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November 29, 2021

Via Electronic Filing

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

Re: Cepheus Solar Project, LLC, Case No. 21-0293-EL-BGN

Dear Ms. Troupe:

Attached for filing in the above-referenced case are Cepheus Solar Project, LLC's **Second Supplemental Response** to OPSB Staff's Sixth Data Requests dated November 3, 2021.

Please contact me if you have any questions.

Sincerely,

Kara H. Herrnstein
Dylan F. Borchers
Counsel for Cepheus Solar Project, LLC

Attachment

Second Supplemental Response to Staff Sixth Data Request Dated November 3, 2021

Cepheus Solar Project

Delaware Township and the Village of Sherwood, Defiance County, Ohio

Case No. 21-0293-EL-BGN

Prepared by:



Cepheus Energy Project, LLC

400 Montgomery Street, Eighth Floor
San Francisco, CA 94104

Contact: Cliff Scher, Senior Development Director

Email: cliff.scher@lightsourcebp.com

**CEPHEUS ENERGY PROJECT, LLC'S SECOND SUPPLEMENTAL RESPONSE TO
STAFF'S SIXTH DATA REQUEST DATED NOVEMBER 3, 2021**

1. Have the entities of Defiance County, the Village of Sherwood, or Delaware township, passed any ordinances or resolutions that: limits the development of; establishes a setback or buffer to; establishes a noise standard for; or pertains to utility scale solar development in the project area for Cepheus Energy Project, LLC? If so, please provide that ordinance or resolution.

In its Response to Staff's Sixth Data Request, filed November 12, 2021, Cepheus Energy Project, LLC ("Cepheus") disclosed that two members of the board of trustees of Delaware Township had passed resolution #5-1-2021 on May 3, 2021. Later that month, the project layout was shared with the public. Cepheus also disclosed that the Village of Sherwood had expressed general concerns through a public comment, filed on October 21, 2021, on the impact to economic development.

On November 23, 2021, Cepheus filed a Supplemental Response to Staff's Sixth Data Request. In this supplemental response, Cepheus cited recent comments from Delaware Township Trustees concerning the Township's opposition to the project prior to Cepheus filing its application to the Ohio Power Siting Board. As the subsequent comments from the Township Trustees indicate, they no longer oppose the project. In this Supplemental Response, Cepheus also shared updated census data for the Village of Sherwood and Delaware Township, which showed no meaningful change from the prolonged population decline over the last forty years.

