### COMMONWEALTH OF KENTUCKY BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of the Application of Bluebird Solar LLC for a Construction Certificate to Construct a Merchant Electric Generating Facility

Case No. 2021-00141

)

)

### NOTICE OF FILING

Comes Bluebird Solar LLC, by counsel, and pursuant to ordering paragraphs 2 and 3 on page 4 of the Siting Board's April 13, 2021, Order approving form of notice, hereby files the relevant documents. Exhibit 1 to this Notice is a copy of the Notice of the Public Meeting as published in the *Cynthiana Democrat* on April 29, 2021. Exhibit 1 to this Notice is a copy of the Notice of the Public Meeting as published in the *Harrison Shopper* on April 26, 2021. Exhibit 3 to this Notice are letters sent to adjacent property owners that were mailed on April 29, 2021.

Respectfully submitted,

imoli. Gardine

M. TODD OSTERLOH JAMES W. GARDNER STURGILL, TURNER, BARKER & MOLONEY, PLLC 333 W. Vine Street, Suite 1500 Lexington, Kentucky 40507 Telephone No.: (859) 255-8581 Fax No. (859) 231-0851 tosterloh@sturgillturner.com jgardner@sturgillturner.com

ATTORNEYS FOR BLUEBIRD SOLAR, LLC

# Exhibit 1

20 The Cynthiana Democrat -April 29, 2021

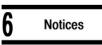


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be held from 4pm to 7pm ET (b) The online only public meeting on May 19th will be held from 4pm to 5:30pm ET (c) Both online Zoom meetings will be open for the entire duration of the presentation (3) Members of the public

are strongly encouraged to participate via the online meeting to learn and ask question about the project. The public in-person meeting will also occur on May 18th from 4pm to 7pm ET at a local hotel, at which a representative of Bluebird Solar LLC will be present, and a

mechanism will be provided for any in-person attendees to ask questions. In-person attendance at the public meeting will be consistent with guidelines and directives from the CDC and the Office of the

Governor in effect at the time of the meeting, including, but not limited to, social distancing and the requirement that masks be properly worn at all times In order to allow for social distancing, the number of

attendees at the in-person meeting will be limited and spaces allocated to the public on a first-come. first-served basis. To sign up for a space at the in-person meeting please е m а

Whitney.Rubin@ baywa-re.com. (4) A large-scale

Harrison County Fiscal

Court, for the three busi-

ness days prior to the pub-

lic meeting. (5) Information



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DONATE YOUR CAR, TRUCK OR VAN. Help veterans find jobs or start a business. Call Patriotic Hearts Foundation. Fast, FREE pick-up. tax-deduction. Operations are standing by! Call 1-866-495-0115 FOR SALE: 2005 Chevy

Call 606-375-8217 leave message. Polecat Construction Roofs metal/shingle, re-Max modeling, new construc tion. Barn repair, bath room remodel and tile hardwood floors work and trim. Amish work

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#### PUBLIC NOTICE:

**BLUEBIRD** SOLAR LLC is proposing to construct and operate a solar energy project in Harrison County, Kentucky. The proposed Bluebird Solar Project will be located between highways KY-353 and US-62 and 0.5 miles east of KY-353. The project is located approximately 1 mile east of Leesburg, KY and 0.3 miles north of the southern boundary of Harrison County. There will be two public meetings: One will be on May 18th as a combination of being available online and in-person. The second one will be May 19th and online only. A kypress public meeting to inform the community about the project will take place on Tuesday, May 18, 2020 between 4:00pm to 7:00pm ET. In order to comply with current guide-

Express van 3500, 12 layout map of the proposed pass. Drives & runs good. project will be available Good condition. 221k mi. to the public for review 606-206-0033 in the entrance to the



\*JOHN KING & SONS\*' about the proposed proj-LLC, local custom buildect will be available online at a later date (6) The proers. Houses, horse or pole posed photovoltaic solar barns, & storage buildings. project be linked to the Call 859-621-5553.

