RHUDES CREEK SOLAR, LLC
SITE ASSESSMENT REPORT

ibV energypartners
an ib vogt company

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Contents

Attachments

1 PROPOSED SITE DEVELOPMENT PLAN

REQUIREMENT: *per KRS 278.708 (3)(a); A description of the proposed facility that shall include a proposed site development plan that describes:*

1. *Surrounding land uses for residential, commercial, agricultural, and recreational purposes;*
2. *The legal boundaries of the proposed site;*
3. *Proposed access control to the site;*
4. *The location of facility buildings, transmission lines, and other structures;*
5. *Location and use of access ways, internal roads, and railways;*
6. *Existing or proposed utilities to service the facility;*
7. *Compliance with applicable setback requirements as provided under KRS 278.704(2), (3), (4), or (5); and*
8. *Evaluation of the noise levels expected to be produced by the facility*

COMPLIANCE: Rhudes Creek Solar is a proposed utility-scale solar photovoltaic generator in Hardin County, Kentucky. The planned capacity of the generator is 100 MWac and will be interconnected onto the Louisville Gas & Electric and Kentucky Utilities transmission network. The point of interconnection will be at a new switchyard with a three breaker ring bus configuration on the existing 138 kV Black Branch – Hardinsburg transmission line. The generator will feature the latest technology in utility-scale solar and includes bifacial solar modules that produce energy on the front- and backside of the panels, central-type medium voltage inverter stations with integrated transformers, and single-axis mounting structures to track from east to west. The installation of solar arrays will allow most of the natural topography of the site to be maintained. Where there are visual impacts created by the facility, 300-foot setbacks and landscaping create a visual buffer to screen the solar farm from the surrounding area.

The generator is located approximately 7 miles southwest of Elizabethtown and situated on 11 individual tax parcels owned by the Grey and Hill families. The site is located in the unincorporated community of Cecilia. The site is directly adjacent to Kentucky Route 86 and South Black Branch Road for state and county road access. Federal highway access to US Route 62 and Interstate 65 are approximately 2.5 and 9.5 miles, respectively. A Class II railroad line owned and operated by Paducah & Louisville Railway passes through the eastside of the proposed project site. The total combined acreage of the 11 parcels is 1,072 acres; however, the current plant design utilizes between 700 and 750 acres. The surrounding area is primarily agricultural and residential, as shown below.

Adjoining Use Breakdown

	Acreage	**Parcels**
Residential	7.76%	60.87%
Agricultural	62.03%	21.74%
Agricultural / Residential	30.21%	17.39%
Total	100.00%	100.00%

The legal boundaries of the proposed site are contained in the deeds enclosed as Attachment 18 and the ALTA Survey enclosed as Attachment 9.

Anticipated points of access to the project site on Ky-86 (Hardinsburg Road) and South Black Branch are depicted in the site development plan enclosed as Attachment 1. A security fence meeting the National Electrical Safety Code requirements will enclose the facility. Project entrance gates are anticipated to be approximately 8 feet high and 12 feet wide to allow for emergency and maintenance access. Project entrance gates will also be secured while not in use.

The location of facility buildings, transmission lines, and other structures are depicted in the site development plan enclosed as Attachment 1.

The location and anticipated use of access ways, internal roads, and railways are depicted in the site development plan enclosed as Attachment 1. The Project does not anticipate utilizing railways on-site for construction or operation.

At this time, it is not anticipated that the Project will need to receive external utility services during typical plant operation. If electricity service is required during construction or operation of the Project, it will be contracted with the local electric utility, Nolin RECC. If water service is required during construction or operation, the Project is within the Hardin County Water District #2 service territory.

Pursuant to KRS 278.704(3), the local setback requirements have primacy over the setback requirements identified elsewhere in KRS 278.704. Hardin County currently has established setback requirements for Agricultural Zone (A-1) to be 70 feet for the front yard and 100 feet for the side and back yards. The Project will comply with the local setback requirements.

Noise levels expected to be produced by the facility are more fully described in Section 4 of the Site Assessment Report below.

In addition to the information mentioned above, a number of site development studies and engineering analysis have been performed on the site, and the results have been incorporated throughout the planning and design phases of the Project. These studies and analyses are listed and described below.

