

From: [Puco ContactOPSB](#)
To: [Puco Docketing](#)
Subject: public comment and attachments for 20-1679
Date: Wednesday, April 7, 2021 3:51:19 PM
Attachments: [DCA Audubon letter 20210126.pdf](#)
[Pleasant Prairie Darby Creek Stakeholder Response 3.19.21 Reprint.pdf](#)
[20210407Comments on Pleasant Prairie Solar wetlands hydrology native vegetation.docx](#)

Subject: DCA/CA response on Pleasant Prairie Solar: Native Vegetation, Wetlands, Hydrology and Bird Impacts

April 7, 2021

Mr. Hreha:

Thank you for your March 19, 2021, response (received March 21) to the Darby Creek Association and Columbus Audubon letter of January 29 submitted by John Tetzloff (DCA) and Allison Boehler (CA) concerning the proposed Pleasant Prairie Solar facility. While we appreciate the response, we believe there is a significant need to address our points further and in more detail. Please see the attached response and note this is a partial response covering only Native Vegetation, Wetlands, Hydrology and Bird Impacts from Invenergy's 3/19/2019 response. Other DCA/CA responses on issues are in preparation. I have included the DCA/CA January 29, 2021, letter to Invenergy, and the March 19 response from Invenergy for convenience, and to be entered into the Ohio Power Siting Board record.

More responses on other topics are in preparation, such as, but not limited to, setbacks, transmission line impacts and wildlife-friendly fencing. Again, thank you for the response to DCA/CA's January 19, 2021, comments, and we trust that Invenergy will respond in a timely manner and address these and other concerns. As initially requested in the December 14, 2020, public meeting, we ask that Invenergy agree to regular virtual (and when the time comes due to pandemic health concerns, in-person) meetings with DCA/CA representatives. We feel that written correspondence that documents commitments and understanding of our requests is the best way to document responses and progress.

Sincerely,

AS

Anthony Sasson
Hilliard, Ohio
For the Darby Creek Association and Columbus Audubon



To: Josh Hreha, Project manager, Invenergy
From: Darby Creek Association and Columbus Audubon
Subject: Communication regarding proposed Pleasant Prairie Solar Project
Date: January 26, 2021

Dear Mr. Hreha:

During the conference calls of December 8 for the Big Darby Accord Advisory Panel and December 14 public meeting, you responded affirmatively to a request for an Invenergy commitment to working with local environmental organizations to address environmental concerns related to the proposed Pleasant Prairie Solar Project in Franklin County, adjacent to Battelle-Darby Metro Park and in the Big Darby Creek National and State Scenic River watershed. The Darby Creek Association (DCA) and Columbus Audubon are following up on that and requesting regular communications, meetings and a commitment to work through at least the following preliminary list of those concerns, with additions and follow-up as needed to address these concerns and others that might arise. Please note this is not a complete list.

Please note that we would like to have a continuing dialogue.

Our overarching concerns are the protection and enhancement of Big Darby Creek and tributaries; protection and enhancement of wildlife and native vegetation within and adjacent to the proposed facility; and avoiding and minimizing impacts to Battelle-Darby Metro Park.

DCA and Columbus Audubon concerns include the following:

- 1) **Wetlands:** The facility should ensure adequate protection of wetlands, starting with a complete and proper inventory and delineation of all wetlands, including temporary wetlands (Category I), and adequately protective buffers, adequate protection of wetland hydrology, preservation and enhancement of wetland wildlife, and connection to conservation land. We understand that as part of Clean Water Act obligations the facility will need to produce wetland identification, delineations and wetland scoring for the Army Corps of Engineers and Ohio EPA. We expect to have other protection points to follow. We expect that wetland impacts will be avoided to the greatest extent practicable, and that significant wetland enhancement might be possible, especially given the proximity to Battelle-Darby Metro Park.

