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September 25, 2025

Via Electronic Filing

Ms. Lisa Felice
Executive Secretary
Michigan Public Service Commission
7109 West Saginaw Hwy, 3rd Floor
Lansing, MI 48909

Re: Case U-21962 - *In the matter of the application of Washtenaw Solar Energy LLC for approval of a certificate for siting a solar energy facility in Saline Township, Washtenaw County.*

Dear Ms. Felice:

Enclosed for electronic filing in the above-referenced matter is Washtenaw Solar Energy, LLC's Application, Direct Testimony and Exhibits. Due to the voluminous size, Exhibits will be filed separately on the E-Docket.

Please contact me with any questions you may have.

Sincerely,

DYKEMA GOSSETT PLLC

Richard J. Aaron

Digitally signed by: Richard J. Aaron
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Richard J. Aaron

4914-6782-0893.1

S T A T E O F M I C H I G A N

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of **WASHTENAW SOLAR ENERGY LLC** for approval of a certificate for siting a solar energy facility in Saline Township, Washtenaw County	))))))	Case No. U-21962

APPLICATION

Pursuant to 2023 PA 233, MCL 460.1221 et seq. ("PA 233"), Washtenaw Solar Energy LLC ("Washtenaw Solar" or the "Company") respectfully submits this application to the Michigan Public Service Commission (the "Commission" or the "MPSC") for a certificate to construct a 150 megawatt ("MW") solar energy facility in Saline Township, Washtenaw County, Michigan (the "Project"). In support, the Company states as follows:

SUMMARY OF FILING

This case underscores the need for PA 233 to achieve the State's renewable energy objectives by allowing the Commission to issue a certificate to construct solar facilities on private property when a local government seeks to block property owners from using their land for that purpose. For approximately seven years, Washtenaw Solar has been developing and pursuing the Project proposed in Saline Township. Until 2021, the Saline Township zoning ordinance (the "Ordinance") required 100-foot setbacks for utility-scale solar facilities such as the Project. In 2021, Saline Township amended the Ordinance to increase the setback provision to 600 feet, for the stated purpose of attempting to create a setback so onerous that it will prevent the Project from

proceeding. PA 233 authorizes the Commission to issue a certificate to construct a solar energy facility under certain circumstances where the affected local unit of government, such as Saline Township, does not have a compatible renewable energy ordinance. MCL 460.1223.

Washtenaw Solar has completed PA 233's pre-application requirements as well as those the Commission established in its October 10, 2024 Application Filing Instructions and Procedures (the "Filing Guidelines"). Washtenaw Solar has compiled its Application, testimony, and exhibits pursuant to the form and content requirements in the Filing Guidelines.

Attached in support of this Application for a Certificate is the testimony and exhibits of Tyler S. Durgan, Kirsten A. Polen, Julie M. Pierson, Amanda M. Ignatowski, James B. Sallee, Isaac B. Pallant, James E. Kampa, Tyler D. Barron, Micheal T. Hebert, Michael Hankard, and Dr. David G. Loomis, all of which are incorporated as if fully reproduced herein.

DESCRIPTION OF WASHTENAW SOLAR

1. Washtenaw Solar is a project of Invenergy LLC ("Invenergy") organized under Delaware law to develop a utility-scale solar project in Saline Township.

2. Washtenaw Solar is an independent power producer that owns or will construct facilities that will generate electric power for sale to electric providers, the state, and local units of government.

3. Washtenaw Solar and Consumers Energy have executed a Build-Transfer-Agreement ("BTA") for the Project. The Commission approved the BTA for the Project in its November 18, 2021 Order in Case No. U-20165.

PURPOSE OF APPLICATION

4. Washtenaw Solar intends to construct, operate and maintain the Project proposed in Saline Township, Washtenaw County, Michigan.

5. Washtenaw Solar submits this Application pursuant to MCL 460.1222, which allows an independent power producer to request Commission approval before beginning construction of a solar energy facility and after complying with sections 223 and 224 of PA 233.

AUTHORITY TO OBTAIN A CERTIFICATE

6. PA 233 defines an "independent power producer" as "a person that is not an electric provider but owns or operates facilities to generate electric power for sale to electric providers, this state, or local units of government." MCL 460.1221(k). Washtenaw Solar is an independent power producer as defined by PA 233.

7. Under PA 233, an independent power producer may apply for a certificate for a solar energy facility if certain conditions are met. PA 233 defines a "solar energy facility" as:

> a system that captures and converts solar energy into electricity, for the purpose of sale or for use in locations other than solely the solar energy facility property. Solar energy facility includes, but is not limited to, the following equipment and facilities to be constructed by an electric provider or independent power producer: photovoltaic solar panels; solar inverters; access roads; distribution, collection, and feeder lines; wires and cables; conduit; footings; foundations; towers; poles; crossarms; guy lines and anchors; substations; interconnection or switching facilities; circuit breakers and transformers; energy storage facilities; overhead and underground control; communications and radio relay systems and telecommunications equipment; utility lines and installations; generation tie lines; solar monitoring stations; and accessory equipment and structures. MCL 460.1221(w)

The Project is a solar energy facility as defined by PA 233.

8. The PA 233 siting process applies to solar energy facilities with a nameplate capacity of 50 MW or more. The Project is a 150 MW solar energy facility.

9. Before applying to the Commission for a certificate, the Company must comply with the pre-application requirements of sections 223 and 224 of PA 233.

10. Section 223 requires the Company to hold a public meeting in the affected local unit, Saline Township. Washtenaw Solar held a public meeting in Saline Township on August 18, 2025. The Company also offered to meet with Saline Township's chief elected official by certified mail on May 23, 2025, more than 60 days before the public meeting. The Company's correspondence to Saline Township also asked Saline Township to confirm whether Saline Township has a compatible renewable energy ordinance, as defined by PA 233. Saline Township did not respond.

11. Washtenaw Solar published notice of the public meeting in a newspaper of general circulation and also provided a copy to the Saline Township Clerk. Washtenaw Solar also sent notice of the public meeting to every property within a mile of the Project.

12. Section 224 requires the Company to comply with the Filing Guidelines. The Company has complied with the Filing Guidelines in full.

13. The Company also has complied with the requirements of PA 233 regarding the authority to seek a certificate from the Commission.

EFFECT OF THE CERTIFICATE

14. After filing the application, any zoning ordinance or limitation imposed thereafter cannot limit or impair the construction, operation or maintenance of the Project. In that regard, PA 233 provides:

> If a certificate is issued for an energy facility under this part, a zoning ordinance or limitation imposed after the electric provider or IPP submitted the application for the certificate to the commission shall not be construed to limit or impair the construction, operation, or maintenance of the energy facility. MCL 460.1231(2).

15. Additionally, a certificate issued by the Commission under PA 233 will supersede conflicting local policy, practices, regulations, rules or ordinance that would prohibit, regulate or impose more stringent requirements than PA 233. Specifically, PA 233 states:

> If a certificate is issued, the certificate and this part preempt a local policy, practice, regulation, rule, or other ordinance that prohibits, regulates, or imposes additional or more restrictive requirements than those specified in the commission's certificate. MCL 460.1231(3).

16. The Commission approving the Company's application does not, however, exempt the Company from other permits, licenses, or permissions required by state or federal law and associated rules and regulations or other local ordinances. MCL 460.1231(5).

COMPLIANCE WITH PA 233 REQUIREMENTS

17. Section 225 of PA 233 provides the requirements for an application to the Commission. The Filing Guidelines provide additional requirements and details regarding these filing requirements. The Company's application includes the information required by Section 225, with the exception of information not applicable to solar energy facilities.

18. Section 226 of PA 233 contains requirements and conditions that the Commission may impose on the Project. The Commission established additional requirements and conditions through the Filing Guidelines, and the Company's Application meets or exceeds the Filing Requirements.

19. Washtenaw Solar has entered into a host community agreement with Saline Township consistent with Section 227.

20. The Commission has jurisdiction over this matter pursuant to PA 233.

21. The public benefits of the Project justify its construction.

22. The Project complies with section 1705(2) of the natural resources and environmental protection act, 1994 PA 451, MCL 324.1705.

23. The Company has considered and addressed impacts to the environment and natural resources.

24. The Company has met the conditions of section 227.

25. The Company complies with the labor and employment considerations of Section 226.

26. The Project will not unreasonably diminish farmland.

27. The Project does not present an unreasonable threat to public health and safety.

28. The Project meets the design requirements of Section 226(8)(a).

REQUEST FOR RELIEF

WHEREFORE, Washtenaw Solar respectfully requests that the Commission:

A. Accept this filing as complying with Michigan law and specifically with PA 233.

B. Schedule and conclude the requisite contested case hearings required by Section 226 of PA 233.

C. Read the evidentiary record to avoid the need for a proposal for decision, exceptions, and replies to exceptions otherwise required by Section 81 of the Administrative Procedures Act of 1969, 1969 PA 306, as amended, MCL 24.281.

D. Expeditiously issue the requested certificate authorizing the Project's construction, operation, and maintenance as described in this Application and supporting testimony and exhibits, with the approval to make minor changes as described herein.

E. Find that the Project does not, and is not likely to, pollute, impair, or destroy the air, water or other natural resources or the public trust in those resources.

F. Grant such further and additional relief as the Commission may deem appropriate.

Dated: September 25, 2025

By Richard J. Aaron

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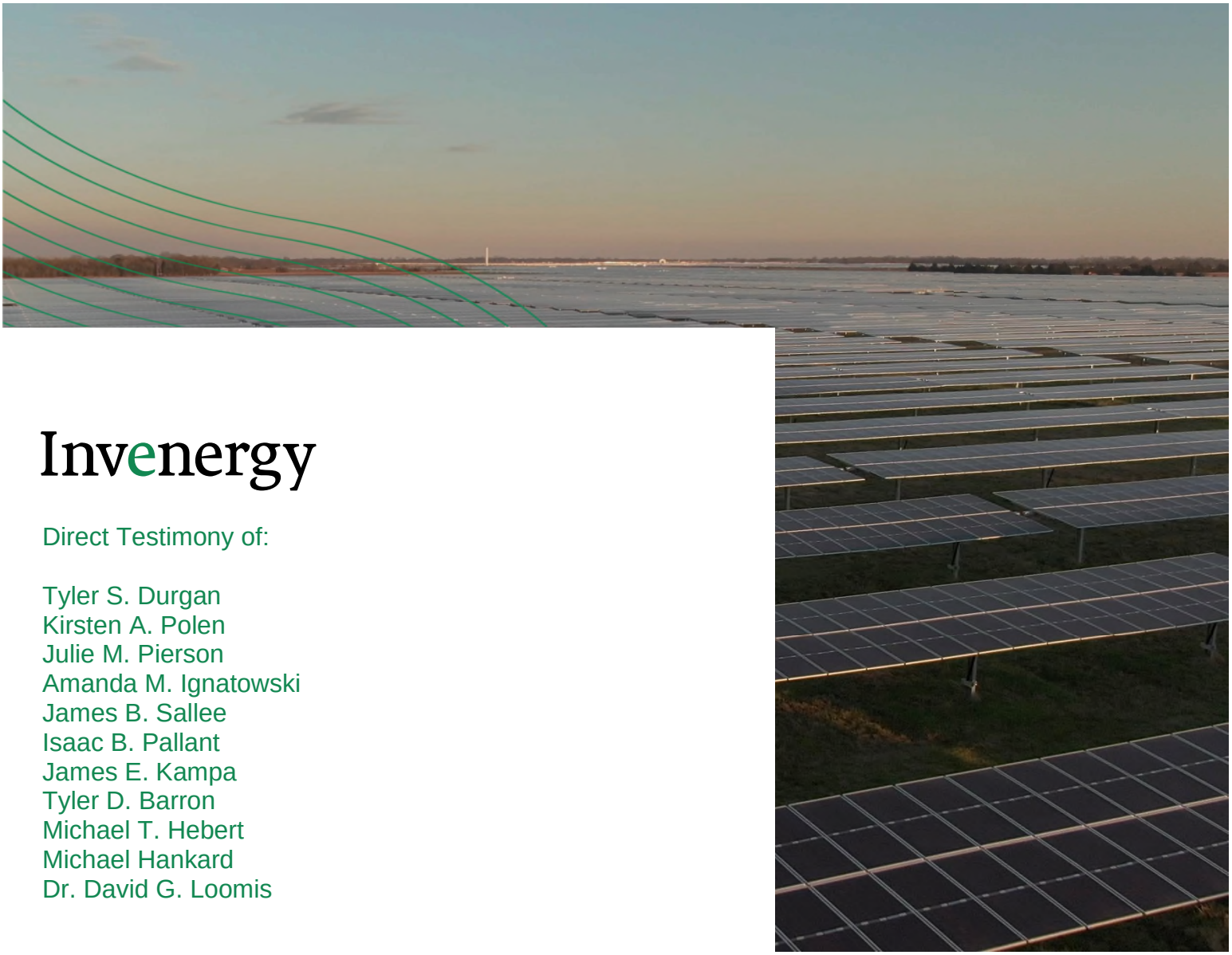


Invenergy

Direct Testimony of:

Tyler S. Durgan
Kirsten A. Polen
Julie M. Pierson
Amanda M. Ignatowski
James B. Sallee
Isaac B. Pallant
James E. Kampa
Tyler D. Barron
Michael T. Hebert
Michael Hankard
Dr. David G. Loomis

PREPARED FOR:

WASHTENAW SOLAR ENERGY LLC

S T A T E O F M I C H I G A N

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of **WASHTENAW SOLAR ENERGY LLC** for approval of a certificate for siting a solar energy facility in Saline Township, Washtenaw County	))))))	Case No. U-21962

DIRECT TESTIMONY

OF

TYLER S. DURGAN

ON BEHALF OF

WASHTENAW SOLAR ENERGY LLC

Q. Please state your name and business address.

A. My name is Tyler Durgan. My business address is One South Wacker Drive, Suite 1500, Chicago, Illinois 60606.

Q. By whom are you employed and in what capacity?

A. I am employed by Invenergy LLC ("Invenergy") as Senior Associate of Renewable Development.

Q. Please describe your educational background.

A. In 2015, I received a Bachelor of Arts in English and Bachelor of Arts in Political Science from the University of Illinois at Urbana-Champaign.

