part of the project. Approximately, how many towers will be installed, how tall will they be, and will they be visible from neighboring homes?

Response      Approximately 12 meteorological towers will be installed. They will be approximately 6' in height and will not be visible from neighboring homes.

Responding Witness: Josh Crumpler

Martin County Solar Project, LLC  
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BBC Request No. 2: Page 2 of the Application (Description of Proposed Site) refers to the installation of either single-axis or fixed-tilt racking systems. When does the applicant expect to reach a decision on the racking type to use for this project?

Response: The Project expects to make its racking decision by January 1, 2022.

Responding Witness: Erich Miarka

Martin County Solar Project, LLC  
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BBC Request No. 3: Page 3 of the SAR references the AC collection system, which will include “underground and/or overhead segments.” When will the plans for the AC collection system be finalized?

Response: February 1<sup>st</sup>, 2022.

Responding Witness: Erich Miarka

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BBC Request No. 4: Page 3 of the SAR references the project substation, which will include one 140-MVA transformer. Approximately how large and heavy will this substation be, and by what route will it be delivered to site?

Response: The main power transformer for the substation will be the heaviest piece of equipment. It will likely be delivered by way of state road KY-1714 and use the existing access road constructed by the mining operation. See Response to Request No. 24.

Responding Witness: Josh Crumpler

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BBC Request No. 5: Page 4 of the SAR states, "There is one railway adjacent to the proposed site to the west; however, it is located downslope and will not likely be used for any construction or operational activities related to the Project." Please describe under what circumstances the railway would be utilized by the project, even if unlikely.

Response: It will not be used.

Responding Witness: Josh Crumpler

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BBC Request No. 6: Page 5 of the SAR states that “it is not anticipated that the Project will need to receive external utility services during typical plant operation.” Please describe under what circumstances external services would be required, even if unlikely.

Response: There are no plans for the Project to use external utility services other than potential electrical service for potential site lighting at the substation.

Responding Witness: Josh Crumpler

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BBC Request No. 7: Page 4 of Exhibit B of the SAR (Property Values Impact Report) references, "This 100 MW solar farm is proposed to be constructed on a portion of a 4,122-acre assemblage on Petercave Fork Road, Three Forks, Martin County." The 100 MW differs from the 200 MW described in several other parts of the SAR and Application. Additionally, the 4,122 acres referenced differs from the "2,541-acre site" described on page 1 of the SAR. Please explain the differences.

Response: The Project boundary expanded after the Kirkland report was prepared. The Applicant informed Kirkland of the expansion and according to Kirkland, the expansion is not expected to materially change the findings of its report.

Responding Witness: Jason Funk



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BBC Request No. 8: Page 4 of Exhibit B of the SAR (Property Values Impact Report) states, "The closest adjoining home will be 1,450 feet from the closest solar panel and the average distance to adjoining homes will be 4,029 feet to the nearest solar panel." This contradicts information elsewhere in both the SAR and Application; for example, the table on page 9 of the SAR, which lists distances from solar equipment to nearest receptors. Please explain the reason for these differences.

Response: The Project boundary expanded after the Kirkland report was prepared. The Applicant informed Kirkland of the expansion and according to Kirkland, the expansion is not expected to materially change the findings of its report.

Responding Witness: Jason Funk

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BBC Request No. 9: Pages 101 and 116 of Exhibit B of the SAR (Property Values Impact Report) both refer to the mitigating effect of the project's proposed landscape buffers on viewshed impacts. However, there is no other mention of vegetative buffers in other parts of the SAR or the Application. Please clarify this discrepancy, and provide detail on the plans for vegetative buffers if they are to be used at the project site.

Response: Due to the unique nature and location of the site, there are no buffers proposed for the site.

Responding Witness: Jason Funk

Martin County Solar Project, LLC  
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BBC Request No. 10: Exhibit C of the SAR (Legal Description of Proposed Site) is a large collection of legal documents without any organizational indicators, table of contents, boundary survey, or other navigational aid. Several pages of Exhibit C are not legible. Please provide any navigational aid or document labels to indicate the purpose, origin, and contents of the documents included in Exhibit C.

Response: Exhibit C to Site Assessment Report was compiled based upon deeds vesting title to the surface interest in the real property underlying the Project Site to its current owner. As per common practice in the region, prior conveyance deeds were recited in lieu of a metes and bounds legal description. These deeds referenced included additional property not a part of the Proposed Project Site.

Provided here is a table of contents to the existing SAR Exhibit C.

Exhibit F Page #	Description
137	<b>Quit Claim Deed</b> dated October 22, 2013 by Lexington Coal Company, LLC and LCC Kentucky, LLC, as Grantors to Triple H Real Estate, LLC, Grantee. Recorded October 29, 2013 in Book 184, page 553.
144	List of deeds through which Lexington Coal Company, LLC and LCC Kentucky, LLC acquired title to the land conveyed
146	<b>Special Corporate Warranty Deed</b> dated as of September 30, 2004 by 17 West Mining, Inc. (successor-in-interest to and/or f/k/a and/or d/b/a Martiki Coal Corporation, as Grantor to LCC Kentucky, LLC, Grantee. Recorded October 28, 2004 in Deed Book 155, page 637.
154	List of deed through which 17 West Mining, Inc. and/or Martiki Coal Corporation acquired title to the land conveyed.
161	Copy of order by United States Bankruptcy Court for Eastern District of Kentucky, Ashland Division, by which 17 West Mining, Inc. and Martiki Coal Corporation had authority to convey.
222	<b>Special Warranty Surface Deed</b> dated December 16, 2016 by Pocahontas Development Corporation, as Grantor, to Pocahontas Surface Interests, Inc., Grantee. Recorded December 21, 2016 as Document No. 86944, Book 193, page 621
234	Description of land conveyed by Surface Deed, including deed references.

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Also attached hereto is a complete copy of Schedule C, Legal Description, from Commitment for Title Insurance # 19-12-00217 – Triple H Real Estate (the “Commitment”) issued by Stewart Title Guaranty Company with respect to the Proposed Project Site. This more clearly describes the affected real property but was not available when the SAR was filed.

Martin County Solar has commissioned an ALTA Survey of the Proposed Project Site to include a metes and bounds description of the Proposed Project Site which will replace the informational description included on the Commitment.

Responding Witness: Erich Miarka

**SCHEDULE C**  
**Commitment for Title Insurance # 19-12-00217 – Triple H Real Estate**

The Land is described as follows:

**TO BE PROVIDED BY A LICENSED KENTUCKY SURVEYOR AND INCLUDES THE SURFACE ONLY**

FOR INFORMATION ONLY:

**MAR-1:**

Part of Martin County Parcel Nos. 048-00-00-006.00 and 040-00-00-020.00 (aka MAR-1)

1. Part of 1522.00 acres and 138 acres, more or less, and being approximately 139.00 acres, more or less, as set forth in deeds:
2. Dated December 19, 1973 from Freddie Howell, Statutory Guardian for Brenda K. Howell, a minor, to Webster County Coal Corporation recorded January 30, 1974, in Deed Book 72, page 622, Martin County, Kentucky Clerk's records.
3. Dated January 19, 1974 from Willie Pauley to Webster County Coal Corporation recorded January 23, 1974, in Deed Book 72, page 603, Martin County, Kentucky Clerk's records.
4. Dated January 7, 1974 from Landom Pauley and Ruby Pauley, his wife, to Webster County Coal Corporation recorded January 16, 1974, in Deed Book 72, page 482, Martin County, Kentucky Clerk's records.
5. Dated January 10, 1974 from Gordie Blackburn and Zotola Blackburn, his wife, to Webster County Coal Corporation recorded January 16, 1974, in Deed Book 72, page 472, Martin County, Kentucky Clerk's records.
6. Dated January 2, 1974 from Mildred Milan and John D. Milan, her husband, to Webster County Coal Corporation recorded January 16, 1974, in Deed Book 72, page 462, Martin County, Kentucky Clerk's records.
7. Dated January 2, 1974 from Arnold Pauley and Peggy Pauley, his wife, to Webster County Coal Corporation recorded January 9, 1974, in Deed Book 72, page 418, Martin County, Kentucky Clerk's records.
8. Dated December 29, 1973 from Hayse Pauley and Ruby Pauley, his wife, Ezra Fraley and Ruby Fraley, his wife, to Webster County Coal Corporation recorded January 2, 1974, in Deed Book 72, page 398, Martin County, Kentucky Clerk's records.

