

MEMORANDUM OF UNDERSTANDING BETWEEN
THE OHIO HISTORY CONNECTION AND AEUG UNION SOLAR, LLC
REGARDING THE UNION SOLAR PROJECT IN UNION COUNTY, OHIO

WHEREAS, AEUG Union Solar, LLC (“AUS”) requires a Certificate of Environmental Compatibility and Public Need (“Certificate”) from the Ohio Power Siting Board (“Board”) to construct and operate the Union Solar Project, an approximately 325 MW solar-powered electric generating facility to be located in Washington and York Townships, Union County, Ohio (“Project”); and

WHEREAS, the Board, as specified under the Ohio Administrative Code (“OAC”) Chapter 4906, requires AUS to identify cultural and archaeological resources and to evaluate the impacts of the Project on these resources in consultation with the Ohio History Connection (“OHC”), which serves as the State Historic Preservation Office; and

WHEREAS, AUS has completed the archaeological and above ground historical resources surveys (collectively “Surveys”) to the satisfaction of the OHC; and

WHEREAS the OHC has reviewed the Survey reports and has provided comments, as presented in **Exhibit A**; and

WHEREAS, the OHC concurred that implementation of the Avoidance Plan (Appendix G of the Survey Report) presented herein as **Exhibit B** would result in no effect to seven archaeological resources (33UN686, 33UN690, 33UN696, 33UN722, 33UN726, 33UN853, 33UN854) impacted by the Project layout and recommended for Phase II testing or avoidance; and

WHEREAS, the OHC determined the farmstead at 19940 Cunningham Arbela Road, Mount Victory, Ohio [Ohio Historic Inventory (“OHI”) Ref. No. UNI0061201] is eligible for listing in the National Register of Historic Places (“NRHP”) under Criteria A and C; and

WHEREAS, the OHC determined the Project would have an indirect adverse effect on above ground historical resource OHI Ref No. UNI0061201 due to potential visual impacts; and

WHEREAS, a Treatment Plan was developed to mitigate potential views of the Project from the foregoing above ground historical resource (OHI Ref No. UNI0061201), as presented in **Exhibit C**; and

WHEREAS, potential consulting parties and stakeholders were identified and contacted by AUS, as presented in **Exhibit C – Attachment II**; and

WHEREAS, no comments or suggestions on the Treatment Plan were received from potential consulting parties and stakeholders; and

NOW, THEREFORE, the OHC and AUS agree that the Project shall be implemented in accordance with the following Stipulations in order to mitigate the effect of the Project on above ground historical resource OHI Ref. No. UNI0061201.

STIPULATIONS

AUS will ensure the following:

I. MITIGATION OF ADVERSE EFFECTS

AUS shall maintain the Treeline at location 5 on AUS controlled property as depicted in the Treatment Plan (Exhibit C) for the life of the facility.

II. AMENDMENTS

This MOU may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy is signed by all of the signatories.

III. TERMINATION

If any signatory to this MOU determines that its terms will not or cannot be carried out, that party shall promptly consult with the other parties to attempt to develop an amendment per **II. AMENDMENTS** above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, the signatories will arbitrate through a mutually acceptable, non-signatory third party.

IV. DURATION

This MOU is effective until such time as the Certificate issued by the Board to AUS or any subsequent transferee expires, or the Project is decommissioned.

V. POST-REVIEW DISCOVERIES

In the event that AUS discovers a previously unidentified site within the APE that may be eligible for listing in the NRHP that would be affected by the Project, AUS shall promptly stop work in the immediate area and notify the OHC within 48 hours of the discovery.

If AUS and the OHC concur that the discovered resource is eligible for listing in the NRHP, AUS will consult with OHC to identify and evaluate measures that will avoid, minimize, or mitigate any adverse effects. Upon agreement regarding such measures, AUS shall implement the actions and notify the Board of its action.

If AUS and OHC cannot reach agreement regarding the eligibility of a post-review discovery, the matter will be referred to the Board for review. If the Board determines that any post review discoveries are eligible, and if AUS and the OHC cannot reach agreement on measures to avoid, minimize, or mitigate adverse effects, the matter shall be referred to the Board for appropriate action.

If AUS discovers any human or burial remains during implementation of the project, AUS shall cease work in the immediate area, notify the OHC and Board, and adhere to applicable State and Federal laws regarding the treatment of human or burial remains.

VI. EXECUTION IN COUNTERPARTS

This MOU may be executed in counterparts, with a separate page for each signatory, each of which shall constitute an original, and all of which shall constitute one and the same agreement. Each party will be provided a fully executed copy. Execution of this MOU by the OHC and AUS, and implementation of its terms, is deemed to satisfy the requirement of Stipulation and Condition (11) of the Certificate.

Ohio History Connection
State Historic Preservation Office

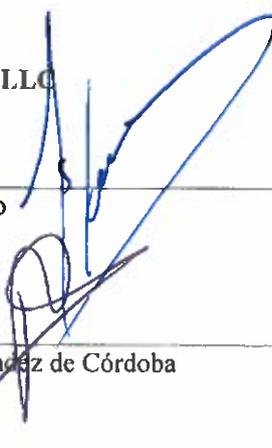
11/10/2021

Diana Welling, Department Head &
Deputy State Historic Preservation Officer for
Resource Protection & Review

Date

Contact:
800 East 17th Avenue
Columbus, OH 43215
614-298-2000
dwelling@ohiohistory.org

AEUG Union Solar, LLC


Basilio Guerrero Iñigo
Authorized Signatory

11/05/2021
Date

Rafael Esteban Fernández de Córdoba
Authorized Signatory

11/05/2021
Date

Contact:
AEUG Union Solar, LLC
55 E Monroe Street, Suite 1925
Chicago, IL 60603
312-497-0658
tstoddard@acciona.com

Exhibit A: OHC Comments on Surveys



In refer to
2020-LOG-48327-11

May 11, 2021

James T. Marine
Tetra Tech, Inc.
661 Andersen Drive, Suite 200
Pittsburgh, PA 15220

Dear Mr. Marine:

RE: Union Solar Project, Logan and Union Counties, Ohio.

This is in response to the receipt, on April 27, 2021, of *Phase I Archaeological Survey Union Solar Project, York and Washington Township, Union County, Ohio*. The comments of the Ohio Historic Preservation Office are submitted in accordance with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended.

The Union Solar Energy project will be developed on a 2,652 acre parcel in Logan and Union Counties, Ohio. Subsurface testing, surface collection and intensive visual inspection of the project area resulted in the identification of 211 previously unrecorded archaeological sites (33UN678-843 and 33UN859-855) and the re-identification of sites 33UN178-180. The majority of these sites are small lithic/historic artifact scatters or isolated finds typical of short-term occupations and are not likely to yield additional information about Ohio prehistory or history. Sites 33UN686, 33UN690, 33UN699, 33UN700, 33UN701, 33UN722, 33UN726, 33UN853, 33UN854 and 33UN735 are recommended for additional testing or avoidance. This office concurs with this finding.

The current submission (Appendix G) documents that the sites recommended for additional testing will be avoided during and after the solar project construction. Please provide this information in any Agreement Document that may be produced to account for possible Adverse Effects of this undertaking on historic properties.

Please be advised that this is a Section 106 decision. This review decision may not extend to other SHPO programs. If you have any questions, please contact me at (614) 298-2000, or by email at nyoung@ohiohistory.org. Please note the Ohio SHPO now accepts electronic-only submissions for state and/or federal review under Section 106 and ORC 149.53. Please send your submissions to section106@ohiohistory.org. We have also updated our [Survey Report Submission Standards](#).

Sincerely,

A handwritten signature in blue ink that reads "Nathan J. Young". The signature is written in a cursive style.