- 2) **Stream buffers:** Protection of streams, including adequate buffers for both these and wetland habitats. We know that temperatures are increasing in Ohio, and we need to mitigate for this and ongoing climate changes impacts. For Foley Ditch, any other streams, and tributaries, we strongly encourage exceeding Ohio EPA general stormwater permit requirements for the Big Darby Creek watershed.
- 3) **Hydrology:** Protecting and improving stream hydrology, including encouraging and restoring the site's infiltration to groundwater to help mitigate climate change and restore downstream stream quality, significantly exceeding the required Ohio EPA stormwater permit and enhancement and preservation of the adjacent parkland's natural conditions. Encourage groundwater recharge to the maximum extent possible and avoid lowering the water table.
- 4) **Native vegetation:** Rather than the species list in the Ohio Pollinator Habitat Initiative, we encourage propagation of appropriate native vegetation, including the maximum use of local, appropriate, native plant species and avoidance of nonnative and/or invasive species. We encourage acquiring plants first from Ohio native plant sources, with local genotypes, to the maximum extent practicable. On a related issue, please explain how the facility will use the MetroParks' Vegetation Management Plan, and identify deviations.
- 5) **Bird impacts:** We understand the facility will have to address Endangered Species Act and Migratory Bird Treaty Act requirements. Beyond these, we expect the facility to address how it will avoid bird impacts, including at Battelle-Darby Metro Park and adjacent and nearby stopover/resting areas.
- 6) **Minimizing encroachment on Battelle-Darby Metro Park,** including adequate setbacks (exceeding minimum setbacks required by the Ohio Power Siting Board) and parcel crossings.
- 7) **Aesthetic impacts,** including those to the park and other neighbors through practices like adequate setbacks (and beyond those required by Ohio solar facility rules) and native plant perimeters and buffers (especially native species "hedgerows" as buffers). We encourage avoiding conifers that will conflict with the aesthetic of the region.
- 8) **Parkland conservation planning and trail connections:** Include planning with local parkland administrators concerning protected conservation land and corridors to present and future adjacent and nearby conservation areas. Assure public trails and trail connections from Battelle-Darby Metro Park to public conservation land to the east are included in facility planning. Work with Metro Parks and other stakeholders and consider future conservation land needs.
- 9) **Wildlife:** We request that fencing be wildlife-friendly and aesthetically appealing. The facility should avoid and/or minimize wildlife impacts from facility lighting.
- 10) **Transmission lines:** We request minimizing impacts of transmission lines on the proposed crossing of conservation land protected through the Clean Ohio Fund north of US 40. This land is owned by Prairie Township. Any lines should minimize stream crossings, the prevention of forest growth, the loss of protected conservation land and

the potential for reducing potential stream restorations of Hamilton Run and McCoy Ditch.

We know there are many OPSB, Clean Water Act, etc., requirements related to the above, although we are asking for additional efforts beyond minimum requirements. DCA and Columbus Audubon asks for continuous public engagement with Invenenergy, in order to adequately address these concerns. This would include regular communication and working meetings and be beyond that required by the Ohio Power Siting Board.

Thank you for your time and consideration. Please contact Anthony Sasson at 614-519-9291 to set up a meeting to discuss the above in more detail.

Sincerely,



John Tetzloff, President Darby Creek Association

614-288-0313

jtetzloff@aol.com



Allison Boehler, Columbus Audubon

614-403-9588

aboehler67@gmail.com



Darby Creek Association
Mr. John Tetzloff
President, Darby Creek Association

Columbus Audubon
Mrs. Allison Boehler

Mr. Tetzloff and Mrs. Boehler-

Thank you again for your letter regarding the proposed Pleasant Prairie Solar Project sited within/adjacent to the Big Darby Creek Watershed and MetroPark land. From an early development stage, the significance of this area from the perspective of core environmental stewardship and conservation tenets has been clear to Invenergy. Invenergy has positioned its initial project due diligence studies in a manner that allows for further coordination and alignment of the project with these tenets and the project team is looking forward to more coordination, collaboration, and input from the Darby Creek Association, Big Darby Creek Accord Advisory Panel, Columbus Audubon, and MetroParks.

One upcoming milestone for continued dialogue, would be Invenergy's Open House Event scheduled for April 9th, that Invenergy is working to finalize logistics for and send notice out to local stakeholders.

Please find the below initial responses to your letter, and we look forward to discussing further.

- 1) Wetlands: The facility should ensure adequate protection of wetlands, starting with a complete and proper Inventory and delineation of all wetlands, including temporary wetlands (Category I), and adequately protective buffers, adequate protection of wetland hydrology, preservation and enhancement of wetland wildlife, and connection to conservation land. We understand that as part of Clean Water Act obligations the facility will need to produce wetland identification, delineations and wetland scoring for the Army Corps of Engineers and Ohio EPA. We expect to have other protection points to follow. We expect that wetland impacts will be avoided to the greatest extent practicable, and that significant wetland enhancement might be possible, especially given the proximity to Battelle-Darby Metro Park.

Invenergy Response:

As part of our site evaluation, the Project team conducted a detailed survey of surface waters (wetland and waterbody delineations) within the Project Area in fall of 2020. This Report was provided as part of our Application to OPSB, see Exhibit C - part 5 of 25.

