COMMONWEALTH OF KENTUCKY

BEFORE THE ELECTRIC GENERATION AND TRANSMISSION SITING BOARD

In the Matter of:

ELECTRONIC APPLICATION OF PIKE COUNTY SOLAR PROJECT, LLC FOR A CERTIFICATE OF CONSTRUCTION FOR AN UP TO 100 MEGAWATT MERCHANT ELECTRIC SOLAR GENERATING FACILITY IN PIKE COUNTY, KENTUCKY	))))))	Case No. 2024-00105

PIKE COUNTY SOLAR PROJECT, LLC'S RESPONSE TO SITING BOARD'S FIRST DATA REQUEST

1. Submit a copy of the lease or purchase agreements, including options, separate agreements, or deeds which Pike County Solar has entered into in connection with the proposed solar facility, including the agreements for each of the parcels of the project.

RESPONSE: Copies of the applicable lease and lease amendment, with material financial terms redacted, are included as **Attachment A**. Concurrently, Applicant has filed a Motion for Confidential Treatment of the redacted material financial terms and has supplied an unredacted copy of the lease via email.[1]

2. Detail any contracts by which Pike County Solar has paid, has negotiated to pay, or any compensation paid to non-participating landowners, whether cash or otherwise, near the project. Include the terms of the agreements and which properties are involved in terms of distance to the project boundaries.

RESPONSE: Pike County Solar has not entered into agreements for compensation with any non-participating landowners.

3. Explain whether construction activities will occur sequentially or concurrently across the project site.

[1] All responses herein were provided by Christina Martens on behalf of Pike County Solar, unless otherwise noted.

RESPONSE: A chart showing the anticipated Project schedule is below. As shown in the chart, some construction activities will occur sequentially with one another, while others will occur concurrently.

		PIKE COUNTY CONSTRUCTION SCHEDULE		
PROJECT MILESTONE	**START**	**FINSIH**	**CONSTRUCTION EQUIPMENT**	**DURATION**
NOTICE TO PROCEED	June 30	-	-	1 DAY
MOBILIZATION	June 30	-	-	1 DAY
CIVIL WORKS INCLUDING FENCING, ACCESS ROADS, AND EROSION CONTROL	June 30	January 30	EXCAVATORS, DOZERS, DUMP TRUCKS, BACKHOES	7 MONTHS
PIER INSTALLATION	August 1	January 30	PILE DRIVERS	5 MONTHS
RACKING AND MODULES	September 1	June 1	ATVS AND PICKUP TRUCKS	8 MONTHS
COMBINER TO INVERTER ELECTRICAL	September 1	May 1	BACKHOES AND SKID STEERS	7 MONTHS
SUBSTATION (ENERGIZE)	-	August 1	MOBILE CRANE	TBD (ESTIMATED 2 WEEKS)
COMMISSIONING	May 1	July 1	-	
MECHANICAL COMPLETION	-	July 1	-	
SUBSTANTIAL COMPLETION	-	August 1	-	
FINAL COMPLETION	-	September 1	-	

4. Provide a one-page site map that contains the locations of water features, including rivers, streams, lakes, and ponds. Include any known or suspected karst features.

RESPONSE: The requested map is included as **Attachment B** hereto.

5. Provide a narrative description of the location of each of the following site features:

a. Each construction entrance.

RESPONSE: There will be three access points on Ford Mountain Road, two to access the area to the East of Ford Mountain Road and a third to access the area to the West of Ford

Mountain Road. A fourth access will be off of Brushy Road; the entrance to the Site is just past the water tower.

b. Each entrance to be used in operations.

RESPONSE: The same entrances described for construction will be used for operations.

c. Operations and Maintenance Area (O&M) area.

RESPONSE: The same entrances described for construction will be used for the O&M building, if one is determined to be needed for the Project it would likely be located near the Project substation. The typical size would be approximately 30' by 40'.

d. Each laydown area.

RESPONSE: The same entrances described for construction will be used for laydown yard access.

6. Explain whether the construction and operational entrances will be locked outside of normal working hours.

RESPONSE: Yes, the construction and operational entrances will be locked outside of normal working hours.

7. Provide the security measures for the O&M area and substation.

RESPONSE: The perimeter of the Project Area will be fenced and secured. The O&M and substation areas will be fenced with compliant chain link fence of either seven feet or six feet with one foot of barbed wire at the top.

8. Explain how Pike County Solar will coordinate with local enforcement and fire services regarding security and emergency protocols during construction and operations.

RESPONSE: Pike County Solar representatives plan to engage with local enforcement and fire services to provide information and to ensure they are familiar with the plan for security and emergency protocols during construction and operations.

9. Provide a detailed table listing all residential structures located within 2,000 feet of the Project boundary line. For each structure, provide:

a. The distance to the boundary line.

b. The distance to the closest solar panel.

c. The distance to the nearest inverter.

d. The distance to the substation.