Nathan J. Young, Project Reviews Manager
Resource Protection and Review

800 E. 17th Ave., Columbus, OH 43211-2474 • 614.297.2300 • ohiohistory.org



In reply, please refer to:
2020-LOG-48327

April 7, 2021

Hannah Dye
Tetra Tech
661 Anderson Drive
Foster Plaza
Pittsburgh, PA 15220

RE: Union Solar Project – Revised History Architecture Reconnaissance Survey
Washington and York Townships, Union County, Ohio

Dear Ms. Dye:

This letter is in response to correspondence received on March 9, 2021. The comments of the Ohio State Historic Preservation Office (SHPO) are made pursuant to Section 149.53 of the Ohio Revised Code and the Ohio Power Siting Board rules for siting this project (OAC 4906-4). The comments of the Ohio SHPO are also submitted in accordance with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C.470 [36 CFR 800]).

The following comments pertain to the *History Architecture Reconnaissance Survey for the Union Solar Project, Washington and York Townships, Union County, Ohio* (Tetra Tech, 2021), revised based on comments provided by the SHPO office on March 2, 2021. In the report, 4 out of 296 properties newly surveyed were recommended as eligible for listing in the National Register of Historic Places under Criterion C. Of the 11 previously surveyed properties, 5 were found to be no longer extant, and the other 6 were recommended as not eligible. Out of the 4 eligible properties, all were recommended as not having an adverse effect from the proposed project. The SHPO agrees with these recommendations, except for the affect finding for the property located at 19940 Cunningham Arbela Road (OHI #UNI0061201). It is the opinion of the SHPO that this property is eligible under Criteria A and C. Due to the proximity of the farmstead to the proposed solar facility (approximately a half-mile), we feel the project will adversely affect the historic resource by altering its setting.

If no alternative locations can be found to move the solar facility further away from the resource, the applicant and the SHPO need to agree on appropriate mitigation for the construction of the solar facility. The process used to reach this decision and the mitigation will be memorialized in a Memorandum of Understanding. We recommend that you identify and contact interested consulting parties (i.e., Logan County Historical Society, etc.) so that they may provide comments on options to avoid, minimize, or mitigate the adverse effect.

Union Solar H/A Survey
April 7, 2021
Page 2

Please note that this determination of effects is for above ground resources only. The archaeological component of the project is being coordinated separately. Our office looks forward to additional coordination with Tetra Tech and AEUG Union Solar, LLC. for the Union Solar Project.

If you have any questions, please contact me at kkoehlinger@ohiohistory.org or (614) 298-2000. Thank you for your cooperation.

Sincerely,



Diana Welling, Department Head & Deputy State Historic Preservation Officer for
Resource Protection and Review

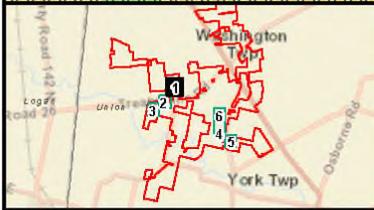
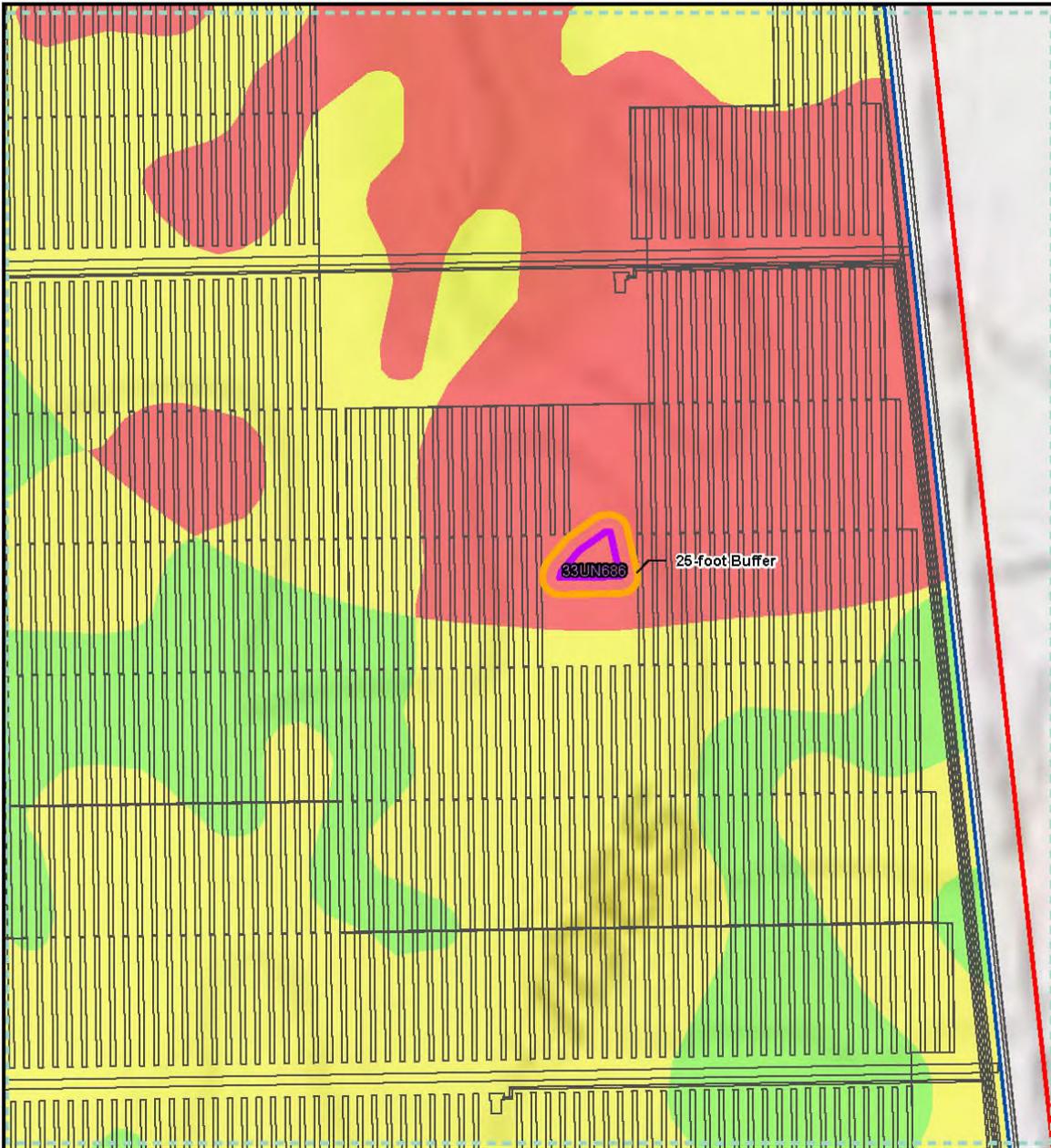
"Please be advised that this is a Section 106 decision. This review decision may not extend to other SHPO programs."