electric transmission grid **ROOF REPAIR SPE**via the existing transmis-CIALIST 1st Quality Roofsion easement that crosing specializes in all roof ses the properties. The repairs. If it leaks we can project will install a visual fix it in a professional vegetative buffer along manner for a reasonable portions of the perimeter price. Call for free estiof the project that will be mates (859)954-8845. comprised of two stag-

gered rows of native plan-AMISH CREW will do tings. Anyone with quesroofing, siding, windows, tions about the project & foundations. drywall should either attend the Rebuilt old barns, new pole online public Zoom meetbarns, garages, etc. Also, ings on May 18th or May interior & exterior painting. 19th, or the in-person We spray paint barns & meeting on May 18th to fences. Schwartz Conlearn more about the Bluestruction, 2750 Upper bird Solar Project. Please Concord Rd., Carlisle, KY request information by 40311 or call Willie at mailing 859-473-2755 Whitney.Rubin@bay-

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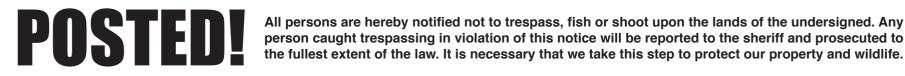
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No hunting or trespassing on the property belonging to Billie Grob, lots 1-4-5-6 and 41 of Maric Lane.

Absolutely no trespassing, hunting, or fishing on the Graves & White Farm off 1842 South.

No trespassing, hunting or fishing on the property located at 5834 Ky Hwy 1032W, Berry, KY 41003 owned by Mary Floyd .

Unless you have written permission, there is absolutely no trespassing, hunting, fishing, 4-wheelers, or cutting of timber on the farm of Beverly Yearsly located on Hicks Pike and on the property at 1842 North in Harrison Co. Violators will be prosecuted.

John F. Whalen II property located at 7714 US Highway 62W, Cynthiana, KY 41031.

No trespassing on the Fisher Farms and Fisher Estate Property in Berry owned by Gary Fisher and Patricia Ann Earle without written permission from P. Earle, farm agent.

No hunting, fishing or trespassing on the farm of Jim Botkins located on Finnell Road, Harrison County.

Absolutely no fishing, hunting, or trespassing of any kind on all properties owned by June Kendall Kearns, both on Upper Curry Rd. and Magnolia Lane. Not responsible for accidents that occur due to trespassing. Violators will be prosecuted. Absolutely no trespassing on the property of Brad Eden located on Hwy 356 and lot 28 on Jill Lane

Absolutely no trespassing, including no hunting, fishing, trapping or dumping on property owned by KB Williams located on Dryden Road. Any person caught trespassing in violation of this notice will be reported to the sheriff and prosecuted to the fullest extent of the law. It is necessary that we take this step to protect our property and wildlife.

No trespassing, hunting, hiking, etc without express permission of the land owners on the Giles Farm on South Dividing Ridge Road.

No hunting or trespassing on the farm of Jim & Connie Mann on Oddville-Sunrise Road.

All persons are hereby notified not to trespass, fish or shoot upon all acreage of Maric Farm #7, Berry, KY. Any person caught trespassing in violation of this notice will be reported to the sheriff and prosecuted to the fullest extent of the law. It is necessary that we take this step to protect our property and wildlife.

# Exhibit 2

#### Page 10 - The Harrison Shopper-April 26, 2021

public

tion. (a) The online public

## Notices

PUBLIC NOTICE: BLUEBIRD SOLAR LLC is proposing to construct and operate a solar energy project in Harrison County, Kentucky. The proposed Bluebird Solar Project will be located between highways KY-353 and US-62 and 0.5 miles east of KY-353. The project is located approxi-mately 1 mile east of Leesburg, KY and 0.3 miles north of the southern boundarv of Harrison County. There will be two public meetings: One will be on May 18th as a com-bination of being available online and in-person. The second one will be May 19th and online only. A public meeting to inform the community about the project will take place on Tuesday, May 18, 2020 between 4:00pm to 7:00pm ET. In order to comply with current guide-lines for social distancing, the public meeting and information about the project will be accessible as follows: (1) All representatives and experts from Bluebird Solar LLC will be answering questions about the project at the public meeting, via a Zoom online meeting. (2) Members of the community will be able to interact with project representatives via a live online public meeting on Zoom, without cost, by registering with a valid email address w i t h Whitney.Rubin@ baywa-re.com. Participants will be able to ask questions either orally or in writing at the end of the presenta-