Q. Do you hold any licenses?

A. No.

Q. Please describe your professional experience.

A. I have been employed in infrastructure development for seven years, starting in 2018. From 2018 to 2023, I developed telecommunications towers across Michigan, Indiana, Texas, Arizona, and New Mexico. I negotiated agreements with landowners and obtained zoning and permitting approval from local jurisdictions and federal land agencies. Since 2023, I have worked within Invenergy's Renewable Development team to develop wind and solar projects in Michigan. I was promoted from Associate to Senior Associate in March 2025.

Q. What are your responsibilities as Senior Associate of Renewable Development at Invenergy?

A. As a Senior Associate of Renewable Development, I drive the advancement of solar, wind, and energy storage projects across Michigan through strategic problem-solving and the

management of budgets, schedules, and financial models. I identify promising development opportunities and conduct initial site reconnaissance using critical analysis. A core part of my role is securing site control by negotiating leases, easements, and other agreements with landowners, while building and maintaining strong relationships with them. I manage coordination with third-party consultants to complete key site studies, including environmental, topographical, and geotechnical assessments. In collaboration with cross-functional teams, I help evaluate sites, identify potential risks, and lead due diligence efforts. I also initiate and manage generation interconnection activities and stay current on market trends and regulatory changes. Additionally, I develop strategies for community engagement and represent Invenergy in meetings with customers, landowners, public officials, and other stakeholders. I also play a key role in project permitting at the local, state, and federal level. I am part of the development team working on Washtenaw Solar Energy LLC's ("Washtenaw Solar" or the "Company") 150 megawatt ("MW") solar energy facility (the "Project") proposed in Saline Township, Washtenaw County, Michigan (the "Project Area").

Q. What is the purpose of your direct testimony in this proceeding?

A. The purpose of my direct testimony is to provide an overview of the Company's request for siting approval for the Project and its eligibility for that approval. I provide information regarding the Project's history and Washtenaw Solar's efforts to engage with Saline Township (the "Township"). As the lead developer on the Project, I oversee a team of land agents engaged in the community and with landowners seeking to develop their property as they see fit. My testimony reviews certain elements of the Site Plan for the Project, including information explaining the Project, the list of participating landowners, and the

Project's Complaint Resolution Process. I also describe the Project, Washtenaw Solar's local outreach efforts, and the public benefits of the Project. I provide information regarding how the Project is not expected to interfere with any signals. Finally, I provide the Project's existing generator interconnection agreement and propose a list of conditions and compliance measures that Washtenaw Solar expects to agree to with the Commission.

Q. How is your direct testimony organized?

A. My direct testimony is organized as follows:

I. SUMMARY OF PROJECT

II. ELIGIBILITY FOR CERTIFICATE

III. PROJECT DESCRIPTION

IV. HISTORY OF THE PROJECT

V. OVERVIEW OF THE WITNESSES

VI. SITE PLAN

- A. Explanatory Information
- B. Participating Landowners
- C. Emergency Response Plan
- D. Fire Response Plan
- E. Participating Parcel List
- F. Complaint Resolution

VII. LOCAL OUTREACH

- A. Chief Elected Official Documentation
- B. Summary of Community Outreach and Education Efforts
- C. Accommodations or Changes

D. Summary of Agency Consultations

VIII. SIGNAL MITIGATION PLAN

IX. PUBLIC BENEFITS

A. Payments to Landowners

B. Host Community and Community Benefits Agreements

C. Energy Needs Contributions

X. TRANSMISSION AND INTERCONNECTION AGREEMENTS

XI. CONDITIONS

XII. APPLICATION CHECKLIST

Q. Are you sponsoring any exhibits in this proceeding?

A. Yes. I am sponsoring the following exhibits:

Exhibit A-1.3 (TSD-1)	Site Plan – Explanatory Information
Exhibit A-1.15 (TSD-2)	Site Plan – Participating Parcel List
Exhibit A-1.16 (TSD-3)	Site Plan – Complaint Resolution Process
Exhibit A-2 (TSD-4)	Project Description
Exhibit A-4.1 (TSD-5)	Local Outreach – CEO Documentation
Exhibit A-4.2 (TSD-6)	Local Outreach – Summary of Community Outreach and Education Efforts
Exhibit A-4.3 (TSD-7)	Local Outreach – Accommodations
Exhibit A-4.4 (TSD-8)	Local Outreach – Agency Consultations
Exhibit A-7 (TSD-9)	Signal Mitigation Plan
Exhibit A-8.2 (TSD -10)	Public Benefits – Payments to Owners of Participating Properties

Exhibit A-8.3 (TSD-11)	Public Benefits – Host Community and Community Benefits Agreements
Exhibit A-8.5 (TSD-12)	Public Benefits – Energy Needs Contribution
Exhibit A-12 (TSD-13)	Transmission and Interconnection Agreements
Exhibit A-14 (TSD-14)	Conditions
Exhibit A-16 (TSD-15)	Completed Application Checklist
Exhibit A-17 (TSD-16)	Notice of Public Meeting
Exhibit A-18 (TSD-17)	Saline Township's Ordinance

I also co-sponsor the following exhibits:

Exhibit A-1.9 (JMP-3)	Site Plan – Emergency Response Plan
Exhibit A-1.10 (JMP-4)	Site Plan – Fire Response Plan

Q. Were these exhibits prepared in whole or in part by you or under your direction and supervision?

A. Yes. These exhibits were either prepared by me or under my direction and supervision, are public agency documents, or are business records kept in the regular course of business.

I. SUMMARY OF PROJECT

Q. Please describe Invenergy.

A. Invenergy is a United States-based multinational power generation development and operations company. Invenergy develops, builds, owns, and operates power generation and energy storage projects in the Americas, Europe, and Asia, including wind, solar, and natural gas power generation, and energy storage facilities. It is North America's largest privately held renewable power generation company.

As of filing, Invenergy has developed 210 projects worldwide totaling 34.5 gigawatts of generation. These include, but are not limited to, 19.5 gigawatts of wind over 121 projects; 7.5 gigawatts of solar over 55 projects; and 6 gigawatts of natural gas over 13 projects. Invenergy has also developed 23 energy storage projects capable of supplying 3,000 megawatt hours of electricity.

Invenergy is an expert in the complexities of utility-scale renewable energy projects, with expertise in all areas of project development, from engineering to environmental. In Michigan, Invenergy has developed seven projects, which generate over a gigawatt of electricity to support the residents of the State of Michigan.

Q. Please describe Washtenaw Solar.

A. Washtenaw Solar is an Invenergy project organized to support the development of a utility-scale solar project in Saline Township, Washtenaw County, Michigan. This Project is sited on approximately 2,412 acres of land and currently has 34 participating landholders who have entered into agreements to host Project facilities. The Project will generate approximately 150 MW of electricity, which can power approximately 28,000 homes. The Company is utilizing the most recent technology, including bifacial solar panels and advanced tracking systems to maximize the efficiency of the solar arrays. Washtenaw Solar has obtained interconnection rights to connect to the Majestic to Lemoyne 345kV transmission line, which is located directly north of the Project. The Project's location was selected due to the existence of supportive property owners, advantageous access to the electric grid, consistent solar resources, and demand for electricity. Washtenaw Solar is subject to a build-transfer-agreement ("BTA") that the Commission approved in Case No.

U-20165. Washtenaw Solar will ultimately be owned upstream by Consumers Energy during the Project's operational life.

II. ELIGIBILITY FOR CERTIFICATE

Q. How many Affected Local Units are within the Project Area?

A. Only one local unit of government could exercise zoning authority within the Project Area. The Project Area is encompassed entirely within Saline Township, Washtenaw County, Michigan.

Q. What zoning districts are within the Project Area?

A. The land within the Project is zoned entirely within the Township's Agricultural district.

Q. What is the Project's nameplate capacity?

A. The Project's designed full-load sustained generating output is 150 MW.

Q. Did Washtenaw Solar offer to meet with the Chief Elected Official ("CEO") of the Township?

A. Yes. On May 23, 2025, the Company offered to meet with the CEO of the Township to discuss the Site Plan and establish whether the Township has a compatible renewable energy ordinance ("CREO"). **Exhibit A-4.1 (TSD-5)**. Washtenaw Solar sent the offer to the Township more than 60 days before the Project's public meeting held on August 18, 2025 ("Public Meeting"). Additionally, the Company sent a copy of the offer, via certified mail, to the entire legislative body of the Township, the Township Board of Trustees ("Township Board"). Washtenaw Solar also sent courtesy emails to those members of the Township Board who have email addresses. Counsel for Washtenaw Solar called those members of the Township Board who have not provided publicly available email addresses to determine whether they have email addresses.

Q. Did the Township respond to the Company's offer to meet?

A. No. The Company did not receive a response. In addition to the written notice, I also attended the Township Planning Commission's July 8, 2025, meeting and the Township Board's July 9, 2025, meeting to reiterate the Company's offer in person. The Township never responded to any of the Company's offers to meet.

Q. Does Saline Township have a CREO?

A. Saline Township did not respond to the Company's outreach and did not indicate the existence of or plans to adopt a CREO. Washtenaw Solar reviewed the Township's ordinances and concluded that the Township does not have a CREO. See Saline Township's Ordinance attached as **Exhibit A-18 (TSD-17)**.

Q. Is the Township's zoning ordinance more restrictive than the requirements of PA 233 of 2023 ("PA 233")?

A. Yes. The setback requirements in the Township's zoning ordinance are significantly more restrictive than those established in PA 233. The Township has a 600-foot setback requirement from all property lines and public road rights-of-way.

Q. Despite the Township's more restrictive zoning ordinance and lack of a CREO, did Washtenaw Solar attempt to work with the Township?

A. Yes. Washtenaw Solar has been attending the Township's public meetings and requesting that the Township reduce its setbacks for several years to make local permitting a feasible option.

The Township enacted an ordinance on February 1, 2008, related to requirements and restrictions for large-scale solar projects. The setbacks in this original ordinance were

100 feet from property lines and public rights-of-way, and Washtenaw Solar began to develop the Project in 2017 consistent with these setback requirements.

The Township amended its zoning ordinance on September 2, 2021, to increase its setbacks six-fold, from 100 feet to 600 feet for a solar project. Township Board Members have stated that the Township Board designed the 600-foot setback to prevent the Project. Despite the Township's actions to prevent the Project, Washtenaw Solar continued to attend Township meetings over the past five years, attempting to convince the Township to amend its zoning ordinance to reduce the setbacks to a range that would make the Project viable.

Until recently, Washtenaw Solar was hopeful that the Township would take action to reduce its setback restrictions. The Planning Commission recently considered a zoning ordinance amendment that would have reduced the solar setbacks to 300 feet. Unfortunately, at the hearing to consider the amendment that would reduce the setbacks, the Planning Commission instead recommended maintaining the setback distance of 600 feet. Given the Township's unwillingness to compromise with regard to solar facility setbacks, Washtenaw Solar cannot continue to delay the Project any further.

Q. Did Washtenaw Solar file for siting approval with the Township?

A. No. Washtenaw Solar must be operational by 2028. In light of the Township's unwillingness to compromise on setbacks, Washtenaw Solar is now at a point where it can no longer continue to wait for the Township to adopt a CREO and still meet its operational timeline. After years of the Company engaging with the Township and a lack of meaningful progress with regard to decreasing applicable setbacks, Washtenaw Solar

recently determined that it has no option other than to pursue state siting with the Commission.

Q. Did Washtenaw Solar provide notice of the Project's Public Meeting?

A. Yes. The Notice of Public Meeting complied with Attachment C of the MPSC's Filing Guidelines with regard to the required notices. Washtenaw Solar posted its Site Plan online more than 30 days in advance of the Public Meeting. Washtenaw Solar also submitted its Notice of Public Meeting to the Township Clerk and by email to the Commission's Executive Secretary that same day, July 18, 2025. **Exhibit A-17 (TSD-16**). Notice of the Public Meeting was published in the Sun Times News on July 20, 2025, more than 14 days before the Public Meeting. Washtenaw Solar also sent the Notice of Public Meeting to all parcels within a mile of the Project. See **Exhibit A-4.2 (TSD-6), Appendix X.** In addition to these required notices, Washtenaw Solar also sent invitations to the Public Meeting to landowners participating in the Project and local stakeholders. See **Exhibit A-4.2 (TSD-6)**.

Q. Did members of the public attend the Public Meeting?

A. Yes. More than 40 people attended the Public Meeting, including landowners whose land is part of the Project, adjacent landowners, concerned citizens, and public officials. The sign in sheets are attached as **Exhibit A-4.2 (TSD-6), Appendix MM**.

Q. Was the Public Meeting transcribed?

A. Yes, the Public Meeting was recorded and transcribed by a court reporter present at the Public Meeting. A copy of the transcript is included as **Exhibit A-4.2 (TSD-6), Appendix OO**.