RPR Serial No: 1087704

OHIO HISTORY CONNECTION

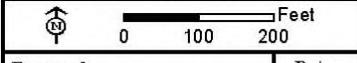
800 E. 17th Ave., Columbus, OH 43211-2474 • 614.297.2300 • ohiohistory.org

Exhibit B: Avoidance Plan for Archaeological Resources



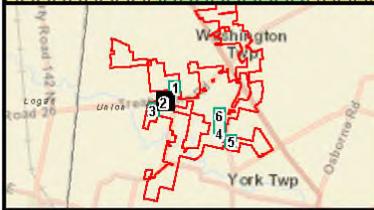
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	Prehistoric Archaeological Site
	Orange Construction Fencing
	Leased Project Area
	Direct APE/ Study Area
	Sheet Boundary
Revised Sensitivity Levels (November 2020)	
	High
	Medium
	Low

Figure G1
Avoidance Plan for 33UN686
Union Solar Facility
Union County, Ohio



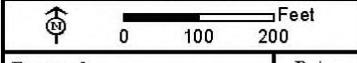
Source: Esri, et. al., 2014; Tetra Tech, 2016-2019
 Coordinate System: NAD 1983 State Plane Ohio North
 FIPS 3401 Feet

Prepared By: TETRA TECH Date: 4/2021



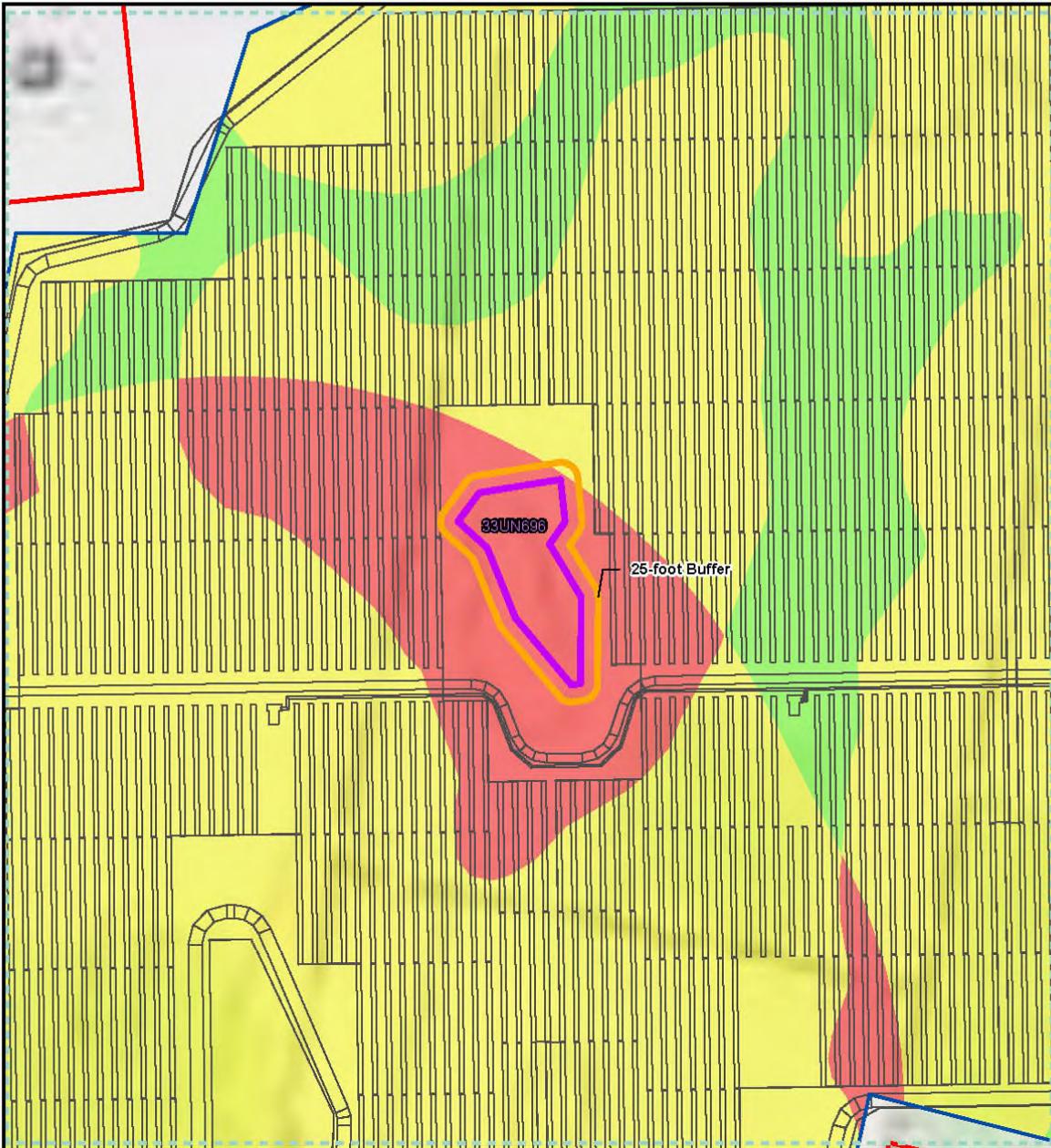
Legend	
	Facility Layout/Limits of Disturbance
	Prehistoric Archaeological Site
	Orange Construction Fencing
	Leased Project Area
	Direct APE/ Study Area
	Sheet Boundary
Revised Sensitivity Levels (November 2020)	
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	Medium
	Low

Figure G2
Avoidance Plan for 33UN690
Union Solar Facility
Union County, Ohio



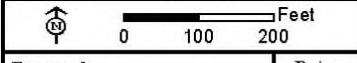
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 FIPS 3401 Feet

Prepared By: TETRA TECH Date: 4/2021



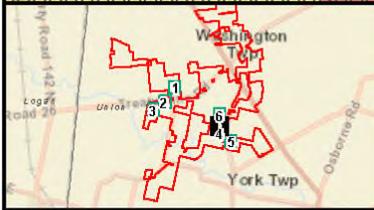
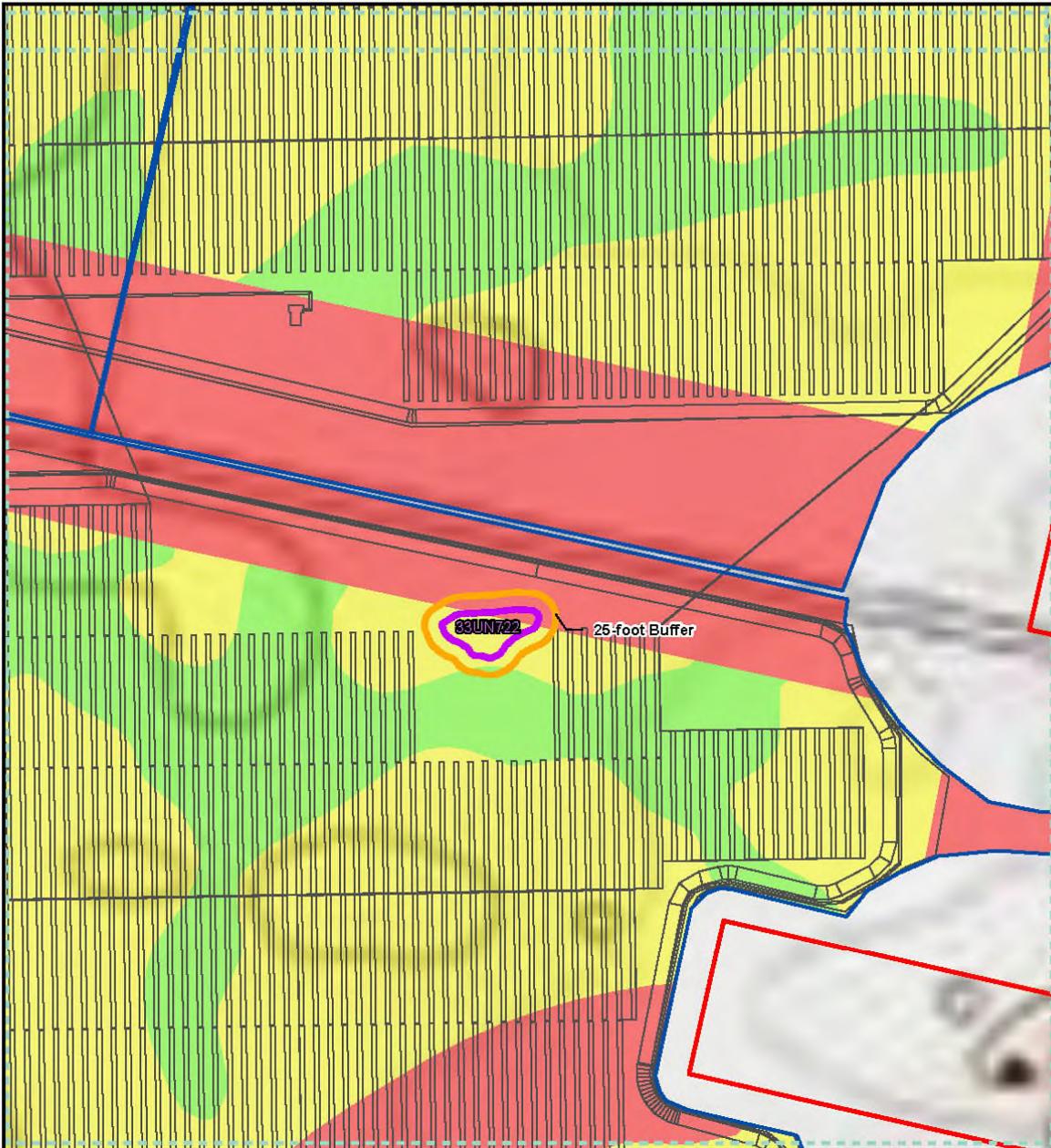
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	Facility Layout/Limits of Disturbance
	Prehistoric Archaeological Site
	Orange Construction Fencing
	Leased Project Area
	Direct APE/ Study Area
	Sheet Boundary
Revised Sensitivity Levels (November 2020)	
	High
	Medium
	Low