This report provides details on delineated features including their scoring on the ORAM or HHEI/QHEI assessment forms. A total of 15 wetlands and one pond were delineated during field surveys, for a total of 8.15 acres of wetlands within the Project Area. Eleven of these wetlands were categorized as emergent, three were categorized as forested, and one was categorized as shrub-scrub. One wetland (W-002) was categorized as potentially jurisdictional and scored as lower quality wetlands on the ORAM. No wetland crossings are proposed, and we anticipate no impacts to wetlands from the construction or operation of the Project based on our current design.

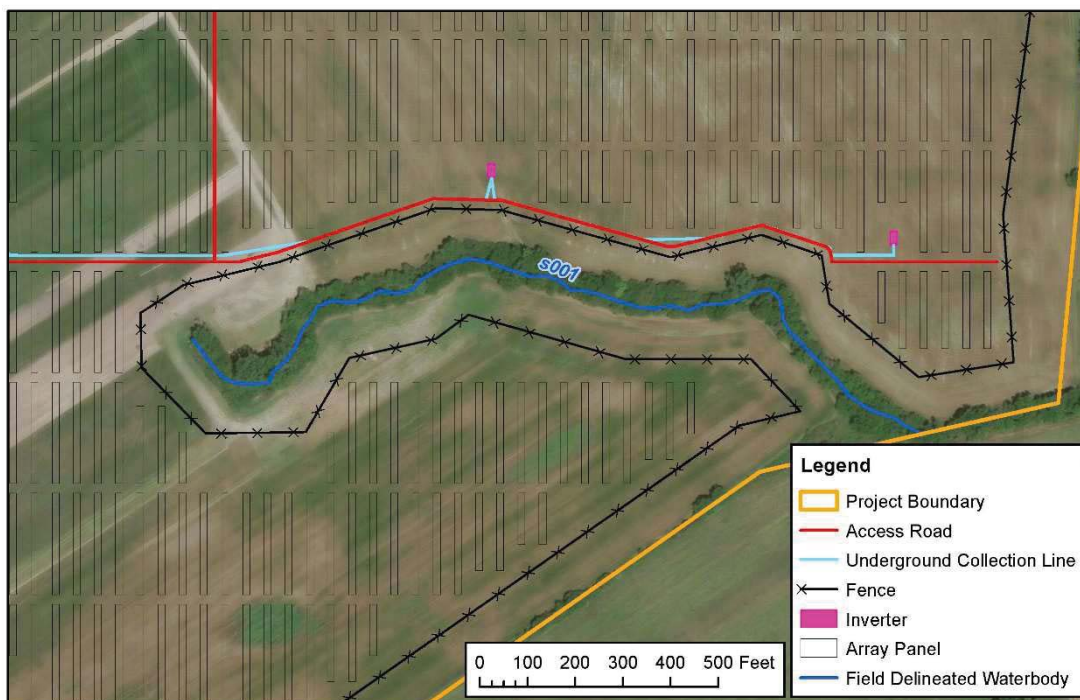
The Project has also developed a Landscape and Vegetation Management Plan (Exhibit E to the Certificate Application), that provides details on stabilization, and the planting of native, low-growing, herbaceous vegetation. This land cover will provide a greater diversity of species and will be maintained year-round, as opposed to seasonal disturbance of crop harvest, providing continuous ground covering and stabilization. This maintained ground cover will reduce runoff and sedimentation to local waterbodies in comparison to an agricultural field. As well as act as a vegetated buffer around the existing wetlands.

- Wetland Delineation:
<http://dis.puc.state.oh.us/TiffToPDF/A1001001A21B19B14842A02576.pdf>
- Landscape, Vegetation Management, and Lighting Plan:
<http://dis.puc.state.oh.us/TiffToPDF/A1001001A21B19B23047H02591.pdf>

- 2) Stream buffers: Protection of streams, including adequate buffers for both these and wetland habitats. We know that temperatures are increasing in Ohio, and we need to mitigate for this and ongoing climate changes impacts. For Foley Ditch, any other streams, and tributaries, we strongly encourage exceeding Ohio EPA general stormwater permit requirements for the Big Darby Creek watershed.

Invenergy Response:

As part of the surface water delineation, streams and ditches were identified and delineated within the Project Area. Only one stream was delineated (an unnamed tributary of Hellbranch) in the central west portion of the Project. The Project team anticipates no impacts to this stream from the construction or operation of the Project. The Project was sited to exclude this stream, keeping it and the vegetated buffer outside the project fence line with a setback of at least 100'. Project design does not extend beyond the current agricultural field, and the stream currently has a vegetated buffer that will not be disturbed.



