

BEFORE THE OHIO POWER SITING BOARD

In the Matter of the Application of Birch)
Solar 1, LLC, for a Certificate of Environmental)
Compatibility and Public Need to Construct a) Case No. 20-1605-EL-BGN
Solar-Powered Electric Generation)
Facility in Allen and Auglaize Counties, Ohio)

NOTICE OF LIST OF ISSUES AND CONCERNS OF
THE BOARD OF COUNTY COMMISSIONERS OF
AUGLAIZE COUNTY, OHIO
AND
THE BOARD OF TOWNSHIP TRUSTEES OF
LOGAN TOWNSHIP, AUGLAIZE COUNTY, OHIO

The Board of County Commissioners of Auglaize County, Ohio (“the Auglaize County Commissioners”) and The Board of Township Trustees of Logan Township, Auglaize County, Ohio (“the Logan Township Trustees”), submit this Notice of List of Issues and Concerns with the Ohio Power Citing Board in the within captioned matter pursuant to the Entry filed on November 12, 2021. The “Auglaize County Commissioners” and “the Logan Township Trustees” will wish to address issues of drainage of the proposed project’s areas, usage of County and Township roads and bridges, and the decommissioning of the affected parcels upon the expiration of the useful life of the project. Specifically the areas of concern for “the Auglaize County Commissioners” and “the Logan Township Trustees” and their residents are as follows:

- Drainage – The manner and means in which drainage issues across, over and beneath the surface of affected parcels will be addressed and corrected concerning both, current and future drainage issues. The concerns include, but are not limited to, the repair, maintenance, replacement and/or construction of systems to control existing and/or future drainage, both surface and subsurface waters, during and after construction of the proposed project; the manner and systems addressed in any new drainage construction within the

proposed area; and the financial matters associated with the repair, maintenance, replacement and/or construction of both existing and newly petitioned drainage projects, and security and/or bonding to insure proper financial payments for such.

- Roadways and Bridges – Issues and concerns regarding traffic control during construction and decommissioning, in and around the site; limiting the debris and damage to all roadways and areas adjacent to roadways in and around the project area; limiting dust, materials and debris affecting vehicular traffic; limiting damage to bridges and culverts during construction and decommissioning phases; insuring the roads and bridges are safe to the traveling public, including, but not limited to, the line of sight for any proposed new driveways accessing the project area; and compensation, including security and/or bonding for compensation, for damage, maintenance and associated costs during construction and decommissioning.
- Decommissioning – Issues regarding the restoration of the project area to its preconstruction condition by the current project owner or any future owners of the project, their assigns, successors or lessees. This concern is in addition to the costs associated with drainage and roadways and bridges set-forth above. The Interveners herein want to insure sufficient secured funds are available to return the project area to its preconstruction condition, regardless of ownership or control, after the project has served its useful life if the project is allowed to proceed.

Respectfully submitted,

/s/ Edwin A. Pierce

Edwin A. Pierce (0023846)

Auglaize County Prosecuting Attorney

for The Board of County Commissioners of
Auglaize County, Ohio and The Board of
Township Trustees of Logan Township,
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CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to these cases. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the persons below this 17th day of November, 2021.

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

Case No(s). 20-1605-EL-BGN

Summary: Notice NOTICE OF LIST OF ISSUES AND CONCERNS OF THE BOARD OF COUNTY COMMISSIONERS OF AUGLAIZE COUNTY, OHIO AND THE BOARD OF TOWNSHIP TRUSTEES OF LOGAN TOWNSHIP, AUGLAIZE COUNTY, OHIO electronically filed by Mr. Edwin A Pierce on behalf of Board of County Commissioners of Auglaize County, Ohio and Board of Township Trustees of Logan Township, Auglaize County, Ohio