Figure G3
Avoidance Plan for 33UN696
Union Solar Facility
Union County, Ohio



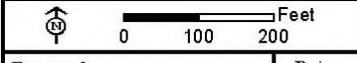
Source: Esri, et. al., 2014; Tetra Tech, 2016-2019
 Coordinate System: NAD 1983 State Plane Ohio North
 FIPS 3401 Feet

Prepared By: TETRA TECH Date: 4/2021



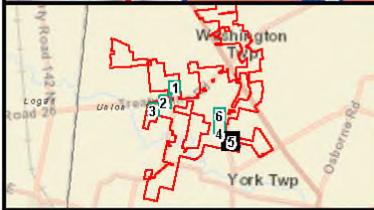
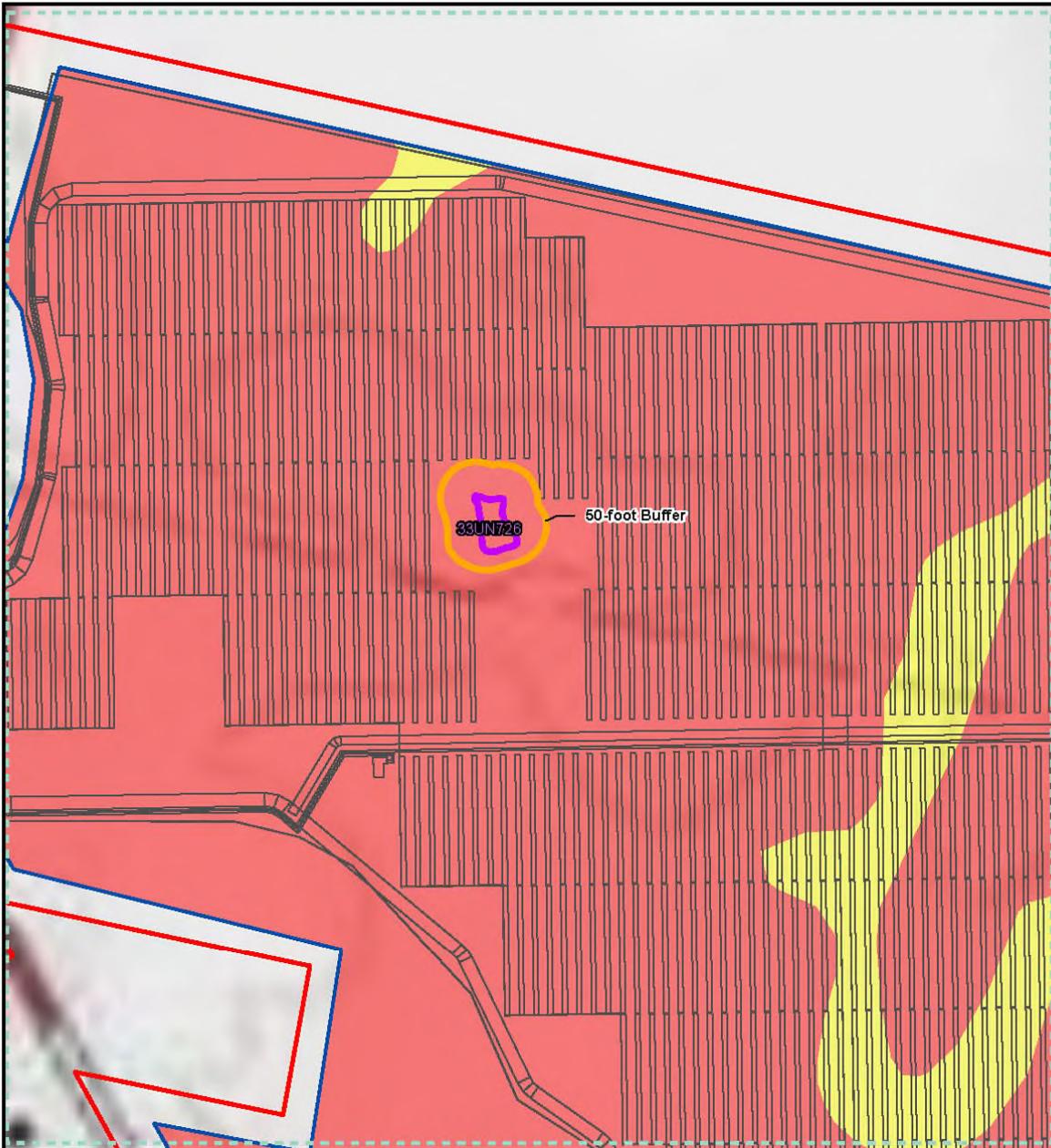
Legend	
	Facility Layout/Limits of Disturbance
	Prehistoric Archaeological Site
	Orange Construction Fencing
	Leased Project Area
	Direct APE/ Study Area
	Sheet Boundary
Revised Sensitivity Levels (November 2020)	
	High
	Medium
	Low

Figure G4
Avoidance Plan for 33UN722
Union Solar Facility
Union County, Ohio



Source: Esri, et. al., 2014; Tetra Tech, 2016-2019
 Coordinate System: NAD 1983 State Plane Ohio North
 FIPS 3401 Feet