During post-construction the Project will revegetate the entire area with native grasses and, in select areas (to be determined) a pollinator mix; this vegetative cover will be permanently maintained for the life of the Project (approximately 30 yrs) further reducing run off from the surrounding lands, in comparison to the current agricultural use.

These practices are used to reduce sediment movement and sedimentation during the construction phase. The Project SWPPP will incorporate the Big Darby Creek Total Maximum Daily Limit (TMDL) recommendations and

appropriate stream buffers to reduce sediment runoff. The Storm-water system will also be maintained for the life of the Project.

- 3) Hydrology: Protecting and improving stream hydrology, including encouraging and restoring the site's infiltration to groundwater to help mitigate climate change and restore downstream stream quality, significantly exceeding the required Ohio EPA stormwater permit and enhancement and preservation of the adjacent parkland's natural conditions. Encourage groundwater recharge to the maximum extent possible and avoid lowering the water table.

Invenergy Response:

The Project will maintain the current site hydrology including existing drain tile, surface features, and ground water infiltration. The Project is obligated to not increase but maintain or improve site hydrology. As mentioned above, during construction and operation the Project will follow the State General NPDES permit requirements including Appendix A: Big Darby Creek Watershed requirements; the County Engineer approved storm-water management plan; and sediment erosion control plan. Post-construction, per the NPDES permit requirements, the Project will continue to maintain the site stormwater features within the Project Area controlling site hydrology for the life of the Project. See Sections 2.3.2 and 4.5 in the Ecological Assessment (Exhibit R) of the OPSB Application for additional details on permits and hydrology.

Also as mentioned above the site will be stabilized with native vegetation. With permanent maintained vegetation within the site, we anticipate potential for greater ground water infiltration and less runoff in comparison to the current agricultural use. A reduction in runoff will likely support improved local water quality.

- Ecological Assessment Report:
<http://dis.puc.state.oh.us/TiffToPDf/A1001001A21B19B30336F02627.pdf>

- 4) Native vegetation: Rather than the species list in the Ohio Pollinator Habitat Initiative, we encourage propagation of appropriate native vegetation, including the maximum use of local, appropriate, native plant species and avoidance of nonnative and/or Invasive species. We encourage acquiring plants first from Ohio

native plant sources, with local genotypes, to the maximum extent practicable. On a related issue, please explain how the facility will use the MetroParks' Vegetation Management Plan, and identify deviations.

Invenergy Response:

The Project has crafted a detailed, preliminary vegetation management strategy (Exhibit E to the Certificate Application) which considered the OPHI scorecard information, MetroParks' Vegetation Management Plan, and early feedback from USFWS and ODNR. The plan relies on regionally appropriate plant species which will be compatible to those species present at MetroParks and establishes a plan to actively manage for invasive/undesirable plant species. The strategy will be refined to align with final Project design and seed availability, among other factors, and the Project will continue to coordinate with MetroParks and other appropriate stakeholders on the plan to ensure compatibility and value added to the project and surrounding area. Please let the Pleasant Prairie Solar Farm Project team know if there are specific personnel at MetroParks we can follow up on this item with further.

- Landscape, Vegetation Management, and Lighting Plan:
<http://dis.puc.state.oh.us/TiffToPDF/A1001001A21B19B23047H02591.pdf>

- 5) Bird impacts: We understand the facility will have to address Endangered Species Act and Migratory Bird Treaty Act requirements. Beyond these, we expect the facility to address how it will avoid bird impacts, including at Battelle-Darby Metro Park and adjacent and nearby stopover/resting areas.

Invenergy Response:

The Project has coordinated with the U.S. Fish and Wildlife Service (USFWS) and Ohio Department of Natural Resources (ODNR) as part of the site evaluation and design; see Appendix B & C in the Ecological Assessment in our OPSB Application (Exhibit R – parts 2 and 3). Both agencies determined the Project would not have an adverse impact on Endangered species or Migratory Birds. The Project is sited entirely within active agricultural land generally adjacent to park land, and will not encroach on habitats associated with the park. The Project fencing will not affect bird access to the Project area and the permanent

vegetation within the Project will provide greater diversity of plant species and provide year-round forage area for birds and other wildlife. Additionally, Project operation and maintenance activities will primarily be limited to the Project access roads further limiting the disturbance as compared to the current agricultural use. There is additional information on wildlife including birds in Section 4.1 of the Ecological Assessment in our Application (see Exhibit R).

- Ecological Assessment Report:

<http://dis.puc.state.oh.us/TiffToPDF/A1001001A21B19B30336F02627.pdf>

- 6) Minimizing encroachment on Battelle-Darby MetroPark, including adequate setbacks (exceeding minimum setbacks required by the Ohio Power Siting Board) and parcel crossings.