- Planning and Development
    - *Critical Issues Analysis* (Completed October 2019): A study that screens the Project site for potential issues of concerns related to wetlands, floodplains/floodways, threatened and endangered species, cultural resources, local ordinances, and off-site considerations. (See Attachment 2)
    - *Phase I Environmental Site Assessment* (Completed October 2019): An evaluation for environmental due diligence that identifies and assesses existing environmental conditions and liabilities associated with the properties being considered for development. (See Attachment 3)
    - *Wetlands Delineation* (Completed January 2019): Field work that is conducted by a qualified wetland professional to establish the existence and physical limits of wetlands located within project site boundaries. (See Attachment 4)
    - *USACE Jurisdictional Determination* (Completed July 2020): An official determination by the United States Army Corps of Engineers as to whether wetlands or streams fall under federal jurisdiction pursuant to the Clean Water Act. (See Attachment 5)

- *Property Value Study* (Completed June 2021): A review by a certified real estate appraiser to provide an opinion on whether the Project will have adverse impacts on adjoining property values. (See Attachment 6)
- *Economic Impact Study* (Completed June 2021): A planning-level study that models the direct, indirect, and induced economic impacts to a community during the life of the Project. (See Application Attachment K)
- *Glare Analysis* (Completed July 2021): A study that determines whether the reflection of solar panels for the Project will interfere with visibility and cause potential safety hazards. (See Attachment 7)
- *Stakeholder Outreach*: Engagement with local stakeholders through public meetings, community correspondence, and local participatory involvement.
  - *Public Town Hall* (Completed October 2020)
  - *PSC Community Meeting* (Completed April 2021)
  - *Individual Meetings with Community Members* (Ongoing)
  - *Local Letters of Support and Community Engagement* (Ongoing) (See Attachment 8)

- Engineering and Design
  - *Boundary and Topographic Surveys* (Completed June 2020): Measurements and mapping performed by a licensed surveyor to locate property boundaries, site features, and topographic elevations for a project site. (See Attachment 9)
  - *Interconnection Feasibility Study* (Completed October 2020): An initial assessment of the feasibility of interconnecting and providing transmission service to a new generator on a transmission network. (See Application Attachment J)
  - *Interconnection System Impact Study* (Completed August 2020): Detailed modeling to assess the operational effects and network reliability issues related to interconnecting a new generator on a transmission network. (See Application Attachment H)
  - *Interconnection Facilities Study* (Completed December 2020): Identification of network upgrades and required facilities to interconnect and provide transmission services to a new generator on a transmission network. (See Application Attachment G)
  - *Preliminary Geotechnical Study* (Completed December 2020): A planning-level assessment of soil conditions at a project site. (See Attachment 10)
  - *Preliminary Stormwater Pollution Prevention Plan* (Completed November 2020): A planning-level review of site features and best management practices for managing stormwater for the Project. (See Attachment 11)
  - *NRCS Runoff Curve Number Analysis* (Completed April 2021): A methodology developed the USDA to evaluate the hydrology and rainfall runoff of a project site that compared pre- and post-development conditions. (See Attachment 12)
  - *Final Stormwater Pollution Prevention Plan* (Completed May 2021): A detailed engineering document that establishes site stormwater management practices during the construction and subsequent operation of the Project. (See Attachment 13)
  - *Final Geotechnical Study* (Completed May 2021): A detailed investigation of soil conditions throughout a project site to assess subsurface suitability for a proposed project. (See Attachment 14)
  - *Karst Assessment* (Completed May 2021): Evaluation by a licensed professional to establish the existence and physical limits of sinkhole hazard through a project site,

which was part of the final geotechnical study. (See Attachments 14 and 15)

- *Pile Load Testing* (Completed May 2021): A detailed engineering analysis to determine the soil bearing capacity and lateral stability for foundation design of the Project, which was conducted as a part of the final geotechnical study. (See Attachment 14)

Through due diligence and with the collaboration of local, state, federal, and non-governmental entities, Rhudes Creek Solar has been developed and engineered in a comprehensive manner. The project layout has gone through an iterative design process to minimize risks and mitigate impacts of the Project. A 90% site civil engineering package has been submitted for review as Attachment 1. The package includes all existing conditions, construction phasing, site plans, transmission routing, driveway access plans, erosion control details, stream crossings, and landscaping plans.