**SCHEDULE C**  
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9. Dated December 5, 1973 from Vatie Muncy and Earl Muncy, her husband, to Webster County Coal Corporation recorded December 12, 1973, in Deed Book 72, page 289, Martin County, Kentucky Clerk's records.

Less and except the portion of the property conveyed in Deed Book 20, page 196 and Deed Book 26, page 618, Martin County, Kentucky Clerk's records.

**MAR-4:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-4)

10. Part of 1522.00 acres and being approximately 84.00 acres, more or less, as set forth in deed dated March 30, 1974 from Johnnie Cline and Oretha Cline, his wife, to Webster County Coal Corporation recorded April 3, 1974 in Deed Book 73, page 327, Martin County, Kentucky Clerk's records.

Less and except the portion of the property conveyed in Deed Book 69, page 388, Martin County, Kentucky Clerk's records.

**MAR-6:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-6)

Part of 1522.00 acres and being approximately 95.875 acres, more or less, as set forth in deed:

11. Dated March 19, 1974 from Walker Cline and Victoria Cline, his wife, to Webster County Coal Corporation recorded March 20, 1974 in Deed Book 73, page 197, Martin County, Kentucky Clerk's records.

Less and except the portion of the property conveyed in Deed Book 63, Page 124 [MAR-53] and Deed Book 68, Page 23 [MAR-5], Martin County, Kentucky Clerk's records.

AND ALSO Less and except a one-half acre tract where a cemetery is situated.

**MAR-8:**

Martin County Parcel No. 048-00-00-009.00 (aka MAR-8)

12. Being approximately 20 acres, more or less, as set forth in deed dated February 9, 1974 from George Duncan and Mary Duncan, his wife to Webster Coal Corporation, a Kentucky corporation, recorded on February 13, 1974 in Deed Book 72, page 729, Martin County, Kentucky Clerk's records.

**SCHEDULE C**  
**Commitment for Title Insurance # 19-12-00217 – Triple H Real Estate**

**MAR-11:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-11)

13. Part of 1522.00 acres and being approximately 10.00 acres, more or less, as set forth in deed dated March 18, 1974 from Elias Fletcher and Ruby Fletcher, his wife, to Webster County Coal Corporation recorded March 20, 1974 in Deed Book 73, page 193, Martin County, Kentucky records.

**MAR-12:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-12)

14. Part of 1522.00 acres and being approximately 50.00 acres, more or less, as set forth in deed dated January 22, 1974 from Floyd Fletcher and Dencie Fletcher, his wife, to Webster County Coal Corporation recorded January 23, 1974 in Deed Book 72, page 585, Martin County, Kentucky Clerk's records.

**MAR-15:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-15)

15. Part of 1522.00 acres and being approximately 10.00 acres, more or less, as set forth in deed dated April 17, 1974 from Issac Joseph Fletcher and Hazel Fletcher, his wife, to Webster County Coal Corporation recorded April 17, 1974 in Deed Book 73, page 474, Martin County, Kentucky records.

Less and except the portion of the property conveyed in Deed Book 63, page 75, Martin County, Kentucky Clerk's records.

**MAR-16:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-16)

16. Part of 1522.00 acres and being approximately 300.00 acres, more or less, as set forth in deed dated December 15, 1973 from T. J. Fletcher and Liddie Fletcher, his wife, to Webster County Coal Corporation recorded December 19, 1973, in Deed Book 72, page 324, Martin County, Kentucky Clerk's records.

**MAR-17:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-17)

17. Part of 1522.00 acres and being approximately 10.00 acres, more or less, as set forth in deed dated February 2, 1974 from Richard Fletcher and Polly Fletcher, his wife, to Webster County Coal

**SCHEDULE C**  
**Commitment for Title Insurance # 19-12-00217 – Triple H Real Estate**

Corporation recorded February 6, 1974 in Deed Book 72, page 675, Martin County, Kentucky records.

**MAR-18:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-18)

18. Part of 1522.00 acres and being approximately 0.50 acre, more or less, as set forth in deed dated January 15, 1974 from Robert W. Fletcher and Elzava Fletcher, his wife, to Webster County Coal Corporation recorded January 16, 1974 in Deed Book 72, page 513, Martin County, Kentucky records.

**MAR-19:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-19)

19. Part of 1522.00 acres and being approximately 1.00 acre, more or less, as set forth in deed dated January 15, 1974 from Robert Fletcher and Susie Fletcher, his wife, to Webster County Coal Corporation recorded January 15, 1974 in Deed Book 72, page 511, Martin County, Kentucky records.

**MAR-20:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-20)

20. Part of 1522.00 acres and being approximately 2.50 acres, more or less, as set forth in deed dated March 12, 1974 from Shadle Fletcher and Lizzie Fletcher, his wife, to Webster County Coal Corporation recorded March 13, 1974, in Deed Book 73, page 138, Martin County, Kentucky Clerk's records.

Less and except the portion of the property conveyed in Deed Book 66, page 153, Martin County, Kentucky Clerk's records.

**MAR-22:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-22)

Part of 1522.00 acres and being approximately 10.00 acres, more or less, as set forth in deeds:

21. Dated February 15, 1983 from Evelyn Hinkle and Gary Hinkle, her husband, to MAPCO Land Corporation recorded February 24, 1983 in Deed Book 92, page 176, Martin County, Kentucky Clerk's records.



**SCHEDULE C**  
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22. Dated February 15, 1983 from Alex Fletcher and Jan Kaye Fletcher, his wife, to MAPCO Land Corporation recorded February 24, 1983 in Deed Book 92, page 174, Martin County, Kentucky Clerk's records.
23. Dated September 28, 1978 from James Thomas Maynard and Linda Carol Maynard, his wife, to Martiki Coal Corporation recorded October 6, 1978 in Deed Book 84, page 450, Martin County, Kentucky Clerk's records.
24. Dated September 7, 1978 from Homer Fletcher and Vistie Fletcher, his wife, to Martiki Coal Corporation recorded September 11, 1978 in Deed Book 84, page 326, Martin County, Kentucky Clerk's records.
25. Dated January 4, 1974 from Tommy Fletcher to Webster County Coal Corporation recorded January 9, 1974, in Deed Book 72, page 431, Martin County, Kentucky Clerk's records.

**MAR-32:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-32)

Part of 1522.00 acres and being approximately 140.00 acres, more or less, as set forth in deeds:

26. Dated December 4, 1973 from Susie Jude to Webster County Coal Corporation recorded December 5, 1973 in Deed Book 72, page 264, Martin County, Kentucky Clerk's records.
27. Dated December 13, 1973 from Nellie Fields and Vardie Fields, her husband, and Marie Jude and Floyd Jude, her husband to Webster County Coal Corporation recorded December 19, 1973 in Deed Book 72, page 305, Martin County, Kentucky Clerk's records.
28. Dated January 8, 1974 from John Moore and Nancy Moore, his wife to Webster County Coal Corporation recorded January 9, 1974 in Deed Book 72, page 458, Martin County, Kentucky Clerk's records.
29. Less and except the portion of the property conveyed in Deed Book 35, page 119; Deed Book 37, page 300; Deed Book 49, page 469 [MAR-35]; Deed Book 56, page 312, as corrected in Deed Book 56, page 339 [MAR-19]; Deed Book 58, page 449; Deed Book 67, page 698 [MAR-18]; Deed Book 69, page 981 [MAR-9]; and Deed Book 102, page 577, Martin County, Kentucky Clerk's records.