Prepared By: TETRA TECH Date: 4/2021



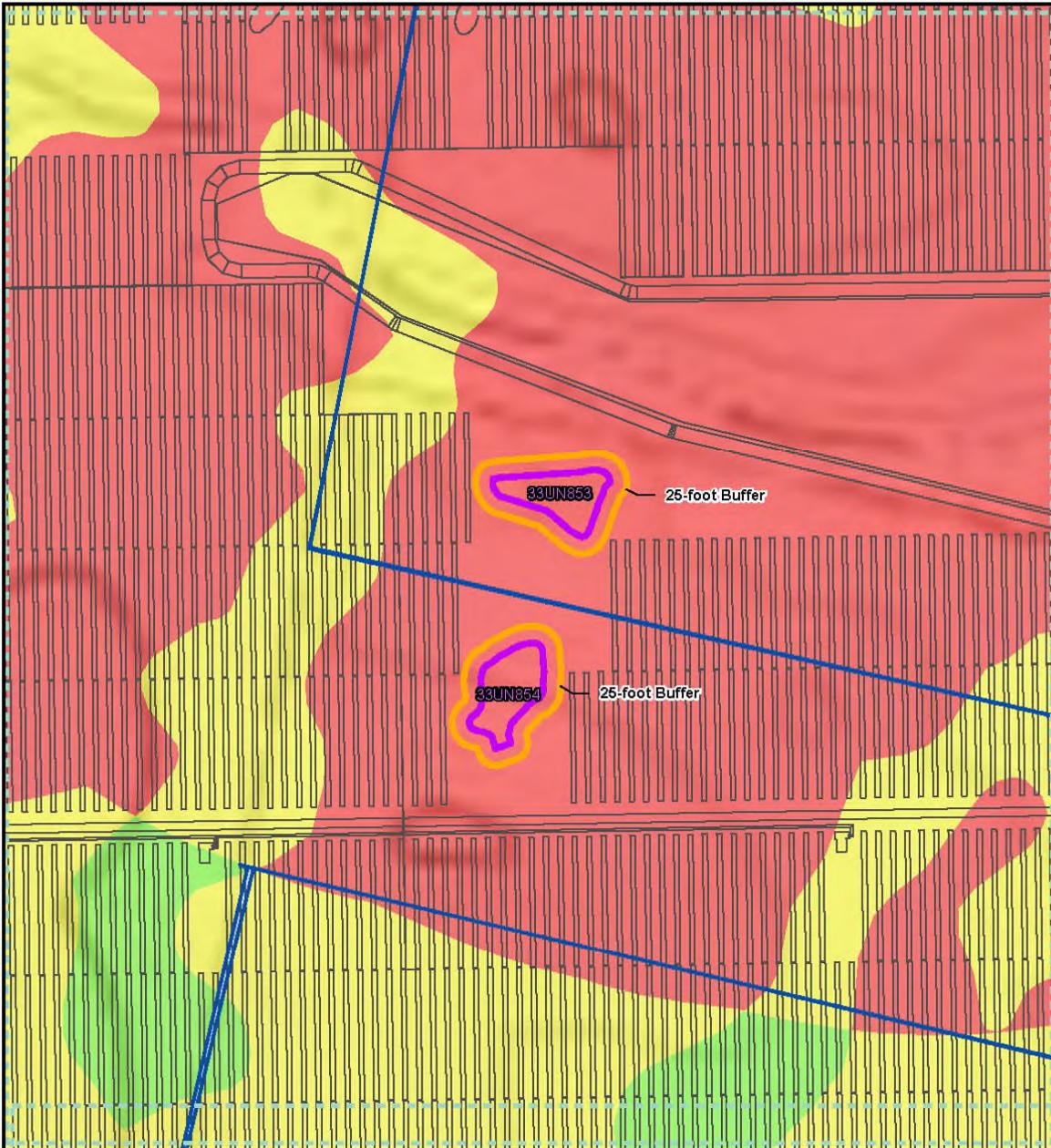
Legend	
	Facility Layout/Limits of Disturbance
	Prehistoric Archaeological Site
	Orange Construction Fencing
	Leased Project Area
	Direct APE/ Study Area
	Sheet Boundary
Revised Sensitivity Levels (November 2020)	
	High
	Medium
	Low

Figure G5
Avoidance Plan for 33UN726

Union Solar Facility
Union County, Ohio

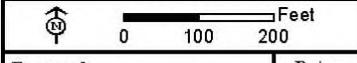
Source: Esri, et. al., 2014; Tetra Tech, 2016-2019
 Coordinate System: NAD 1983 State Plane Ohio North
 FIPS 3401 Feet

Prepared By: TETRA TECH Date: 4/2021



Legend	
	Facility Layout/Limits of Disturbance
	Prehistoric Archaeological Site
	Orange Construction Fencing
	Leased Project Area
	Direct APE/ Study Area
	Sheet Boundary
Revised Sensitivity Levels (November 2020)	
	High
	Medium
	Low

Figure G6
Avoidance Plan for 33UN853
and 33UN854
Union Solar Facility
Union County, Ohio



Source: Ean, et. al., 2014; Tetra Tech, 2016-2019
 Coordinate System: NAD 1983 State Plane Ohio North
 FIPS 3401 Feet

Prepared By: TETRA TECH Date: 4/2021

Exhibit C: Treatment Plan for UNI0061201

UNION SOLAR PROJECT

HISTORIC PROPERTY TREATMENT PLAN
Farmstead at 19940 Cunningham Arbela Road, Mount Victory, Ohio
(OHI Ref No. UNI0061201)
OHC File No. 2020-LOG-48327

Prepared for:

AEUG Union Solar, LLC
55 E Monroe Street, Suite 1925
Chicago, IL 60603

Prepared by:



TETRA TECH

661 Andersen Drive
Foster Plaza
Pittsburgh, PA 15220

September 2021

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1.0 INTRODUCTION

AEUG Union Solar, LLC ("AUS") is proposing to construct the Union Solar Project ("Project"), a 325-Megawatt photovoltaic solar generation facility, on approximately 3,355 acres under agreement with private landowners. The Project is in Union County, Ohio, approximately centered around the Town of Byhalia (Figure 1). The Ohio Power Siting Board ("OPSB"), as specified under the Ohio Administrative Code ("OAC") Chapter 4906, requires AUS to identify cultural and archaeological resources and to evaluate the impacts of the Project on these resources. AUS is consulting with the Ohio Historic Connection ("OHC"), which serves as the State Historic Preservation Office, in its identification of resources and evaluation of Project impacts on these resources.

On behalf of AUS, Tetra Tech Inc. ("Tetra Tech") developed the direct and indirect Area of Potential Effects ("APE") in consultation with the OHC. The 3,355-acre Project area, or direct APE, included areas where ground disturbance might occur during construction. In a letter dated September 2, 2020, the OHC recommended a 2-mile (3.2-km) indirect APE, concerning visual impacts of aboveground Project elements, based on the viewshed modeling provided by Tetra Tech.

In March of 2021, on behalf of AUS, Tetra Tech, submitted the results of the *Historic Architecture Reconnaissance Survey Union Solar Project Washington and York Townships, Union County, Ohio*, to the OHC (Dye 2020). In the report, Tetra Tech identified 296 historic architectural resources within the indirect (visual) APE. Four of these resources were recommended as potentially eligible for listing in the National Register of Historic Places ("NRHP"; Table 1). Tetra Tech further recommended that these four resources would not be adversely impacted by the Project. Tetra Tech noted that the intervening treelines obscured views of the Project and reasoned that a potential view of the Project would not negatively impact the historical integrity of these resources or their ability to convey historic significance. In a letter dated April 7, 2021, the OHC concurred with Tetra Tech's recommendations of eligibility under criterion C; however, it was the opinion of the OHC that the resource was also eligible under Criterion A, and that due to the proximity of the farmstead at 19940 Cunningham Arbela Road, Mount Victory, Ohio [Ohio Historic Inventory ("OHI") Ref. No. UNI0061201] to the proposed Project (approximately a half-mile), the Project would adversely affect the farmstead by altering its setting (Attachment 1).

The OHC further stated that the applicant (AUS) and the OHC would need to agree on the appropriate mitigation for the farmstead (OHI Ref No. UNI0061201) and that the process used to reach this decision would need memorialized in a Memorandum of Understanding ("MOU"). The OHC recommended that AUS contact potentially interested consulting parties so that these parties might provide comments on options to avoid, minimize, or mitigate the adverse effect to the farmstead (OHI Ref No. UNI0061201).