Q. Did Washtenaw Solar hold a pre-application meeting with Commission Staff?

A. Yes. The Company met with Commission Staff on July 16, 2025, more than 30 days in advance of the Company's filing and provided a Project overview, reviewed Project maps, provided a Project status update, discussed labor and employment considerations, identified Washtenaw Solar's expected filing date, and discussed the contested case process and the MPSC's Application Filing Instructions and Procedures ("Filing Guidelines").

III. PROJECT DESCRIPTION

Q. Please describe the Project.

A. The Project is planned as a 150 MW solar facility located in Saline Township, Washtenaw County, Michigan on approximately 2,412 acres of privately-owned land. The lands on which the Project will be located, and the surrounding areas, are primarily agricultural. **Exhibit A-2 (TSD-4)** provides a complete description of the Project Area and the surrounding community.

Q. How was Exhibit A-2 (TSD-4) developed?

A. I reviewed demographic information for Saline Township and Washtenaw County, as well as Project information related to the engineering and technical specifications. I developed land use data using the U.S. Geological Survey's National Land Cover Database. Major industries were reviewed using U.S. Census Data. I also oversaw the review of information related to energy generation in Saline Township and Washtenaw County based on the MPSC's Geographic Information Systems ("GIS") information on energy generation in Michigan. I compiled this information in **Exhibit A-2 (TSD-4)**, pursuant to the Filing

Guidelines. I am Washtenaw Solar's representative for the purpose of this Application. My contact information is included in **Exhibit A-2 (TSD-4)**.

IV. HISTORY OF THE PROJECT

Q. How long has Invenergy been developing renewable projects in Michigan?

A. Invenergy has been developing renewable energy projects in Michigan since the early 2000s. With Michigan's abundant natural resources, interest in environmental sustainability, and need for new electrical generation, there is a strong history in Michigan of interest in clean and renewable energy.

Invenergy developed its first energy project in Michigan with the 212 MW Gratiot Wind Projects I and II in Gratiot County which achieved commercial operation in 2012. Invenergy has put seven utility-scale energy projects into service in Michigan. Invenergy has been partnering with landowners and utilities in Michigan's upper and lower peninsulas for close to two decades.

Q. How did Washtenaw Solar identify landowners that would be interested in a solar project?

A. Washtenaw Solar first identified landowners that are close to the existing Majestic to LaMoyne 345 kV transmission line. Washtenaw Solar also looked for parcels that contained large areas that had already been cleared—such as agricultural parcels. Washtenaw Solar also conducted a review for landowners with large land holdings. Finally, Washtenaw Solar commissioned a review of County records to identify recorded interests to understand if any landowners had already signed agreements for renewable development or if such landowners may be open to development on their land.

Washtenaw Solar worked with Invenergy's land agents to engage with landowners fitting this description. As the Project progressed, it was necessary to identify and work with additional landowners—those with smaller parcels, irregular shaped parcels, or more vegetative cover—to create the geographic continuity necessary to complete a full Project design. Factors that necessitate engagement with these landowners include ensuring access to public rights-of-way, connectivity to other signed land, or adding additional land area for the Project to allow for design flexibility.

Q. Please explain the history of the Project and its location.

A. The first step to identifying a suitable location for the Project was to find a geographic area with existing transmission infrastructure capable of supporting additional generation. To identify such infrastructure, Washtenaw Solar evaluated available transmission capacity ("ATC") of the Majestic-LeMoyne 345kV transmission line via an "N-1" contingency analysis, which evaluates the impact on a prospective point of interconnection if any single transmission element is taken offline and necessitates redirection of power flows. This high-level analysis is consistent with basic analyses used by independent system operators when system impact studies are run to test viability of active generator interconnection queue positions.

Based on the Majestic-LeMoyne 345 kV line's capacity and the "N-1" result, Washtenaw Solar estimated that interconnecting in this area would likely be commercially reasonable. Initial solicitations of landowner interest were for a wind energy generation project. However, many of Washtenaw Solar's now-participating landowners expressed a preference to participate in a solar energy generation project. The sufficiency of solar resources in this area was reviewed based on publicly available data showing weather

patterns, irradiance, and the availability of technology that can economically produce energy in Michigan's climate.

During this initial site-identification phase, preliminary environmental data was reviewed for compatibility with a solar project. Washtenaw Solar evaluated the publicly available National Wetland Inventory ("NWI") and Federal Emergency Management Agency ("FEMA") Areas of Flood Hazard Risk data to determine the suitability of siting facilities. This desktop analysis suggested the area would be suitable for the development of a solar project. After a potential project area was identified, Washtenaw Solar began initial outreach to find interested landowners. Initial site identification began in 2017 with inquiries made to large landowners in the area about participating in a wind energy generation project, as already mentioned. However, a solar energy generation project was pursued instead due to the expressed preference of participating landowners.

During the site-identification phase, Washtenaw Solar also reviewed local zoning ordinances to determine areas that would be compatible with a potential solar project. Washtenaw Solar reviewed the Saline Township zoning ordinance at this time, included as **Exhibit A-18 (TSD-17)**. Saline Township passed a Solar Energy Systems zoning ordinance in February 2008 (the "2008 Ordinance"). Washtenaw Solar identified the 2008 Ordinance as reasonable and compatible with solar facility development. Under the 2008 Ordinance, there was a 100-foot setback provision. This 100-foot setback was in place for the first three years of Project development.

Washtenaw Solar began signing agreements with Project participants in 2018. That same year, Washtenaw Solar began attending Township Board and Planning Commission

meetings to begin engaging with the Township. Early engagement on the Project was positive.

Anticipating that the Project would go into operation at an earlier date than initially planned, Washtenaw Solar was able to accelerate the timing of its interconnection queue request. Invenergy held rights to a position in an earlier cycle (J1062, DPP-2018) along the same transmission line and shifted that position to be part of Washtenaw Solar's portfolio. The position corresponding to Washtenaw Solar's initial interconnection queue request (J1256, DPP-2019) was then withdrawn. This was done to secure the Generator Interconnection Agreement ("GIA") on a quicker timeline in anticipation of permit approval and construction beginning in 2022.

Washtenaw Solar began environmental and other due diligence activities, and in 2021, the BTA with Consumers Energy was executed after successfully bidding the Project.

As discussed above, as the Project came closer to the local approval phase, the Township amended its zoning ordinance to prevent the Project from moving forward. Namely, in October 2021, the Township increased its setbacks from 100 feet to 600 feet. See **Exhibit A-18 (TSD-17)**. Washtenaw Solar attended Township meetings and engaged with Township officials to explain that these were overly restrictive, would cause Project delays, and would necessitate the signing of additional land. Project representatives attempted to mitigate the increase by requesting that the Township only increase the setbacks to 300 feet, which the Township declined to do.

Township officials were aware of Washtenaw Solar's imminent plans to seek a Special Use Permit for the Project when the Township Board adopted a revised solar

ordinance to dramatically increase setbacks in 2021. Project team members appeared before the Township Board and the Planning Commission leading up to the passage of the amendment to explain the impacts it would have on the Project's development, Project team members also met personally with the Township Supervisor, Jim Marion, and his brother, Township Trustee Robert Marion, to explain that increasing setbacks as substantially as they planned to do would not limit the footprint of the facility as they intended, but rather would require its expansion.

All told, Washtenaw Solar's community engagement efforts are multi-faceted and have been ongoing since 2017. Washtenaw Solar has engaged with public officials to solicit their support. See **Exhibit A-4.1 (TSD-5)**. Washtenaw Solar has also worked to engage on the grassroots level with the public by holding open house events at the Saline Recreation Center and a local school, circulating a petition in support of the Project, and distributing pies at community events. Further details on Washtenaw Solar's community engagement efforts are provided in **Exhibit A-4.2 (TSD-6)**.

The increase to the Township's setbacks required renewed efforts to sign additional lands to build a 150 MW project. This second land campaign signed more than 30 new agreements, adding nearly 1,800 acres to the total Project Area under easement. By the time PA 233 was enacted in 2023, Washtenaw Solar possessed easement rights on over 5,400 acres of property in the Township.

Following PA 233's passage, Washtenaw Solar representatives, including myself, appeared at numerous Planning Commission and Township Board meetings to encourage officials to work with us to revise their ordinance to more closely align with the State's standards. In 2025, Township Planning Consultant Mike Auerbach presented the Planning

Commission with an ordinance amendment that would reduce setbacks from 600 feet to 300 feet for solar energy systems. Washtenaw Solar representatives appeared at Planning Commission meetings throughout 2025 to contend that 300-foot setbacks could not be accommodated without an extensive Project redesign.

Since PA 233's passage, Washtenaw Solar has consistently offered to the Township that it would be happy to work together to implement a setback distance for the Project at 100 feet—double that of the State's standard. On September 2, 2025, the Planning Commission voted to recommend the Township Board approve its solar ordinance, with one change: the 300-foot setbacks were revised back to 600 feet. Planning Commission Members stated during the September 2, 2025, meeting that a 600-foot setback was their preference precisely because they believed that the larger setbacks would make the Project unworkable, expressing their belief that the Commission will not approve siting for the Project, so the new setbacks will block the Project. Planning Commission Members asserted their belief that, after the Commission denies the permit for the Project, Washtenaw Solar would be unable to design a project that could be permitted locally, effectively blocking the Project. At its September 10, 2025, meeting, the Township Board chose to table the ordinance amendment until their October meeting. As of this Application's submission, no ordinance amendment has been adopted by the Township Board and setbacks remain at 600 feet from all property boundaries.

PA 233 provided Washtenaw Solar and its participating landowners with a renewed hope on a viable path to siting approval.

Q. Has any party committed to buy the Project?

A. Yes. Washtenaw Solar has executed a Build-Transfer Agreement with Consumers Energy. Ownership of the Project's assets will be transferred to Consumers Energy prior to the start of commercial operations.

V. OVERVIEW OF THE WITNESSES

Q. Please provide an introduction of the witnesses in this case.

A. The following witnesses have prepared testimony and exhibits in support of Washtenaw Solar's Application.

Kirsten A. Polen: Company witness Polen is a Senior Staff Engineer at Invenergy and is responsible for the Project's initial design and engineering work. Witness Polen speaks to how Washtenaw Solar designed the Project and provides information regarding the Site Plan's planned facilities, area land use, alternatives considered, and possible minor changes to the facility.

Julie M. Pierson: Company witness Pierson is Washtenaw Solar's Project Manager. Witness Pierson reviews the construction methods that will be implemented for the Project, as well as the impacts of those construction activities on traffic, solid waste disposal capacity, drainage, and other property owners. Witness Pierson also describes why and how certain aspects of the Project are expected to have minor changes with regard to the Project's design. Witness Pierson provides information related to the Project's emergency preparedness and response, including the development of a Fire Response Plan and an Emergency Response Plan. Witness Pierson also explains what steps Washtenaw Solar will take if it discovers natural resources not currently identified, pursuant to the Project's Unanticipated Discoveries Plan. Witness Pierson outlines the Project's schedule. Additionally, witness Pierson describes how the Project will comply with PA

233's labor and employment provisions and local, state, and federal environmental laws with regard to certain construction activities. Witness Pierson provides information regarding how the Project will implement dark sky friendly lighting. Finally, witness Pierson proposes a Decommissioning Agreement to be entered into between Washtenaw Solar and the Commission.

Amanda M. Ignatowski: Company witness Ignatowski is a Senior Project Manager for Environmental Consulting &Technology, Inc. ("ECT") and is the Project's lead environmental consultant. Witness Ignatowski provides information regarding the resources mapped in the Project's Site Plan, the land uses within and surrounding the Project Area, the expected impact of the Project on the environment and natural resources, the Project's Unanticipated Discoveries Plan, and Washtenaw Solar's plans for compliance with applicable state and federal environmental laws.

James B. Sallee: Company witness Sallee is a Senior Manager in Invenergy's Environmental Compliance and Strategy Department. Witness Sallee describes the environmental surveys conducted for the Project. Specifically, witness Sallee explains how these studies informed elements of the Site Plan and discusses the environmental impacts summarized in the Explanatory Information that accompanies the Site Plan. Witness Sallee also provides details regarding the agency consultations conducted for the Project with respect to environmental regulators. Finally, witness Sallee discusses the Project's plans for environmental compliance and permitting.

Isaac B. Pallant: Company witness Pallant is an Associate in Invenergy's Vegetation Management group. Witness Pallant discusses the Project's plans for land cover and screening. Witness Pallant discusses the vegetation management practices that

will be employed during the Project's construction and operation. Witness Pallant also testifies regarding the Project's plans to protect farmland through its vegetation management practices.

James E. Kampa: Company witness Kampa is Director of Renewable Civil and Structural Engineering at Invenergy. Witness Kampa sponsors the Project's preliminary Stormwater Mitigation Plan and details the Company's commitments regarding stormwater pollution and prevention plans and soil and erosion sediment controls.

Tyler D. Barron: Company witness Barron is a Senior Manager of Community Affairs at Invenergy. Witness Barron summarizes the Company's engagement with federally recognized Native American tribes in Michigan. Witness Barron also summarizes some of Washtenaw Solar's community outreach and education efforts.

Micheal T. Hebert: Company witness Hebert is Operations Manager of Site Assessment and Remediation at ECT. Witness Hebert sponsors the Project's Decommissioning Plan and Decommissioning Cost Estimate.

Micheal Hankard: Company witness Hankard is the Principal Acoustical Consultant at Hankard Environmental, Inc. Witness Hankard sponsors the Sound Report prepared for the Project pursuant to PA 233. Specifically, witness Hankard provides testimony regarding sound modeling and results, preconstruction and postconstruction noise monitoring, and mitigation plans to ensure that sound emitting from the facilities will remain below the statutory limit throughout the Project's operational life. Witness Hankard demonstrates the Project's compliance with the MPSC's noise level requirements for solar facilities.