**SCHEDULE C**  
**Commitment for Title Insurance # 19-12-00217 – Triple H Real Estate**

**MAR-38:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-38)

30. Part of 1522.00 acres and being approximately 2.00 acres, more or less, as set forth in deed dated January 12, 1974 from Henry Jude and Connie Jude, his wife, to Webster County Coal Corporation recorded January 16, 1974 in Deed Book 72, page 506, Martin County, Kentucky records.

**MAR-44:**

Martin County Parcel No. 048-00-00-007-00 (aka MAR-44)

Being approximately 70 acres, more or less, as set forth in

deeds:

31. Dated November 12, 1973 from Paul David Marcum and Grethel Marcum to Webster County Coal Corporation, a Kentucky corporation, recorded November 13, 1973 in Deed Book 72, page 149, Martin County, Kentucky Clerk's records.
32. Dated November 12, 1973 from Myrtle Osborne and J.L. Osborne, her husband, Lizzie Maynard and Frank Maynard, her husband, to Webster County Coal Corporation, a Kentucky corporation, recorded November 13, 1973 in Deed Book 72, page 156, Martin County, Kentucky Clerk's records.
33. Dated November 12, 1973 from Sonny Jude, Jr. and Lorene Jude, his wife, Luster Jude and Mae Jude, his wife, and Arlan Jude to Webster County Coal Corporation, a Kentucky corporation, recorded November 13, 1973 in Deed Book 72, page 159, Martin County, Kentucky Clerk's records.
34. Dated November 12, 1973 from Joe Marcum and Mae Marcum to Webster County Coal Corporation, a Kentucky corporation, recorded November 13, 1973 in Deed Book 72, page 161, Martin County, Kentucky Clerk's records.
35. Dated November 12, 1973 from Nancy Moore and John Moore, her husband and Dora Jude to Webster County Coal Corporation, a Kentucky corporation, recorded November 13, 1973 in Deed Book 72, page 163, Martin County, Kentucky Clerk's records.
36. Dated November 21, 1973 from David Jude and Ethel Jude to Webster County Coal Corporation, a Kentucky corporation, recorded November 28, 1973 in Deed Book 72, page 205 Martin County, Kentucky Clerk's records.
37. Dated February 9, 1974 from George Duncan and Mary Duncan to Webster County Coal Corporation, a Kentucky corporation, recorded February 13, 1974 in Deed Book 72, page 729, Martin County, Kentucky Clerk's records.

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**MAR-52:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-52)

Part of 1522.00 acres and being approximately 40.00 acres, more or less, as set forth in deeds:

38. Dated April 6, 1974 from Susie Dingess, Dave Staten and Elizabeth Staten, his wife, Jim Pauley and Ora Pauley, his wife, to Webster County Coal Corporation recorded April 6, 1974 in Deed Book 73, page 391, Martin County, Kentucky Clerk's records.
39. Dated April 9, 1974 from Dan Dingess to Webster County Coal Corporation recorded April 17, 1974 in Deed Book 73, page 427, Martin County, Kentucky Clerk's records.
40. Dated April 22, 1974 from Jessie Maynard to Webster County Coal Corporation recorded April 24, 1974 in Deed Book 73, page 505, Martin County, Kentucky Clerk's records.
41. Dated April 22, 1974 from Gracie Maynard, to Webster County Coal Corporation recorded April 24, 1974 in Deed Book 73, page 507, Martin County, Kentucky records.
42. Dated November 26, 1974 from Wilda Maynard, Wallace Maynard and Marlene Maynard, his wife, Adrian Maynard and Wendy Maynard, his wife, Virginia Robinson and John Robinson, her husband, and Blaine Thomas Maynard to Martiki Coal Corporation recorded December 4, 1974 in Deed Book 75, page 100, Martin County, Kentucky records.

Less and except the portion of the property conveyed in Deed Book 46, page 268, Martin County, Kentucky Clerk's records.

**MAR-56:**

Part of Martin County Parcel No. 040-00-00-020-00 (aka MAR-56)

Part of 488.00 acres and being approximately 180.00 acres, more or less, as set forth in deeds:

43. Dated December 31, 1973 from Vernon Moore and Janie Moore, his wife, to Webster County Coal Corporation recorded January 2, 1974 in Deed Book 72, page 389, Martin County, Kentucky Clerk's records.
44. Dated January 2, 1974 from Martin Smith and Gertrude Smith, his wife, to Webster County Coal Corporation recorded January 9, 1974 in Deed Book 72, page 406, Martin County, Kentucky Clerk's records.

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45. Dated January 4, 1974 from Martin Fletcher and Pearl Fletcher, his wife, to Webster County Coal Corporation recorded January 4, 1974 in Deed Book 72, page 436, Martin County, Kentucky Clerk's records.
46. Dated January 5, 1974 from John B. Moore and Gracie Moore, his wife, to Webster County Coal Corporation recorded January 9, 1974 in Deed Book 72, page 446, Martin County, Kentucky Clerk's records.
47. Dated January 12, 1974 from Geneva Starner and Robert Starner, her husband, to Webster County Coal Corporation recorded January 16, 1974 in Deed Book 72, page 486, Martin County, Kentucky Clerk's records.
48. Dated January 14, 1974 from John B. Moore and Gracie Moore, his wife, to Webster County Coal Corporation recorded January 16, 1974 in Deed Book 72, page 503, Martin County, Kentucky Clerk's records.
49. Dated January 14, 1974 from Paul Patrick, single, and Edna Bumfield, single, to Webster County Coal Corporation recorded January 16, 1974 in Deed Book 72, page 509, Martin County, Kentucky Clerk's records.
50. Dated January 19, 1974 from Cora Mae Conley and Oral Conley, her husband, to Webster County Coal Corporation recorded January 23, 1974 in Deed Book 72, page 555, Martin County, Kentucky Clerk's records.
51. Dated January 23, 1974 from Andrew Maynard, Individually and as Statutory Guardian for Donnie Eugene Maynard, Larry Andrew Maynard, Bernice Sue Maynard and Rodney Duwayne Maynard, to Webster County Coal Corporation recorded January 30, 1974 in Deed Book 72, page 626, Martin County, Kentucky Clerk's records.
52. Dated January 25, 1974 from Willard Rose and Oretha M. Rose, his wife, to Webster County Coal Corporation recorded January 30, 1974 in Deed Book 72, page 641, Martin County, Kentucky Clerk's records.
53. Dated January 29, 1974 from Mae Rolins and Laurel Rollins, her husband, to Webster County Coal Corporation recorded January 30, 1974 in Deed Book 72, page 650, Martin County, Kentucky Clerk's records.
54. Dated January 30, 1974 from Frankie Jean Harmon and Uriah Harmon, her husband, to Webster County Coal Corporation recorded February 6, 1974 in Deed Book 72, page 665, Martin County, Kentucky Clerk's records.