RESPONSE: Included herewith as **Attachment C** is a table with the requested information.

Responsive table prepared by Justin Ahn, ERM

10. Provide a detailed table listing all non-residential structures located within 2,000 feet of the Project boundary line. For each structure, provide:

a. The distance to the boundary line.

b. The distance to the closest solar panel.

c. The distance to the nearest inverter.

d. The distance to the substation.

RESPONSE: See **Attachment C** hereto.

11. Clarify whether any existing structures on the Project site will be demolished or removed in order to accommodate the Project. If so, identify each structure and its location within the site project boundary.

RESPONSE: There are no existing structures on the Project site.

12. Describe any utilities that will be required during construction or operations and what utility will provide the service.

RESPONSE: Local electrical service will be required during construction and operation of the Project and is expected to be provided via distribution line by the local electric utility, which is Kentucky Power.

13. Provide any communication with the Pike County Road Department relating to traffic plans and mitigation measures. If no communication has been initiated, explain when that contact will occur.

RESPONSE: The Project has not yet communicated with the Pike County Road Department about traffic plans and mitigation measures but expects to initiate communication soon, certainly before the hearing on the Application.

14. Explain the justification for requesting a deviation from the 2,000-foot setback requirement for residential neighborhoods.

RESPONSE: The justification is more fully set forth in Pike County Solar's Motion for Deviation from Setback, filed May 14, 2024. In short, the goals of the statutory setbacks can be achieved with a lesser setback due to the unique site and applicable topography. Specifically, as a former mountain top coal mining site, there is significant elevation change between the closest residences and the site, resulting in significantly decreased potential impacts.

15. Explain whether the solar panels and other structures could be re-configured within the site boundaries to meet the 2,000-foot setback requirement.

RESPONSE: No, due to the limitations on buildable area within the Project site and some challenging topography, the Project's panel layout could not be re-configured to meet the 2,000 setback and still allow the Project to construct capacity at or near its nameplate of 100 megawatts ("MW").

16. Explain whether participating landowners will continue to use property not leased to the Applicant for residential or agricultural purchases.

RESPONSE: Such uses are not expected because the property is not so used now; the site is an abandoned coal mine.

17. State when the peak construction activity period will occur (which month(s) or quarter of the full construction period).

RESPONSE: Given the current construction schedule, June through February will be the peak construction period. This schedule is subject to change and will be refined as is typical during the pre-construction process.

18. Provide a detailed description of different construction activities, including a construction timeline and schedule, by activity, including development of the transmission line.

RESPONSE: This information is not yet available. Pike County Solar expects to provide this information at a later time during the separate forthcoming permitting process for the transmission line.

19. Provide a narrative description of the proposed transmission line and alternate route, including the number of poles to be installed, the height of the poles and the length and width of the transmission line corridor.

RESPONSE: This information is not yet available. Pike County Solar expects to provide this information at a later time during the separate forthcoming permitting process for the transmission line.

20. Provide a map showing the existing property lines that the proposed transmission line is proposed to cross.

RESPONSE: This information is not yet available. Pike County Solar expects to provide this information at a later time during the separate forthcoming permitting process for the transmission line.

21. Explain how the proposed route of the transmission line will minimize significant adverse impact to the scenic assets of Kentucky.

RESPONSE: This information is not yet available. Pike County Solar expects to provide this information at a later time during the separate forthcoming permitting process for the transmission line.

22. Provide a detailed map of the proposed transmission line route and the alternate route, including proposed pole locations, access roads and nearby residences.

RESPONSE: This information is not yet available. Pike County Solar expects to provide this information at a later time during the separate forthcoming permitting process for the transmission line.

23. Provide any sketches of the proposed transmission line support structure.

RESPONSE: This information is not yet available. Pike County Solar expects to provide this information at a later time during the separate forthcoming permitting process for the transmission line.

24. Provide a table showing the distance between transmission line structures (poles) and nearby residences, for the proposed route and the alternate route.

RESPONSE: This information is not yet available. Pike County Solar expects to provide this information at a later time during the separate forthcoming permitting process for the transmission line.

25. Explain how the proposed transmission route was determined.

RESPONSE: This information is not yet available. Pike County Solar expects to provide this information at a later time during the separate forthcoming permitting process for the transmission line.

26. State the number of individual parcels and landowners participating in the Project, including the transmission line.

RESPONSE: There are 18 individual parcels and one participating landowner, Brushy Development Corporation, involved in the Project (defined as the generation facility). This information is not yet available for the transmission, but Pike County Solar expects to provide such information at a later date in connection with the forthcoming separate permitting process for the transmission line. For convenience, the 18 parcel numbers involved in the Project are:

092-00-00-016.00
092-00-00-016.01
092-00-00-017.00
092-00-00-018.00
092-00-00-029.00
092-00-00-030.00
092-00-00-031.00
092-00-00-032.00
092-00-00-035.01
108-00-00-009.00
108-00-00-010.00
108-00-00-011.00
108-00-00-034.00
108-00-00-038.00
108-00-00-039.00
108-00-00-044.00
108-00-00-063.00
108-00-00-063.01

27. Refer to Application, Exhibit A, Project Site Map. Highlight all construction entrances to the Project site and all operational entrances to the Project site on the map.