Dr. Dave G. Loomis: Company witness Dr. Loomis is President at Strategic Economic Research. Dr. Loomis describes the significant economic benefits that will flow to the Township, County, and State as a result of the Project. Dr. Loomis also details the expected tax revenue paid by the energy facility to local taxing districts.

VI. SITE PLAN

A. Explanatory Information

Q. Does Washtenaw Solar's Site Plan include written explanations of the elements and features shown on all provided maps as well as other planned site/facility information, including a description of the Project Area, and the portion of the community where the Project will be sited, including socioeconomic and demographic profiles and major industries in the area?

A. Yes. This information was developed and is included in the explanatory information provided as **Exhibit A-1.3 (TSD-1)**. This exhibit's development was a cross-functional effort between multiple teams, which I oversaw.

Q. Does Washtenaw Solar's Site Plan provide justification for how the proposed Project location, layout, and construction methods minimize environmental and natural resources impacts, noise, visual impacts, impacts to traffic, impacts to solid waste disposal capacity, impacts to county and intercounty drains (and preliminary plans to mitigate and repair drainage issues), and other impacts?

A. Yes. Although the Project's impacts are expected to be minimal, these impacts were assessed and described in **Exhibit A-1.3 (TSD-1)**.

Q. Does Washtenaw Solar's Site Plan provide the number of acres of the Project's proposed site?

A. Yes. Acreage for the Project Area, limits of disturbance, and fenced-in area is provided in **Exhibit A-1.3 (TSD-1)**.

Q. Does Washtenaw Solar's Site Plan describe the Project's location relative to Saline Township?

A. Yes, **Exhibit A-1.3 (TSD-1)** provides a written description of the relationship of the location of the Project relative to Saline Township, although visual depictions can also be found in **Exhibit A-1.1 (KAP-1)**.

Q. Does Washtenaw Solar's Site Plan provide a qualitative assessment of the Project's compatibility with surrounding land use?

A. Yes, **Exhibit A-1.3 (TSD-1)** describes the surrounding land use—which is primarily agricultural—and how the Project is compatible with that land use, as well as the rural residential uses near the Project.

Q. Does Washtenaw Solar's Site Plan describe the Project's vegetative screening and land cover?

A. Yes, **Exhibit A-1.3 (TSD-1)** describes the Project's vegetative screening and land cover. Company witness Pallant provides additional detail with regard to the Project's vegetation management plans. Company witness Pallant also describes how the Project will comply with certain pollinator standards and avoid invasive species.

Q. Does Washtenaw Solar's Site Plan describe how planned fencing for the Project complies with the National Electric Code?

A. Yes. **Exhibit A-1.3 (TSD-1)** describes how planned fencing for the Project complies with the National Electric Code.

B. Emergency Response Plan ("ERP")

Q. Did Washtenaw Solar prepare an ERP for the Project?

A. Yes. Company witness Pierson discusses the contents and development of the ERP in her direct testimony. See **Exhibit A-1.9 (JMP-3)**.

Q. Did Washtenaw Solar consult with Saline Township and Washtenaw County first responders and county emergency managers?

A. Yes. The development team was responsible for engaging with first responders regarding the ERP. Washtenaw Solar consulted with the Washtenaw County Office of the Sheriff Emergency Services Division, the Washtenaw/Livingston Medical Control Authority, and the Huron Valley Ambulatory Services to confirm their capacity to respond to an emergency at the Project facility and ascertain what, if any, specific equipment or training might be required to address any deficiencies. See **Exhibit A-1.9 (JMP-3)** and **Exhibit A-4.4 (TSD-8)** for summaries of these consultations.

Q. Can Washtenaw Solar's ERP be fulfilled by existing local emergency response resources?

A. Yes. Washtenaw Solar's ERP aligns with acceptable operating procedures, capabilities, resources, and site access for local first responders and emergency managers. Washtenaw Solar integrated the comments received from local first responders and emergency managers into its ERP. The Company's analysis of the capacity of existing local emergency response to fulfill the ERP is included in **Exhibit A-1.9 (JMP-3)**.

C. Fire Response Plan ("FRP")

Q. Did Washtenaw Solar prepare an FRP for the Project?

A. Yes. Company witness Pierson discusses the contents and development of the FRP in her direct testimony. See **Exhibit A-1.10 (JMP-4)**.

Q. Did Washtenaw Solar consult with local fire department representatives?

A. Yes. The development team consulted with the Saline Area Fire Department ("SAFD") regarding the FRP and whether it is in alignment with acceptable operating procedures, capabilities, and resources. Specifically, I have been engaged in consultation with Chief Jason Sperle of the SAFD. Chief Sperle reviewed the FRP and provided feedback. We also discussed the SAFD's capacity to fulfill the FRP and determined that equipment and training shortfalls indeed exist. See **Exhibit A-1.10 (JMP-4)**.

Q. Can Washtenaw Solar's FRP be fulfilled by existing local emergency response resources?

A. The SAFD indicated that it had training needs as well as concerns about its ability to respond to a medical emergency occurring between the array areas. To address this issue, Washtenaw Solar proposed a Community Benefits Agreement ("CBA") with the SAFD, see **Exhibit A-8.3 (TSD-11)**, to provide the SAFD with a new sports utility vehicle equipped with a trailer and a Utility Task Vehicle ("UTV"). The UTV will enable the SAFD to access emergencies that could occur between rows of arrays where a full-size vehicle could not easily maneuver. In addition, the CBA proposed by Washtenaw Solar to the SAFD includes an annual financial commitment to ensure that Chief Sperle has the resources at his disposal to maintain his team's capacity to fulfill the FRP's obligations. See **Exhibit A-1.10 (JMP-4)**.

D. Participating Parcel List

Q. Does the Washtenaw Solar Site Plan include a list of all parcels that are participating in the Project, including landowner information for each parcel?

A. Yes. This information is provided in **Exhibit A-1.15 (TSD-2)**. Under PA 233, participating property is any property owned by Washtenaw Solar or "that is the subject of an agreement that provides for the payment by an applicant to a landowner of monetary compensation related to an energy facility regardless of whether any part of that energy facility is constructed on the property." MCL 460.1221(s). Accordingly, this exhibit provides information on landowners that have signed the following agreements with Washtenaw Solar:

- A solar agreement regarding the placement of panels on a landowner's property;
- A collection agreement regarding the placement of electric collection lines on a landowner's property;
- A participation easement agreement; or
- An option to purchase land.

For a list of landowners just within the Project Area, see **Exhibit A-1.2(a)(5) (KAP-2)**.

Q. Does the Washtenaw Solar Site Plan include a list of all parcels that are adjacent to the Project, including landowner information for each parcel?

A. Yes. This information is provided in **Exhibit A-1.15 (TSD-2)**. All parcels adjacent to a parcel that will host Project facilities are included in this list, as well as the applicable landowner information.

Q. Can a landowner be both an adjacent landowner and a participating landowner?

A. Yes. For example, there are landowners adjacent to the Project Area that have signed participation easement agreements.

Q. Explain Washtenaw Solar's approach to engaging participating landowners in the development of a solar project.

A. Participation in an Invenergy project is a personal, voluntary choice often based on interest in a stable, secondary income stream, a desire to see soil health maintained, a hope that future generations will want to work in the agricultural business after the Project is decommissioned, and a sense of commitment to the community manifested through the associated tax benefits. Some negotiation over terms and conditions is typical, especially for projects with intensely lengthy development timelines such as Washtenaw Solar.

The parcels on this list represent the land holdings of over 30 families, most of whom have called Saline Township home for generations. Those families have chosen, for a variety of reasons, to participate in the Project, but one thing they generally have in common is a desire to see the best for their families, their land, and Saline Township.

E. Complaint Resolution Process

Q. Has Washtenaw Solar developed a complaint resolution process for the Project?

A. Yes. The Project's Complaint Resolution Process is included as **Exhibit A-1.16 (TSD-3)**. The Complaint Resolution Process includes: (1) the name of a designated applicant representative provided with the authority to resolve local complaints; (2) a dedicated phone number for complaints; (3) an email address for complaints; (4) website information instructing the public on the complaint resolution process; and procedures for regular reporting of complaints received and how each complaint was resolved.

Q. How was the Project's Complaint Resolution Process developed?

A. The Company developed the Complaint Resolution Process based on industry best practices for similar projects developed by Invenergy. The Process provides a wide variety of ways to contact Washtenaw Solar and submit complaints. It also provides that if there are any changes made to this Process, Washtenaw Solar will provide notice of those changes and make the Complaint Resolution Process publicly available. The Complaint Resolution Process may also be implemented and overseen by the Third-Party Independent Monitor proposed for the Project.

VII. LOCAL OUTREACH

A. Chief Elected Official Documentation

Q. Has Washtenaw Solar developed a summary of its communications with the Township's Chief Elected Official?

A. Yes. I provide details regarding Washtenaw Solar's efforts to meet with the Township's Chief Elected Official in **Exhibit A-4.1 (TSD-5)**. This exhibit contains Washtenaw Solar's records of its engagement with the Township's Chief Elected Official for the PA 233 process and from the beginning of the Project's development. This includes a copy of Washtenaw Solar's offer to meet (to which no response was received) and a summary of all meetings held with the Township Supervisor regarding the Project. Before sending the offer to meet, I attended the Saline Township Board's May 14, 2025, public meeting to extend an offer to meet in person. Engagement with the Township Supervisor at public meetings is not reflected in this exhibit, but is reflected in the meeting minutes included in **Exhibit A-4.2 (TSD-6)**.

B. Summary of Community Outreach and Education Efforts

Q. Please describe the Company's community outreach and education efforts related to the Project.

A. The Company is committed to addressing the concerns of landowners, impacted community groups, environmental organizations, labor unions, the public, and local officials to make this Project a positive part of the community. The Company undertook stakeholder meetings, solicited feedback from residents, and provided several educational opportunities throughout the process, beginning in 2021 and extending through the Project's Public Meeting. Those efforts are detailed in **Exhibit A-4.2 (TSD-6)** and include: (1) copies of all presentation or education materials utilized by Washtenaw Solar; (2) the number of attendees at the public meetings and meetings with elected officials; (3) information regarding the length of the meeting(s); (4) the number of commenters; and (5) a description of the topics discussed in meeting(s)/summary of the findings.

C. Accommodations or Changes

Q. What kind of comments and concerns were raised by the public at the Project's Public Meeting?

A. The health and safety of the public was a topic of concern raised at the Public Meeting. Company witness Kirsten Polen speaks in her testimony to the setbacks and other Filing Guideline requirements to which the Project will adhere to ensure the safety of Project neighbors.

Visual impacts, glint, and glare were other topics raised at the Public Meeting, all of which were proactively considered in the Project's design. The testimony of Company

witness Isaac Pallant details how residences within a quarter mile of the Project will be screened from the Project.

Washtenaw Solar designed its Project to conform to PA 233's design criteria and the Filing Guidelines with regard to sound, which was a frequent concern expressed at the Public Meeting. **Exhibit A-1.7 (MH-2)** details Washtenaw Solar's efforts to analyze the Project's sound impacts and commitments to post-construction sound monitoring. **Exhibit A-1.2(a)(9) (KAP-2), Appendix I** shows the projected sound power level isolines and demonstrates that Washtenaw Solar meets or exceeds the requirements established to accommodate sound concerns.

The Project's construction was a subject of inquiry discussed at the Public Meeting. Company witness Julie Pierson speaks in her testimony to the construction timing, haul route consideration, commitments to meeting labor requirements, fence height, lighting, and plans to respond to fires and other emergency contingencies.

Drainage and stormwater runoff concerns are addressed by Company witness James Kampa, including details on consultation with the Washtenaw County Water Resources Commissioner's Office, which is an ongoing effort to ensure that current drainage conditions are maintained, and adjacent landowners are not adversely impacted.

Q. Did Washtenaw Solar make accommodations or changes to the Project design to address the public comments received?

A. Over the seven years that the Project has been developed, the feedback provided by landowners, Township officials, and other community members has been contemplated in the design presented in this Application. Common concerns are also addressed by the Filing Guidelines, to which Washtenaw Solar will adhere. **Exhibit A-4.3 (TSD-7)** identifies

public comments received during the Public Meeting regarding the Project design. Washtenaw Solar continues to engage with comments received regarding the Project. Throughout this Application, Washtenaw Solar demonstrates a commitment to avoiding or minimizing impacts on the environment and Saline Township. When necessary, mitigation measures are proposed. Washtenaw Solar has sought to provide resolution to all public comments relevant to the Project design, as described in **Exhibit A-4.3 (TSD-7).** The Public Meeting comment cards and transcript, provided in **Exhibit A-4.2 (TSD-6), Appendices NN and OO**, also reflect the public comments received that did not have an impact on the Project design.

Q. Are there any other accommodations that Washtenaw Solar made to the Project design as a result of public comments received outside of the Public Meeting?

A. Yes. **Exhibit A-1.6 (JMP-2)** provides two examples of accommodations made on behalf of participating landowners. On the Ruhl property, Washtenaw Solar seeks to maintain their private access to the woods at the back of their field through alternate access roads. On the Twichell property, a farm lane of personal sentimental value is preserved by bisecting proposed arrays.

D. Summary of Agency Consultations

Q. Did Washtenaw Solar consult with federal, state, and/or local agencies regarding the Project?

A. Yes, Washtenaw Solar conducted extensive consultations for the Project, all of which are detailed in **Exhibit A-4.4 (TSD-8)**. The summary of each federal, state, and local agency consultation includes: (1) the date and time the consultation took place; (2) the identity of

those who participated; and (3) copies of correspondence identifying necessary permits, next steps, and associated timelines.