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55. Dated February 2, 1974 from Richard Dye and Virginia Dye, his wife, to Webster County Coal Corporation recorded February 6, 1974 in Deed Book 72, page 677, Martin County, Kentucky Clerk's records.
56. Dated January 16, 1974 from Ellis Moore, single, to Webster County Coal Corporation recorded March 13, 1974 in Deed Book 73, page 134, Martin County, Kentucky Clerk's records.
57. Dated March 29, 1974 from Flem Moore, Jr. and America Moore, his wife, to Webster County Coal Corporation recorded April 3, 1974 in Deed Book 73, page 330, Martin County, Kentucky Clerk's records.
58. Dated January 5, 1974 from Gracie Moore, Statutory Guardian for Ellis Moore, to Webster County Coal Corporation recorded July 17, 1974 in Deed Book 74, page 130, Martin County, Kentucky Clerk's records.
59. Dated March 30, 1974 from Gracie Moore, Statutory Guardian for Ellis Moore, to Webster County Coal Corporation recorded July 17, 1974 in Deed Book 74, page 132, Martin County, Kentucky Clerk's records.
60. Dated March 30, 1974 from Ellis Moore, single, to Webster County Coal Corporation recorded July 17, 1974 in Deed Book 74, page 134, Martin County, Kentucky Clerk's records.

**MAR-58:**

**NOTE: Subject property does not include the remainder portion of MAR-58 conveyed to Pontiki Coal, LLC by deed recorded in Deed Book 162, page 21 and subsequently conveyed to Revelation Energy, LLC by deed recorded in Deed Book 186, page 409, Martin County, Kentucky records.**

Part of Martin County Parcel Nos. 048-00-00-006-00, 040-00-00-020-00, and 041-00-00-002.00 (aka MAR-58)

Part of 1522.00, 488 and 55 acres and being approximately 25.00 acres (Tract I), 35.00 acres (Tract II), and 55.00 acres (Tract III), more or less, as set forth in deeds:

Tract I:

61. Dated December 12, 1973 from Amos Preece and Hazel Preece, his wife, to Webster County Coal Corporation recorded December 12, 1973 in Deed Book 72, page 303, Martin County, Kentucky Clerk's records.

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Tract II:

62. Dated February 5, 1974 from Sirilda Stepp, widow, C.H. (Took) Preece and Margie Preece, his wife, and Elizabeth Maynard, single to Webster County Coal Corporation recorded February 27, 1974 in Deed Book 73, page 47, Martin County, Kentucky Clerk's records.
63. Dated February 5, 1974 from Ava Maynard and Jesse Maynard, Jr., her husband, to Webster County Coal Corporation recorded February 6, 1974 in Deed Book 72, page 704, Martin County, Kentucky Clerk's records.
64. Dated January 21, 1974 from John Henry Preece and Wilma Preece, his wife, to Webster County Coal Corporation recorded January 23, 1974 in Deed Book 72, page 587, Martin County, Kentucky Clerk's records.
65. Dated January 21, 1974 from Sherman Preece, single, to Webster County Coal Corporation recorded January 23, 1974 in Deed Book 72, page 583, Martin County, Kentucky Clerk's records.
66. Dated January 21, 1974 from Amos Preece and Hazel Preece, his wife, to Webster County Coal Corporation recorded January 23, 1974 in Deed Book 72, page 581, Martin County, Kentucky Clerk's records.

Tract III:

67. Dated February 22, 1974 from Amos Preece and Hazel Preece, his wife, to Webster County Coal Corporation recorded February 27, 1974 in Deed Book 72, page 847, Martin County, Kentucky Clerk's records.

**MAR-60:**

**NOTE: Subject property does not include the remainder portion of MAR-60 conveyed to Pontiki Coal, LLC by deed recorded in Deed Book 162, page 21 and subsequently conveyed to Revelation Energy, LLC by deed recorded in Deed Book 186, page 409, Martin County, Kentucky records.**

Part of Martin County Parcel No. 040-00-00-020-00 (aka MAR-60)

Part of 488.00 acres and being an unknown acreage, as set forth in deeds:

68. Dated February 22, 1974 from Willis Preece, single, to Webster County Coal Corporation recorded February 27, 1974 in Deed Book 72, page 845, Martin County, Kentucky Clerk's records.

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69. Dated February 22, 1974 from Steward Preece and Ruth Preece, his wife, to Webster County Coal Corporation recorded February 27, 1974 in Deed Book 72, page 853, Martin County, Kentucky Clerk's records.
70. Dated February 23, 1974 from Lora Velva Maynard and Jasper Maynard, her husband, to Webster County Coal Corporation recorded February 27, 1974 in Deed Book 73, page 28, Martin County, Kentucky Clerk's records.
71. Dated February 23, 1974 from James H. Preece, Jr. and Juanita Preece, his wife, to Webster County Coal Corporation recorded February 27, 1974 in Deed Book 73, page 41, Martin County, Kentucky Clerk's records.
72. Dated February 5, 1974 from Sirilda Stepp, widow, C. H. (Took) Preece and Margie Preece, his wife, and Elizabeth Maynard, single, to Webster County Coal Corporation recorded February 27, 1974 in Deed Book 73, page 47, Martin County, Kentucky Clerk's records.

**MAR-64:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-64)

73. Part of 1522.00 acres and being approximately 25.00 acres, more or less, as set forth in deed dated November 2, 1973 from Sarah Smith and Floyd Smith, her husband, to Webster County Coal Corporation recorded November 7, 1973 in Deed Book 72, page 98, Martin County, Kentucky records.

Less and except the portion of the property conveyed in Deed Book 66, page 412, Martin County, Kentucky Clerk's records.

**MAR-67:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-67)

74. Part of 1522.00 acres and being approximately 50.00 acres, more or less, as set forth in deed dated February 16, 1974, from Robert Stacy and Rebecca Stacy, his wife, to Webster County Coal Corporation recorded February 20, 1974, in Deed Book 72, page 785, Martin County, Kentucky Clerk's records.

Less and except the portion of the property conveyed in Deed Book 63, page 494, Martin County, Kentucky Clerk's records.

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**MAR-69:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-69)

Part of 1522.00 acres and being approximately 159.00 acres, more or less, as set forth in deeds:

75. Dated March 26, 1974 from Rosa Staten [sic], widow, to Webster County Coal Corporation, recorded March 27, 1974 in Deed Book 73, Page 289, Martin County, Kentucky Clerk's records.
76. Dated March 26, 1974 from Dave Staten [sic] and Elizabeth Staten [sic], his wife, to Webster County Coal Corporation recorded March 27, 1974 in Deed Book 73, page 292, Martin County, Kentucky Clerk's records.
77. Dated March 26, 1974 from Rosa Staten [sic] as Statutory Guardian for Alta Staten [sic], a minor under the age of eighteen years, to Webster County Coal Corporation, recorded April 3, 1974 in Deed Book 73, Page 311, Martin County, Kentucky Clerk's records.
78. Dated March 28, 1974 from Isabelle Fletcher and Robert Fletcher, her husband, to Webster County Coal Corporation recorded March 28, 1974 in Deed Book 73, page 316, Martin County, Kentucky Clerk's records.
79. Dated March 27, 1974 from Tommy Staten [sic] and Bertha Staten [sic], his wife, to Webster County Coal Corporation recorded March 28, 1974 in Deed Book 73, page 319, Martin County, Kentucky Clerk's records.
80. Dated April 1, 1974 from Adrion Runyons and Stella Runyons, his wife, to Webster County Coal Corporation recorded April 3, 1974 in Deed Book 73, page 335, Martin County, Kentucky Clerk's records.
81. Dated April 29, 1974 from Wilda Maynard, widow, to Webster County Coal Corporation recorded May 1, 1974 in Deed Book 73, page 535, Martin County, Kentucky Clerk's records.
82. Dated May 6, 1974 from Wallace Marcum and Susie Marcum, his wife, to Webster County Coal Corporation recorded May 8, 1974 in Deed Book 73, page 600, Martin County, Kentucky Clerk's records.
83. Dated May 20, 1974 from Willis Staton and Angeline Staton, his wife, to Webster County Coal Corporation recorded May 22, 1974 in Deed Book 73, page 664, Martin County, Kentucky Clerk's records.



