

February 19, 2019

Ms. Tanowa Troupe, Acting Secretary  
Ohio Power Siting Board  
Docketing Division  
180 East Broad Street, 11th Floor  
Columbus, Ohio 43215-3793

**Re: Case No. 18-1360-EL-BGN, In the Matter of the Application of Hardin Solar Energy II LLC for a Certificate of Environmental Compatibility and Public Need to Construct a Solar-Powered Electric Generation Facility in Hardin County, Ohio.**

**Responses to First Set of Interrogatories from Staff of the Ohio Power Siting Board**

Dear Ms. Troupe:

Attached please find Hardin Solar Energy II LLC's ("Applicant") responses to the First Set of Interrogatories from the staff of the Ohio Power Siting Board ("OPSB Staff"), which were provided to the Applicant on February 13, 2019. The Applicant provided these responses, as well as a flash drive containing the GIS information in response to Question 4, to OPSB Staff on February 19, 2019.

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

Respectfully submitted,

/s/ Christine M.T. Pirik

Christine M.T. Pirik (0029759)

William V. Vorys (0093479)

Dickinson Wright PLLC

150 East Gay Street, Suite 2400

Columbus, Ohio 43215

Phone: (614) 591-5461

Email: [cpirik@dickinsonwright.com](mailto:cpirik@dickinsonwright.com)  
[wvorys@dickinsonwright.com](mailto:wvorys@dickinsonwright.com)

***Attorneys for Applicant Hardin Solar Energy II LLC***

Enclosure

Cc: Jim O'Dell  
Grant Zeto

COLUMBUS 39579-24 109265v1

**BEFORE  
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Hardin Solar )  
Energy II LLC for a Certificate of Environmental )  
Compatibility and Public Need to Construct a Solar- ) Case No: 18-1360-EL-BGN  
Powered Electric Generation Facility in Hardin )  
County, Ohio. )

**HARDIN SOLAR ENERGY II LLC'S RESPONSES TO THE  
FIRST SET OF INTERROGATORIES  
FROM THE STAFF OF THE OHIO POWER SITING BOARD**

On October 12, 2018, as supplemented on November 14, 2018, and February 15, 2019, Hardin Solar Energy II LLC (“Applicant”) filed an application (“Application”) with the Ohio Power Siting Board (“OPSB”) proposing to construct a solar-powered electric generation facility in Hardin County, Ohio (“Project”).

On February 13, 2019, the Staff of the OPSB (“OPSB Staff”) provided the Applicant with OPSB Staff’s First Set of Interrogatories. Now comes the Applicant providing the following responses to this First Set of Interrogatories from the OPSB Staff.

- 1. The application does not give any specific information on wetland and stream impacts, however mapping shows impacts to a number of surface water resources. Including the following:**

**Streams:**

**HS-MI – 6 collection line crossings**

**HW-M10 – 2 road crossings, 1 collection line crossing**

**HW-M9 – 2 collection line crossings**

**Wetlands:**

**HS-VA – 3 access road crossing, 5 collection line crossings.**

**HW-ML – 4 Collection line crossings**

**HS-JB – 1 collection line crossing**

**HW-MW – 1 collection line crossing**

**Please provide further detail on how impacts would be minimized to these surface water resources. Staff recommends the use of HDD for installation of collection lines through perennial streams. Is the applicant willing to commit to the use of HDD for collection line installation through perennial streams? What permitting does the applicant anticipate applying for coverage of impacts to surface water resources?**

**Response:** Collection lines will be installed using horizontal directional drilling ("HDD") beneath all streams and wetlands. The 5 road crossings (2 in HW-M10 and 3 in HS-VA) will be designed using the minimum width necessary and so that the road surface is considered pervious. We anticipate permitting any temporary or permanent impacts through Nationwide Permit #51 (NWP 51), applicable to land-based renewable energy generation facilities, and adhering to the terms and conditions of this permit. It is the Applicant's objective to keep impacts below 0.1 acre, or the preconstruction notification threshold of this permit.