Q. Did Washtenaw Solar deem any consultations not necessary?

A. No. Washtenaw Solar consulted, or initiated the consultation process, with all entities identified in the Filing Guidelines and a number of additional agencies. As a solar project, consultation with the Michigan Department of Transportation – Aeronautics Commission was not applicable.

VIII. SIGNAL MITIGATION

Q. Did Washtenaw Solar assess whether the Project is reasonably expected to have an impact on television signals, microwave signals, agricultural global position systems, military defense radar, radio reception, or weather and doppler radio?

A. Yes, Washtenaw Solar assessed these impacts and determined that none would result from the Project. Accordingly, Washtenaw Solar developed **Exhibit A-7 (TSD-9)** in support of this conclusion, which includes the opinion of Invenergy's Senior Manager of Renewable Electrical Engineering, Jim Barbee, and the Department of Energy's white paper on Electro-Magnetic Interference from Solar Photovoltaic Arrays.

IX. PUBLIC BENEFITS

Q. Did the Company evaluate the public benefits that will arise out of the Project?

A. Yes. Washtenaw Solar determined that many public benefits will arise out of the Project's completion, including, but not limited to: (1) expected tax revenue to local taxing districts; (2) payments to owners of participating properties; (3) various financial and other advantages arising out of host community agreements; and (4) local job creation with advantageous terms of labor agreements. Additionally, the Project will contribute to

meeting Michigan's identified energy, capacity, reliability, or resource adequacy needs. Company witness Dr. David Loomis' testimony and **Exhibit A-8.1 (DGL-2)** address the expected tax revenue for the Project. Company witness Julie Pierson's testimony and **Exhibit A-8.4 (JMP-7)** address the Project's commitment to local job creation.

A. Payments to Landowners

Q. Please describe the expected payments to owners of participating properties and how those payments were determined.

A. Payments to landowners are generally standard across all Project agreements. Washtenaw Solar has signed a number of different types of agreements with landowners including Solar Energy Easement Agreements, Collection Easement Agreements, Participation Easement Agreements or an Option to Purchase Land. A description of the Company's payments to landowners of participating properties is included in **Exhibit A-8.2 (TSD-10).**

B. Host Community and Community Benefits Agreements

Q. Has the Company entered into a Host Community Agreement with the Township?

A. Yes. The Township Board agreed to enter into a Host Community Agreement with Washtenaw Solar on September 10, 2025. The Host Community Agreement proposed to the Township Board includes a one-time payment of $300,000. The Company calculated this amount based on $2,000 per megawatt nameplate capacity, as required by PA 233. The signed Host Community Agreement is included in **Exhibit A-8.3 (TSD-11), Appendix A.**

Q. Has the Company entered into a community benefits agreement with any other local organizations?

A. Yes. During the FRP consultation process, it became clear that there was a capacity need for the SAFD. Washtenaw Solar has engaged with the SAFD to determine how to best

meet those needs and proposed a community benefits agreement ("CBA") consistent with those needs. The SAFD identified these equipment needs to ensure that it can respond to emergencies at the Project facility occurring between the solar array areas. To address this concern, the CBA includes a one-time payment of $110,000 for the SAFD to purchase a Chevy Tahoe, UTV, and trailer. The CBA also establishes a recurring annual payment to ensure resource needs continue to be met during the Project's life, with the initial payment of $5,000 escalating at two percent annually for the duration of the CBA. The proposed CBA is included in **Exhibit A-8.3 (TSD-11), Appendix B.**

Company witness Tyler Barron's direct testimony also provides details regarding the Company's financial support of other local organizations.

C. Energy Needs Contributions

Q. Will the Project contribute to Michigan's identified energy, capacity, reliability, or resource adequacy needs such as approved Integrated Resource Plans and Renewable Energy Plans.

A. Yes. The Project will provide 150 MW of clean energy to meet Michigan's growing energy demands. The Commission approved the BTA for the Project through Consumers Energy's Integrated Resource Plan. The Project is also included in Consumers Energy's Renewable Energy Plan. **Exhibit A-8.5 (TSD-12)** provides a more detailed explanation of the overall energy needs of the State of Michigan and how the Project advances the goals of the State.

X. TRANSMISSION AND INTERCONNECTION AGREEMENTS

Q. Does the Company have the proposed Facility in the MISO Queue? If so, please provide the queue number or other information providing the ability to identify the proposed Facility within the interconnection queue.

A. The queue number associated with the Project is J1062. See **Exhibit A-12 (TSD-13)** for the executed Generator Interconnection Agreement ("GIA").

Q. How did Washtenaw Solar determine whether the transmission system could handle the Project?

A. Once Washtenaw Solar had sufficient land control, Washtenaw Solar needed to determine the impact that the Project would have on the transmission system. Washtenaw Solar looked to the Midcontinent Independent System Operator ("MISO") to assess the capacity of the transmission system and the impact that the Project would have on the electric grid by connecting a new generation resource. This was evaluated through MISO's "Definitive Planning Phase" ("DPP") study process, more generally referred to as a Generator Interconnection study.

Washtenaw Solar submitted the Project to MISO for a Generator Interconnection Study in the 2019 cycle. In 2021, in anticipation of a commercial operations date in 2023, Washtenaw Solar requested that a position on the same line (J1062) be shifted to accommodate interconnection for the Project. The original position (J1256) was allowed to lapse. As of 2021, J1062 had completed MISO's Generator Interconnection Study cycle and Washtenaw Solar received a draft GIA. The GIA was later executed between Washtenaw Solar, ITC*Transmission*, and MISO on April 23, 2021. At the time, the Project had a Commercial Operation Date ("COD") of December 31, 2023, but no later than MISO

Capacity Planning Year of May 31, 2024. Since that time, the Project delays described above forced Washtenaw Solar to pursue an extension of the COD, most recently necessitating that Washtenaw Solar obtain a waiver from the Federal Energy Regulatory Commission ("FERC") to extend the COD under the GIA to December 31, 2028. At the time of Application, FERC has granted a waiver extending the interconnection deadline. Studies of Washtenaw Solar's interconnection request have required payments of $863,944 in fees to date.

XI. CONDITIONS

Q. Has the Company reviewed the Commission's proposed minimum conditions in Attachment F of the Filing Guidelines?

A. Yes.

Q. Is the Company requesting that any of these conditions not be applied to the Project?

A. Yes. Washtenaw Solar requests that the conditions that exclusively pertain to wind projects not be applied to the Project. This includes conditions related to shadow flicker and radio interference, which are not pertinent to a solar project.

Q. How will the Company comply with the Commission's proposed minimum conditions?

A. **Exhibit A-14 (TSD-14)** provides an annotated version of Attachment F of the Filing Guidelines, which detail how the Project meets or plans to meet each condition. To meet these conditions, Washtenaw Solar has proposed an agreement to be entered into with the Commission, which is included as **Exhibit A-14 (TSD-14), Appendix C**. This agreement includes Washtenaw Solar's commitment with regard to each condition and details how the Company plans on complying with each condition.

XII. APPLICATION CHECKLIST

Q. Has the Company complied with all requirements set forth in the Application Checklist?

A. Yes. The completed Application Checklist is provided as **Exhibit A-16 (TSD-15)**.

Q. Was any additional information requested during the pre-application meeting or by the Commission?

A. No.

Q. Does this conclude your prefiled direct testimony?

A Yes.

S T A T E O F M I C H I G A N

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of **WASHTENAW SOLAR ENERGY LLC** for approval of a certificate for siting a solar energy facility in Saline Township, Washtenaw County	))))))	Case No. U-21962

DIRECT TESTIMONY

OF

KIRSTEN A. POLEN

ON BEHALF OF

WASHTENAW SOLAR ENERGY LLC

Q. Please state your name and business address.

A. My name is Kirsten A. Polen, and my business address is One South Wacker Drive, Suite 1500, Chicago, Illinois 60606.

Q. By whom are you employed and in what capacity?

A. I am employed by Invenergy LLC ("Invenergy") as a Renewable Engineering (Solar) Senior Staff Engineer ("Senior Staff Engineer").

Q. Please describe your educational background.

A. In 2023, I received a Bachelor of Science degree in Mechanical Engineering from the University of Illinois at Urbana-Champaign.

Q. Do you hold any licenses?

A. No.

Q. Please describe your professional experience.

A. I joined Invenergy as a Staff Engineer in 2023. As a Staff Engineer, it was my responsibility to manage the engineering work for early to mid-stage solar projects. In the early stages, I make recommendations to the development team on the buildability of land they are looking to lease. As a project progresses, I manage, commission, and review the engineering related studies projects need, such as topography surveys, hydrology studies, geotechnical investigations, preliminary grading plans, basin designs, and erosion sediment control plans. In 2025, I was promoted to Senior Staff Engineer.

Q. What are your responsibilities as a Senior Staff Engineer at Invenergy?

A. As a Senior Staff Engineer, I am responsible for the project engineering of solar projects through their entire life cycle and have primary ownership over the project layout. In addition to the responsibilities under my prior role, I now take on more advanced projects. During the marketing stage, I assist the estimating team to price the project to offtaker, and review contract documents to ensure external technical specifications are met. When the project heads into detailed design with an Engineering, Procurement, and Construction ("EPC") contractor, I review and comment on design packages and answer Requests for Information ("RFI"). During construction, I support reviewing the commissioning and capacity testing processes.

As the primary engineer on the project, I am the main interface between the internal/external engineering discipline Subject Matter Experts ("SMEs") and the main project team. I connect with the procurement engineering, civil engineering, electrical engineering, Supervisory Control and Data Acquisition ("SCADA") engineering, interconnections engineering, transmission engineering, and battery storage engineering SMEs for their guidance and incorporate their recommendations and expertise into the solar projects.

Q. What is the purpose of your direct testimony in this proceeding?

A. The purpose of my direct testimony is to support Washtenaw Solar LLC's ("Washtenaw Solar") application for a solar siting approval for its proposed solar project by presenting information regarding the Site Plan's planned facilities, area land use, alternatives considered, and possible minor changes to the facility.

Q. How is your direct testimony organized?

A. My direct testimony is organized as follows:

Q. Are you sponsoring any exhibits in this proceeding?

A. Yes. I am sponsoring the following exhibits:

Exhibit A-1.1 (KAP-1)	Site Plan – Planned Facilities
Exhibit A-1.2 (KAP-2)	Site Plan – Area Land Use Information
Exhibit A-1.5 (KAP-3)	Site Plan – Alternatives
Exhibit A-10 (KAP-4)	Public Health and Safety

I am co-sponsoring the following exhibits:

Exhibit A-1.3 (TSD-1)	Site Plan – Explanatory Information
Exhibit A-1.4 (JMP-1)	Site Plan – Construction Information
Exhibit A-1.6 (JMP-2)	Site Plan – Changes

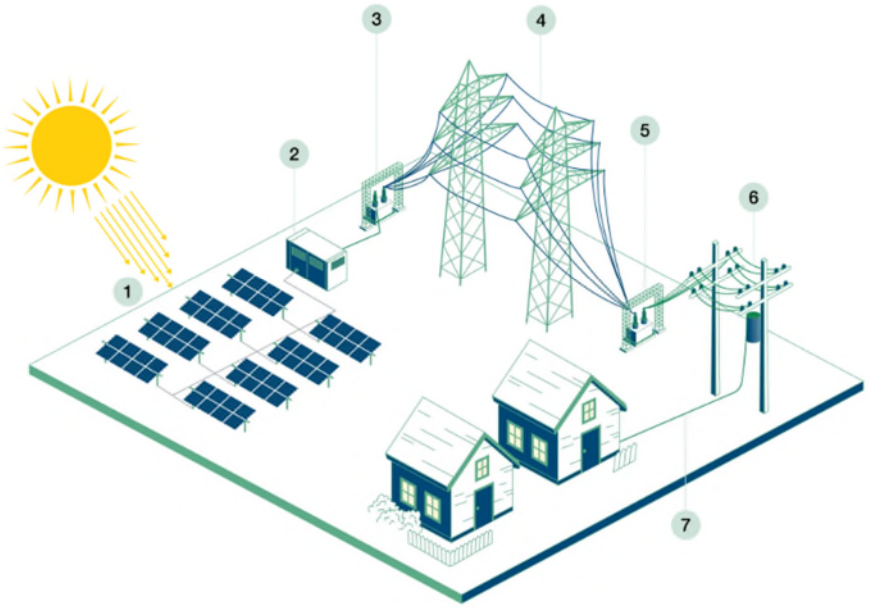
Q. Were these exhibits prepared by you or under your direction and supervision?

A. Yes.

I. SUMMARY OF PROJECT

Q. How does solar energy work?

A. At a very basic level, solar energy works by converting the energy from the sun into electricity that can be used by people, businesses, and institutions. **Figure KAP – 1**, below shows a very basic diagram of how this process works. While the design increases complexity for utility-scale solar facilities, the same basic principles from this diagram apply.



First, light from the sun hits the solar panels. Solar panels are generally made of photovoltaic ("PV") cells that consist of a semiconductor material. The semiconductor material absorbs the energy from the light of the sun and charges electrons in the PV cells, creating an electrical current in the form of a direct current.

Second, the direct current flows from the panels through collection lines to an inverter that turns it into alternating current ("AC") electricity. This step is necessary since the electric grid and homes run off AC electricity, so the inverters convert the electricity into a form compatible with the electric grid.

Third, the electricity flows into a transformer that increases the voltage.

Fourth, the electricity travels through transmission lines (to accommodate longer distances at higher voltages).

Fifth, the electricity must be stepped down by another transformer to decrease the voltage of the electricity so that it can safely travel across the distribution system.