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LESS AND EXCEPT that portion of the property conveyed in Deed dated May 11, 1964 from Booker Staten and Rosen Staten, his wife, to Earnel Staten, recorded October 28, 1970 in Deed Book 66, Page 316, Martin County, Kentucky Clerk's records.

Also excepted is the area where the cemetery is now in existence.

**MAR-82:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-82)

84. Part of 1522.00 acres and being approximately 30.50 acres, more or less, as set forth in deed dated August 7, 1974 from Hayse Pauley and Ruby Pauley, his wife, to Martiki Coal Corporation recorded August 8, 1974, in Deed Book 74, page 296, Martin County, Kentucky Clerk's records.

**MAR-89-2:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-89-2)

85. Part of 1522.00 acres and being approximately 8.00 acres, more or less, as set forth in deed dated July 24, 1974 from Ked Fletcher and Elzva Fletcher, his wife, to Martiki Coal Corporation recorded July 24, 1974 in Deed Book 74, page 212, Martin County, Kentucky records.

**MAR-89-3:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-89-3)

86. Part of 1522.00 acres and being approximately 35.00 acres, more or less, as set forth in deed dated January 4, 1974 from Virgil Fletcher and Mabel Fletcher, his wife, to Webster County Coal Corporation recorded January 9, 1974, in Deed Book 72, page 429, Martin County, Kentucky Clerk's records.

**MAR-89-4:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-89-4)

87. Part of 1522.00 acres and being approximately 1.00 acre, more or less, as set forth in deed dated February 7, 1974 from Jesse Staton and Arlene Staton, his wife, to Webster County Coal Corporation recorded February 21, 1974 in Deed Book 72, page 810, Martin County, Kentucky records.

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**MAR-92:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-92)

Part of 1522.00 acres and being approximately 50.00 acres, more or less, as set forth in deeds:

88. Dated March 2, 1974 from Sheldon Clark and Edith Clark, his wife, and Charlie Vinson and Dorothy Vinson, his wife, to Webster County Coal Corporation recorded March 6, 1974 in Deed Book 73, page 69, Martin County, Kentucky Clerk's records.
89. Dated February 13, 1974 from Lula Belle Gross, Committee for Henry Jude, an Incompetent, to Webster County Coal Corporation recorded February 20, 1975 in Deed Book 72, page 777, Martin County, Kentucky Clerk's records.

**MAR-93:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-93)

90. Part of 1522.00 acres and being approximately 30.00 acres, more or less, as set forth in deed dated January 30, 1974 from Frank Fletcher and Olga Fletcher, his wife, to Webster County Coal Corporation recorded February 6, 1974 in Deed Book 72, page 658, Martin County, Kentucky Clerk's records.

**MAR-94:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-94)

91. Part of 1522.00 acres and being approximately 14.00 acres, more or less, as set forth in deed dated February 9, 1974 from Roger Lee Jude and Ruth Ellen Jude, his wife, to Webster County Coal Corporation recorded February 13, 1974 in Deed Book 72, page 727, Martin County, Kentucky Clerk's records.

**MAR-95:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-95)

92. Part of 1522.00 acres and being approximately 30.00 acres, more or less, as set forth in deed dated January 18, 1974 from Carmel Stacy and Gladys Stacy, his wife, to Webster County Coal Corporation recorded January 23, 1974 in Deed Book 72, page 550, Martin County, Kentucky records.

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**MAR-100:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-100)

93. Part of 1522.00 acres and being approximately 1.00 acre, more or less, as set forth in deed dated March 9, 1974 from Shadle Fletcher, Jr. and Ruby Fletcher, his wife, to Webster County Coal Corporation recorded March 13, 1974 in Deed Book 73, page 113, Martin County, Kentucky Clerk's records.

**MAR-143:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-143)

Part of 1522.00 acres and being approximately 240.21 acres, more or less, as set forth in deeds:

94. Dated June 2, 1976 from Carolyn Horn and Everett Horn, Jr., her husband, James Alex Preece and Carol Jean Preece, his wife, Richard M. Preece and Carolyn Sue Preece, his wife, and Mae Preece to Martiki Coal Corporation recorded June 10, 1976 in Deed Book 78, page 802, Martin County, Kentucky Clerk's records.
95. Dated June 4, 1976 from Dennis Preece, Attorney in Fact for Viola Magers and Betty Paletti, to Martiki Coal Corporation recorded June 10, 1976 in Deed Book 78, page 826, Martin County, Kentucky Clerk's records.
96. Dated June 4, 1976 from Dennis Preece, Individually and Dennis Preece, as Attorney in Fact for Virginia Preece, Cullen G. Hall, Ernestine Gedel, Carl B. Hall and Virginia E. Hall, his wife, Esculine Smith and Johnny Smith, her husband, Ouida Karrick and William O. Karrick, her husband, Ava Goff and Arthur W. Goff, her husband, Albert Preece and Sadie Preece, his wife, Callie Preece and Thelma Phillips and Garland M. Phillips, her husband, to Martiki Coal Corporation recorded June 17, 1976 in Deed Book 78, page 841, Martin County, Kentucky Clerk's records.
97. Dated June 11, 1976 from Geneva Stepp and Granville Stepp, her husband, to Martiki Coal Corporation recorded June 17, 1976 in Deed Book 78, page 866, Martin County, Kentucky Clerk's records.
98. Dated September 24, 1976 from Prentice F. Preece to Martiki Coal Corporation recorded October 7, 1976 in Deed Book 79, page 823, Martin County, Kentucky Clerk's records.
99. Dated October 11, 1976 from Paul Cline and Delores Cline, his wife, to Martiki Coal Corporation recorded October 14, 1976 in Deed Book 80, page 50, Martin County, Kentucky Clerk's records.

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100. Dated April 28, 1977 from Fern Preece, Billy Ray Preece and Maggie Preece, his wife, to Martiki Coal Corporation recorded May 5, 1977 in Deed Book 81, page 224, Martin County, Kentucky Clerk's records.

Less and except that portion of the property conveyed in deeds recorded in Deed Book 70, page 47; Deed Book 70, page 51; Deed Book 70, page 72; Deed Book 70, page 76; Deed Book 70, page 113; Deed Book 70, page 145; Deed Book 70, page 149, and Deed Book 94, page 76, Martin County, Kentucky Clerk's records.

**MAR-147:**

Part of Martin County Parcel No. 047-00-00-113-00 (aka MAR-147)

101. Part of 182.20 acres and being approximately 60.00 acres, more or less, as set forth in deed dated August 4, 1977 from Harvey Maynard and Mary Maynard, his wife, and Lewis Maynard and Christine Maynard, his wife, to Martiki Coal Corporation recorded August 11, 1977 in Deed Book 81, page 760, Martin County, Kentucky Clerk's records.

Less and except the portion of the property conveyed in Deed Book 57, page 116, Martin County, Kentucky Clerk's records.