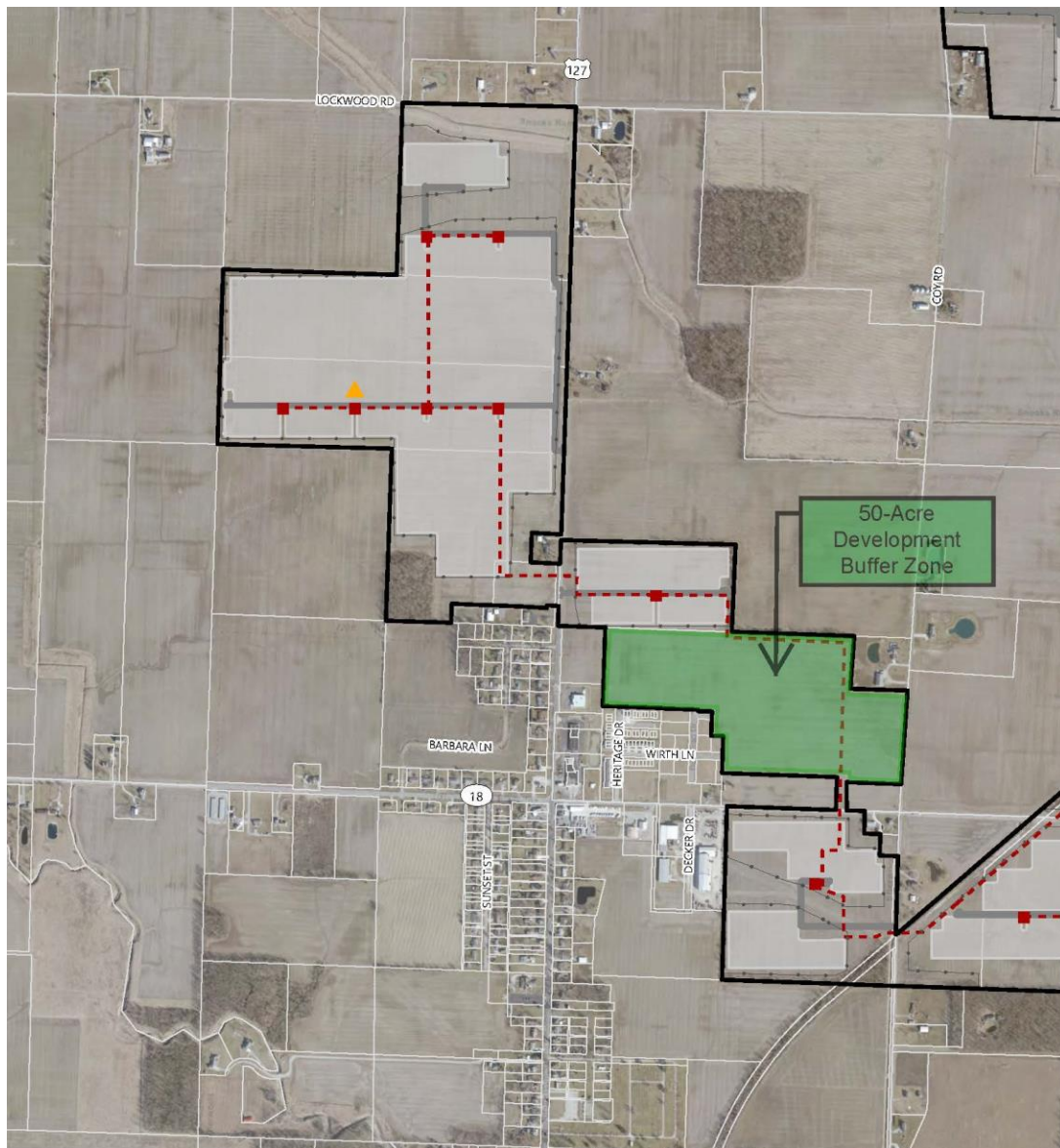
Cepheus now files this Second Supplemental Response to provide updated information relevant to Staff's Sixth Data Request. On November 24, 2021, a letter dated November 22, 2021 from the Defiance County Commissioners was filed as a public comment to the project docket. This letter does not appear to be a formally passed resolution and does not contain additional information concerning setbacks or buffers, noise standards, or a land use standard for utility scale solar development. However, because the letter shares certain concerns about the project, Cepheus is disclosing it in this Second Supplemental Response.

In the letter, the Defiance County Commissioners reiterate concerns expressed by the Village of Sherwood that the project will inhibit additional housing and business expansion. In the Supplemental Response, Cepheus provided information concerning the prolonged population decline with the Village of Sherwood (12.3% over 40 years) and Delaware Township (3.3% over 40 years). That response also highlighted a comment from one trustee referencing unsuccessful attempts for the past twenty years to develop land in the area of interest. While the County references that this area of the community "has

been the site of expansions, both in housing and businesses,” as noted above, there has been a lack of development for a number decades.

Further, the area of interest to the County and the Village includes a 50-acre area, which Cepheus has already agreed to exclude from the solar project. That area remains available for future development.

A map of the 50-acre area is below:



While the entire 50-acre area was proposed for residential development in 2001, development has not occurred on any portion of that 50-acre area. The development that has occurred in a small adjacent area included the initial construction of rental properties and four houses permitted within the last several years.

The County also raised a concern about “several million dollars in [Community Development Block Grants] and Revitalization grants” will “be wasted because growth will cease.” Cepheus is not aware of any allocated grant money to the development of the land at issue. In the project’s understanding, use of these grants for the Village of Sherwood have been used to create a downtown improvement district, a Harrison St. reconstruction project, and a community reinvestment agreement for renovation of an auto dealership into a restaurant. There is no evidence of grant money allocated for projects within the land at issue, nor is there any evidence of plans that contemplate the use of grant money for this area. As further discussed below, Cepheus voluntarily included a 50-acre buffer and development area into the project design. If the value of property in this area or suitability for development has increased, there is still acreage available for development in that 50-acre area and in the 59% of land within the Village that remains undeveloped.

Additionally, numerous studies show that solar farm development in rural areas does not limit future development. Proximity to solar farms does not deter the sales of agricultural or residential land. There is no evidence that solar projects have a consistent negative impact on property value in rural areas similar to the proposed location of Cepheus Solar. Examining property values in states including Ohio, Indiana, Illinois, Kentucky, Michigan, Maryland, Virginia, and North Carolina demonstrates that large-scale solar arrays often have no measurable impact on the value of adjacent properties. (See, e.g., Property value impact study completed for OPSB Case No. 20-1677-EL-BGN, available at <http://dis.puc.state.oh.us/TiffToPDF/A1001001A21B01B42950C00157.pdf>). At the same time, in order to answer questions and address concerns about the solar project, Cepheus has launched a Good Neighbor Agreement program. The reception to this program has been positive. There are multiple agreements in place, and adjacent homeowners have been receptive to the landscaping commitments and the offering of residential solar installations.