meeting on May 18th will be held from 4pm to 7pm project be linked to the electric transmission grid ET (b) The online only via the existing transmismeeting on May sion easement that cros-19th will be held from 4pm ses the properties. The to 5:30pm ET (c) Both project will install a visual vegetative buffer along online Zoom meetings will portions of the perimeter of the project that will be be open for the entire duration of the presentation (3) Members of the public are strongly encouraged comprised of two stag-gered rows of native planto participate via the online meeting to learn tings. Anyone with ques-tions about the project and ask question about should either attend the the project. The public online public Zoom meetings on May 18th or May in-person meeting will also occur on May 18th from 4pm to 7pm ET at a local 19th, or the in-person meeting on May 18th to hotel, at which a repre-sentative of Bluebird Solar learn more about the Blue-bird Solar Project. Please LLC will be present, and a mechanism will be prorequest information by e m a i l i n g Whitney.Rubin@bayvided for any in-person attendees to ask questions. wa-re.com In-person attendance at the public meeting will be

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meeting will be limited and spaces allocated to the electric apt. \$525 month. \$200 dep. W/D hook up, up for a space at the parking (859) 954-1974 in-person meeting please

Whitney.Rubin@ baywa-re.com. (4) A large-scale layout map of the proposed project will be available to the public for review in the entrance to the Harrison County Fiscal Court, for the three busi-ness days prior to the public meeting. (5) Information about the proposed project will be available online at a later date (6) The pro-

In order to allow for social

distancing, the number of

attendees at the in-person

public on a first-come,

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All real estate advertising in this newspaper is subject to the Fair Housing Act which makes it illegal to advertise "any preference limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, or an intention to make any such preference, limitation or discrimination." Familial status includes children under the age of 18 living with parents or legal custodians, pregnant women and people securing custody of children under 18.

This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal housing opportunity basis. To complain

of discrimination call HUD Toll-free at 1-800-669-9777. The Toll-free telephone number for the hearing impaired is 1-800-927-9275.



Kentucky Board of Tax Appeals.

assessments, appeals, tax rates, and property tax bill collections; please go to https://revenue.ky.gov/Property/Pages/default.aspx.



- The Harrison County real property tax roll will be opened for inspection from May 3rd through May 17th, 2021. Under supervision of the property valuation administrator or one of the deputies, any person may inspect the tax roll.
- This is the January 1, 2021, assessment of which state, county, and school taxes for 2021 will be due from October 1, 2021 through December 31, 2021.

The tax roll is in the office of the property valuation administrator in the Court House, 111 S. Main St., Suite 101, and may be inspected between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday; and on Saturdays during the inspection period by appointment only. Due to COVID-19 and CDC requirements, we recommend conducting conferences via phone or email. Our darnell@ky.gov. Inspection may be made in the office of the Harrison County PVA, and does require you to meet the CDC requirements of temperature verification, facial coverings, and sanitization.

Any taxpayer desiring to appeal an assessment on real property made by the PVA must first request a conference with the PVA or a designated deputy. The conference may be held prior to or during the inspection period.

Any taxpayer still aggrieved by an assessment on real property, after the conference with the PVA or designated deputy, may appeal to the county board of assessment appeals.

The taxpayer can appeal his assessment by filing in person or sending a letter or other written petition stating the reasons for appeal, identifying the property and stating the taxpayer's opinion of the fair cash value of the property.

The appeal must be filed with the county clerk's office no later than one working day following the conclusion of the inspection period.

A taxpayer failing to appeal to the county board of assessment appears, or failing to appear before the board, either in person or by designated representative, will not be eligible to appeal to the Kentucky Board of Tax Appeals.