Invenergy Response:

The Project fence line is set back a minimum of 100 feet from the property boundary and is in the active agricultural area, the Project does not encroach outside the active agricultural fields, and there will be a vegetated buffer between the fence line and the property boundary. Therefore the Project will reduce the current encroachment on Battelle-Darby MetroPark. Further, the Project team is open and ready to discuss setbacks and landscape screening schemes or components with Metroparks and other adjacent neighbors to work to incorporate appropriate design input into the project. Please let the Pleasant Prairie Solar Farm Project team know if there are specific personnel at MetroParks we can follow up on this item with further.

- 7) Aesthetic impacts, Including those to the park and other neighbors through practices like adequate setbacks (and beyond those required by Ohio solar facility rules) and native plant perimeters and buffers (especially native species "hedgerows" as buffers). We encourage avoiding conifers that will conflict with the aesthetic of the region.

Invenergy Response:

The Project conducted a detailed Viewshed Analysis as part of the OPSB Application (See Exhibit J). This analysis, using the maximum height of the

panels and the current setbacks, determined where the Project is visible and potentially visually sensitive resources in and around the Project Area (up to 10 miles), as well as potential visual impacts resulting from the construction and operation of the Project. This report also included renderings of the Project, showing existing conditions, project components post-construction and Project 5-7 years post construction showing the vegetative screening. The Landscape and Vegetation Management Plan (Exhibit E of the OPSB Application) shows details on the proposed vegetation that will be utilized for perimeter and buffers. The Project is committed to using native plantings throughout the Project. Please let the Pleasant Prairie Solar Farm Project team know if there are specific adjacent or nearby stakeholders we can follow up on this item with further to coordinate on items such as, but not limited to: setbacks, and landscape screening, and other design input.

In addition to the Viewshed analysis, prior to starting Cultural Resource Surveys—which involve historic structures and architecture, a work plan was submitted to the Ohio SHPO for review and approval. The approved work plan was then followed for archaeological and architectural investigations. The Architectural report was submitted to both the OPSB and OH SHPO for review as part of our application (Exhibit H of the OPSB Application).

Prior to construction and based on results from SHPO's review, a Memorandum of Understanding (MOU) will be developed that will further codify commitments to avoid or screen resources as appropriate.

- Viewshed Report
<http://dis.puc.state.oh.us/TiffToPDF/A1001001A21B19B23945D02603.pdf>
- Historic Cultural Resources Report
<http://dis.puc.state.oh.us/TiffToPDF/A1001001A21B19B23325A02595.pdf>

- 8) Parkland conservation planning and trail connections: Include planning with local parkland administrators concerning protected conservation land and corridors to present and future adjacent and nearby conservation areas. Assure public trails and trail connections from Battelle-Darby Metro Park to public conservation land to the east are included in facility planning. Work with Metro Parks and other stakeholders and consider future conservation land needs.

Invenergy Response:

The proposed Project is being developed exclusively on private property and will not impact any existing public trails. The Project is setback a minimum 100 feet from project property boundaries and would not encroach or bisect any existing public trails or access to the Metropark. Please let the Pleasant Prairie Solar Farm Project team know if there are specific personnel at MetroParks we can follow up on this item with further.

- 9) Wildlife: We request that fencing be wildlife-friendly and aesthetically appealing. The facility should avoid and/or minimize wildlife impacts from facility lighting.

Invenergy Response:

The fence is a safety and security feature and since there is energized equipment within the fence the NEC code requires the Project use and maintain such safety fencing around the perimeter to prevent unauthorized access. The Project team will evaluate different types of fencing options including 'deer fence' for use around applicable Project infrastructure.

Additionally, the Project fenced area is broken down into smaller groups and only encompasses project infrastructure not wooded areas or other areas outside the predominantly agricultural fields being utilized. We anticipate minor to no impacts to wildlife, as any wildlife displaced from the fenced area (currently predominately agricultural fields) are not habitat limited in the area as there are adequate equivalent habitat adjacent to the Project Area. Additionally, permanent ground vegetation within the fenced areas will potentially increase forage habitat for certain species including small mammals, insects, and certain bird species.

Per the Project's conceptual lighting plans found within Exhibit E of the Application, lighting is proposed to be limited to access and safety areas near the project substation and will be motion activated and downlit.