Sixth, the electricity travels through distribution lines closer to customers.

Seventh, electricity is delivered to customers' homes, businesses, and institutions as electricity to power their everyday lives.

Q. Please describe the overall location and scope of Washtenaw Solar's proposed solar project.

A. The proposed Washtenaw Solar Energy LLC ("Washtenaw Solar" or the "Company") solar project is a 150 megawatt ("MW") utility-scale solar project in Saline Township, Washtenaw County, Michigan (the "Project"). This Project will utilize approximately 2,412 acres of land and currently has 34 participating landowners ("Project Area"). Washtenaw Solar will utilize bifacial solar panels and advanced tracking systems to maximize the efficiency of the solar arrays. Washtenaw Solar has obtained interconnection rights to connect to the Majestic to Lemoyne 345kV transmission line, which is located directly north of the Project.

II. PROJECT DESIGN

Q. What is Washtenaw Solar's general approach to solar facility design?

A. Washtenaw Solar's design approach is guided by safety, impact reduction, and energy cost efficiency considerations.

Washtenaw Solar's primary design consideration is to ensure a safe project site during construction and operations. To ensure safety, Washtenaw Solar bases its design on requirements set forth by the National Electric Code ("NEC") and the American Society of Civil Engineers ("ASCE").

Washtenaw Solar's design also considers environmental and community impacts. On the environmental side, Washtenaw Solar reduces impacts to wetlands and waterways by not placing above ground features in these delineated features. Above ground disturbance is eliminated for AC collection lines as Washtenaw Solar plans to bore underneath these features. Tree clearing is minimized to the extent practicable, and generally only utilized to clear tree lines or isolated trees—avoiding clearing in large, continuous wooded areas. On the community side, Washtenaw Solar only places site facilities on parcels of land for which landowners have agreed to participate and will be compensated. For non-participating community members, noise, visual, and construction impacts have been reduced as much as is feasible.

Washtenaw Solar is also committed to producing energy that is cost effective for the community.

Q. Please explain the how a solar facility like the Project is typically designed.

A. Solar facility design starts with identifying a potential point of interconnection ("POI") for which the solar project will connect into the grid. This is a joint effort between the development team and interconnection engineering team to determine the POI based on interconnection costs and grid load needs.

Once the POI is identified, the development team identifies an area of interest ("AOI") around the proposed POI. The development team then has the environmental team and solar project engineering team screen the proposed AOI for risks. On the engineering side, risk factors such as the amount of tree coverage, restricting transmission/pipeline/railroad infrastructure, Federal Emergency Management Agency ("FEMA") floodplains, poor road conditions, highly sloped terrain that would increase the amount of grading, an abundance of buildings, agricultural pivots, subsurface conditions (slow rate of water infiltration), and suspected corrosivity to steel and concrete are flagged for the development team. The solar engineering team recommends what land is suitable to pursue for solar.

The development team then begins the land campaign for the project to sign landowners up for leases if they are willing to participate. During the land campaign, the engineering team will check what capacity the leased parcel will be able to support. As the campaign concludes, the development and engineering teams will work together to determine when enough land control is achieved to meet the target capacity listed within the generator interconnection agreement ("GIA"). At this stage in a solar project, there are still several unknowns in the project area, so some contingent land is kept under lease. This contingency helps to ensure the projects can still maintain nameplate capacity even if issues arise.

Once full land control is obtained, the engineering team begins due diligence studies to better inform the site layout. The first study is typically a Light Detection and Ranging ("LiDAR") Topography Survey. This study aims to better characterize the terrain of land within the project area and is more accurate than United States Geological Survey ("USGS") public topography data. Areas with high slopes are less favored for solar and areas with undulating terrain may increase grading. Washtenaw Solar completed a LiDAR Topography Survey in 2021. The LiDAR Topography Survey did not identify any slopes considered unbuildable and minimal grading is expected for the Project Site. The results of the LiDAR Topography Survey are not expected to change over time unless a large amount of grading or tree clearing takes place within the survey area, which has not occurred for Washtenaw Solar since the 2021 study.

A preliminary hydrology study typically also commences shortly after land control is achieved. This hydrology study is more accurate than the floodplains denoted by FEMA and the results include inundation depths and scour depths anticipated for the 100-year 24-hour storm—the industry standard storm event to which solar projects are typically designed. Inundation depth is flooding depth measured from the terrain elevation to the top of standing water in a flood event. Scour occurs when water moves around a foundation (for Washtenaw Solar, steel piles) and erodes away soils around the foundation. Scour depth is a measurement of the soil below-grade eroded away. Washtenaw Solar completed a preliminary hydrology study in 2020. The results showed that there are some elevated inundation depths expected within the Project Area. Flood depths over two feet are avoided by Project facilities. Scour depths are minimal, as is expected for flat areas. These hydrology study results are not expected to change over time.

A geotechnical investigation is typically also completed for solar projects. For solar projects, geotechnical studies include cone penetration test ("CPT") borings, standard penetration test ("SPT") borings, laboratory testing, and pile load testing. A list of geohazards (if applicable) for the project and other data informing the design is developed. Washtenaw Solar completed an initial preliminary geotechnical study in 2021 and an additional round of testing in July 2025 to gather more data. The report did not list any geohazards that would be categorized as unbuildable, such as karsts (below ground cavities like sinkholes, caves, or underground streams) or mines. The preliminary geotechnical study generated recommendations for road subgrade (soil compaction and soil type) and gravel aggregate thickness with regard to access road design. The preliminary geotechnical study also measured electrical resistivity (how much a material resists the flow of electrical current) and thermal resistivity (how much a material resists the flow of heat) values, which informed AC collection line separation and the number of inverters each cable is able to support. Pile load testing informed the current foundation design for the Project and pile embedment depths (how far into the ground the steel foundations go). Borings around the substation location confirmed the location is suitable for such facilities. The results of the preliminary geotechnical study also help inform the anticipated construction schedule by identifying what types of earthwork and excavation will likely be required. A solar facility retains a Geotechnical Engineer of Record ("EOR") for the duration of a project.

The due diligence process involves input from other teams, as well. The environmental team commissions field wetland delineations to be completed and the development team commissions an American Land Title Association and the National Society of Professional Surveyors ("ALTA/NSPS") land title survey. The results of such studies work to better inform the areas of a parcel suitable for facility equipment.

When the construction schedule necessitates it, full engineering design will begin with an EPC contractor. The EPC refines the project layout into a final Issued-for-Construction ("IFC") design. Solar projects typically wait to complete IFC design until the construction schedule necessitates it because new information could become available or landowner participation could change. This reduces the number of changes made during the design phase. Company witness Julie Pierson provides additional details regarding the construction schedule for the Project. See **Exhibit A-3 (JMP-6)**.

The EPC design builds off of the layout and engineering work completed for the project thus far. The civil design package takes the layout created by the Company as an input and adds in more details pertaining to the grading, erosion and sediment control, and stormwater designs. The footprint of the layout is not expected to expand from the footprint permitted in this Application. The structural design package takes the civil layout as an input and determines the steel foundations needed to meet building code requirements. The electrical design optimizes cabling designs and computes expected electrical loss values used to evaluate energy production. Through this process, the Company reviews and provides comments on the design packages that the EPC develops.

Q. How does Washtenaw Solar evaluate the solar resources of a particular area?

A. Washtenaw Solar uses a combination of satellite models and on-site collected data to predict the solar resource over the operating lifespan of a project. Industry-accepted weather satellite models such as SolarAnywhere and Vaisala are used to collect Typical Meteorological Year ("TMY") and timeseries data measured near a project area. A TMY represents the typical weather expected for one representative year based on the average weather data from past years. A timeseries dataset is unedited weather data spanning several different years.

Invenergy also commissioned an on-site Solar Monitoring Station ("SMS") campaign from July 2018 to September 2019. On-site data can be more accurate because it collects data specific to the project area, but yearly fluctuations in weather can skew these results. Therefore, the on-site data is then compared to the satellite timeseries datasets and correlated with the satellite TMY to predict the solar resource for the project.

Q. Is there anything unique about the Washtenaw Solar Project and its design?

A. Every project has its own unique challenges. Invenergy has developed hundreds of solar projects and has experience handling the challenges that each project poses. From an engineering perspective, Washtenaw Solar is similar to many projects in the upper Midwest. Midwestern projects tend to be flatter in terrain. While this is good for limiting grading, it can cause drainage issues as there is not a lot of positive drainage on site (water tends to sit in one place). Drain tile helps mitigate this issue and is currently used by landowners in Washtenaw Solar's Project Area. Washtenaw Solar plans on maintaining or repairing existing drain tile systems associated with the Project.

Similar to other projects in Michigan, Washtenaw Solar is also expected to experience frost heave (where soils push materials upwards when water freezes) in colder months of the year. This challenge will be counteracted by embedding the foundation piles further below ground to specifications recommended by the Geotechnical EOR.

Outside of engineering information, Saline Township's ordinance setbacks set it apart as well. The 600-foot setback from non-participating parcels and 600-foot setback from roads are the most restrictive setback seen on an Invenergy project to date. See **Exhibit A-18 (TSD-17)**.

Q. How does the Project to keep the local community in mind and reduce the impact of the Project?

A. The Project's design aims to limit visual, noise, and traffic impacts to the local non-participating community.

Visual impacts to existing natural elements on site have been minimized by limiting tree clearing and reducing impacts to wetlands. Company witness James Sallee discusses these impacts in additional detail in his testimony. Additionally, landscaping screening is proposed for non-participating residences to reduce viewshed impacts. Company witness Isaac Pallant discusses these measures in additional detail in his testimony. The panels planned for the Project also have an anti-reflective coating to reduce glare.

Noise impacts have been reduced by placing inverters and noise emitting equipment central to the Project fence line. Decibel levels at non-participating dwellings are compliant with PA 233's requirements. Additionally, inverters have been placed at least 300 feet away from non-participating dwellings. There are no additional occupied community buildings within the Project Area.

Access road driveways were selected to reduce the number of public roads the Project will impact. Access road driveways were also designed to be farther away from non-participating residences where possible. Using the residential information collected through the due diligence process, the access road driveways were designed to avoid being directly across from or adjacent to non-participating residences where an alternative location was possible. This reduces disturbances during construction and operations. Impacts to roads were further reduced by planning to bore the Project's collection cables underneath roads to reduce the potential for road closures during construction.

The Project uses land efficiently by implementing state-of-the-art equipment. The modules planned to be used for the project are bifacial, meaning that they are able to collect and convert solar energy into electricity from both sides of the panel. Module wattages have also increased over the past few years, reducing the amount of space needed to reach the same project capacity. The Project also plans to use a single-axis tracking system, which follows the sun through the day to maximize energy production. This tracking system can produce more energy over the same footprint as the more dated fixed-tilt racking system.

The Project is compatible with the current use of farmland and can be returned to farming after decommissioning is completed. Company witness Amanda Ignatowski discusses farmland impacts in further detail in her testimony. For existing drain tile on site, the Washtenaw Solar will repair and/or replace damaged drain tile systems. Seed mixes will create a "perennial vegetative" land cover for the Project during operations. Company witness Isaac Pallant discusses the vegetation planned for the Project in greater detail in his testimony.

Q. How have Saline Township's ordinance amendments impacted the process of designing the Project?

A. Saline's Township's ordinance amendments caused several large changes to the Project Area over Washtenaw Solar's lifespan. Before the September 2021 ordinance change, Washtenaw Solar assumed a similar project boundary to the one proposed in this Application, was still able to maintain the nameplate capacity of 150 MW designated in the Interconnection Agreement, and was able to attain sufficient contingent land.

The September 2021 ordinance revision required new setbacks of 600 feet from non-participating property lines and road rights-of-way. With this setback, the Project was only able to meet a capacity under 90 MW with no contingency. The Project has already been contracted for the full 150 MW.

In order to maintain the nameplate capacity, Washtenaw Solar needed to nearly double the Project Area under these restrictive setbacks. This expansion required more land to be signed for both solar and collection leases. Additional land was considered around the Project Area to account for this lost capacity. The expanded footprint would result in greater impacts.

III. SITE PLAN

Q. Did Washtenaw Solar prepare a Site Plan for the Project?

A. Yes. Washtenaw Solar prepared a Site Plan for the Project pursuant to the Michigan Public Service Commission's ("MPSC" or the "Commission") Application Filing Instructions and Procedures ("Filing Guidelines") and is organized as specified therein.

Q. Did you help prepare the Site Plan?

A. Yes. I oversaw the preparation of a number of Site Plan elements in conjunction with support from ECT and Invenergy's Geographic Information Systems ("GIS") personnel.

A. Planned Facilities

Q. Does the Site Plan for the Project include a map of the proposed location of the solar facility?

A. Yes. The proposed facility location is shown on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A**, pages 1 and 2. Page 1 shows the location of the Project in Saline Township relative to Washtenaw County and other surrounding townships. To show the location of the Project at this scale, the most recent edition (2024) of USGS 1:100,000 topographic edition was used as a base map. To conform to the Filing Guidelines, the location of the Project in Saline Township is shown on page 2 on the most recent edition (2024) of USGS 1:24,000 topographic edition as a base map.

Q. Please describe the Project's planned facilities.

A. The planned facilities for the Project are shown on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A,** page 2. These planned facilities are required for the generation of energy. The Project will consist of the following:

PV Solar Modules: Modules collect the energy from sunlight and convert it into direct current ("DC") electricity. These modules are designated on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A** as "Array."