2 COMPATIBILITY WITH SCENIC SURROUNDINGS

REQUIREMENT: *per KRS 278.708 (3)(b); An evaluation of the compatibility of the facility with scenicsurroundings.*

COMPLIANCE:

The Project will be compatible with scenic surroundings in Hardin County. Please refer to Richard Kirkland's Property Impact Analysis (Attachment 6) which address appropriate setbacks, topography, harmony of use, and compatibility in detail. An excerpt from page 114 of Kirkland's report states: "[L]arger solar farms using fixed or tracking panels are a passive use of the land that is in keeping with a rural/residential area. . . . . The solar panels are all less than 15 feet high, which means that the visual impact of the solar panels will be similar in height to a typical greenhouse and lower than a single story residential dwelling. Were the subject property developed with single family housing, that development would have a much greater visual impact on the surrounding area given that a two-story home with attic could be three to four times as high as these proposed panels."

Visual impacts to the scenic surroundings and adjoining properties have been considered throughout the planning and development of the Project. The Project has taken an iterative design approach in working with Hardin County Planning and Development Commission and local adjoining neighbors to minimize and mitigate visual impacts of the proposed solar facilities.

Rhudes Creek Solar was the first utility-scale project proposed in Hardin County, and the County's local ordinance did not have any specifications or requirements related specifically to solar development. Therefore, the development and engineering teams regularly met and discussed site development plans with the Hardin County Planning Director. The collaborative planning process beginning in February 2020 cumulated with design elements that are fully incorporated into the site plans. These include, but are not limited to:

- 100' setbacks from road right-of-way and exterior perimeter property lines
- 20' maximum height requirements for solar arrays
- 300' distances between from adjoining residential dwellings
- Double row of evergreen trees to screen adjoin properties and road right-of-ways
- Encourage use of berms and additional plantings
- Preservation of existing mature tree lines and vegetative buffers wherever possible vegetation
- Encouraged use of native species and pollinator friendly landscaping
- Preparation of a maintenance plan for landscaping, fencing, driveways/entrances, and stormwater infrastructure
- Preparation of a decommissioning plan to reclaim, revegetate, and restore the properties consistently with zoning classifications
- Cabling to be buried underground when feasible

Furthermore, the development team met regularly with concerned neighbors to discuss and revise site plans. In many incidences, major equipment such as the solar arrays and Project substation were set back beyond required distances and utilized existing topography and tree lines to provide visual buffers. The team met with the closest adjoining residents to assess individual property views sheds and incorporate findings into landscape design. Plan and profile drawings for the adjacent state and county roads depicting the landscaping buffers are being provided for reference as Attachment 16. Before and after visualizations of the Project were designed to depict a representation of post-development conditions. These visualizations are being provided for reference as Attachment 17.

3 PROPERTY VALUE IMPACTS

REQUIREMENT: *per KRS 278.708 (3)(c); The potential changes in property values and land useresulting from the siting, construction, and operation of the proposed facility for property owners adjacent to the facility.*

COMPLIANCE: See Richard Kirkland's Report enclosed as Attachment 6 for a report studying potential property value impacts to owners adjacent to the proposed facility by a certified real estate appraiser. The conclusion of the report, Section XII on page 116, reads as follows:

> The matched pair analysis shows no negative impact in home values due to abutting or adjoining a solar farm as well as no impact to abutting or adjacent vacant residential or agricultural land. The criteria that typically correlates with downward adjustments on property values such as noise, odor, and traffic all support a finding of no impact on property value.
>
> Very similar solar farms in very similar areas have been found by hundreds of towns and counties not to have a substantial injury to abutting or adjoining properties, and many of those findings of no impact have been upheld by appellate courts. Similar solar farms have been approved adjoining agricultural uses, schools, churches, and residential developments.
>
> I have found no difference in the mix of adjoining uses or proximity to adjoining homes based on the size of a solar farm and I have found no significant difference in the matched pair data adjoining larger solar farms versus smaller solar farms. The data in the SouthEast is consistent with the larger set of data that I have nationally, as is the more specific data located in and around Kentucky.
>
> Based on the data and analysis in this report, it is my professional opinion that the solar farm proposed at the subject property will have no negative impact on the value of adjoining or abutting property. I note that some of the positive implications of a solar farm that have been expressed by people living next to solar farms include protection from future development of residential developments or other more intrusive uses, reduced dust, odor and chemicals from former farming operations, protection from light pollution at night, it's quiet, and there is no traffic.

4 ANTICIPATED NOISE LEVELS

REQUIREMENT: *per KRS 278.708 (3)(d); Evaluation of anticipated peak and average noise levelsassociated with the facility's construction and operation at the property boundary*

COMPLIANCE:

There are currently no noise ordinances in Hardin County. However, during the construction and subsequent operation of the Project, there will be noise expected. The construction-related noise emissions are associated with equipment and machinery usage, construction traffic, and installation of major plant components. The potential sources of noise during operation include inverters, trackers, and O&M activities. For potential noise impacts, the primary receptors will be the adjoining residential dwellings. Noise is measured in decibels at distances from the source. Below is a table of levels of noise.

