

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING

IN THE MATTER OF:

THE ELECTRONIC APPLICATION OF)	
WEIRS CREEK SOLAR, LLC FOR A)	
CERTIFICATE TO CONSTRUCT AN)	
APPROXIMATELY 150 MEGAWATT)	
MERCHANT SOLAR ELECTRIC)	CASE NO.
GENERATING FACILITY IN WEBSTER)	2024-00099
COUNTY AND HOPKINS COUNTY,)	
KENTUCKY PURSUANT TO KRS 278.700)	
ET SEQ. AND 807 KAR 5:110)	

WEIRS CREEK SOLAR LLC'S
RESPONSE TO THE SITING BOARD CONSULTANT'S REPORT

Comes now Weirs Creek Solar, LLC (“Weirs Creek” or “Applicant”), by counsel, pursuant to the Siting Board’s June 21, 2024 Order, and does hereby respectfully tender its response to the “Solar Generation Siting Final Report – Weirs Creek Solar”, dated September 23, 2024, prepared by Elliot Engineering, Inc./Wells Engineering (the “Elliot Report”), respectfully stating as follows:

Weirs Creek appreciates the thorough review and analysis of the Project and proposed location. The Elliot Report’s recommendations are generally agreed to with minor clarifications. **Elliott Report Recommendation & Mitigation Measure 1:** *Create an over-all plot plan indicating all water bodies, bridges, railroad crossings, culverts, access roads, power lines, residential and public structures, etc.*

Weirs Creek will provide a final site plan to the Siting Board before construction commences. The final site plan will include final location of inverters, solar panels, crossings,

vegetative buffers, fence lines, overhead and underground transmission routes, location of battery facility, and access roads.

Elliott Report Recommendation & Mitigation Measure 2: *For locating the Solar Modules and Other associated equipment of the plant maintain sufficient clearance from any existing power lines.*

Weirs Creek will not place surface facilities within any existing power line easements.

Elliott Report Recommendation & Mitigation Measure 3: *Construct new bridges or culverts wherever necessary for equipment transportation.*

Weirs Creek will work collaboratively with state and local road departments to ensure proper permits have been obtained before construction if roads will be impacted. Weirs Creek will also agree to repair any damage to roads from oversized or overweight deliveries.

Elliott Report Recommendation & Mitigation Measure 4: *Coordinate with surrounding nonparticipating landowners to limit the impact of oversized loads delivered to the project (Ex. Project Transformer).*

Weirs Creek does not object to communicating with nonparticipating landowners within the 2,000-foot radius from the Project boundary.

Elliott Report Recommendation & Mitigation Measure 5: *Leaving existing vegetation between solar equipment and neighboring residences in place, to the extent practicable, to help screen the Project and reduce visual impact.*

Weirs Creek will leave existing vegetation to the extent practicable.

Elliott Report Recommendation & Mitigation Measure 6: *Notices to neighbors regarding potential construction and operation noises, as well as limits on working hours during the construction period, as described in the Application.*

Weirs Creek does not object to providing notice to landowners within the 2,000-foot radius of the Project boundary about the commencement of construction and potential noise impacts.

Elliott Report Recommendation & Mitigation Measure 7: *Applicant to create or maintain (if existing) open lines of communication with owners/operators of the active mine permits in the project area to ensure that project construction does not interfere with mine stability and/or safety.*

Weirs Creek does not object to communicating with the owners/operators of the active mine permits within the Project area.

Elliott Report Recommendation & Mitigation Measure 8: *Fugitive Dust and PM10 (course particles); Coarse (bigger) particles, called PM10, can irritate your eyes, nose, and throat. Dust from roads, farms, dry riverbeds, construction sites, and mines are types of PM10. The applicant will submit in writing the specific plan to control fugitive dust and PM10 during the construction process ten days prior to commencing construction.*

Weirs Creek does not object to utilizing best management practices (BMP) for fugitive dust and PM10 during construction.

Weirs Creek appreciates the review and analysis by Elliot Engineering and its subcontractors, and it respectfully requests that the Siting Board consider these comments in the Siting Board's approval of the certificate of construction for the Project.

This the 2nd day of October 2024.

Respectfully submitted,

Heather S. Temple

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CERTIFICATE OF SERVICE

This is to certify that the electronic filing was transmitted to the Commission on October 2, 2024, and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085 no paper copies of this filing will be made.

Heather S. Temple

Counsel for Weirs Creek Solar, LLC