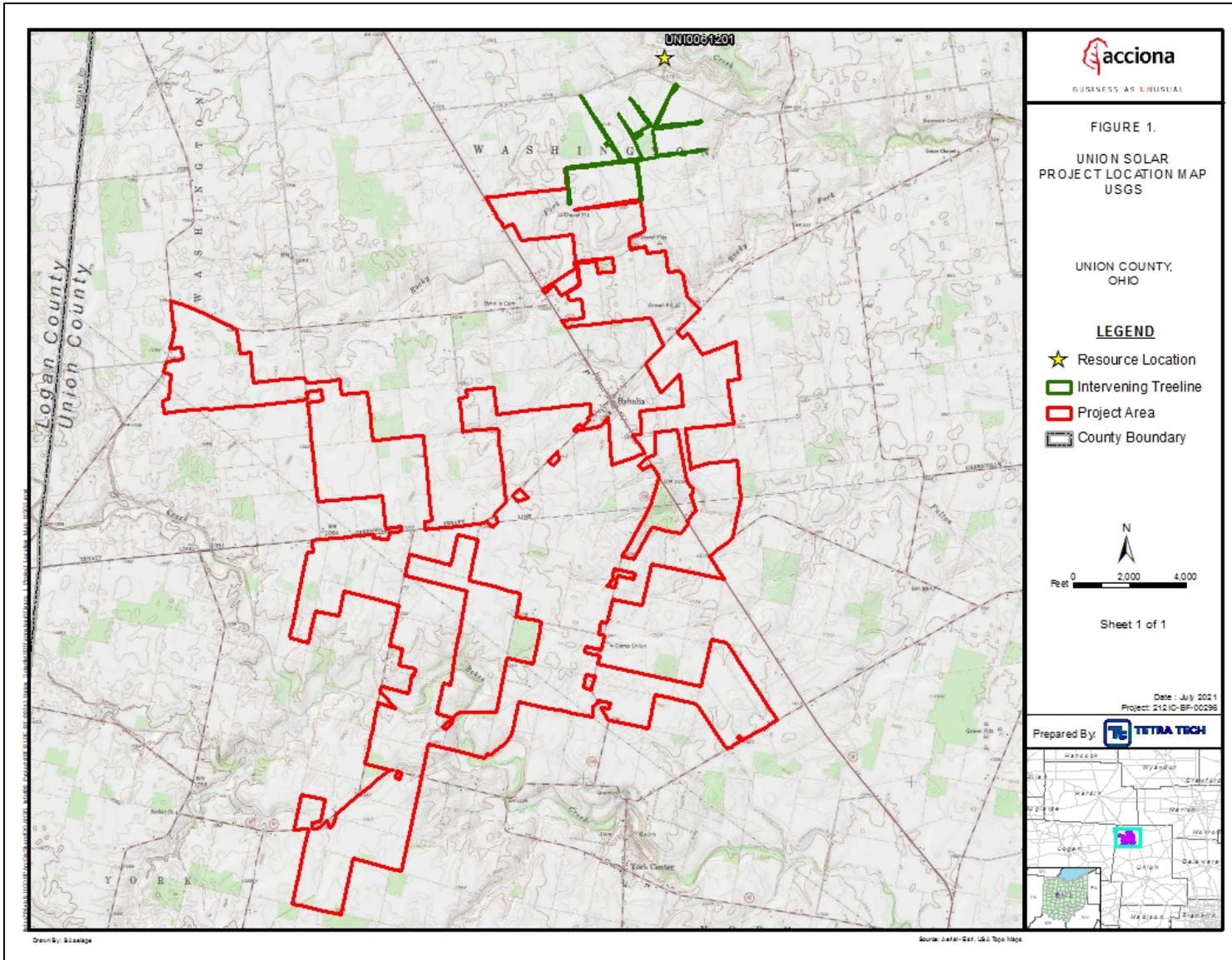


Figure 1 USGS Project Location Map.

Table 1 Recommendations of Eligibility (Dye 2020)

From Historic Architecture Reconnaissance Survey, Union Solar Project, Washington and York Townships, Union County, Ohio (Dye 2020).

Reference/ SHPO ID	Resource Name or Type	Street Address or Location	Recommendation	Significance
TT-120/ UNI0061003	Utility Building	28398 State Route 739, West Mansfield, OH 43358	Potentially Eligible: Criterion C (Architecture) – Phase II Survey	The resource stands as a unique and perhaps rare interpretation of the International style in a utilitarian application.
TT-126/ UNI0061103	Industrial Building	28246 State Route 739, West Mansfield, OH 43358	Potentially Eligible: Criterion C (Architecture) – Phase II Survey	The resource stands as a well- preserved and rare, rural example of early-twentieth century industrial architecture in the region.
TT-213/ UNI0061201	Farmstead	19940 Cunningham Arbela Road, Mount Victory, OH 43340	Potentially Eligible: Criterion C (Architecture) – Phase II Survey	This resource serves as an authentic and well-preserved collection of domestic and agricultural buildings.
TT-240/ LOG0063104	Farmstead	30838 West Mansfield Mount Victory Road, West Mansfield, OH 43358	Potentially Eligible: Criterion C (Architecture) – Phase II Survey	This resource serves as an authentic and well-preserved collection of domestic and agricultural buildings.

AUS is consulting with the OHC on the treatment of historic properties that will be adversely impacted by the proposed Project. This Treatment Plan has been developed to document AUS efforts to coordinate with stakeholders and interested parties to identify mitigation measures appropriate to address the Project’s potential adverse effects to OHI Ref No. UNI0061201. This Treatment Plan also proposes mitigation measures designed to mitigate the potential adverse effects of the Project.

2.0 DESCRIPTION OF FARMSTEAD (OHI REF NO, UNI0061201) AND UNION SOLAR PROJECT AS IT AFFECTS PROPERTY SETTING AND ASSOCIATION

The farmstead at 19940 Cunningham Arbela Road is anchored by a circa-1915, two-and-one-half-story, frame vernacular farmhouse. Outbuildings include a Wisconsin-style dairy barn, silo, milk house, milking parlor, workshop, garage, and shed. The farmstead is significant under NRHP criteria A and C for its association with local historic agricultural trends and practices and its representation of an authentic and well-preserved collection of domestic and agricultural buildings (Dye 2020).



Photo 1 OHI Ref. No. UNI006120
Facing East-Northeast from 119991 Cunningham Arbela Road, Mount Victory, OH 43340.

The maximum height of infrastructure at the part of the Project closest to the farmstead will be 10 feet above ground surface. There are five intervening treelines that block views of the Project from the farmstead (Figure 2; Photo 2) one of which is on property controlled by AUS (Location 5; Photo 3). Treelines in this area are characterized as immature hardwood forests with small to robust herbaceous and shrub understories. Dominant tree species measure approximately 25 to 40 feet in height and include red maple, red oak, white ash, black cherry, ironwood, and American hornbeam. Dominant shrub species include dogwood and common buckthorn. The understories of these treelines are dense and will block the view of Project infrastructure from the farmstead (Photo 3).