**MAR-149-1:**

Part of Martin County Parcel No. 047-00-00-113-00 (aka MAR-149-1)

Part of 182.20 acres and being approximately 60.25 acres, more or less, as set forth in deeds:

102. Dated August 4, 1977 from Harvey Maynard and Mary Maynard, his wife, Lewis Maynard and Christine Maynard, his wife, and Vadie Maynard to Martiki Coal Corporation recorded August 11, 1977 in Deed Book 81, page 762, Martin County, Kentucky Clerk's records.
103. Dated August 5, 1977 from Clay Maynard and Laura Maynard, his wife, and Isaac Maynard to Martiki Coal Corporation recorded August 11, 1977, in Deed Book 81, page 764, Martin County, Kentucky Clerk's records.
104. Dated August 8, 1977 from Myrtle Osborne and Jay Osborne, her husband, Mae Marcum and Joe Marcum, her husband, to Martiki Coal Corporation recorded August 11, 1977, in Deed Book 81, page 775, Martin County, Kentucky Clerk's records.
105. Dated August 5, 1977 from Luster Jude and Mae Jude, his wife, Arlan Jude, Liz Maynard and Frank Maynard, her husband, Sonny Jude, Jr. and Lorene Jude, his wife, Dave Jude and Ethel Jude, his wife, Nancy Moore and John Moore, her husband, and Dora Jude to Martiki Coal Corporation recorded August 5, 1977, in Deed Book 81, page 777, Martin County, Kentucky Clerk's records.

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106. Dated August 9, 1977 from Ruby Fletcher and Elias Fletcher, her husband, Elsie Mitchen and Robert Mitchen, her husband, Jim Jude and Sadie Jude, his wife, Hazel Fletcher and Joe Fletcher, her husband, to Martiki Coal Corporation recorded August 11, 1977, in Deed Book 81, page 788, Martin County, Kentucky Clerk's records.
107. Dated August 12, 1977 from Burt Jude and Alene Jude, his wife, to Martiki Coal Corporation recorded August 18, 1977, in Deed Book 81, page 802, Martin County, Kentucky Clerk's records.
108. Dated August 30, 1977 from Edna Maynard and Sadie M. DeLong to Martiki Coal Corporation recorded September 8, 1977, in Deed Book 82, page 1, Martin County, Kentucky Clerk's records.
109. Dated September 2, 1977 from Oscar Fletcher and Linda Fletcher, his wife, to Martiki Coal Corporation recorded September 8, 1977, in Deed Book 82, page 13, Martin County, Kentucky Clerk's records.
110. Dated September 2, 1977 from Willis Dials and Janie Dials, his wife, to Martiki Coal Corporation recorded September 8, 1977, in Deed Book 82, page 22, Martin County, Kentucky Clerk's records.
111. Dated September 8, 1977 from Wade Maynard and Betty Maynard, his wife, to Martki Coal Corporation recorded September 15, 1977, in Deed Book 82, page 37, Martin County, Kentucky Clerk's records.
112. Dated October 14, 1977 from Edra Smith to Martiki Coal Corporation recorded October 20, 1977, in Deed Book 82, page 202, Martin County, Kentucky Clerk's records.
113. Dated November 9, 1977 from Arizona Stepp and Vernon Stepp, her husband, to Martiki Coal Corporation recorded November 10, 1977, in Deed Book 82, page 349, Martin County, Kentucky Clerk's records.
114. Dated November 12, 1977 from Emma James and Warrnie James, her husband, to Martiki Coal Corporation recorded November 17, 1977, in Deed Book 82, page 375, Martin County, Kentucky Clerk's records.
115. Dated November 25, 1977 from Buddy Maynard and Donna Maynard, his wife, to Martiki Coal Corporation recorded December 1, 1977, in Deed Book 82, page 436, Martin County, Kentucky Clerk's records.

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116. Dated November 25, 1977 from Bobby Joe Endicott and Bernice Endicott, his wife, to Martiki Coal Corporation recorded December 1, 1977, in Deed Book 82, page 438, Martin County, Kentucky Clerk's records.
117. Dated November 25, 1977 from George Maynard and Doris Maynard, his wife, to Martiki Coal Corporation recorded December 1, 1977, in Deed Book 82, page 440, Martin County, Kentucky Clerk's records.
118. Dated January 28, 1978 from James Maynard to Martiki Coal Corporation recorded February 16, 1978, in Deed Book 83, page 31, Martin County, Kentucky Clerk's records.
119. Dated December 20, 1977 from Gary Lee Stepp, Individually and as Guardian for Diane Stepp, his wife, to Martiki Coal Corporation recorded May 4, 1978, in Deed Book 83, page 422, Martin County, Kentucky Clerk's records.
120. Dated April 28, 1978 from Shirley Maynard to Martiki Coal Corporation recorded May 4, 1978, in Deed Book 83, page 424, Martin County, Kentucky Clerk's records.
121. Dated August 28, 1978 from Ludie M. Lamb and Gene Lamb, her husband, to Martiki Coal Corporation recorded September 21, 1978 in Deed Book 84, page 357, Martin County, Kentucky Clerk's records.
122. Dated December 20, 1977 from Larry Chapman, individually, and Larry Chapman, as statutory guardian for Janice Chapman and Linda Maynard to Martiki Coal Corporation recorded October 3, 1978, in Deed Book 84, page 433, Martin County, Kentucky Clerk's records.
123. Dated March 6, 1979 from Samuel H. Moore and Ernestine Moore, his wife, to Martiki Coal Corporation recorded March 15, 1979, in Deed Book 85, page 156, Martin County, Kentucky Clerk's records.
124. Dated December 13, 1993 from Ruth Maynard Whittington and Ralph Eugene Whittington to Martiki Coal Corporation recorded December 22, 1993, in Deed Book 117, page 531, Martin County, Kentucky Clerk's records.

**MAR-150:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-150)

Part of 1522.00 acres and being approximately 90 acres, more or less, as set forth in deeds:

**SCHEDULE C**  
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125. Dated November 19, 1977 from John Jude and Pricey Jude, his wife, to Martiki Coal Corporation, a Delaware corporation, recorded December 1, 1977 in Deed Book 82, page 407, Martin County, Kentucky Clerk's records.
126. Dated November 30, 1977 from Harold Jude and Irene Jude, his wife, to Martiki Coal Corporation, a Delaware corporation, recorded December 8, 1977 in Deed Book 82, page 468, Martin County, Kentucky Clerk's records.
127. Dated September 30, 1982 from John Jude, Jr. and Louise Jude, his wife, to MAPCO Land Corporation, a Delaware corporation, recorded October 5, 1982 in Deed Book 91, page 365, Martin County, Kentucky Clerk's records.

**MAR-150-1:**

Part of Martin County Parcel No. 048-00-00-006-00 (aka MAR-150-1)

Part of 1522.00 acres and being approximately 10 acres, more or less, as set forth in deeds:

128. Dated October 6, 1982 from John Jude and Pricey Jude, his wife, to MAPCO Land Corporation, a Delaware corporation, recorded October 15, 1982 in Deed Book 91, page 433, Martin County, Kentucky Clerk's records.
129. Dated December 15, 1983 from Harold Jude to MAPCO Land & Development Corporation, a Delaware corporation, recorded December 21, 1983 in Deed book 94, page 232, Martin County, Kentucky Clerk's records.
130. Dated September 30, 1982 from John Jude, Jr. and Louise Jude, his wife, to MAPCO Land Corporation, a Delaware corporation, recorded October 5, 1982 in Deed Book 91, page 365, Martin County, Kentucky Clerk's records.

**MAR-179:**

Part of Martin County Parcel No. 048-00-00-050-00 (aka MAR-

179) Being 182.00 acres, more or less, as set forth in deeds:

131. Dated May 8, 1982 from Elmer Howard and Doris Jean Howard, his wife, to Mapco Land Corporation, recorded May 20, 1982 in Deed Book 90A, page 1192, Martin County, Kentucky Clerk's records.