Additionally, the solar farm development is expected to bring substantial revenue to the local jurisdictions. That revenue is expected to total between \$500,000 and \$600,000 per year. That annual revenue is estimated to total approximately \$19,000,000 (\$19 Million) over 35 years. A portion of that can be used for improvements within the Village of Sherwood, elsewhere within Delaware Township, or even more broadly in Defiance County in order to foster growth and revitalization, while returning the land to its original condition at the end of the project. Additionally, the project has committed to establishing a \$100,000 community fund to be deployed at the time of construction, to be directed based on feedback from the community.

Cepheus also notes that private landowners own the land referenced by the County and Village for future development. These landowners decided to lease with Cepheus after

decades of no other successful development opportunities of interest to them. The majority of participating landowners are farmers and the solar farm project will help them diversify their income and, in some cases, plan for retirement. The Village and County have no ownership interest or option on this land. There is no evidence of any tangible alternative development plan for this land, nor is there any evidence that the privately owned land at issue would be available for any such hypothetical development plans.

Nonetheless, as noted in the project application and above, Cepheus designed the project to accommodate concerns about potential future development by excluding panels and other project components from a 50-acre area of potential development within the Village of Sherwood. Cepheus altered preliminary layouts to remove panels from a 50-acre area targeted by the Village for potential development in the northeast corner of the Village boundaries.

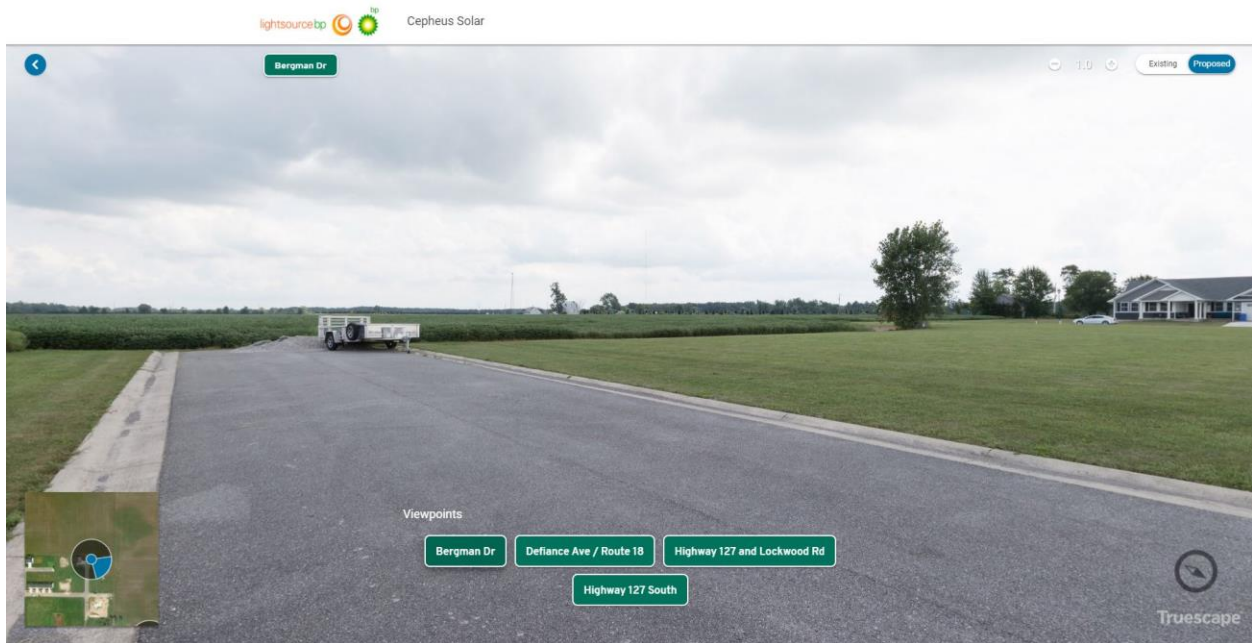
Not locating panels in that 50-acre area will leave it open to other types of development (despite multiple decades of unsuccessful attempts to develop the area). (Application Executive Summary; Application p. 27). If the above-mentioned grants were designed to make Sherwood a more attractive place for development, there is still land available for development including the excluded 50-acre area, a 35-acre industrial park and 59% of the land within the boundaries of the Village of Sherwood.