Single Access Tracking Systems: The tracking systems are the racks that the PV modules will be mounted onto. The tracking system itself will be mounted onto steel foundation piles embedded into the ground. The tracking system allows the modules to rotate to face toward the sun as it moves during the day to increase the amount of light absorbed by the PV solar modules and increase energy production. The Single Access Tracking Systems will be in areas designated on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A** as "Array."

DC Cabling: DC Cabling connects the module wiring together. To keep the wiring organized, a CAB Solar Cable Management System will be used for the Project. The DC Cabling will also be located in areas designated on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A** as "Array" and will run beneath each row of solar panels.

DC Combiner Boxes: The DC cabling from rows of solar panels will connect at DC Combiner Boxes, typically located at the end of tracker rows. DC combiner box locations will be determined with the EPC's electrical design.

Inverter Pads: DC Cabling from the DC Combiner Boxes connects into the inverter pads for the Project. The Inverter Pads for the Project are designated in red on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A**. These Inverter Pads convert the electricity produced by the PV Solar Modules from DC to AC electricity. The Inverter Pads will be placed central to the PV Solar Module areas to reduce noise impacts to surrounding areas.

Underground AC Collection Line: Underground AC collection lines are medium voltage cables that connect the Project's inverters to the Project's collector substation. The Underground AC collection lines will be placed underground using the methods described in the testimony of Company witness Julie Pierson. The Underground AC collection lines are designated in blue on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A** and travel through Underground AC Collection Bores in certain areas, as described below.

Bore Pit: Bore pits are areas excavated at the end of an AC collection cable boring. The bore pit is an access point that allows crews to bore underneath features (wetlands, roads, pipelines). Bore pits are filled back in once the bore has been completed, conduit has been placed, and cable has been pulled through the conduit. The openings for the Bore Pits are designated by black circles on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A**.

Underground AC Collection Bore: For certain features where the Company does not want an above ground disturbance (such as wetlands, roads, wooded areas, and pipelines), the AC collection cables are bored underneath the feature to reduce impacts. The bore starts in a bore pit and dirt is gradually removed in the bore hole. A conduit (typically a plastic or clay outer casing) is then placed within the bore hole. Finally, the AC collection cable is pulled through the hole and sits within the conduit. Underground AC collection bores are designated by black hatched lines on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A**.

Fencing: The Project will have a security fence that surrounds most above-ground site facilities, including, but not limited to, the PV Solar Modules, inverters, and most access roads. This fencing is shown on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A** as "Array Fence." The Substation and Switchyard will also be fenced in pursuant to the National Electric Code. The fencing for the Substation and Switchyard will be within the area designated for each on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A**. The Substation is designated in magenta, and the Switchyard is designated in pink.

Transmission Lines and Interconnections: The Project will connect to the Majestic to Lemoyne 345kV transmission line directly outside of the north end of the Project Area. The transmission line and interconnection for the Project is designated on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A** as "Above Ground Gen-Tie Line" and is shown as white and red stripes exiting the Switchyard to the Point of Interconnection.

Substation: The Project will have one Substation, which will be a collector substation for the Project owned by Washtenaw Solar. The AC collection cables go into the collector substation, which will ultimately transfer the energy to the switchyard. The Substation is shown in **Exhibit A-1.1(a)(1) (KAP-1), Appendix A** in magenta. The Substation is also considered an energy regulation facility.

Switchyard: The Project will have one Switchyard, which will be owned by ITC*Transmission.* The switchyard takes the energy from the collector substation and transfers it to the existing grid-connected transmission line. The Switchyard is shown on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A** in pink. The Switchyard is also considered an energy regulation facility.

Access Roads: Access roads will be made from aggregate and allow easy access by vehicle to key Project infrastructure, like inverters. Access Roads are shown on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A** in rust.

Temporary Access Roads: Temporary access roads will be formed the same as permanent access roads but decommissioned after construction. These roads will provide access to laydown yards. Temporary Access Roads are shown on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A** in pink.

Laydown Yard: Laydown yards are areas in which construction trailers, parking, and stored equipment not yet installed will be placed during construction. They typically have a gravel base and remain throughout the entire construction phase of the Project. Laydown yards are shown on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A** in green and are considered a similar ancillary feature per the Filing Guidelines.

Temporary Staging Areas: Temporary staging areas are locations where equipment and supplies will be placed when construction crews are actively working in the area. Temporary staging areas may not be in use for the full construction phase of the Project. Temporary staging areas are shown on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A** in purple and are considered a similar ancillary feature per the Filing Guidelines.

Q. What rights-of-way does Washtenaw Solar need for the Project and has Washtenaw Solar obtained those rights-of-way?

A. Washtenaw Solar has secured all necessary rights-of-way for the Project facilities shown on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A**, including:

Transmission Lines and Interconnections: The Above Ground Gen-Tie Line will be located on land purchased by Washtenaw Solar and will connect to the existing Majestic to Lemoyne 345kV transmission line's right-of-way. Washtenaw Solar has the right to enter this right-of-way per its existing Generator Interconnection Agreement ("GIA"). See **Exhibit A-12 (TSD-13)**.

Electric Collection Facilities: The Underground AC Collection Lines (including areas of Underground AC Collection Bores and Bore Pits) will have a 50-foot right-of-way on both sides of the cable. Parcels planned to contain only electric collection facilities are under lease from landowners and these rights-of-way are set back from other existing rights-of-way to allow for the necessary corridor spacing.

Project Area: All parcels within the Project Area (except for public rights-of-way) are currently under lease by Washtenaw Solar. Washtenaw Solar also has options to purchase lands for the Substation and Switchyard. All above-ground facility features will be fenced off for security.

Access Roads: Access roads (permanent and temporary) connecting public roads to fenced off areas of the Project require a 40-foot-wide right-of-way. All access roads are will be placed on leased lands.

Washtenaw Solar plans to seek crossing agreements for other existing rights-of-way that exist within the Project Area.

Q. Are there any other ancillary features to the Project?

A. The Project will have public roads that cross through various parts of the Project Area. Roads are designated on **Exhibit A-1.1(a)(1) (KAP-1), Appendix A** as US/State Roads, Local Roads, and Dirt and Unpaved Roads. The Project design is set back from pre-existing public roads within the Project Area. Project Access Roads will require driveways placed in public road rights-of-way. Electric collection lines are planned to bore underneath any road crossing. Washtenaw Solar will coordinate with the Washtenaw County Road Commission or any other road owner for these crossings.

During Project design, Washtenaw Solar reviewed Michigan Department of Transportation ("MDOT") and Michigan Railroad Association's Michigan Railroad System Map and National Geospatial Data Asset ("NGDA") data from the United States Census Bureau. No railroads are located in the Project Area.

No energy storage facilities have been identified within the proposed Project Area.

Q. Does Washtenaw Solar's Site Plan contain a map showing the proposed location of any off-site utility interconnections available?

A. Yes. Washtenaw Solar's Site Plan shows planned utility interconnections in **Exhibit A-1.1(a)(2) (KAP-1), Appendix B**. There will be distribution and telecommunications service to the Substation, but the route of those interconnections (all of which will interconnect at the substation location) have not yet been determined. This map shows the location of those existing utilities. There will be crossings and discharge into county drains but no direct interconnections.

Q. Will the Project require any off-site interconnection infrastructure to be installed?

A. The Project will only have a transmission interconnection and will connect into the Majestic to Lemoyne 345kV transmission line per the Project's Generator Interconnection Agreement. Land will be purchased directly south of this transmission line for placement of the Project collector Substation and Switchyard. A short transmission line (estimated to be 210 feet), the Gen-Tie, will connect the Switchyard to the POI. This Gen-Tie line will be entirely within purchased land and ITC*Transmission*'s right-of-way. See **Exhibit A-1.1(a)(2) (KAP-1), Appendix B**. No other off-site utility interconnections are planned for the Project. There is telecommunications and electric distribution infrastructure within the Project Area already.

Q. Does Washtenaw Solar's Site Plan contain a map of the proposed limits of clearing and disturbance for construction of all facility components and ancillary features, including laydown yards and temporary staging or storage areas?

A. Yes. Washtenaw Solar identified both the Limits of Clearing and Limits of Disturbance for the Project, including all facility components and ancillary features, laydown yards and temporary staging areas, shown in **Exhibit A-1.1(a)(3) (KAP-1), Appendix C**. Limits of Clearing were identified by comparing the planned facilities layout with aerial imagery. Any areas where facilities would conflict with trees were deemed to need clearing. The total acreage that is encompassed by the Limits of Clearing is 8.4 acres.

Limits of Disturbance ("LOD") includes the entire area within the Project fence-line plus a 50-foot buffer, the Substation and Switchyard, Laydown Yards, Temporary Staging Areas, tree clearing areas, Temporary and Permanent Access Roads plus a 40-foot buffer, and Electrical Collection Infrastructure (Underground AC Collection Line, Underground AC Collection Bore, and Bore Pits) plus a 50-foot buffer. The total acreage that is encompassed by the LOD is approximately 1,407 acres.

Roughly 56.4 acres have been allocated for Laydown Yards throughout the Project Area. These areas are spread out through the Project's LOD. They will be placed on leased land near roads to minimize the disturbance footprint and for easier reclamation at the end of construction. An additional 43.7 acres has been reserved for Temporary Staging Areas. Both Laydown Yards and Temporary Staging Areas are set back from any wetlands or waterbodies identified on site. None of these reserved areas will require tree clearing.

Q. Does Washtenaw Solar's Site Plan include a map of major institutions, parks, and recreational areas within 1,000 feet of the Project site?

A. Yes, Washtenaw Solar reviewed data for these features and includes **Exhibit A-1.1(a)(4) (KAP-1), Appendix D** as part of its Site Plan. However, there are no features depicted on this map. Washtenaw Solar reviewed recreational data from Washtenaw County GIS Data Portal, the USGS Protected Areas Database, and Michigan GIS Open Data and identified no major institutions, parks, or recreational areas within 1,000 feet of the Project Area.

Q. Does Washtenaw Solar's Site Plan include a map of lakes, reservoirs, streams, canals, rivers, wetlands, and other waterbodies within 1,000 feet of the Project site?

A. Yes. These wetlands and waterbodies (*i.e.*, lakes, reservoirs, streams, rivers, ponds, and canals) were reviewed during the design phase of the Project and are reflected in the map provided in **Exhibit A-1.1(a)(5) (KAP-1), Appendix E**. Washtenaw Solar commissioned Environmental Consulting & Technology, Inc. ("ECT") to conduct a Water Resources Delineation on participating parcels in Fall 2024, meaning all waterbodies in the Project Area were reviewed and identified in the field by qualified environmental personnel. Company witnesses Amanda Ignatowski and James Sallee discuss the methodology and findings of the Water Resources Delineation in greater detail in their testimonies.

The Water Resources Delineation sought out all types of waterbodies, but only wetlands and streams were identified within the Project Area. For the lands outside the Project Area but within 1,000 feet of the Project site, a desktop analysis of National Wetland Inventory ("NWI") and National Hydrography Dataset ("NHD") data was performed to identify waterbodies. Wetlands, flowlines, lakes, ponds, and rivers (riverine areas) were identified outside the Project Area but within 1,000 feet of the Project site. No reservoirs or canals were identified within 1,000 feet of the Project site. The testimony of Company witness James Sallee provides additional details regarding the impact of the Project on wetlands and waterbodies.

Q. Does the Washtenaw Solar Site Plan include a map of the legal boundaries of cities, villages, townships, and counties within 1,000 feet of the Project site?

A. Yes. Washtenaw Solar reviewed GIS data for the boundaries of cities, villages, townships, and counties within 1,000 feet of the Project site. Washtenaw Solar identified two counties within 1,000 feet of the Project site, Washtenaw and Lenawee Counties. The Project Area is entirely within Washtenaw County; however, the 1,000-foot area around the Project Area extends south into Lenawee County. Washtenaw Solar identified two townships within 1,000 feet of the Project site, Saline and Macon Townships. The Project Area is entirely within Saline Township; however, the 1,000-foot area around the Project Area extends into Macon Township to the south. These political subdivisions are mapped in **Exhibit A-1.1(a)(6) (KAP-1), Appendix F**. No cities or villages were identified within 1,000 feet of the Project site. The closest villages to the Project Area, Benton and Macon, are farther than 1,000 feet from the Project boundary.

Q. What is considered an "occupied structure" relative to the Project?

A. Neither the Filing Guidelines nor PA 233 define "occupied structure." PA 233 contains a definition of "occupied community building," which means "a school, place of worship, day-care facility, public library, community center, or other similar building that the applicant knows or reasonably should know is used on a regular basis as a gathering place for community members." MCL 460.1221(r). The Filing Guidelines adopt this same definition. See Filing Guidelines, Attachment B. For the purposes of defining "occupied structures," Washtenaw Solar's Site Plan includes residences—no other occupied community buildings were identified within the Project Area.

Q. Does the Washtenaw Solar Site Plan include a map of occupied structures within 1,000 feet of the Project site?

A. Yes. As part of the ALTA/NSPS survey, structures within 1,000 feet of the Project site were reviewed, confirmed, and classified. The only occupied structures within 1,000 feet of the Project site are residences. Unoccupied structures such as farm buildings, livestock buildings, sheds, garages, and industrial structures (*i.e.*, oil wells) are also present within 1,000 feet of the Project site. These structures are mapped in **Exhibit A-1.1(a)(7) (KAP-1), Appendix G**. Identification of occupied structures was necessary in order to comply with the setback requirements of PA 233.

Q. What noise emitting facilities will the Project have?

A. The Inverter Pads and the Substation will all emit low levels of sound. These levels will depend on the weather and other conditions in the area. Company witness Michael Hankard discusses the sound levels associated with the Project in his testimony.