- Landscape, Vegetation Management, and Lighting Plan:
<http://dis.puc.state.oh.us/TiffToPDF/A1001001A21B19B23047H02591.pdf>



10) Transmission lines: We request minimizing impacts of transmission lines on the proposed crossing of conservation land protected through the Clean Ohio Fund north of US 40. This land is owned by Prairie Township. Any lines should minimize stream crossings, the prevention of forest growth, the loss of protected conservation land and the potential for reducing potential stream restorations of Hamilton Run and McCoy Ditch.

Invenergy Response:

The Project has not finalized the conceptual transmission line design, and is still evaluating structure placement and spans within various transmission routes. However, the Project team had a meeting with the Ohio EPA on this topic on 12/29/2020 to discuss conservation easements in the area. The Project is committed to avoiding placing structures in FEMA flood zones and within conservation easements to avoid impacts in and around these sensitive areas. As mentioned previously, the Project will be required to abide by the State NPDES general permit including Appendix A additional Big Darby Creek Watershed requirements. Once the transmission line design is completed Pleasant Prairie will share this information with Metroparks and other Project stakeholders and would be happy to discuss any concerns.

Invenergy is looking forward further engaging on these topics, the environmental and economic benefits of the proposed project, and other design elements with you and other local stakeholders. Please contact me directly with any further questions.

Regards,
The Invenergy Pleasant Prairie Solar Energy Team
Josh Hreha- Lead Developer
jhreha@invenergy.com
773-808-2145

Response to Comments on Pleasant Prairie Solar: Native Vegetation, Wetlands, Hydrology and Bird Impacts

From Darby Creek Association and Columbus Audubon

April 7, 2021

Josh Hreha- Lead Developer

The Invenergy Pleasant Prairie Solar Energy Team

jhreha@invenergy.com

cc: info@invenergy.com, jftetzloff@aol.com, aboehler67@gmail.com, moloney@metroparks.net, kasnyik@metroparks.net, contactOPSB@puco.ohio.gov, matthew.butler@puco.ohio.gov

Mr. Hreha:

Thank you for your March 19, 2021, response (received March 21) to the Darby Creek Association and Columbus Audubon letter of January 29 submitted by John Tetzloff (DCA) and Allison Boehler (CA) concerning the proposed Pleasant Prairie Solar facility. While we appreciate the response, we believe there is a significant need to address our points further and in more detail. Please note this is a partial response covering only Native Vegetation, Wetlands, Hydrology and Bird Impacts from Invenergy's 3/19/2019 response. Other DCA/CA responses on issues such as setbacks and wildlife-friendly fencing are in preparation.

We appreciate the recognition of a goal of compliance with Ohio Power Siting Board and other rules. However, as your letter referred to, i.e., "the significance of the area," there is much more to address and we will work toward seeking commitments in any design that reflects the special setting of this proposal. We are seeking a commitment to a "greener" solar facility that is beyond compliance and recognizes the local and State of Ohio 50-year+ effort that has gone into protecting and enhancing this outstanding environment – beyond compliance with statewide environmental rules.

We have the following further questions and comments in partial response to Invenergy's 3/19/21 letter. Please note our comments do not constitute support for the proposed facility, but we recognize that if the facility is permitted ("receives a certificate") by the Ohio Power Siting Board, it should be of the highest quality reflecting the outstanding features of Big Darby Creek and the watershed (e.g., National and State Scenic River, Exceptional Warmwater Habitat, Outstanding State Waters, 37 listed recorded species of fish and mussels, the largest public park in central Ohio, extensive restored prairie, and over 1.3 million Battelle-Darby Metro Park visits in 2020), well-appreciated with over 60 years of extensive conservation efforts, during which well over \$100 million (present dollars) was invested in conservation by local, state and federal governments and nongovernmental organizations. With this in mind, any adjacent or nearby project warrants measures that are well beyond compliance.

We note that Invenergy in Part 1 of its application to OPSB of 2/19/2021

(<http://dis.puc.state.oh.us/TiffToPDF/A1001001A21B19B13735D02568.pdf> page 26), under "(3) Number and types of comments received" did not mention the comments on environmental concerns provided by DCA/CA in our January 29 letter to Invenergy. Part 1 also made very limited mention of the proximity to Battelle-Darby Metro Park and the potential impacts on this outstanding adjacent feature.

Native Vegetation

Invenergy 3/19/21 (received 3/21/2021) response to DCA/CA email of 1/29/2021:

“The plan relies on regionally appropriate plant species which will be compatible to those species present at metro parks and establishes a plan to actively manage for invasive/undesirable plant species.”