The excluded 50-acre area balances the interests of the Village for potential future development while also accommodating the property rights of the leasing landowner, and enabling the solar development to bring substantial revenue to the local jurisdictions. As mentioned, that revenue is expected to total between \$500,000 and \$600,000 per year. A portion of that revenue can be used for improvements within the Village of Sherwood, elsewhere within Delaware Township, or even more broadly in Defiance County in order to attract additional construction and businesses.

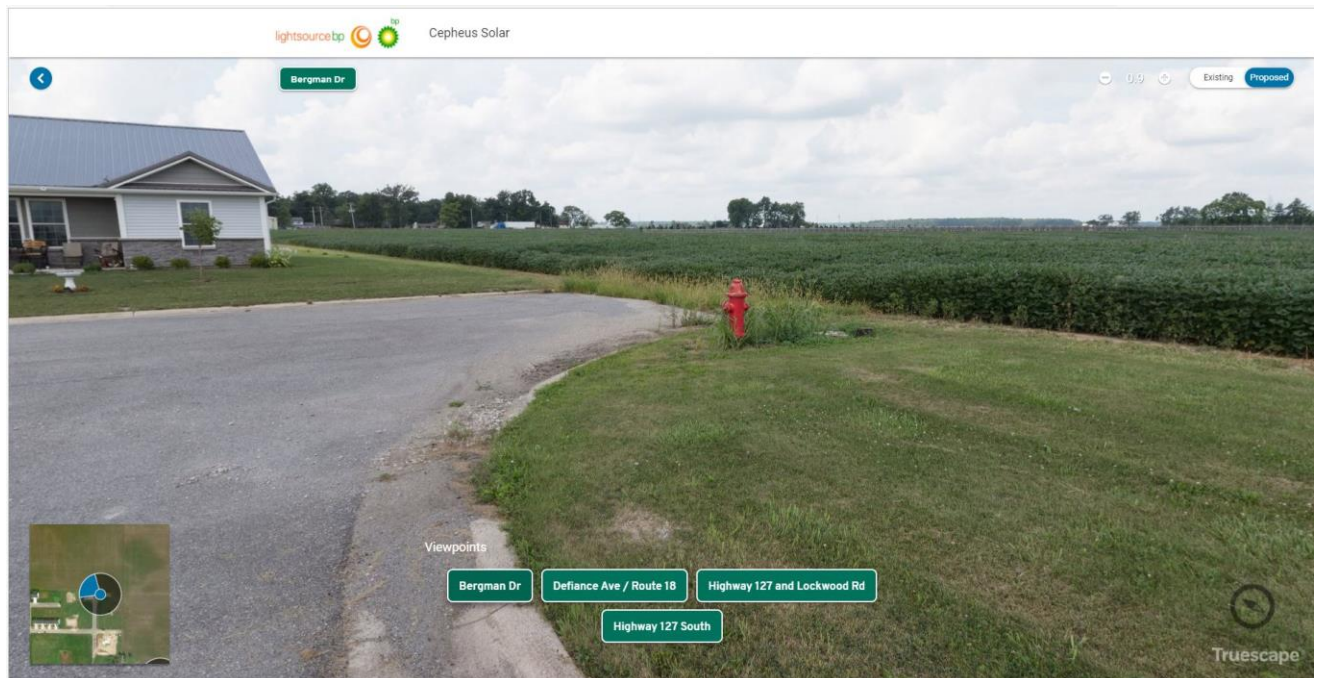
The 50-acre area that Cepheus excluded from including project facilities also provides a significant visual buffer from existing homes and development. Included on Exhibit A are visual renderings from the existing Sherwood Crossing housing development looking across this 50-acre buffer and development area. The renderings show that, as a result of the 50-acre buffer and development area, the solar project will be barely visible.

Finally, the Defiance County Commissioners also encourage deference to the Delaware Township Trustee's resolution in opposition to the project. It is likely that the Commissioners were not aware of the recent public comments from individual trustees that they no longer oppose the project due to the engagement by the project to address concerns.

Exhibit A



View to the SW from Sherwood Crossing. Taken from NE corner of existing Sherwood Crossing development. Cepheus Solar Farm visible in distance across 50-acre area available for development.



View to the NW from Sherwood Crossing. Taken from NE corner of existing Sherwood Crossing development. Cepheus Solar Farm visible in distance across 50-acre area available for development.

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

Case No(s). 21-0293-EL-BGN

Summary: Text Cepheus Solar Project, LLC's Second Supplemental Response to OPSB Staff's Sixth Data Requests dated November 3, 2021 electronically filed by Teresa Orahod on behalf of Herrnstein, Kara