RESPONSE: An updated version of Exhibit A containing the requested information is included herewith as **Attachment D.**

28. Refer to Application, Exhibit A, Project Site Map. Identify on the map all above ground and underground infrastructure required to connect the areas of solar panels to the proposed substation. Provide the total length of cabling used in this infrastructure.

RESPONSE: See updated version of Exhibit A, included herewith as **Attachment E**.

29. Provide a detailed description of different construction activities, including a construction timeline and schedule by activity, including development of the transmission line.

RESPONSE: Please see the chart provided in response to DR3 above.

30. See Application, Tab 2, Attachment A, Neighborhood Map appears to be missing several residences located on Brushy Rd. to the south of Neighborhood 3. Provide a revised map to include the missing residences.

RESPONSE: An updated Neighborhood Map providing the requested information is included herewith as **Attachment F**.

Responsive map prepared by Justin Ahn, ERM

31. See Application, Tab 2, Attachment A, Neighborhood Map and Tab 3, Public Notice Evidence indicates two residences located on Smith Fork Road and eight residential addresses on Smith Fork Road. Provide a revised map to include the missing residences.

RESPONSE: See **Attachment F**.

32. Identify the three structures located due east of Neighborhood 3 on what appears to be a road that forks to the East off Locust Point. If any of those structures are residences, provide an updated Figure 1 - Neighborhood Map.

RESPONSE: Upon further analysis, the structures have been determined to be residences. See also **Attachment F**.

33. Refer to Site Assessment Report (SAR), Exhibit B, Property Value Impact Study. Describe the industrial property / land use described as located to the southwest of the Project site.

RESPONSE: The area of land southwest of the Project site consists of primarily of undeveloped forested land with a portion of land identified as a reclaimed mine, approximately 830 feet southwest of the Project site. An industrial use is identified in the Property Value Impact Study and a facility, identified as a recycling center with Pike County, is identified approximately 0.84 miles southwest of the Project site. The facility is confirmed to be a recycling center named

Pike County Solid Waste, at 170 Ford Mountain Road, by Kentucky Energy and Environment Cabinet.

Response provided by Justin Ahn, ERM

34. See Application, Exhibit C Legal Description. Provide Exhibit A-1, as referenced in Exhibit "A" - Description of the Property.

RESPONSE: See **Attachment A** hereto.

35. Refer to the SAR, Exhibit E, Traffic Impact Study. Provide the weight limit ratings for each local roadway to be used by the Project construction traffic.

RESPONSE: The following roads are expected to be used, and corresponding weigh limit ratings are included:

- US 119 – From US 23 to Under Ramp (MP 0.0) leading to North End Tug Fork Bridge (West Virginia State line, MP 25.721) the truck weight class is AAA, or 80,000 lb maximum.
- KY 881 (Brushy Road) – From MP 0.0 to MP 1.376 (US 119 to Bent Mount Rd) the truck weight class is AAA. This gives an 80,000 lb maximum. From MP 1.376 to MP 10.780 (Bent Mountain Rd to Brushy Rd/ Right Fork of Brushy Rd) the truck weight class is A, or 44,000 lb maximum.
- KY 1426 (Bent Branch Road) – MP 9.638 to MP 18.688 (US 119 interchange at MP 2.6 to US 119 interchange at MP 9.4) the truck weight class is AAA, or 80,000 lb maximum.

Additional information can also be found on KYTC's Highway Information View and Extract Interface.