We encourage Invenergy to consult the list of prairie species that would be appropriate for the area: <https://ohioplants.org/darby-plains-prairie-plants/>

The list with notes can be downloaded as an excel spreadsheet here: <https://ohioplants.org/wp-content/uploads/2021/03/DarbyPrairiePlants.zip>

This list is a compilation from multiple references featuring vascular plants native to the Darby Plains of west-central Ohio. That includes the area of the proposed facility. The list’s focus is on prairie species, and on those found in associated wetlands within the Darby Plains. Alien species, and other plant species that might be native to Ohio but not the Darby Plains, are not included.

Concerning prairie species cultivation, “Metro Parks” in red on the Excel spreadsheet version of this list means this prairie species is harvested by Metro Parks for planting in prairie restoration areas of the parks, as of 2021 per Andrew Boose of Metro Parks. We encourage planting of these species, and not others (especially avoiding any not on this list), to be the focus of any plantings at the facility. We encourage Invenergy to contact Metro Parks Natural Resource Management staff immediately about any vegetation planting.

We will provide further comment on the proposed facility’s vegetation, such as buffer plantings (e.g. evergreen species), at a later time.

Wetlands

Invenergy 3/19/21 (received 3/21/2021) response to DCA/CA email of 1/29/2021:

“As part of our site evaluation, the Project team conducted a detailed survey of surface waters (wetland and waterbody delineations) within the Project Area in fall of 2020. This Report was provided as part of our Application to OPSB, see Exhibit C - part 5 of 25.

This report provides details on delineated features including their scoring on the ORAM or HHEI/QHEI assessment forms. A total of 15 wetlands and one pond were delineated during field surveys, for a total of 8.15 acres of wetlands within the Project Area. Eleven of these wetlands were categorized as emergent, three were categorized as forested, and one was categorized as shrub-scrub. One wetland (W-002) was categorized as potentially jurisdictional and scored as lower quality wetlands on the ORAM. No wetland crossings are proposed, and we anticipate no impacts to wetlands from the construction or operation of the Project based on our current design.”

After a relatively brief review of the wetland delineation report, we have the following comments and requests. The site and links for the delineation report were not available when we were drafting this email so we did not have access to individual data forms to reference.

1. Sampling was in late September/early October, normally a very dry time of year in central Ohio, and could miss seasonal wetland features. Many of the hydrology indicators seemed to be relied on are related to saturation, which could have been more prominent at other times of the growing season. Without photos it is not possible to judge the conditions at the time of the survey, but we assume it was dry, and we can't see vegetation.
2. The ~8 acres identified as wetland seems low, and this might be attributable at least in part to the time of year cited above. For example, the National Wetland Inventory identifies more than this in the northern portion of the study area, within ~0.2 miles south of the Darby Dan Farm airstrip and within ~0.7 miles of Darby Creek Drive. This area has about 18 acres identified in the National Wetlands Inventory (<https://www.fws.gov/wetlands/data/mapper.html>).
3. The sample points not being on the maps was a challenge in reviewing the inventory.
4. None of the forms indicate the corresponding wetland (if present) or paired upland point. This could be mitigated by displaying the sample points on the ecological resource mapping.
5. A few of the wetland data forms appear incomplete with vegetative communities missing and/or lack information as to why it was blank.
6. Additional site photos showing representative wetland and upland plots would help clarify questions on forms and for ORAM verification.
7. Secondary indicators of hydrology such as Saturation Visible on Aerial Imagery are absent from some of the spot checked forms, but clearly visible when the coordinates are entered on aerial imagery review.
8. Many of the soil profiles terminated at 16", with no restrictive layer noted. But there are depletions at 12". These appear to be often at 0-12" and 12-16". Some of these plots have vegetation, and saturation appears on the aerial imagery, with facultative neutral checked. These might be on the edge of a wetland classification and warrant more rigorous evidence to indicate whether or not wetland conditions exist.
9. Stream drawings were absent from the previously available delineation report.
10. Some of the facility's area has been sowed as a sod farm in recent years. We are concerned this might make these wetland areas more difficult to identify and less clearly discernable. As noted concerning hydrology below, we are concerned that sod farming might have made the land less pervious, and therefore result in less groundwater recharge, negatively affecting stormwater runoff.

