

## BROSIUS, JOHNSON & GRIGGS, LLC

ATTORNEYS AT LAW

1600 Dublin Road • Suite 100 • Columbus, Ohio 43215-1076

Telephone: 614.464.3563 • Facsimile: 614.224.6221

Email: [jhuber@BJGlaw.net](mailto:jhuber@BJGlaw.net) • Website: [www.BJGlaw.net](http://www.BJGlaw.net)

Donald F. Brosius (1954-2018)  
Calvin T. Johnson, Jr.  
Peter N. Griggs

Jennifer L. Huber  
Julia E. Donnan

June 28, 2021

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

Christine M.T. Pirik

William V. Vorys

Matthew C. McDonnell

Dickinson Wright PLLC

150 East Gay Street, Suite 2400

Columbus, Ohio 43215

**Subject: Prairie Township Concerns in OPSB Case Number 20-1679-EL-BGN**

Dear Ms. Pirik, Mr. Vorys, and Mr. McDonnell,

As you know, we represent and serve as the law director for Prairie Township, Franklin County, Ohio (the "Township"). The Township has intervened in Ohio Power Siting Board ("OPSB") Case Number 20-1679-EL-BGN by virtue of its interest as one of the local jurisdictions in which the solar-powered electric generation facility (the "Project") proposed by Pleasant Prairie Solar Energy LLC (the "Applicant") may be located.

Based on our previous discussion, we understand that your client intends to prepare a list of proposed stipulations for the Township's consideration in the coming weeks. The Township has received many comments and concerns from residents, property owners, and constituents regarding the Project, and desires to see those concerns addressed to the best of the Applicant's ability in the list of stipulations. In addition to the recommended conditions of OPSB staff and conditions typically included in cases like this one, specific items of concern that the Township requests the Applicant consider and address include:

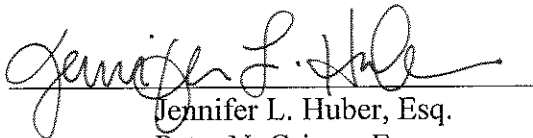
- Ensure that Project improvements and activities do not contaminate groundwater and water wells on property surrounding the Project;
- Mitigate and minimize the potential and actual impact and interference of the Project on and with Hellbranch Run, McCoy Ditch, and the Big Darby Creek;
- Setback from any property line of at least five hundred feet (500') for Project improvements where the Project adjoins property improved with a single-family dwelling;

- Mitigate and minimize the potential and actual impacts of noise-generating activities on nearby residents during the construction and operation of the facility, including with weekday and time of day limitations, and using helical piles or augered holes instead of driven posts;
- Specify, install, and maintain mounding around the perimeter of the Project, including landscaping on top of the mounding, to effectively screen the view of the Project from surrounding properties;
- Applicant shall post a performance bond with OPSB as the obligee based on the net costs of abating any contamination of groundwater and water wells attributable to the Project, as well as the net costs of decommissioning prior to the commencement of commercial operation of the Project;
- Specify, install, and maintain fencing that is wildlife-friendly and conducive to the movement of wildlife between the Project area and surrounding property;
- Establish fire protection, safety, and emergency medical plan(s) acceptable to the Township, to be used during construction and operation of the facility; and
- Establish a Road Use Maintenance Agreement (RUMA) with the Township and other necessary jurisdictions.

Obviously, the Township may add and/or subtract items from this list, and may negotiate how these concerns are addressed by the Applicant. The Township agrees that this list, as well as the more general conditions, constitute steps toward a good outcome for the most Township residents, property owners, and constituents but, as with any project, there may be individuals who are affected more directly or to a greater extent. We appreciate your attention to these considerations and concerns, and please let us know if you would like to discuss any of this information.

Sincerely,

**BROSIUS, JOHNSON & GRIGGS, LLC**

By   
 Jennifer L. Huber, Esq.  
 Peter N. Griggs, Esq.

JLH