Response provided by Justin Ahn, ERM

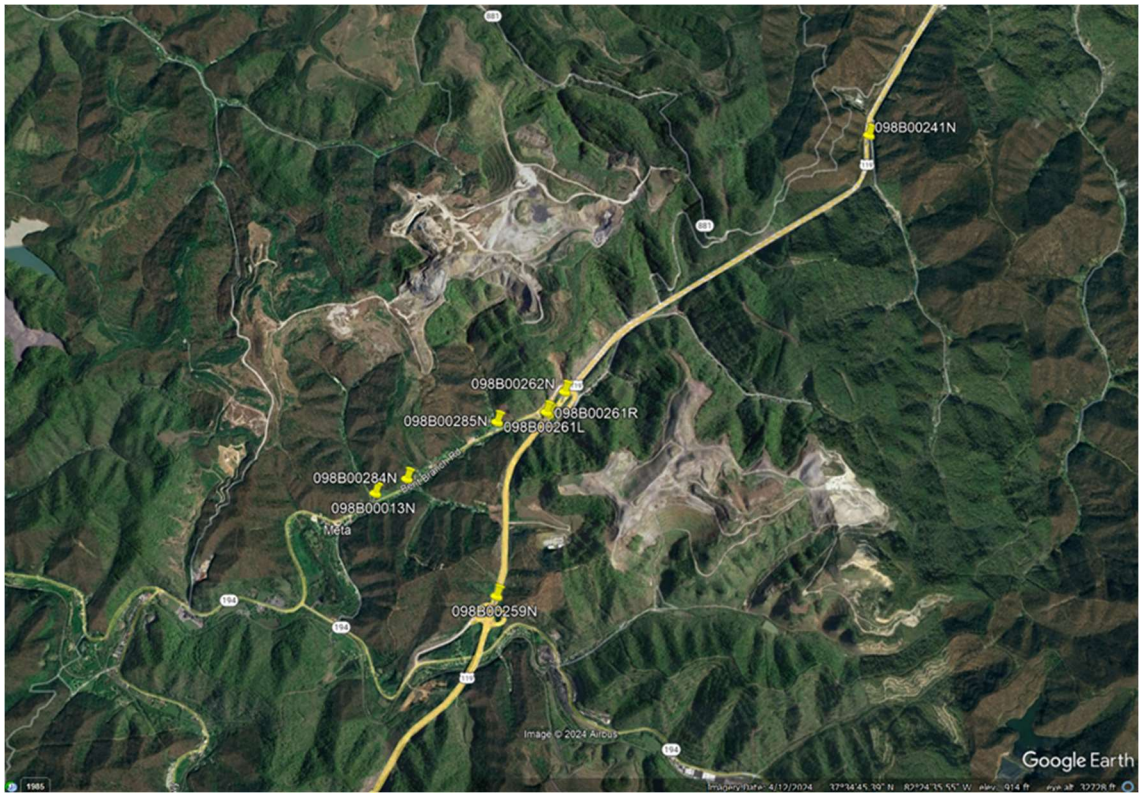
36. Provide the average number of how many monthly trips for each type of delivery truck will be needed on average over the Project construction period and during the peak construction period.

RESPONSE: The Project's traffic analysis assumes 10 tractor trailer trucks per day, so 300 per month.

Response provided by Justin Ahn, ERM

37. Refer to the SAR, Exhibit E, Traffic Impact Study, Figure 1, Vicinity Map. Provide the location and weight limit ratings for any bridges within this Vicinity Map area.

RESPONSE: The clip below shows the bridges in the area of the vicinity map. The table below shows these bridge locations and weight restrictions. Weight restrictions on any additional bridges can be found using KYTC's Bridge Weight Limits interactive map. Note that these restrictions will periodically update and change, so the Project anticipates checking back with the interactive weight limit map as part of the pre-construction process.



Bridge ID	Route/MP	Latitude	Longitude	Weight Restriction
098B00261R	US 119 MP 9.460	37.58	-82.41	OPEN - NO RESTRICTIONS

098B00261L	US 119 MP 9.460	37.58	-82.41	OPEN - NO RESTRICTIONS
098B00241N	US 119 MP 12.230	37.60	-82.37	OPEN - NO RESTRICTIONS
098B00285N	KY 1426 MP 17.958	37.58	-85.42	OPEN - NO RESTRICTIONS
098B00284N	KY 1426 MP 17.294	37.57	-82.43	OPEN - NO RESTRICTIONS
098B00013N	KY 1426 MP 17.0071	37.57	-82.43	10 TONS - POSTED FOR LOAD (MAY INCLUDE OTHER RESTRICTIONS)
098B00259N	US 119 MP 8.287	37.56	-82.42	OPEN - NO RESTRICTIONS
098B00262N	US 119 MP 9.624	37.58	-82.41	OPEN - NO RESTRICTIONS

Response provided by Justin Ahn, ERM

38. Provide the peak daily number of construction vehicles accessing the site, by vehicle type, i.e., worker vehicles, delivery trucks, cement trucks, water trucks (if utilized), other.

RESPONSE: The traffic analysis utilizes 10 tractor trailer trucks per day.

Response provided by Justin Ahn, ERM

39. Refer to SAR, Exhibit E, Traffic Impact Study. Confirm that the estimated 100 pickup trucks and passenger cars per day account for transporting all 328 workers stated in the

Cumulative Environmental Assessment to the Project site on a daily basis. If not confirmed, explain any discrepancy.

RESPONSE: Yes, this amount is correlated with the Cumulative Environmental Assessment's estimated amount of worker traffic.

Response provided by Justin Ahn, ERM

40. Provide the maximum expected load weights for each type of delivery truck, including cement and water trucks, heavy equipment, gravel for access roads, panels, inverters, and the transformer.