Again referring to the National Wetland Inventory mapping for the northern portion of the study area, within ~0.2 miles south of the Darby Dan Farm airstrip and within ~0.7 miles of Darby Creek Drive, this area has four wetland polygons shown (<https://www.fws.gov/wetlands/data/mapper.html>). These are identified as Freshwater Emergent Wetlands or Freshwater Forested/Shrub Wetland - PSS1C, PFO1C, PEM1F and PEM1A wetlands, to be specific. These are very unusual wetlands for this area and central Ohio. They appear to be glacial depressions that are relatively deep, and deep enough to have persisted regardless of extensive agricultural drainage around them. These should be preserved with buffers well beyond that recommended in Ohio's Rainwater and Land Development Manual, and the hydrology of these should be determined so that it perpetuates these wetlands as high quality, preferably Category 3. It is possible, because of the artificial drainage, that these wetlands were considerably larger in the past. These wetlands should be generously protected by buffers that ensure their plants and animals flourish

and improve beyond their current condition of poor buffer area and unknown hydrology. They also are critical because of their proximity to Battelle-Darby Metro Park wetlands and species, such as (but not limited to) salamanders, known to inhabit the area.

Hydrology

Invenergy 3/19/21 (received 3/21/2021) response to DCA/CA email of 1/29/2021:

“The Project will maintain the current site hydrology including existing drain tile, surface features, and ground water infiltration. The Project is obligated to not increase but maintain or improve site hydrology.”

We are not clear on what “increase ... hydrology” means, but we strongly encourage response to the Big Darby stormwater permit (Ohio EPA Permit No. OHC000005, Appendix A), which would significantly exceed the required level of groundwater recharge required by that permit, which is specific to the Big Darby Creek watershed, and an indication of the importance of that watershed to the State of Ohio.

Also, please note that we are especially concerned about Invenergy negatively affecting Metro Parks’ adjacent wetlands and other adjacent parkland. Specifically this would involve hydrology, as in (1) tile and surface drainage and (2) how Invenergy would meet the groundwater recharge requirements of the Big Darby Creek watershed stormwater permit as it affects the parkland, and especially any wetlands.

Also, please note that hydrologic modification is one the main stresses on stream quality in Ohio as summarized by Ohio EPA in their 2020 Integrated Report (<https://epa.ohio.gov/dsw/tmdl/OhioIntegratedReport#123145265-2020>), as well as in the latest Big Darby Creek watershed monitoring report (Ohio EPA 2018. Biological and Water Quality Study of the Big Darby Creek Watershed, 2014. Logan, Champaign, Union, Madison, Franklin, and Pickaway Counties, Ohio. EAS/2015-06-04 http://epa.ohio.gov/Portals/35/documents/BigDarby_2014_BWQR_Final.pdf. For examples, see page 140: “Due to storm water runoff (suburban and agricultural), Hellbranch Run hydrology has become flashy with resultant erosion, increasing siltation, and embedding substrates, all to the detriment of mussels.” These are off-site impacts created by altered hydrology. Restoring the site’s artificial drainage to the level of tiled and surface-drained agriculture on row cropped land on Class D soils (the required goal of the Big Darby stormwater permit) can still negatively impact stream quality through altered hydrology, and therefore we are asking that the groundwater recharge significantly exceed the Big Darby Creek watershed stormwater permit requirements.

Bird impacts

Because of the unique landscape position (within greater Columbus, but on agricultural land adjacent to high quality wetland and forested habitat), we believe it is appropriate to include a proper assessment of site and local-level species utilization and not a reliance on broader spatial scale surveys (i.e., BBS, CBC). Impacts of wetland breeding species are the obvious concern, but stopover impacts need to be critically assessed. That is hard to do through mining breeding/wintering bird citizen science data or with a single site visit in October.

We feel it is appropriate and entirely necessary to extensively consult Metro Parks on bird habitat, records and occurrences and related concerns, given they are adjacent property managers with professional expertise in this topic and immediate geographic area. Metro Parks are the experts on this area, with decades of knowledge and bird occurrence information. The area also is well-known to central Ohio birders, and has extensive use for birding, and there is frequent occurrence documentation of the area by birders, such as documented in e-Bird. We do not know of extensive communication where Invenenergy has engaged Metro Parks in-depth about such information. We note, for example, that Metro Parks sources are not included in Section 2.1 Existing Information from Available Public Sources of the Site Characterization Study Report dated January 2021.

More responses on other topics are in preparation. Again, thank you for the response to DCA/CA's January 19, 2021, comments, and we trust that Invenenergy will respond in a timely manner and address these and other concerns. As initially requested in the December 14, 2020, public meeting, we ask that Invenenergy agree to regular virtual (and when the time comes due to pandemic health concerns, in-person) meetings with DCA/CA representatives. We feel that written correspondence that documents commitments and understanding of our requests is the best way to document responses and progress.

Sincerely,

AS

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Summary: Public Comment of Anthony Sasson, on behalf of the Darby Creek Association and Columbus Audubon, via website, electronically filed by Docketing Staff on behalf of Docketing