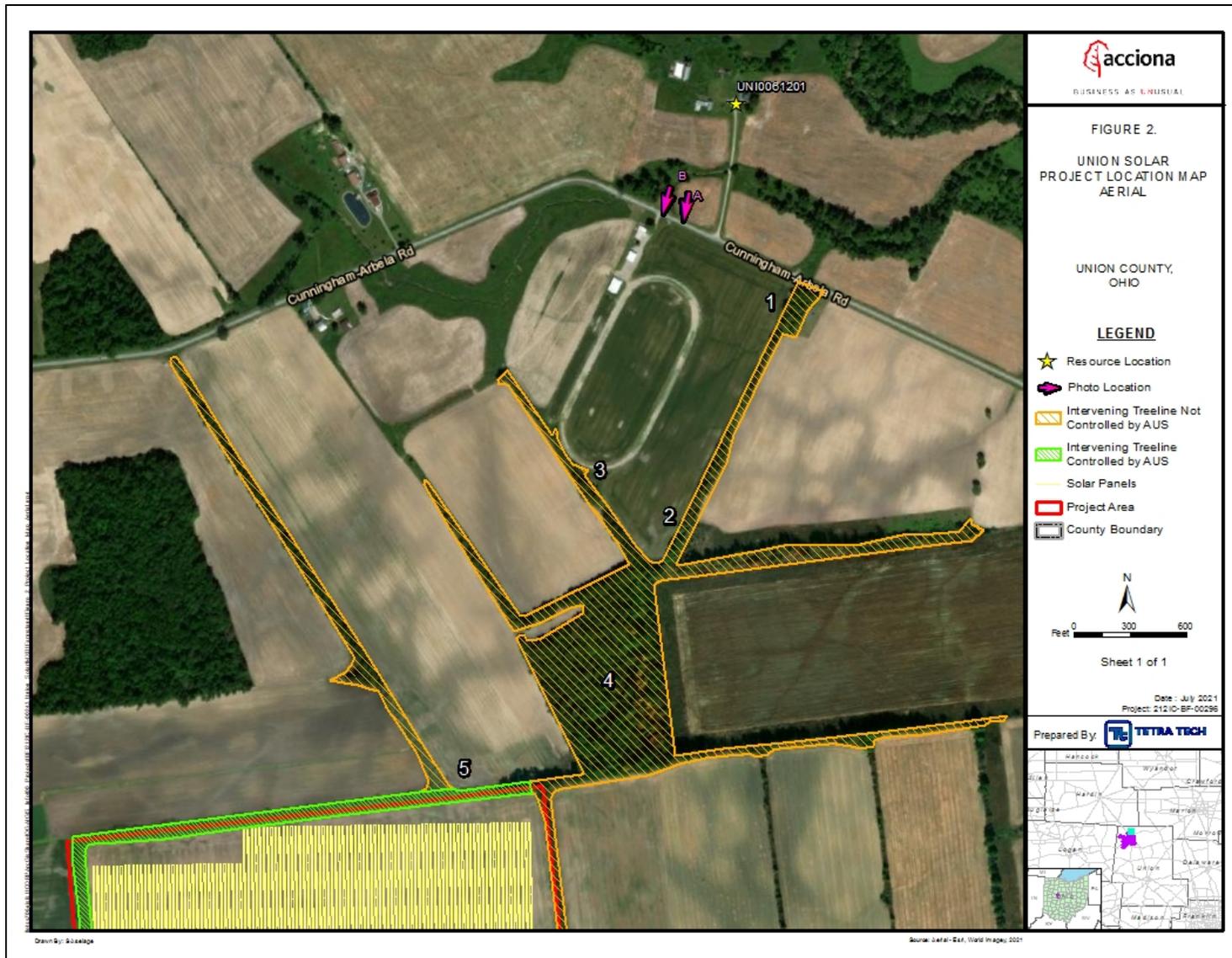


Figure 2. Aerial View of Project Area and Treelines Relative to OHI Ref. No. UNI0061201.



Photo 2 Panoramic View looking Southwest from Photo Point "A" in Figure 2.

Street Location of Union Architectural Resource UNI0061201

19940 Cunningham Arbela Road, Mount Victory, OH 43340. Views from the architectural resource of the treelines at locations 4 and 5 are obscured by the treelines at locations 1, 2, and 3 in Figure 2.

(May 13, 2021)



Photo 2 Intervening Treeline 5 on AUS Controlled Property
Facing South Toward Project Area.
(May 13, 2021)

3.0 MITIGATION OF ADVERSE EFFECTS

According to OHC, the adverse effect on OHI Ref No. UNI0061201 is the alteration to the property's setting due to the construction of the Project. The OHC did not find that the property will be directly impacted by the Project. The selection of appropriate mitigation measures is guided by three principles: (1) the mitigation measure must have a nexus to the identified adverse effects of the proposed action; (2) the mitigation measure must be proportional to those adverse effects; and (3) the Project sponsor must consider the input of local stakeholders and interested parties when proposing a mitigation measure.

3.1 Consultation with Stakeholders and Interested Parties

AUS identified and gathered contact information for potentially interested consulting parties regarding the OHC finding of adverse effect on OHI Ref No. UNI0061201 (Attachment II). In developing this list, AUS searched for Certified Local Governments that may be considered "by right" participants in the process or individuals and organizations that may have a legal, economic, or historic preservation interest in the Project. A letter that included a conceptual Treatment Plan was sent by certified mail to each party on the list July 28, 2021 (one letter was e-mailed to Preservation Ohio, instead of being sent certified mail). The letter requested suggestions and comments regarding the proposed mitigation strategy for the adverse effect on OHI Ref No, UNI0061201 be submitted by mail or via e-mail by August 30, 2021.

3.2 Summary of Comments

None of the potentially interested parties contacted provided comments regarding the proposed mitigation strategy for the adverse effect on OHI Ref No. UNI0061201.

3.3 Revisions to Treatment Plan Based on Consideration of Comments

Because no comments were provided from potentially interested parties, no revisions to the conceptual Treatment Plan were necessary.

3.4 Mitigation Measures

The OHC does not consider intervening treelines at locations 1-4 (Figure 2) as permanent visual barriers because they are outside of the control of AUS and, thus, could be removed by individual landowners. Therefore, AUS proposes to mitigate the adverse effects to the visual setting at OHI Ref No, UNI0061201 by maintaining the treeline on AUS controlled property for the life of the Project (location 5; Figure 2). To maintain the treeline at location 5, AUS will:

- Conduct annual inspections to identify gaps in the treeline;
- Replace fallen trees with trees of like type, if possible, within a period of 30 days (weather permitting); and
- Keep the results of treeline inspections on file at the Union Solar facility.

4.0 IMPLEMENTATION

This Treatment Plan will be implemented following execution of the MOU for the Project and prior to the start of construction. The Treatment Plan will be in effect in accordance with stipulations in the MOU.

ATTACHMENT I

OHC Correspondence



In reply, please refer to:
2020-LOG-48327

April 7, 2021

Hannah Dye
Tetra Tech
661 Anderson Drive
Foster Plaza
Pittsburgh, PA 15220

RE: Union Solar Project – Revised History Architecture Reconnaissance Survey
Washington and York Townships, Union County, Ohio

Dear Ms. Dye:

This letter is in response to correspondence received on March 9, 2021. The comments of the Ohio State Historic Preservation Office (SHPO) are made pursuant to Section 149.53 of the Ohio Revised Code and the Ohio Power Siting Board rules for siting this project (OAC 4906-4). The comments of the Ohio SHPO are also submitted in accordance with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C.470 [36 CFR 800]).

The following comments pertain to the *History Architecture Reconnaissance Survey for the Union Solar Project, Washington and York Townships, Union County, Ohio* (Tetra Tech, 2021), revised based on comments provided by the SHPO office on March 2, 2021. In the report, 4 out of 296 properties newly surveyed were recommended as eligible for listing in the National Register of Historic Places under Criterion C. Of the 11 previously surveyed properties, 5 were found to be no longer extant, and the other 6 were recommended as not eligible. Out of the 4 eligible properties, all were recommended as not having an adverse effect from the proposed project. The SHPO agrees with these recommendations, except for the affect finding for the property located at 19940 Cunningham Arbela Road (OHI #UNI0061201). It is the opinion of the SHPO that this property is eligible under Criteria A and C. Due to the proximity of the farmstead to the proposed solar facility (approximately a half-mile), we feel the project will adversely affect the historic resource by altering its setting.