RESPONSE: The exact transformer has not yet been determined. However, the expected weight of the transformer will be approximately 110,000 pounds but could be up to 200,000 pounds.

41. Identify the specific roadways used by heavy trucks, including for delivery of the transformer.

RESPONSE: The specific roadways the Project expects to be used for delivery of the transformer are: US 119, KY 881 (Brushy Road), and KY 1426 (Bent Branch Road).

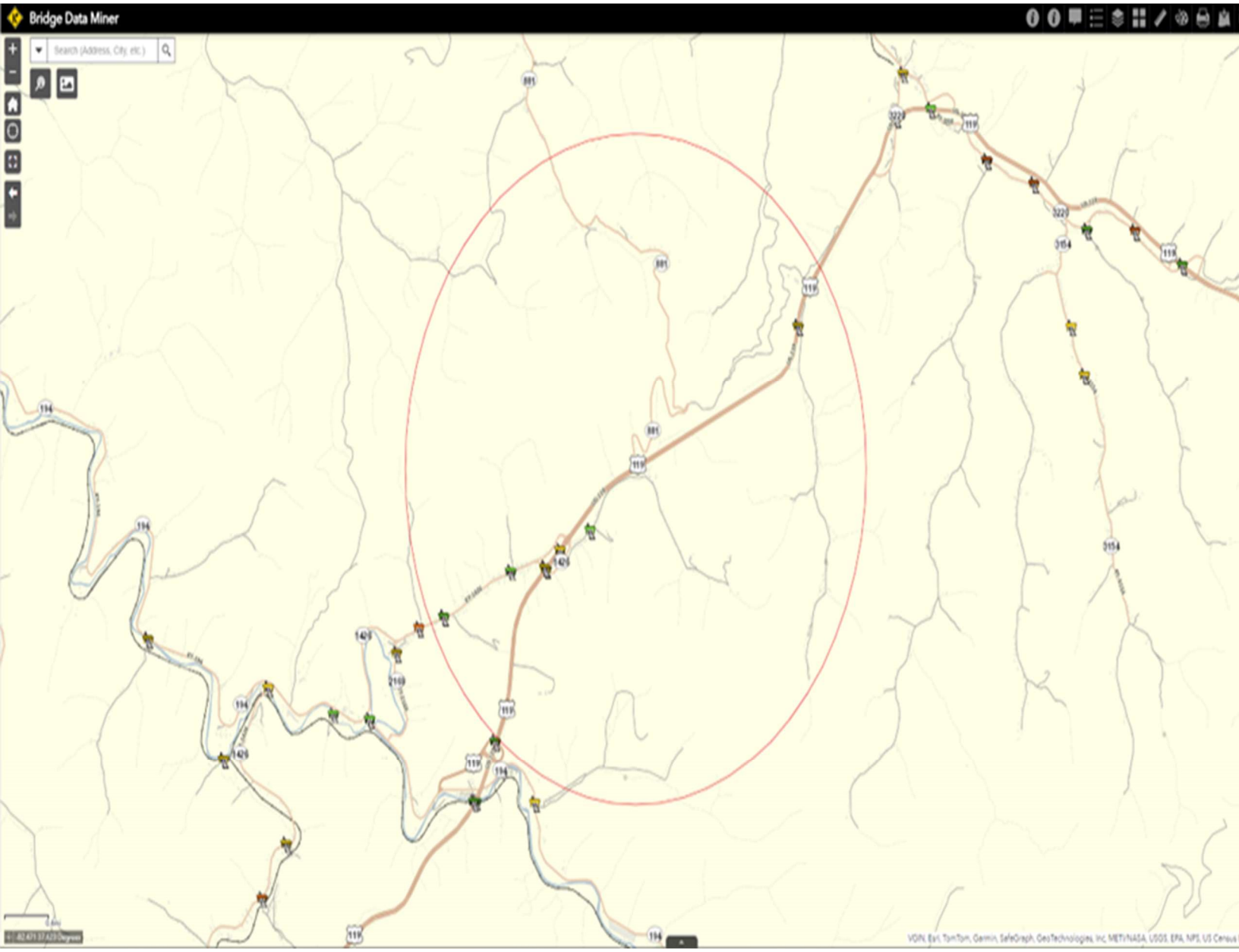
Response provided by Justin Ahn, ERM

42. Provide the estimated weight of the project's required substation transformer and the truck class necessary for its delivery.

RESPONSE: The exact transformer has not yet been determined. However, the expected weight of the transformer will be approximately 110,000 pounds but could be up to 200,000 pounds.

43. Identify any bridges within a two-mile radius along KY 881 (Brushy Road), KY 1426 (Bent Branch Road), and US 119. Provide a one-page map depicting the bridge(s), if any.

RESPONSE: The map below depicts the bridges within a two-mile radius from the intersection of KY 881 with US 119.