Levels of Noise in Decibels (dB)

Painful (Dangerous)	140
	130
Uncomfortable (Dangerous over 30 seconds)	120
Very Loud (Dangerous over 30 minutes)	110
	100
	90
Loud	80
	70
Moderate	60
	50
Soft	40
	30
Faint	20

Construction noise levels will be temporary and limited within the 1-year construction phase. The loudest noise sources will be emitted during the daytime construction hours by equipment and machinery. Noise generated by heavy construction equipment ranges between 60 and 100 decibels at a distance of 50 feet. The Project with have various construction phases with differing levels of noise. The site preparation, clearing, and grading phase will use graders, dozers, loaders, and trucks that will have an estimated cumulative noise level of 85 decibels at a 50-foot distance. The solar array installation phase involves driving piles, building the racking structure, and mounting solar modules. For this phase, equipment will include small pile drivers, mobile cranes, and pneumatic tools that will have an estimated cumulative noise level of 90 decibels at a 50-foot distance.

All adjoining residential dwellings are located at least 300 feet from the nearest construction activities. For every doubling of the distance from the source, noise level diminishes by 6 decibels. Therefore, to assess the potential construction impact to adjoining neighbors, the distance attenuated noise level at 300 feet is calculated for the site preparation and solar array installation phases of

Project. As shown in the table below, the temporary noise levels during the construction of the Project may be loud. However, the suggested cumulative noise levels only theoretically represent a scenario in which all equipment are operating at a single location and the same time. Also, the distance attenuated noise reduction does not account for the additional reduction due to topographic features and existing vegetative buffers.

	Site Preparation	**Solar Array Installation**
Cumulative Noise Level at 50 feet (dB)	85.0	90.0
Minimal Distance to Adjoining Residential Dwellings (ft)	300	300
Noise Reduction at 300 feet (dB)	-15.6	-15.6
Distance Attenuated Noise Level at Adjoining Residential Dwellings (dB)	69.4	74.4

Operation noise levels will be long-term throughout the 35-year operating life of the Project. The potential stationary noise sources associated with operation will come from inverters, transformers, and the Project substation. The Project plans to install up to 27 small-scale, above ground inverter and transformer stations located throughout the solar arrays. According to the supplier's technical datasheet, the noise level of each inverter and transformer station will be 67 decibels at 10 meters, or approximately 33 feet. Please see the Inverter Noise Profile diagrams, enclosed as Attachment 19.

The stations are located well within the planned project boundary and the closest three adjoining residential dwellings are at 417, 830, and 879 feet away. Site plans showing the location and noise profile of each station has been provided for visual representation. To assess the potential operation impact to adjoining residential dwellings, the distance attenuated noise levels for each of the distances is calculated and shown below. The noise impact from inverter and transformer stations is expected to be minimal or negligible.

	Adj. Res. Dwelling 1	**Adj. Res. Dwelling 2**	**Adj. Res. Dwelling 3**
Cumulative Noise Level at 33 feet (dB)	67.0	67.0	67.0
Distance to Adjoining Residential Dwellings (ft)	417	830	879
Noise Reduction at Distance to Adj. Res. Dwelling (dB)	-22.0	-28.0	-28.5
Distance Attenuated Noise Level at Adjoining Residential Dwellings (dB)	45.0	39.0	38.5

The Project substation will have a high voltage step up transformer. The high side voltage is 138 kV with a maximum power rating of 120 MVA. The noise levels specified by various suppliers range between 70 and 83 decibels. The closest three adjoining residential dwellings are at 1765, 1801, and 2010 feet away. To assess the potential operation impact to adjoining residential dwellings, the

distance attenuated noise levels for each of the distances is calculated and shown below. The noise impact from the Project substation is expected to be minimal or negligible, as shown below.