If no alternative locations can be found to move the solar facility further away from the resource, the applicant and the SHPO need to agree on appropriate mitigation for the construction of the solar facility. The process used to reach this decision and the mitigation will be memorialized in a Memorandum of Understanding. We recommend that you identify and contact interested consulting parties (i.e., Logan County Historical Society, etc.) so that they may provide comments on options to avoid, minimize, or mitigate the adverse effect.

Union Solar H/A Survey
April 7, 2021
Page 2

Please note that this determination of effects is for above ground resources only. The archaeological component of the project is being coordinated separately. Our office looks forward to additional coordination with Tetra Tech and AEUG Union Solar, LLC. for the Union Solar Project.

If you have any questions, please contact me at kkoehlinger@ohiohistory.org or (614) 298-2000. Thank you for your cooperation.

Sincerely,



Diana Welling, Department Head & Deputy State Historic Preservation Officer for
Resource Protection and Review

"Please be advised that this is a Section 106 decision. This review decision may not extend to other SHPO programs."

RPR Serial No: 1087704

OHIO HISTORY CONNECTION

800 E. 17th Ave., Columbus, OH 43211-2474 • 614.297.2300 • ohiohistory.org

Dear Hannah,

In looking at maps of the area, it was noticed that there is a thin line of trees between the eligible property and the solar facility. Usually, we don't consider this as a way to minimize the effect on the property because the solar facility isn't the entity maintaining them. That line of trees can come down and never be replaced giving us a wide open view to the facility. Most solar facilities we have reviewed already have a vegetative screening planned. When we have an adverse effect, we prefer to have an MOU showing that the screening will be more than just wild flowers planted between the fence and the street. It usually requires plants be native to the area and includes some evergreens. The MOU also states that the applicants are required to maintain the vegetative screen over the life span of the facility. This includes replanting the vegetation if it dies or is uprooted from winds. This way we know that the minimization method will remain in place as long as the facility is in place.

I hope this helps as you plan your next steps. If you have any questions, please let me know.

Sincerely,

Kristen Koehlinger | Project Reviews Manager, State Historic Preservation Office

Ohio History Connection | 800 E. 17th Ave., Columbus, OH 43211-2474

p. 614-298-2000 | kkoehlinger@ohiohistory.org

Did you know the Ohio SHPO now accepts electronic-only submissions for state and/or federal review under Section 106 and ORC 149.53? Please send your submissions to section106@ohiohistory.org. We have also updated our [Survey Report Submission Standards](#).

From: Dye, Hannah [<mailto:Hannah.Dye@tetrattech.com>]

Sent: Monday, April 12, 2021 11:10 AM

To: Kristen Koehlinger <kkoehlinger@ohiohistory.org>

Cc: Newman, Becky <Becky.Newman@tetrattech.com>; Gunderman, Blayne <Blayne.Gunderman@tetrattech.com>; Connor, Mary <mconnor@acciona.com>; Marine, James <James.Marine@tetrattech.com>

Subject: Union Solar Project - Revised H/A Report (2020LOG48327)

Good morning Kristen,

I appreciate your comments regarding the H/A Report for Union Solar Project. Thanks again.

I had an opportunity to share the comments with our Project team and chat about our next steps. To evaluate options in terms of avoiding, minimizing, and mitigating adverse effects to the farmstead at 19940 Cunningham Arbela Road (OHI# UNI0061201), we are in the process of preparing photograph simulations. We feel like this is necessary to understand what the actual impact will be since, at this point, we only know the farmstead is within the indirect APE that is based only on a theoretical viewshed model. We believe that the photograph simulations will ensure that any avoidance, minimization, or mitigation measures implemented would be appropriate and effective and serve to guide our discussions with interested parties.

We would like to submit the photo simulations, the methods implemented for creating the simulations, and an assessment of effects based on the additional information to you for your review. Would your office consider this supplemental information regarding the nature and extent of the potential adverse effects to #UNI0061201?

We value your input as to how we are planning to move forward and look forward to hearing from you.

Thanks, best,

Hannah

ATTACHMENT II

List of Potentially Interested Consulting Parties

UNION SOLAR PROJECT

Mitigation of Adverse Effects for Farmstead at 19940 Cunningham Arbela Road (UNI0061201)

Potential Interested Parties/Stakeholders

Party	Point of Contact	Mailing Address	Phone	E-mail
Elliott & Elliott, Inc. (current property owner)	C K Elliott, Josephine Elliott, Edward Elliott, Directors	P.O. Box 173, Mount Victory, Ohio 43340	937-354-2181	N/A
Union County Historical Society	Robert W. Parrott	P.O. Box 303, Marysville, Ohio 43040	937-644-0568	N/A
Preservation Ohio	Thomas Palmer, Executive Director	N/A	419.612.2236	thomasatpo@gmail.com
Union County Commissioners Office	Commissioners Dave Burke, Christiane Schmenk, and Steve Robinson	233 West Sixth Street, Marysville, OH 43040	937-645-3012	commissioners@unioncountyohio.gov
Ohio Department of Agriculture - Ohio's Historic Family Farms	Erin Dillon	8995 East Main Street, Reynoldsburg, OH 43068-3399	614-752-4505	centuryfarms@agri.ohio.gov
Friends of Ohio Barns	N/A	P.O. Box 203, Burbank, Ohio 44214	N/A	friendsohiobarns@gmail.com
Logan-Union-Champaign Regional Planning Commission	Brad Bodenmiller Aaron Smith Heather Martin	10820 St. Rt. 347, PO Box 219, East Liberty OH 43319	937-666-3431	bradbodenmiller@lucplanning.com ; aaronsmith@lucplanning.com ; heathermartin@lucplanning.com

ATTACHMENT III

Comments from Consulting Parties

No comments were received from any of the potentially interested parties that were contacted.

Exhibit D: List of Potentially Interested Parties Identified and Contacted

Adverse Effects for Farmstead at 19940 Cunningham Arbela Road (UNI0061201) Potential Interested Parties/Stakeholders

Party	Point of Contact	Mailing Address	Phone	Email
Elliott & Elliott, Inc. (current property owner)	C K Elliott, Josephine Elliott, Edward Elliott, Directors	P.O. Box 173, Mount Victory, Ohio 43340	937-354-2181	N/A
Union County Historical Society	Robert W. Parrott	P.O. Box 303, Marysville, Ohio 43040	937-644-0568	N/A
Preservation Ohio	Thomas Palmer, Executive Director	N/A	419.612.2236	thomasatpo@gmail.com
Union County Commissioners Office	Commissioners Dave Burke, Christiane Schmenk, and Steve Robinson	233 West Sixth Street, Marysville, OH 43040	937-645-3012	commissioners@unioncountyohio.gov
Ohio Department of Agriculture - Ohio's Historic Family Farms	Erin Dillon	8995 East Main Street, Reynoldsburg , OH 43068-3399	614-752-4505	centuryfarms@agri.ohio.gov
Friends of Ohio Barns	N/A	P.O. Box 203, Burbank, Ohio 44214	N/A	friendsohiobarns@gmail.com
Logan-Union-Champaign Regional Planning Commission	Brad Bodenmiller Aaron Smith Heather Martin	10820 St. Rt. 347, PO Box 219, East Liberty OH 43319	937-666-3431	bradbodenmiller@lucplanning.com ; aaronsmith@lucplanning.com ; heathermartin@lucplanning.com