Response provided by Justin Ahn, ERM

44. Explain whether any oversize or overweight deliveries will require special permits from the Pike County Road Department of the Kentucky Department of Transportation.

RESPONSE: Yes, some oversize and/or overweight deliveries will require special permits from the Kentucky Transportation Cabinet and Pike County.

Response provided by Justin Ahn, ERM

45. Explain the plan for repairing Project-related damage to any roadways or bridges.

RESPONSE: The Project intends to enter into discussions with the County relative to appropriate road use and maintenance.

46. Explain whether any traffic stoppages will be necessary to accommodate large truck deliveries for the Project and/or for constructing the Project transmission line. If yes, provide the expected locations, frequency and length of those stoppages.

RESPONSE: This information is not yet available. Pike County Solar expects to provide this information at a later time during the separate forthcoming permitting process for the transmission line.

47. State the local roads that will be utilized for construction of the transmission line. For these roads, provide:

a. A description of current traffic and road conditions, including number of lanes, presence of shoulders and/or bridges, speed and weight limits;

b. Anticipated traffic impacts from transmission line construction activities, i.e., number of construction vehicle trips by type (passenger or delivery) per day, load weights, stoppages, delays, etc.; and

c. Any road or traffic mitigation measures that will be implemented before or after transmission line construction.

RESPONSE: This information is not yet available. Pike County Solar expects to provide this information at a later time during the separate forthcoming permitting process for the transmission line.

48. Provide any communication with the Pike County Airport regarding the project.

RESPONSE: No communication has yet occurred, but the Project intends to timely initiate same as notification will be required.

49. Provide any communication with the Federal Aviation Administration (FAA) or the Kentucky Airport Zoning Commission regarding the project.

RESPONSE: No communication has yet occurred, but the Project intends to timely initiate same as notification will be required.

50. Provide copies of any reports conducted by the FAA regarding the project.

RESPONSE: Not applicable as there are no reports conducted by the FAA.

51. Provide any geotechnical reports for the project.

RESPONSE: Geotechnical reports have not yet been completed, but will be done as is typical as part of the pre-construction process.

52. Refer to the SAR, Exhibit D, Acoustic Assessment Report. Explain the basis or methodology for the choice of the 21 noise sensitive area receptors included in the study.

RESPONSE: The 21 noise sensitive receptor areas ("NSAs") were chosen as representative locations that are the most proximate sensitive areas to anticipated noise generated from the Project, as determined by aerial imagery.

Response provided by Justin Ahn, ERM

53. Refer to the SAR, Exhibit D, Acoustic Assessment Report. Provide a map with the construction site outlined and all noise receptors within 1,500 feet of the project boundaries with ID labels. Also include whether the noise receptors are residences or other types of structures.

RESPONSE: An updated map has been provided as **Attachment G**, depicting the representative NSAs utilized in the Acoustic Assessment Report, categorizing them based on their distance within 1,500 feet of the Project Area, and an outline of the construction area.

Response provided by Justin Ahn, ERM

54. Provide a chart with the expected noise level during pile driving at each noise receptor within 1,500 feet of the project boundaries.

RESPONSE: A chart with maximum expected pile driving noise levels for each NSA is included within SAR, Exhibit D, Acoustic Assessment Report as Table 6.

Response provided by Justin Ahn, ERM

55. Explain any specific restrictions to be placed on the time of day or days of the week during which other loud construction activities, other than pile driving, may take place.

RESPONSE: No changes to the time of day or days of the week from the schedule proposed in the Application are anticipated because the proposed times and days are already intended to include restrictions appropriate for louder construction activities.

56. Detail any communications with members of the public, including neighboring landowners, regarding construction noise.

RESPONSE: Project representatives have not yet had communications with members of the public regarding construction noise except as covered in the public information meeting and recited in the Application, at Tab 3 and 6. The Project expects to provide all required advanced notices to neighboring landowners in connection with construction of the Project.

57. Provide the types of equipment used for construction of the transmission line and sound levels generated by this equipment at a distance of 50 feet.

RESPONSE: This information is not yet available. Pike County Solar expects to provide this information at a later time during the separate forthcoming permitting process for the transmission line.

58. State the number of residential structures that may have a view of any portion of the Project, including fencing, solar arrays, substation or other infrastructure.

RESPONSE: Fourteen.

Response provided by Justin Ahn, ERM

59. Provide a map of the residential structures that may have a view of any portion of the Project.

RESPONSE: A map with viewshed impact from the Project is included herewith as **Attachment H**.

Response provided by Justin Ahn, ERM

60. State the total number of residential structures that may have a view of one or more transmission line poles. State the number of those residential structures with which the Applicant has entered into a right-of-way agreement.

RESPONSE: This information is not yet available. Pike County Solar expects to provide this information at a later time during the separate forthcoming permitting process for the transmission line.