	Adj. Res. Dwelling 1	**Adj. Res. Dwelling 2**	**Adj. Res. Dwelling 3**
Cumulative Noise Level at 5 feet (dB)	83.0	83.0	83.0
Distance to Adjoining Residential Dwellings (ft)	1765	1801	2010
Noise Reduction at Distance to Adj. Res. Dwelling (dB)	-51.0	-51.1	-52.1
Distance Attenuated Noise Level at Adjoining Residential Dwellings (dB)	32.0	31.9	30.9

5 EFFECT ON ROAD, RAILWAYS, AND FUGITIVE DUST

REQUIREMENT: *per KRS 278.708 (3)(e); The impact of the facility's operation on road and rail trafficto and within the facility, including anticipated levels of fugitive dust created by the traffic and any anticipated degradation of roads and lands in the vicinity of the facility*

COMPLIANCE:

The proposed Rhudes Creek Solar facility is located southwest of the Hardin County seat, Elizabethtown. The project site properties are directly adjacent to a state highway route and two county roads. The state route, KY-86 (i.e. Hardinsburg Road), runs east to west along the northern boundary of the property parcels. KY-86 will be the primary routes for access to the property for the construction and subsequent operation of the facility. The main driveway access to the site will utilize and improve an existing driveway located on the southside of KY-86 at 37°39'46.94"N, 85°59'49.43"W. A secondary driveway access to the transmission easement and point of interconnection will be a newly constructed road on the northside of KY-86 at 37°39'55.47"N, 86° 0'9.35"W. Upon a field visit and review in April 2021, the Kentucky Transportation Cabinet District 4 Engineer confirmed that neither the existing nor the newly proposed driveways will have sight distance issues or present a safety hazard for roadway users.

During the construction phase of the Project, equipment, material deliveries, and operations crews will access the site through KY-86. Traffic is expected to temporarily increase during the one-year construction period between the working hours of 6 AM and 9 PM from Monday to Friday. There will be up to 150 construction employees and parking will be onsite. Furthermore, for equipment and construction material deliveries, up to 20 heavy duty trucks and 10 light duty trucks are expected. With a heavy vehicle adjustment, the construction of the facility could add up to 200 passenger car equivalent vehicles per day. The Kentucky Transportation Cabinet's annual average daily traffic in 2018 for KY-86 Station 047753 (0.17 miles west of the primary site access driveway) and Station 047263 (3.1 miles east of the primary site access driveway) are 3,477 and 3,843 vehicles, respectively. Due to the low traffic volumes that exist near the Project, the increase in 200 vehicles per day during construction are not expected to adversely impact traffic and will be temporary. Traffic impacts during operations will be negligible as the facility will not have any permanent employment and will only generate a minor volume of vehicle trips for periodic facility inspection and maintenance.

The Project site also has an existing Class II railroad right-of-way owned and operated by Paducah & Louisville Railway that runs through the eastern property parcels. The railroad real estate and right-of-way is managed by Omega Rail Management, who administers the permitting process on behalf of the Railway. The line currently serves freight for commercial and industrial customers in and between Paducah, Madisonville, and Louisville. There is an already existing at-grade crossing (#925-621 C) on the project site properties located at 37°39'2.90"N, 85°58'12.92"W. The crossing is permitted and used by the property landowner for agricultural activities. The Project development team has been coordinating with the Omega Rail Management for matters pertaining to encroaching the existing right-of-way during construction and operation of the solar facility. Omega Rail Management has provided clear instructions and requirements for safety and operating procedures during construction. The Project will not require freight service on this line

during construction and operations. The impacts of the Project encroachments on the rail line are to be minimal leading up to and during construction. After the completion of the construction onsite, the crossing encroachments on the rail line will be only during periodic inspection and maintenance activities. These impacts will be negligible with proper safety and operational training for the operations and maintenance contractor of the solar facility.

The construction and subsequent operation of the solar facility will have minor fugitive dust impacts. Construction will be temporary and many of the existing gravel roads currently used for agricultural activities will be further improved to handle the construction and maintenance traffic. The design of the solar facility retains the majority of the site's topography. Excavation and earthwork will be minimal, and the ground disturbances limited in phases so that soil can be stabilized before starting work on other areas of the site. A number of dust mitigation measures will be employed to minimize fugitive dust emissions. These include, and are not limited to:

- Retaining natural windbreaks and barriers
- Frequent water applications to wet surfaces and prevent fugitive dust
- Reduced speed on site and control of vehicle access
- Washing equipment prior to leaving the site
- Covering open trucks
- Using gravel compacted roads for construction and maintenance

6 MITIGATION MEASURES

REQUIREMENT: per KRS 278.708(4): *The site assessment report shall also suggest any mitigating measures to be implemented by the applicant to minimize or avoid adverse effects identified in the site assessment report; and per KRS 278.708(6); The applicant shall be given the opportunity to present evidence to the board regarding any mitigation measures. As a condition of approval for an application to obtain a construction certificate, the board may require the implementation of any mitigation measuresthat the board deems appropriate.*

