

BEFORE
THE OHIO POWER SITING BOARD

In the Matter of the Application of Pleasant)
Prairie Solar Energy, LLC for a Certificate of)
Environmental Compatibility And Public Need) Case No. 20-1679-EL-BGN
to Construct a Solar-Powered Electric)
Generation Facility in Franklin County, Ohio)

**LIST OF CROSS-EXAMINATION ISSUES OF BOARD OF PARK COMMISSIONERS
OF THE COLUMBUS AND FRANKLIN COUNTY METROPOLITAN PARK DISTRICT**

The Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District (“Commissioners”) submits its list of issues citing specific concerns about which it may pursue cross-examination at the hearing. The Commissioners intend to cross-examine witnesses about the nature of, and remedies for, the following issues:

1. Proposed setbacks between the Project and the Park, between the Project and public trails, between the Project and the tributaries of Big Darby Creek, and between the Project and public roads providing access to the Park, that are too short to protect the Park, the Park’s patrons, and the Park’s wildlife;
2. Vegetation plans for the Project Area and the setback areas that do not sufficiently obstruct the views of the Project from the Park and public roads providing access to the Park;
3. Obtrusive views of solar panels that spoil the visual and aesthetic enjoyment of the Park’s patrons as they travel to and recreate in the Park;

4. Unsightly fences that spoil views from the Park and public access roads into the Park;
5. The growth of plant species in and around the Project Area, including non-native species, that are out of harmony with the native vegetation in the Park's natural setting;
6. Unsightly views developing from the failure to keep alive and maintain the vegetation in and around the Project Area;
7. The propagation of invasive plant and animal species in and around the Project Area that may spread to the Park;
8. Damage to the Park from herbicide application in and around the Project Area;
9. Damage to the Park resulting from the Applicant's failure to conduct the required studies necessary to sufficiently identify the species of mammals, birds, bats, and plants in and near the Project Area and to evaluate the Project's potential adverse effects on the wildlife;
10. Adverse effects on the Park and the Park's wildlife caused by Project fences that block or restrict travel by wildlife between the Park and other wildlife-friendly habitat;
11. Mowing and other potential Project practices that could harm nesting birds and other wildlife;
12. Imbalances between species of prey and predators caused by fences that exclude predators from large areas inhabited by prey species;
13. Increases or decreases in the amount of water draining from the Project Area into the Park's wetlands, which can be harmed by changes in water levels;

14. Hydrological damage to the Park from changing the amount of surface water and/or groundwater flowing or migrating from the Project to the Park during construction and operation of the Project;
15. Protection and repair of drainage tiles that are damaged by the Project's construction or operation, including tiles that flow between the Park and the Project.
16. Sediment from construction and operation of the Project discharged into surface waters;
17. Light pollution impacts on the Park from the Project's lighting, including the diminishment of bird and bat uses of the area's habitats;
18. Loud noises from constructing and decommissioning the Project that will disturb the Park's patrons and disturb or drive wildlife away from the Park, including rare bird species such as the Sandhill Crane and the American Bittern that inhabit the Park's wetlands;
19. Noise from operating inverters and other solar equipment near the Park, which will bother the Park's patrons and wildlife;
20. Noise from construction and decommissioning activity during birds' nesting seasons or during bird migration periods that will disturb or expel birds from the Park;
21. Designs of solar panels and solar panel arrays that cause flying birds to think that the panels are water, leading the birds to attempt landings on them (known as "lake effect");

22. Glare from solar equipment that may bother or harm patrons and wildlife in the Park, motorists driving to and from the Park, and birds flying near and over the Project;
23. Dust during the Project's construction and operation;
24. The adequacy of financial assurance (e.g., bonding) for decommissioning upon the closure of the project;
25. The public disclosure of plans, notices, and other submittals made by the Applicant and government agencies to the Staff after certification;
26. The benefits, detriments, effects, and adequacy of conditions proposed by the Staff Report and any Stipulation;
27. Plans, funding, and procedures for responding to fires and other emergencies at or caused by the Project; and
28. Any issues that are discussed in the witnesses' testimony, as well as any issues and concerns raised in the lists of issues filed by the Applicant and other parties to this proceeding.

Respectfully submitted,

/s/ Jack A. Van Kley
Jack A. Van Kley (0016961)
Van Kley & Walker, LLC
132 Northwoods Blvd., Suite C-1
Columbus, Ohio 43235
(614) 431-8900 (telephone)
(614) 431-8905 (facsimile)
Email: jvankley@vankleywalker.com
(willing to accept service by email)

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, I hereby certify that, on July 30, 2021, a copy of the foregoing document also is being served by electronic mail on the following: Christine M.T. Pirik at cpirik@dickinsonwright.com; William V. Vorys at wvorys@dickinsonwright.com; Matthew C. McDonnell at mmcdonnell@dickinsonwright.com; Jennifer Huber at jhuber@bjglaw.net; Peter Griggs at pgriggs@bjglaw.net; Kyle Kern at kyle.kern@ohioattorneygeneral.gov; Thomas Shepherd at thomas.shepherd@ohioattorneygeneral.gov; Chad Endsley at cendsley@ofbf.org; Leah Curtis at lcurtis@ofbf.org; Amy Milam at amilam@ofbf.org; Kimberly Bojko at bojko@carpenterlipps.com; Angela Paul Whitfield at paul@carpenterlipps.com; and Jon Wygonski at wygonski@carpenterlipps.com.

/s/ Jack A. Van Kley
Jack A. Van Kley

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Summary: Notice of List of Issues electronically filed by Mr. Jack A Van Kley on behalf of Bd. of Park Commissioners