61. Most of the project lies within Public Hunting Areas. Describe whether any contact with the Kentucky Department of Fish and Wildlife Resources has occurred regarding these hunting areas and how the project will accommodate this.

RESPONSE: The Project has not yet contacted the Kentucky Department of Fish and Wildlife Resources but expects to do so as part of the pre-construction process.

62. Explain in detail all cemetery facilities that may be affected by the project.

RESPONSE: There are no expected effects to any cemetery in connection with the Project.

63. Explain whether access to Meta Baptist Church, Salem United Methodist Church, and other churches or religious facilities in the area will be restricted due to the delivery of project components, should delivery routes pass these facilities.

RESPONSE: No.

64. Explain whether Pike County Solar will conduct delivery activities during the service times of Meta Baptist Church, Salem United Methodist Church and other churches or religious facilities in the area, should delivery routes pass these facilities.

RESPONSE: No.

65. Provide any communications, or summary of conversations, with representatives of Johns Creek Elementary School. If no communication has occurred, explain when that will take place.

RESPONSE: Communications have occurred with Mr. Reed Adkins. A Project representative called in December 2023 to get approval to host the public information meeting there on January 10, 2024. The formal email request to Mr. Adkins has been provided as **Attachment I**.

66. Refer to the SAR, Exhibit G, Glare Analysis Study, Section 3. Explain how the four key observation points were chosen for the analysis. Explain why additional observation points were not included in the analysis.

RESPONSE: The observation points ("OPs") were chosen at the most likely areas at which the Project would have potential viewshed and glare issues for the surrounding areas/residents. OPs 1 and 2 were chosen as these areas would be the most susceptible to potential viewshed and glare issues based on topographic elevation and the proximity of the Project to Ford Mountain Road, a public road. OPs 3 and 4 were chosen as these locations contained residential structures that are adjacent to the Project Area. The remaining Project Area contained a topographic elevation difference between the Project and surrounding areas in which viewshed and glare issues are not anticipated, and therefore additional OPs were not included.

67. Refer to the SAR, Exhibit G, Glare Analysis Study, Table 1. Confirm that PV panels which may not be visible from certain observation points may still generate glare for those observation points. If confirmed, explain whether glare levels stated for the four included observation points would also describe glare at other locations around the Project site.

RESPONSE: The ForgeSolar tool predicts glare at the four viewpoints (OPs 1 through 4), flight path FP 2, and along Ford Mountain Road. However, the PV arrays causing potential glare predicted at OPs 3 and 4 would not be visible from these viewpoints due to topography and existing vegetation. Consequently, no glare would be observed at viewpoints OPs 3 and 4. The reason the ForgeSolar tool predicts glare at viewpoints from which PV arrays may not visible is because the tool does not consider the screening effects of topographic features and vegetation that are located between a viewpoint and a PV array. Views of PV arrays from other residences in the area are unlikely due to similar topographic and vegetation settings to the residences at OPs 3 and 4. The ForgeSolar tool assumes that a viewpoint has an unobstructed view of a PV array and cannot determine whether views of a PV array from a particular observation point may be blocked by topography, vegetation, or structures between the point and the array.

Response provided by Justin Ahn, ERM

68. Refer to the SAR, Exhibit G, Glare Analysis Study. State whether the Applicant will develop vegetative screening along Ford Mountain Road to reduce glare in that area and several related viewpoints.

RESPONSE: Development of vegetative screening is not planned in this area.

69. Refer to the SAR, Exhibit G, Glare Analysis Study. The study states that the "ForgeSolar tool does not, by default, consider the screening effects of vegetation, artificial structures, or topographic features between a PV array and sensitive receptors." The proposed site has

dramatic changes in elevation and topography. Explain if the geography of the site has a major impact on anticipated glare not considered by the ForgeSolar tool.

RESPONSE: Yes, the topography of this site has an impact on anticipated glare not considered by the ForgeSolar tool. As noted in the Glare Analysis Study, topographic features and existing vegetation would obstruct views of PV arrays from the residences at OPs 3 and 4 and from other residences in the Project vicinity, which are in similar topographic and vegetation settings. As a result, glare would not be observed from these residential areas.

Response provided by Justin Ahn, ERM

70. The study states, "the elevation of the site ranges from approximately 840 feet above mean sea level near Smith Fork to 1,600 feet at the highest hilltops." Given the steep topography of the area surrounding the structures on Smith Fork, and the previous use of the site as a coal mine, explain if surface runoff of potentially toxic pollutants into these areas, and/or other areas, during construction is a hazard, and if so, how Pike County Solar will mitigate that hazard.

RESPONSE: No surface runoff of potentially toxic pollutants is expected; however the Project nonetheless anticipated developing and following a Storm Water Pollution Protection Plan ("SWPPP").