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**Commitment for Title Insurance # 19-12-00217 – Triple H Real Estate**

132. Dated May 11, 1982 from Tommy Fletcher and Billie Jean Fletcher, his wife, to Mapco Land Corporation, recorded May 20, 1982 in Deed Book 90A, page 1196, Martin County, Kentucky Clerk's records.
133. Dated June 2, 1983 from Frank Howard and Nelia Howard, his wife, to Mapco Land Corporation, recorded June 8, 1983 in Deed Book 93, page 123, Martin County, Kentucky Clerk's records.
134. Dated June 2, 1983 from Benjamin Howard, Jr. and Mildred Howard, his wife, to Mapco Land Corporation, recorded June 8, 1983 in Deed Book 93, page 125, Martin County, Kentucky Clerk's records.
135. Dated June 3, 1983 from David Howard and Grace Howard, his wife, to Mapco Land Corporation, recorded June 8, 1983 in Deed Book 93, page 127, Martin County, Kentucky Clerk's records.
136. Dated May 31, 1983 from Shirley Davis and Kenneth S. Davis, her husband, to Mapco Land Corporation, recorded June 14, 1983 in Deed Book 93, page 140, Martin County, Kentucky Clerk's records.
137. Dated May 19, 1983 from George Moore and Beatrice Moore, his wife, to Mapco Land & Development Corporation, recorded August\_, 1983 in Deed Book 93, page 268, Martin County, Kentucky Clerk's records.
138. Dated May 20, 1983 from Roger Paxton and Virginia Paxton, his wife, to Mapco Land & Development Corporation, recorded August\_, 1983 in Deed Book 93, page 270, Martin County, Kentucky Clerk's records.
139. Dated May 19, 1983 from Lizzie Howard, widow, to Mapco Land Corporation, recorded August 10, 1983 in Deed Book 93, page 272, Martin County, Kentucky Clerk's records.
140. Dated May 17, 1983 from Beatrice Moore and George Moore, her husband, to Mapco Land Corporation, recorded August 10, 1983 in Deed Book 93, page 280, Martin County, Kentucky Clerk's records.
141. Dated May 19, 1983 from Elizabeth Howard, widow, to Mapco Land Corporation, recorded August 9, 1983 in Deed Book 93, page 282, Martin County, Kentucky Clerk's records.
142. Dated August 12, 1983 from Ermel Howard, a single man, to Mapco Land Corporation, recorded November 8, 1983 in Deed Book 93, page 799, Martin County, Kentucky Clerk's records.



## SCHEDULE C

### Commitment for Title Insurance # 19-12-00217 – Triple H Real Estate

143. Dated October 1, 1984 from Alex Fletcher and Jan Fletcher, his wife, to Mapco Land Corporation, recorded October 15, 1984 in Deed Book 96, page 346, Martin County, Kentucky Clerk's records.
144. Dated October 1, 1984 from Robert Jude and Mildred Jude, his wife, to Mapco Land Corporation, recorded October 15, 1984 in Deed Book 96, page 348, Martin County, Kentucky Clerk's records.
145. Dated October 1, 1984 from Norman Fletcher and Mary Fletcher, his wife, to Mapco Land Corporation, recorded October 15, 1984 in Deed Book 96, page 350, Martin County, Kentucky Clerk's records.
146. Dated October 1, 1984 from Andy Stacy and Sharon Stacy, his wife, to Mapco Land Corporation, recorded October 15, 1984 in Deed Book 96, page 352, Martin County, Kentucky Clerk's records.
147. Dated October 5, 1984 from Homer Fletcher and Vistie Fletcher, his wife, to Mapco Land Corporation, recorded October 15, 1984 in Deed Book 96, page 354, Martin County, Kentucky Clerk's records.
148. Dated October 5, 1984 from Gary Hinkle and Evelyn Hinkle, his wife, to Mapco Land Corporation, recorded October 15, 1984 in Deed Book 96, page 356, Martin County, Kentucky Clerk's records.
149. Dated January 9, 1985 from Tommy Maynard and Linda Maynard, his wife, to Mapco Land Corporation, recorded January 9, 1985 in Deed Book 98, page 54, Martin County, Kentucky Clerk's records.
150. Dated May 21, 1982 from Doris Howard Stacy and Keither Stacy, her husband, to Mapco Land Corporation, recorded June 1, 1982 in Deed Book 90A, page 1237, Martin County, Kentucky Clerk's records.

Less and except that portion of the property conveyed in deed recorded in Deed Book 168, page 458, Martin County, Kentucky Clerk's records.

#### **MAR-190:**

Part of Martin County Parcel No. 048-00-00-047-00 (aka MAR-190)

151. Part of 115.00 acres and being approximately 105.00 acres, more or less, as set forth in deed dated January 26, 1996 from John E. Howard, single, to Martiki Coal Corporation, a Delaware corporation, recorded January 29, 1996 in Deed Book 124, page 114, Martin County, Kentucky Clerk's records.

Less and except the portion of the property conveyed in Deed Book 90, Page 516, Martin County, Kentucky Clerk's records.

**SCHEDULE C**  
**Commitment for Title Insurance # 19-12-00217 – Triple H Real Estate**

**MAR-198:**

Part of Martin County Parcel No. 056-00-00-049-00 (aka MAR-198)

152. Part of 26.00 acres and being approximately 19.00 acres, more or less, as set forth in deed dated June 13, 1994 from Johnny Jude and Linda Jude, his wife, to Martiki Coal Corporation, recorded October 1, 1994 in Deed Book 120, page 28, Martin County, Kentucky Clerk's records.

**MAR-199:**

All of Martin County Parcel No. 049-00-00-018-00 (aka MAR-199)

153. Being 4.00 acres, more or less, as set forth in deed dated June 16, 1944 from James E. Maynard and Donna Maynard, his wife, to Martiki Coal Corporation, recorded October 1, 1994 in Deed Book 120, page 35, Martin County, Kentucky Clerk's records.

**MAR-200:**

All of Martin County Parcel No. 048-00-00-046-00 (aka MAR-200)

Being 11.00 acres, more or less, as set forth in deeds:

154. Dated May 24, 1974 from Judy Stewart and Terry Stewart, her husband, to Webster County Coal Corporation, recorded June 5, 1974 in Deed Book 73, page 794, Martin County, Kentucky Clerk's records; and dated February 3, 1979 from Judy Stewart and Terry Stewart, her husband, to Martiki Coal Corporation, recorded February 7, 1979 in Deed Book 85, page 25, Martin County, Kentucky Clerk's records.
155. Dated September 19, 1974 from Monville Staton, single, and Deloris Jean Staton, single, to Martiki Coal Corporation, recorded September 25, 1974 in Deed Book 74, page 514, Martin County, Kentucky Clerk's records; and dated December 10, 1979 from Monville Staton, single, to Martiki Coal Corporation, recorded December 11, 1979 in Deed Book 86, page 713, Martin County, Kentucky Clerk's records.
156. Dated February 1, 1975 from Johnie Fletcher and Thelma Fletcher, his wife, to Martiki Coal Corporation, recorded February 5, 1975 in Deed Book 75, page 353, Martin County, Kentucky Clerk's records.
157. Dated February 4, 1975 from Lilburn Staton, single, to Martiki Coal Corporation, recorded February 5, 1975 in Deed Book 75, page 371, Martin County, Kentucky Clerk's records; and dated April 29, 1983 from Emzie Staton and Siller Staton, his wife, and Lilburn Staton, single, to Martiki Coal Corporation, recorded May 2, 1983 in Deed Book 92, page 690.