COMPLIANCE:

As Hardin County currently does not have solar as a listed use in its local ordinance, the Project's development and engineering teams collaborated with the County Planner and County Engineer to thoroughly develop the Rhudes Creek Solar site plans and mitigate risks. The County reviewed solar ordinances and regulations established by Harrison, Henderson, Meade, and Owensboro to inform the planning and engineering of the Project. The development underwent an iterative design and review process with the County to meet the highest standards. A 30% design layout of the Project was submitted in August 2020 for comment and review. Subsequently, a follow-on presentation was prepared and delivered to the County in October 2020. In January 2021, the County provided an initial review of issues and concerns with the design layout, requesting revisions and more detailed designs for the Project. In February 2021, a revised 60% design package was submitted to the County for review. In March 2021, the development and engineering teams met with the County Planner and County Engineer for a site visit to discuss Project plans. During the field trip, much of the focus was regarding storm water runoff concerns and visual impacts to adjoining neighbors and roadway users. Following the field trip, the County provided a second set of review comments for additional revisions and concerns regarding blue line streams, sinkholes, and wetlands. In May 2021, a third and final set of 90% site plans with site civil design, construction phasing, erosion control, landscaping, and storm water management was submitted for review and accepted by the County Planner and County Engineer with minor comments. Through the collaboration with the County, of the following mitigation measures were introduced as design elements in the site development plans:

- 25' setback from jurisdictional stream banks and wetlands
- Proper setbacks from karsts
- Construction phasing plan limited to 225 acres to limit storm water impacts
- 100' setback from road right-of-ways and exterior perimeter property lines
- 20' height limitation for solar arrays
- 300' setback from dwellings, churches, and schools
- Double row of evergreen trees to screen adjoining properties and road right-of-ways
- Maintenance plan for landscaping, fencing, access, and stormwater infrastructure
- Decommission plan with a performance bond, letter of credit, cash deposit, or financial surety
- A performance bond, letter of credit, cash deposit, or financial surety for county roads
- Erosion and sediment control plans
- Stormwater and drainage plans
- Environmental protection measures to ensure compliance with local, state, and federal regulations

- Emergency response plan

In parallel to the ongoing collaboration with the County, the Project worked closely with other local, state, federal, and non-governmental stakeholders. Local outreach to the community was conducted through public meetings and individual correspondence. Questions and concerns over storm water, noise, visual impact, and property value to documented and considered for planning and designing the Project.

At the state level, the Project was developed in coordination with the Kentucky Transportation Cabinet (KYTC) District 4 and Kentucky Energy and Environment Cabinet Division of Water. In April 2021, the KYTC District 4 Engineer met the project team on site to assess the site distance for an existing access and newly proposed access on Kentucky Route 86. The District 4 Engineer determined that there would not be any issues with site distance and established a 100' spacing from the neighboring driveway for the newly proposed access road. Furthermore, the District 4 Engineer established that the Project's transmission line structures would need to stay out of the highway right-of-way and that the transmission line would be required to be at 18' above grade. In terms of the correspondence with the Division of Water, the Project team met in April 2021 for a pre-application meeting to discuss the site plans, wetlands delineation, jurisdiction determination, and potential wetland impacts. The team worked in parallel with the Division of Water and United States Army Corps of Engineers (USACE) for assessing impacts and establishing mitigation measures.

The Army Corps of Engineers Louisville District acted as the lead agency for jurisdictional determination of wetlands, Nationwide Permit Section 401 (state) and Section 404 (federal), and consultation with state and federal agencies. The agencies include the Kentucky Division of Water, Kentucky Heritage Council, and United States Fish and Wildlife Service (USFWS). As the site does not have cultural or archeological resources, the Kentucky Heritage Council was not directly contacted. The project team submitted a total of 5 crossings in jurisdictional wetlands primarily for the maintenance roads required for the Project. As these crossings are related to road crossings, the USACE determined that the permits would come under Nationwide Permit 14 for linear transportation projects. Following the project plan review, site visit, and consultation with the USFWS, the USACE determined that the Project may adversely affect the Indiana Bat and/or Northern Long-eared Bat. Therefore, the mitigation for the potential impacts will be through contribution to the Imperiled Bat Contribution Fund for the acreage of tree clearing required for the Project. Furthermore, the team will limit the tree clearing during the unoccupied timeframe between October 15 and March 31 and minimize the tree clearing required for the Project.