Appeals of personal property assessments shall not be made to the county board of assessment appeals. Personal property taxpayers shall be served notice under the provisions of KRS 132.450(4) and shall have the protest and appeal rights granted under the provisions of KRS 131.110.

The following steps should be taken when a taxpayer does not agree with the assessed value of personal property as determined by the property valuation administrator

-Taxpayer must list under protest (for certification) what he believes to be the fair cash value of his property.

-Taxpayer must file a written protest directly with the Department of Revenue Office of Property Valuation within 30 days from the date of the notice of assessment

-This protest must be in accordance with KRS 131.110.

The final decision of the Department of Revenue may be appealed to the To obtain general information about the processes followed for real property



859-588-7120

ASHBROOK 859-588-1520

110 S. Main Street | Cynthiana KY 41031 | 859-234-1120

# Exhibit 3



April 29, 2021

Dear Harrison County resident,

We are inviting you to a local in-person community meeting and/or a Zoom community meeting put on by Bluebird Solar.

- **May 18** will be the community meeting either in-person or via Zoom. The time of the meeting is 4:00pm to 7:00pm ET so people can come and go as their schedule allows, either in person or via Zoom.
- May 19 will be a Zoom only meeting lasting from 4:00pm to 5:30pm ET

Please do RSVP with me, especially if you would like to attend in person so I can provide you the address.

It is our pleasure to reach out to you to notify that BayWa r.e. (BayWa) is working on an application to construct and operate a 90 to 100 MW solar photovoltaic facility in Harrison County. For nearly a century, the BayWa Group has been providing solutions in agriculture, energy, and building materials worldwide. We have extensive experience in agriculture throughout the globe, with significant operations in the US and Canada. We have a profound respect for American farming and the vital role it plays in serving basic human needs. As a renewable energy company, we invest and manage projects from inception through operations while safeguarding a rural heritage and collaborating with landowners, communities, and local officials.

This Project will be within a fenced portion of an assemblage of parcels from 11 landowners located south of Highway 62 (Leesburg Pike) near Broadwell. The Property straddles Russell Cave Road in southern Harrison County with the majority of acreage on the west side of the Road. It consists of a total of approximately 1,345 acres, of which approximately 1,000 acres will be permitted. The total fenced area of the Project will be approximately 500 acres.

As identified on the Site Plan, the Project will deliver power to the nearby overhead 138kV Transmission Line, which is owned and operated by East Kentucky Power Cooperative (EKPC). The Project's location adjacent to the Transmission Line means that the solar panels can be directly connected to the line at the point of interconnection through the substation identified on the Site Plan. As the project uses the existing nearby Transmission Line, no additional Transmission Lines are needed for the project and thus, none will be built in the vicinity surrounding the project as a result of this project.



The County Board's approval of this Project, at this location, will promote the generation of solar energy in a manner that furthers the County's goals and interests in protecting existing land uses and safeguarding the County's heritage and resources.

If you have any further questions regarding BayWa r.e., the Bluebird Solar Project details, or any other questions, please contact me, Whitney Rubin, at 510-516-6964 or <u>Whitney.Rubin@baywa-re.com</u>.

Kind Regards,

Whitney Rubin

Whitney Rubin Sr. Development Manager C: 510 516 6964 Whitney.Rubin@baywa-re.com

We will be hosting community meetings on May 18th and May 19th.

### May 18<sup>th</sup> meeting information for Zoom Time: 4:00pm to 7:00pm ET

Join Zoom Meeting https://zoom.us/j/95309739954?pwd=MWIJYUVFbmFvTWJnQlBadlF3eVpMQT09

Meeting ID: 953 0973 9954 Passcode: vC2fFc

May 19<sup>th</sup> meeting information for Zoom Time: 4:00pm to 5:30pm ET

Join Zoom Meeting https://zoom.us/j/98066705443?pwd=bUp2UnZReFMraHNKN09VV1NNdWRBUT09

Meeting ID: 980 6670 5443 Passcode: MNH3EX