**2. Could the project impact any bat hibernacula, including caves or abandoned mines?**

**Response:** Based on the information from the Ohio Department of Natural Resources ("ODNR") Natural Heritage Database gathered during the site characterization and field reconnaissance, there are no known hibernacula inside, or within 10 miles of, the project area.

**3. Would the project impact any mussel habitat including Group 1, 2, 3, and 4 streams or unlisted streams with a watershed of 10 square miles or larger.**

**Response:** The features meeting these criteria include the Scioto River (HS-M1) and Cottonwood Ditch (HS-M9), which are both Group 1 streams. Additionally, the Dunlop Creek watershed (HS-M5 and HS-M6) is 9.06 square miles and so we have considered it in our response to this question. We do not anticipate impacts to any of these streams; collection line crossings for HS-M1 will be performed using HDD, so no in-stream impacts will be had.

**4. Please provide a GIS layer of the proposed tree clearing areas.**

**Response:** The Applicant provided OPSB staff with a flash drive KMZ of the tree-covered areas within the Project. The design, construction, and operation of this Project will be performed to minimize tree clearing, and this shapefile represents the maximum possible extent of tree clearing. Any tree clearing will be performed between October 15 and March 31.

**5. Does the applicant anticipate the use of herbicides during construction or operation?**

**Response:** Herbicide use will be minimized where practicable. Any herbicide will be applied by qualified personnel in a limited manner during operations to spot-treat areas where rapid growth of vegetation cannot be controlled by mechanical means alone. It is anticipated that limited amounts of herbicides may be needed during the first 3 years of the Project. After native grass plantings are established, herbicides use will be greatly minimized or eliminated.

**6. Please provide an estimate of the acreage of impact to specific vegetation community types, i.e. xx acres of forest, xx acres of shrub land, xx acres of grassland, xx acres of agricultural land, etc.**

**Response:** The Applicant anticipates a maximum of approximately 3,222 acres of cultivated crop land, 5 acres of grassland/herbaceous habitat, and 47 acres of deciduous forest to be impacted (temporary and permanent impacts, combined). Wetland impacts will be minimized to the maximum extent practicable (see response to Question 1, above). The terrestrial community impacts are maximum estimates, and represent the acreage of these communities

mapped within the Project parcels. Actual temporary (construction) and permanent impacts are anticipated to be lower than these acreages in the final design, once all final design constraints have been applied.

Respectfully submitted,

/s/ Christine M.T. Pirik

Christine M.T. Pirik (0029759)

William Vorys (0093479)

DICKINSON WRIGHT PLLC

150 East Gay Street, Suite 2400

Columbus, Ohio 43215

(614) 591-5461

[cpirik@dickinsonwright.com](mailto:cpirik@dickinsonwright.com)

[wvorys@dickinsonwright.com](mailto:wvorys@dickinsonwright.com)

*(Counsel is willing to accept service via email.)*

***Attorneys for Hardin Solar Energy II LLC***

### **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 this case. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the person below via electronic mail this 19th day of February, 2019.

/s/ Christine M.T. Pirik

Christine M.T. Pirik (0029759)

Counsel:

[jodi.bair@ohioattorneygeneral.gov](mailto:jodi.bair@ohioattorneygeneral.gov)  
[cendsley@ofbf.org](mailto:cendsley@ofbf.org)  
[lcurtis@ofbf.org](mailto:lcurtis@ofbf.org)  
[amilam@ofbf.org](mailto:amilam@ofbf.org)

Administrative Law Judge:

[megan.addison@puco.ohio.gov](mailto:megan.addison@puco.ohio.gov)

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**Case No(s). 18-1360-EL-BGN**

Summary: Response to First Set of Interrogatories from Staff of the Ohio Power Siting Board electronically filed by Christine M.T. Pirik on behalf of Hardin Solar Energy II LLC