71. If vegetative screening is anticipated, provide a detailed vegetative screening plan, including locations of proposed vegetation, types of vegetation, heights at planting plan for long-term maintenance.

RESPONSE: Not applicable.

72. State the number of years it will take for planted trees and scrub to reach mature height.

RESPONSE: Not applicable.

73. Provide a narrative description of any vegetative clearing that will occur across the project. Include the acreage and a list of any permits that will be required.

RESPONSE: The Project estimates approximately 385 acres of vegetation clearing for construction. The clearing is of any combination of trees, shrubs, and ground cover that has yet to

be verified to determine the exact amount of acreage of each type. This will be completed prior to construction. All required permits will be acquired prior to the start of construction, once the final construction plan is set and associated impacts are finalized. These could include Stormwater Permits and Wetland Permits.

74. Refer to the SAR, Exhibit G, Glare Analysis Study. State whether the Applicant will program the PV panels in such a way as to reduce glare in the area of Ford Mountain Road.

RESPONSE: Pike County Solar is not aware of any such adjustment that could be made; however, it will utilize panels with anti-reflective coating and continue during the pre-construction process to evaluate any options for reducing potential glare.

75. State whether the Project panels will be coated with an anti-reflective coating.

RESPONSE: Yes.

76. Refer to the Application Tab 3 and Tab 6 Public Notice Evidence and Public Involvement. Provide any documents that were presented to the community that were not included in Tab 3 or Tab 6.

RESPONSE: There are no additional documents.

77. Provide any written comments, or a summary of oral comments offered by the public or government agencies.

RESPONSE: After the public information meeting, the Project received several calls, including one after the Application was filed. No written comments have been received. After the public information meeting, the Project received comments from the Trivette family expressing concern the Project would be encroaching on their property. A Project representative connected with the Trivette family to clarify that the Project will only be using land leased for the Project and that the property boundary will be confirmed via survey before any construction begins. A comment from the Bevins family expressed concern about possible run-off from the existing mine site not being reclaimed, and a Project representative clarified that appropriate reclamation would be performed as part of the Project construction. Finally, the Project received two calls from landowners who thought the Project would incorporate their land, but once it was clarified that the Project would not utilize their properties, they expressed no issue with the Project. Since the filing of the Application, the Project received a call from Mr. Terry Young and met in person with him to discuss, and he has indicated he has no remaining concerns with the Project.

78. Explain any plans to coordinate with local landowners or others in case of complaints or other issues that might arise during the course of construction or operations.

RESPONSE: The Project will identify a point of contact for any such concerns, along with that person's contact information.

79. Provide a brief history of the previously used surface mine.

RESPONSE: Surface Mine Permit 8980883 was issued in 2011 for 589.24 acres in Bent Mountain Mine. The 8980883 Permit is currently revoked and awaiting reclamation. Surface Mine Permit 8980882 was issued on December 21, 2011 for 1,197.99 acres and is also currently revoked. No mining has occurred under either permit on the site since December 2019.

80. Confirm whether full reclamation of the prior surface mining site has been completed. If not confirmed, explain why and provide a timeline for completion.

RESPONSE: Reclamation has not been completed. The timeline for completion is expected to be 12-18 months.

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

RESPONSE: There are existing reclamation plans attached as **Attachment J**; however, the post-mining use in that plan does not contemplate the Project. The Project is working with the Energy and Environment Cabinet to change the post-mining use to Commercial/Industrial to permit the Project and to develop an appropriate and consistent reclamation plan.

82. Given the site was previously used as a surface mine, provide any steps Pike County Solar will take to remediate the site and make special preparations to minimize pollutant discharge. Explain how the Project will be designed to avoid impacts to Waters of the United States (WOTUS) delineated onsite.

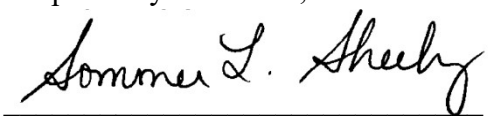
RESPONSE: The Project will utilize a SWPPP and Erosion and Sediment Control plan to enact measures to prevent erosion and pollutant discharge generated from the Project. Best management practices will be utilized including silt fencing, waddles, baffles, stormwater basins, and other methods of erosion and sediment control will be utilized during the construction of the Project. Additionally, confirmation regarding Waters of the United States ("WOTUS") will be acquired from USACE Louisville District. The Project will avoid impacts to WOTUS to the greatest extent practicable, and any impacts to WOTUS will be minimal and authorized through a Clean Water Act, Section 404 permit and Section 401 Water Quality Certification. Potential impacts to WOTUS will be minimized through Project design and best management practices will be enacted to prevent impact to adjacent WOTUS.

Response provided by Justin Ahn, ERM

83. Provide the Stormwater Pollution Prevention Plan (SWPPP) for the project.

RESPONSE: The SWPPP is a construction permit and will be obtained prior to construction.

Respectfully submitted,



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