**SCHEDULE C**  
**Commitment for Title Insurance # 19-12-00217 – Triple H Real Estate**

158. Dated September 3, 1976 from Mary Vanorder and Roger Vanorder, her husband, to Martiki Coal Corporation, recorded September 9, 1976 in Deed Book 79, page 606, Martin County, Kentucky Clerk's records; and dated March 31, 1983 from Mary Van Order and Roger Van Order, her husband, to Martiki Coal Corporation, recorded April 21, 1983 in Deed Book 87, page 597, Martin County, Kentucky Clerk's records.
159. Dated September 27, 1976 from Vicie Jane Small and Earl Small, her husband, to Martiki Coal Corporation, recorded September 30, 1976 in Deed Book 79, page 797, Martin County, Kentucky Clerk's records.
160. Dated November 22, 1977 from Emzie Staton and Siller Staton, his wife, to Martiki Coal Corporation, recorded December 1, 1977 in Deed Book 82, page 415, Martin County, Kentucky Clerk's records; dated April 29, 1983 from Emzie Staton and Siller Staton, his wife, and Lilburn Staton, single, to Martiki Coal Corporation, recorded May 2, 1983 in Deed Book 92, page 690; and dated March 21, 1995 from Emzy Staton and Siler Staton, husband and wife, to Martiki Coal Corporation, recorded March 22, 1995 in Deed Book 121, page 408, Martin County, Kentucky Clerk's records.
161. Dated September 29, 1980 from Millard Staton and Lida Mae Staton, his wife, to Martiki Coal Corporation, recorded September 30, 1980 in Deed Book 88, page 342, Martin County, Kentucky Clerk's records.

**MAR-201:**

All/Part of Martin County Parcel No. UNKNOWN (aka MAR-201)

162. Being 0.25 acre, more or less, as set forth in deed dated June 13, 1994 from Joey Fletcher and Connie Fletcher, his wife, to Martiki Coal Corporation, recorded October 1, 1994 in Deed Book 120, page 41, Martin County, Kentucky Clerk's records.

**MAR-202:**

All of Martin County Parcel No. 049-00-00-015.00 (aka MAR-202)

163. Being 1.00 acre, more or less, as set forth in deed dated June 13, 1944 from Alice Fletcher, single, to Martiki Coal Corporation, recorded October 1, 1994 in Deed Book 120, page 38, Martin County, Kentucky Clerk's records.

Less and except the portion of the property conveyed in Deed Book 112, Page 721, Martin County, Kentucky Clerk's records.

**SCHEDULE C**  
**Commitment for Title Insurance # 19-12-00217 – Triple H Real Estate**

**MAR-203:**

All/Part of Martin County Parcel No. UNKNOWN (aka MAR-203)

164. Being 0.31 acre, more or less, as set forth in deed dated June 13, 1994 from James Slone and Lohmia Slone, his wife, to Martiki Coal Corporation, recorded October 1, 1994 in Deed Book 120, page 32, Martin County, Kentucky Clerk's records.

**MAR-212:**

Part of Martin County Parcel Nos. 056-00-00-045.00, 056-00-00-047.00 and 048-00-00-050.00 (aka MAR-212)

165. Being 102.01 acres, more or less, as set forth in deed dated February 4, 1994 from Damascus Hale and Louise A. Hale, his wife, to Martiki Coal Company recorded September 13, 1994 in Deed Book 119, page 658, Martin County, Kentucky Clerk's records.

Less and except that portion of the property conveyed in deed recorded in Deed Book 168, page 458, Martin County, Kentucky Clerk's records.

**MAR-213:**

All/Part of Martin County Parcel No. UNKNOWN (aka MAR-213)

166. Being 0.25 acre, more or less, as set forth in deed dated June 14, 1994 from Lee Goble and Shelby Goble, his wife, to Martiki Coal Corporation, recorded October 1, 1994 in Deed Book 120, page 25, Martin County, Kentucky Clerk's records.

Martin County Solar Project, LLC  
Response to Siting Board's Initial Request for Information  
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BBC Request No. 11: Have representatives of the project met personally with adjoining landowners to hear their thoughts and concerns regarding the proposed project? If so, when did representatives meet with landowners, which landowners did they meet with, and what concerns did landowners express?

Response: The Project has not met directly with adjoining landowners. Landowners have been notified by mail and through public notices required. No concerns have been received from adjoining landowners.

Responding Witness: Erich Miarka

Martin County Solar Project, LLC  
Response to Siting Board's Initial Request for Information  
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BBC Request No. 12: The SAR notes, "Typical construction equipment is expected to be used for site preparation and infrastructure installation and may include dump trucks, pole drivers, backhoes, dozers, and excavators." (Exhibit D, Noise Assessment, page 4, pdf page 258). Please provide an estimate of the amount of time each type of machine is expected to be in use during construction of the site.

Response: See attached.

Responding Witness: Josh Crumpler

## MARTIN COUNTY PROJECT SCHEDULE

PROJECT MILESTONE	START	FINISH	CONSTRUCTION EQUIPMENT	DURATION
NOTICE TO PROCEED	Mar-22	-	-	-
MOBILIZATION	Mar-22	-	-	-
CIVIL WORKS INCLUDING FENCING, ACCESS ROADS, AND EROSION CONTROL	Mar-22	Apr-23	EXCAVATORS, DOZERS, DUMP TRUCKS, BACKHOES	MAR 22 TO OCT 22
PIER INSTALLATION	May-22	Oct-22	PILE DRIVERS	MAY 22 TO OCT 23
RACKING AND MODULES	Jun-22	Jan-22	ATVS AND PICKUP TRUCKS	JUN 22 TO FEB 22
COMBINER TO INVERTER ELECTRICAL	Jun-22	Feb-22	BACKHOES AND SKID STEERS	JUN 22 TO JAN 23
SUBSTATION (ENERGIZE)	-	Mar-23	MOBILE CRANE	TBD (ESTIMATED 2 WEEKS)
COMMISSIONING	Apr-23	Jun-23	-	-
MECHANICAL COMPLETION	-	Apr-23	-	-
SUBSTANTIONAL COMPLETION	-	May-23	-	-
FINAL COMPLETION	-	Jun-23	-	-

Martin County Solar Project, LLC  
Response to Siting Board's Initial Request for Information  
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BBC Request No. 13: Exhibit E, Traffic Impact Study, notes that construction will produce a temporary increase in traffic from construction workers and delivery of equipment and material (Exhibit E, Traffic Impact Study, page 6, pdf page 277.) The SAR does not provide any information regarding the number of anticipated workers (average or peak) or the number of expected truck deliveries during construction. Please provide this information.

Response: The anticipated maximum number of aggregate deliveries to the site per day will be approximately 100 trucks. The expected number of commuter cars and trucks during the construction will be approximately 40-60. Carpooling will be encouraged to reduce the number of vehicles during construction.

Responding Witness: Josh Crumpler



Martin County Solar Project, LLC  
Response to Siting Board's Initial Request for Information  
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BBC Request No. 14: In the table titled "Surrounding Uses" in Exhibit B of the SAR, several residences identified as bordering the proposed site did not include distances to the closest solar panel. Please provide the distances of these residences to the closest solar panel.

Response: Any "residence" labeled with an N/A for distance indicates that no residential structure is located on the parcel. All parcels zoned as residential are included on the table regardless of whether a residential structure has been erected on that parcel.

Responding Witness: Jason Funk

Martin County Solar Project, LLC  
Response to Siting Board's Initial Request for Information  
Case No. 2021-00029

BBC Request No. 15: In the table titled "Surrounding Uses" in Exhibit B of the SAR, the closest residence to a solar panel is listed as being within 1,450 feet, but Table 1 of Exhibit D of the SAR (Noise Impact Report) identifies the closest residence as being within 590 feet of the nearest panel. Please help reconcile these estimates.

Response: The Project was expanded after the Kirkland report was prepared. Kirkland has informed the Project that the reduction of this distance is not expected to materially change the results of the report.

Responding Witness: Jason Funk