

COMMONWEALTH OF KENTUCKY
BEFORE THE ELECTRIC GENERATION
AND TRANSMISSION SITING BOARD

In the Matter of:

ELECTRONIC APPLICATION OF LYNN)
BARK ENERGY CENTER, LLC FOR A)
CERTIFICATE OF CONSTRUCTION FOR AN)
UP TO 200 MEGAWATT MERCHANT)
ELECTRIC SOLAR GENERATING FACILITY)
IN MARTIN COUNTY, KENTUCKY)

Case No. 2024-00104

LYNN BARK ENERGY CENTER, LLC’S
RESPONSE TO CONSULTANT REPORT

Lynn Bark Energy Center, LLC (“Lynn Bark”) provides the following response to BBC Research & Consulting’s Review and Evaluation of Lynn Bark Energy Center, LLC Site Assessment Report (“Report”) filed on September 23, 2024. Lynn Bark appreciates the thorough review and analysis of the proposed project and proposed location. Lynn Bark respectfully submits its response to the Report as set forth below, including proposed modifications to the Mitigation Recommendations contained in the Report.

Recommendation No. 6: Lynn Bark Energy should cultivate at least two acres of native pollinator-friendly species onsite.

Response: Applicant requests the Board not to adopt this recommendation, for several reasons. First, as a reclaimed surface coal mine site, the surface is currently unlikely to support growth of native pollinator species without significant and costly addition of topsoil. Additionally, cultivating pollinator acreage on the site would also require ground disturbance that is not currently proposed. Finally, there are not currently areas of pollinator species on the site that will be removed or disturbed via construction or operation of the Project, such that total or partial replacement is needed.

Recommendation No. 11: Lynn Bark Energy Center should conduct construction activity only between 8 AM and 7 PM, Monday through Sunday, and pile driving only between 9 AM and 5 PM, Monday through Friday.

Response: Lynn Bark requests that the Board adopt a slightly modified version of this Mitigation Recommendation. Specifically, Lynn Bark requests that the general construction hours be shifted to begin and end one hour earlier, which would allow for construction activity Monday through Sunday to be conducted from 7 AM to 6 PM. Lynn Bark requests that pile driving be permitted to take place beginning one hour earlier, between 8 AM and 5 PM Monday through Friday. These timeframes represent a more common practice in working hours for the Project’s construction team and would also accommodate the workforce’s preferences for working hours to begin and end earlier in the day.

Recommendation No. 14: Lynn Bark Energy should implement a Customer Resolution Program to address any complaints from surrounding landowners, Lynn Bark Energy should submit an annual status report on the Customer Resolution Program to the Siting Board, identifying any complaints, the steps taken to resolve those complaints, and whether the complaint was resolved to the satisfaction of the affected landowner.

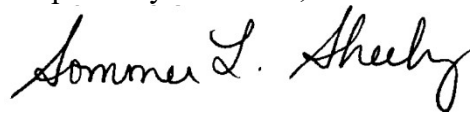
Response: Applicant requests clarification of the term “Customer Resolution Program” to “Complaint Resolution Plan” for consistency with other instances in which the Complaint Resolution Plan is referenced.

Recommendation No. 16: Lynn Bark Energy should develop and implement a traffic management plan for the construction phase of the project to minimize impacts on traffic flow and keep traffic safe. As part of this plan, Lynn Bark Energy should implement ridesharing between construction workers; use appropriate traffic controls; or allow flexible working hours outside of peak hours to minimize any potential delays during AM and PM peak hours.

Response: Lynn Bark accepts the first sentence of this Mitigation Recommendation. With regard to the second sentence, Lynn Bark requests that the language be revised to state “Lynn Bark Energy shall implement a ridesharing plan for construction workers if feasible and if needed, use appropriate traffic controls or allow flexible working hours outside of peak hours to

minimize any potential delays during AM and PM peak hours.” This revised language is consistent with the Pike County Solar Project’s recommended mitigation measure on this topic and is more appropriate because it permits the Project to implement ridesharing if feasible and needed rather than requiring it.

Respectfully submitted,



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