

February 13, 2020

Ms. Tanowa Troupe, Secretary  
Ohio Power Siting Board  
Docketing Division  
180 East Broad Street, 11<sup>th</sup> Floor  
Columbus, Ohio 43215-3797

**Re: Case No. 18-1607-EL-BGN - In the Matter of the Application of Firelands Wind, LLC for a Certificate of Environmental Compatibility and Public Need to Construct a Wind-Powered Electric Generation Facility in Huron and Erie Counties, Ohio.**

**Response to Seventh Data Request from Staff of the Ohio Power Siting Board**

Dear Ms. Troupe:

Attached please find Firelands Wind, LLC's ("Applicant") response to the Seventh Data Request from the staff of the Ohio Power Siting Board ("OPSB Staff"). The Applicant provided this response to OPSB Staff on February 13, 2020.

We are available, at your convenience, to answer any questions you may have.

Respectfully submitted,

/s/ Christine M.T. Pirik  
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(Counsel is willing to accept service via email.)

**Attorneys for Firelands Wind, LLC**

Cc: Craig Butler  
Jonathan Pawley

Ms. Tanowa Troupe  
 Firelands Wind, LLC  
 Case No. 18-1607-EL-BGN  
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## CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to these cases. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the persons below this 13th day of February, 2020.

/s/ Christine M.T. Pirik

Christine M.T. Pirik (0029759)

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**BEFORE  
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Firelands Wind, )  
LLC for a Certificate of Environmental Compatibility )  
and Public Need to Construct a Wind-Powered ) Case No: 18-1607-EL-BGN  
Electric Generation Facility in Huron and Erie )  
Counties, Ohio. )

**FIRELANDS WIND, LLC'S RESPONSE TO THE  
SEVENTH DATA REQUEST  
FROM THE STAFF OF THE OHIO POWER SITING BOARD**

On January 31, 2019, as supplemented on March 18, 2019, April 11, 2019, July 10, 2019, and September 12, 2019, as revised on October 4, 2019, Firelands Wind, LLC (“Applicant”) filed an application (“Application”) with the Ohio Power Siting Board (“OPSB”) proposing to construct a wind-powered electric generation facility in Huron and Erie Counties, Ohio (“Project”).

On February 4, 6, and 10, 2020, the Staff of the OPSB (“OPSB Staff”) provided the Applicant with OPSB Staff’s Seventh Data Request. Now comes the Applicant providing the following responses to the Seventh Data Request from the OPSB Staff.

- 1. List of permits, approval, etc. listed in application. Update Status.**
  - a. Final Designs and Detailed Construction Drawings (page 17)**
  - b. Road Use Maintenance Agreement (page 39)**
  - c. Transportation Permits (page 44)**
  - d. ODOT Special Hauling Permits (page 45)**
  - e. Final Transportation Routing Plan (page 46)**
  - f. List of Required Permits to Install and Operate the Facility (page 50)**
  - g. Spill Prevention, Control, and Countermeasure (SPCC) Plan (page 52)**
  - h. SWP3 (page 53)**
  - i. Fire Protection, Safety, and Medical Emergency Plans (page 63)**
  - j. Preconstruction Background Sound Study (page 74)**
  - k. Preconstruction shadow flicker analysis (page 96)**
  - l. Impact to Landmarks and Mitigation Plans (page 206)**
  - m. Copies of Boring Logs (page 230)**
  - n. Blasting Plan (page 230)**

- o. Construction and Maintenance Access Plan (page 231)**
- p. Vegetation Management Plan (page 231)**
- q. Herbicide Use (page 233)**
- r. Post Construction Site Restoration (page 233)**
- s. Impact Avoidance Plan (page 236)**
- t. USFWS and ODNR Coordination (page 236)**
- u. Post Construction Avian and Bat Monitoring Plan (page 237)**
- v. Decommissioning Plan (page 240)**
- w. Revised Decommissioning Plan (page 240\_**
- x. Draft Complaint Resolution Plan (Exhibit M)**
- y. Bald Eagle Impact Minimization Plan (Exhibit U)**
- z. Other updates**

**Response:** The Applicant is in the process of finalizing the responses to this inquiry and will be providing the response to OPSB Staff as soon as it is complete.

**2. Is the Emerson Creek Wind project a qualified energy project?**

**Response:** At this time, the Emerson Creek Wind project is not a qualified energy project ("QEP") as defined in Ohio Revised Code Section 5727.75 and does not currently have a payment in lieu of taxes ("PILOT") exemption. However, the Applicant may re-apply for QEP certification to the Ohio Development Services Agency in the future.

**3. If not (a-d):**

- a. If not, does Firelands Wind intend to provide or facilitate training for fire and emergency responders for response to emergency situations related to the project and equip the fire and emergency responders with proper equipment as reasonably required to enable them to respond to such emergency situations?**

**Response:** The Applicant has communicated with and will coordinate with local fire and emergency responders to provide training through in-person meetings and through safety drills with emergency services where "mock" events are practiced. If additional equipment is reasonably required to enable fire and emergency responders to properly respond to emergency situations at the project as outlined in the Emergency Action Plan, Applicant will either supply the necessary funds or equipment to the local fire and emergency responders.

- b. Does Firelands Wind intend to hire a certain percentage of Ohio domiciled employees for construction?**

**Response:** The Applicant expects that a significant percentage of Ohio-domiciled workers will be employed for construction and is seeking to coordinate with local contractors to provide opportunities for local Ohio-domiciled workers. The General Contractor will have final say over subcontractors, but the Applicant

expects that a significant portion of the employment opportunities for this project will go to Ohio-domiciled workers. The Applicant has reached out locally to begin a list of local contractors interested in being involved in the construction process and that information will be shared with the General Contractor upon selection.

**c. Has or will an updated JEDI model study be conducted?**

**Response:** An updated JEDI model study will be conducted to reflect a non-PILOT scenario. The study will be provided to OPSB Staff when it is complete.

**d. What is the rate of taxation that Firelands will be subject to?**

**Response:** The rate of taxation will be the tangible personal property and real property tax rates at the facility locations.

Respectfully submitted,

/s/ Christine M.T. Pirik

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**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 18-1607-EL-BGN**

Summary: Notice of response to OPSB Staff's Seventh Data Request electronically filed by Christine M.T. Pirik on behalf of Firelands Wind, LLC