Q. Does the Washtenaw Solar Site Plan include a map showing the location of inverters and other noise-emitting facilities, showing the distance to occupied structures, property lines, and public rights-of-way?

A. Yes. When designing the Project, I placed noise emitting equipment in areas designed to comply with PA 233's sound limits. Washtenaw Solar's Site Plan contains a map showing noise emitting facilities in **Exhibit A-1.1(a)(8) (KAP-1), Appendix H**. Inverters were placed central to the Project's fence line, and the Substation has ample distance from any occupied structures. This map also shows property lines, occupied structures as identified in the ALTA/NSPS survey, and public rights-of-way.

Q. Does Washtenaw Solar have agreements with all landowners that will be hosting Project facilities?

A. Yes. The presence of supportive landowners entering into voluntary agreements regarding their property helped make this Project feasible.

Q. What is a "participating property"?

A. PA 233 defines a "participating property" as "real property that either is owned by an applicant or that is the subject of an agreement that provides for the payment by an applicant to a landowner of monetary compensation related to an energy facility regardless of whether any part of that energy facility is constructed on the property." MCL 460.1221(s).

Q. Does the Project have any participating properties that will not host Project facilities?

A. Yes. Washtenaw Solar has entered into a number of Solar Leases, Collection Leases, and Participation Easement Agreements with property owners that are unable to participate in the Project due to the size or characteristics of their Property, but that live in the general area of the Project.

Q. Does Washtenaw Solar's Site Plan provide a map of the proposed site or right-of-way for the Project that identifies participating properties and adjacent properties?

A. Yes. Washtenaw Solar's Site Plan includes a map that shows the Project Area, which includes all properties where facilities and rights-of-way will be located in **Exhibit A-1.1(a)(9) (KAP-1), Appendix I**. This map also shows participating properties as well as properties adjacent to the Project Area. There are a number of properties that are considered both participating properties and adjacent properties and these properties are designated as such.

Q. Does Washtenaw Solar's Site Plan include a map showing the location of deeded easements known to date that exist within the footprint of the Project?

A. Yes. Washtenaw Solar commissioned the ALTA/NSPS survey to identify such easements, and these are mapped in their approximate locations in **Exhibit A-1.1(a)(10) (KAP-1), Appendix J**. The ALTA/NSPS survey identified public roads, public rights-of-way, and existing public utilities (drains, telephone lines, distribution lines, and natural gas pipelines) within the Project Area. The footprint of the facility is shown. The ALTA/NSPS survey did not identify any railroad easements in the Project Area.

Q. Do any of these deeded easements conflict with the Project?

A. While there are no conflicting easements, Washtenaw Solar will seek crossing agreements where needed. This will include crossing agreements for telecommunications infrastructure, electric distribution, county roads, and county drains. An Enbridge pipeline was identified to the west of the Project, but no permanent features are placed on this easement.

Q. Does Washtenaw Solar's Site Plan include an aerial photograph or a map using satellite imagery with depictions of planned facilities, fences, roads, occupied buildings, and planned screening, landscaping, and vegetative cover?

A. Yes, this map is included as **Exhibit A-1.1(b) (KAP-1), Appendix K**. Company witness Isaac Pallant provides additional detail in his testimony regarding the planned screening, landscaping, and vegetative cover for the Project.

Q. Does Washtenaw Solar's Site Plan contain a map with dimensions added showing setbacks from the Project boundary and fences to all structures on participating properties, road rights-of-way, waterways, wetlands, occupied buildings and structures on nonparticipating properties, and property lines of non-participating properties?

A. Yes, this map is included as **Exhibit A-1.1(c) (KAP-1), Appendix L**. This dimensioned drawing demonstrates that Washtenaw Solar's Project complies with the setback provisions established in PA 233, including 300 feet from the nearest point on the outer wall of non-participating dwellings, 50 feet from public road rights-of-way, and 50 feet from nonparticipating properties.

Q. Does Washtenaw Solar's Site Plan provide a description of the maximum height of solar panels, wind turbines, storage facilities, and associated electrical equipment in relation to existing overhead communication and electric transmission lines?

A. Yes, this is included as **Exhibit A-1.1(d) (KAP-1), Appendix M**.

Q. How did Washtenaw Solar determine the height of existing electric transmission lines?

A. ITC*Transmission* provided Washtenaw Solar with this information.

Q. Has Washtenaw Solar provided a description of the maximum height of its solar panels and associated electrical equipment in relation to existing overhead communication and electric transmission lines?

A. Yes. The expected height of the solar panels will be dependent on the required ground clearance and freeboard above the 24-hour, 100-year storm inundation flood depths. Where no flooding is present on site, the top edge of most panels is expected to be 102 inches above grade (8 feet, 6 inches) when at full tilt. For select areas where higher inundation depths are expected, the top edge of the panel will not exceed 25 feet.

B. Area Land Use

Q. Does the Washtenaw Solar Site Plan include a map of municipal boundaries and taxing jurisdictions at a scale sufficient to determine and demonstrate relation of the Project to those geographic and political features?

A. Yes. That map is included as **Exhibit A-1.2(a)(1) (KAP-2), Appendix A**. The Project Area includes the following municipalities: Lenawee County, Washtenaw County, Macon Township, and Saline Township. The Project Area includes the following taxing jurisdictions: State of Michigan, Washtenaw County, Lenawee County, Macon Township, Saline Township (including Saline Township Roads and Saline Fire), Lenawee Intermediate School District, Washtenaw Intermediate School District, Britton-Macon Area School District, Clinton Community School District, Milan Area School District, Saline Area School District, and Saline District Library. The testimony of Company witness Dr. David Loomis describes how those taxing jurisdictions will be impacted by the Project and sponsors a report on the same. See **Exhibit A-8.1 (DGL-2)**.

Q. Does Washtenaw Solar's Site Plan include a map of proposed land uses within the Project Area identifying land being utilized for agriculture, including the cultivation of specialty crops according to publicly available data?

A. Yes. Both agricultural lands and specialty crops are found in the Project Area and the surrounding 1,000 feet (the "Study Area"). **Exhibit A-1.2(a)(2) (KAP-2), Appendix B** shows proposed land uses based on the Saline Township Master Plan and specialty crop data. Company witness Amanda Ignatowski provides additional information regarding proposed land uses in Macon Township in her testimony.

Q. Does Washtenaw Solar's Site Plan provide a map showing farmland, including prime farmland within the Project Area and the Study Area?

A. Yes. **Exhibit A-1.2(a)(3) (KAP-2), Appendix C** shows farmland by classification in the Study Area, the Project Area, within the LOD, and within the fence line. The Company based farmland classifications on the United States Department of Agriculture-Natural Resource Conservation Service ("USDA-NRCS") Web Soil Survey.

Q. Does Washtenaw Solar's Site Plan include a map of existing overhead and underground major facilities for electric, gas, and telecommunications transmission?

A. Yes. One pipeline has been identified in the southwestern portion of the Project Area, with its location provided by the National Pipeline Mapping Service and confirmed via the ALTA/NSPS survey. One transmission line is within the Study Area (Majestic to Lemoyne 345kV transmission line) for which the Project has interconnection rights. There is also electric distribution and telecommunications infrastructure throughout the Project Area. See **Exhibit A-1.2(a)(4) (KAP-2), Appendix D**.

Q. Does Washtenaw Solar's Site Plan include a map identifying property owner information for all properties within the Study Area and lands enrolled in Michigan's Farmland and Open Space Preservation Program ("PA 116")?

A. Yes. A map of PA 116 properties is included in **Exhibit A-1.2(a)(5) (KAP-2), Appendix E**, which has been separated into a number of pages to improve clarity of the map.

Q. Does Washtenaw Solar's Site Plan include a map of existing local zoning districts?

A. Yes. A map of local zoning districts is included in **Exhibit A-1.2(a)(6) (KAP-2), Appendix F**. The entirety of the Study Area is zoned agricultural under the Saline Township and Macon Township zoning maps.

Q. Does Washtenaw Solar's Site Plan include a map of designated coastal areas, inland waterways, groundwater management zones, designated agricultural districts, flood-prone areas, and coastal erosion hazard areas?

A. Yes. This information is included in **Exhibit A-1.2(a)(7) (KAP-2), Appendix G**. No coastal areas, groundwater management zones, flood-prone areas, and coastal erosion hazards exist in the Study Area. There are no designated agricultural districts beyond the agricultural zoning districts also displayed in **Exhibit A-1.2(a)(6) (KAP-2), Appendix F**. Company witness James Sallee describes how the inland waterways included in this map were identified in his testimony.

Q. Does Washtenaw Solar's Site Plan include a map identifying recreational and other land uses that might be affected by the sight or sound of the Project construction or operation of the Facility, interconnections, and/or related facilities?

A. Yes. This information is included in **Exhibit A-1.2(a)(8) (KAP-2), Appendix H**. None of the following were identified within the Study Area: wild, scenic, and recreational river corridors; parks; designated wilderness; scenic vistas; conservation easement lands; federal or state-designated scenic byways; nature preserves; designated trails; and public-access fishing areas.

Q. Does Washtenaw Solar's Site Plan include a sound isoline map?

A. Yes. **Exhibit A-1.2(a)(9) (KAP-2), Appendix I** depicts proposed facilities' adjacent properties; all structures within participating and adjacent properties; property lines; and projected sound isolines (including the 55 dB statutory limit).

C. Explanatory Information

Q. Does Washtenaw Solar's Site Plan explain the maps contained therein?

A. Yes, explanations of the maps discussed above are included in **Exhibit A-1.3 (TSD-1)**.

Q. Did you contribute any other information to the development of Exhibit A-1.3 (TSD-1)?

A. Yes. Company witness Tyler Durgan sponsors **Exhibit A-1.3 (TSD-1)**, and I helped develop that exhibit and provided information regarding the design of the Project. My role included providing information regarding the Project's impact, the Project's acreage , and fencing.

D. Alternatives

Q. Has the Company prepared a map and description of each alternative site location, proposed site layout, or other alternatives considered, including the rationale for why the Company did not select those alternative locations for development?

A. Yes. Washtenaw Solar describes alternative parcels, layouts, and projects that were considered but ultimately not pursued in **Exhibit A-1.5 (KAP-3)**. This exhibit provides details regarding the environmental, engineering, and real estate limitations of these alternatives.

Q. Has the Company assessed whether there are feasible alternative developed locations?

A. Yes. **Exhibit A-1.5 (KAP-3)** reviews the developed industrial lands considered for the Project. Ultimately, there were not enough surrounding landowners supportive of the Project to support the design of the Project in those locations. There is no feasible alternative to the Project with regard to the site location, layout, or energy source.

E. Changes

Q. Is the Company considering any modifications or variations to the proposed Site Plan that may be finalized prior to construction?

A. Yes. Washtenaw Solar anticipates making minor changes within the framework established by the Commission and consistent with PA 233. Washtenaw Solar is also requesting the authority to make Project-specific minor modifications regarding the items shown on **Exhibit A-1.6 (JMP-2).** As Company witness Julie Pierson discusses in her testimony, Washtenaw Solar must still complete its IFC design and the Project still has to complete a number of permitting and regulatory approvals, which could also impact the IFC design.

V. PUBLIC HEALTH AND SAFETY

Q. Has Washtenaw Solar considered the public health and safety impacts of the Project?

A. Yes. Washtenaw Solar considered the public health and safety impacts of the Project when developing the Project's design. Specifically, Washtenaw Solar considered the criteria established by the MPSC to ensure public health and safety. The Project is designed to meet or exceed the setbacks required by MCL 460.1226. The Project is designed not to exceed the statutory 55 dB sound limit. The Project also utilizes fencing that complies with the latest version of the National Electric Code. No Project facilities will exceed the 25-foot height limitation. **Exhibit A-10 (KAP-4)** provides a full description of how Washtenaw Solar will comply with applicable criteria and thereby ensure that public health and safety are protected.

Q. Does this conclude your prefiled direct testimony?

A Yes.

S T A T E O F M I C H I G A N

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of **WASHTENAW SOLAR ENERGY LLC** for approval of a certificate for siting a solar energy facility in Saline Township, Washtenaw County	))))))	Case No. U-21962

DIRECT TESTIMONY

OF

JULIE M. PIERSON

ON BEHALF OF

WASHTENAW SOLAR ENERGY LLC

Q. Please state your name and business address.

A. My name is Julie M. Pierson. My business address is One South Wacker Drive, Suite 1500, Chicago, Illinois 60606.

Q. By whom are you employed and in what capacity?

A. I am employed by Invenergy LLC ("Invenergy") as a Project Manager.

Q. Please describe your educational background.

A. I earned my Bachelor of Science in Mechanical Engineering from the University of Wisconsin, Madison in 2017 with a Certificate in Engineering for Energy Sustainability.

Q. Do you hold any licenses?

A. No.

Q. Please describe your professional experience.

A. I was employed by General Motors as an Engineer from August 2017 to October 2022. From October 2022 to September 2024, I worked as a Business Operations Analyst and then a Program Manager for GM Energy, a subsidiary of General Motors. In October 2024, I joined Invenergy as a Project Manager.

Q. What are your responsibilities as a Project Manager at Invenergy?

A. My responsibilities include managing projects from advanced development through design, procurement, and construction to achieve commercial operation and support the technical needs of projects, including project contracts, schedules, budgets, permits, and reporting. I coordinate with the contractors, engineers, suppliers, developers, and other internal and external parties to ensure the project is built as per the requirements with concern for quality and safety.

With regard to the Washtenaw Solar Energy LLC's ("Washtenaw Solar" or the "Company") 150 MW solar energy project in Saline Township, Washtenaw County, Michigan (the "Project"), I will assume all the responsibilities detailed above. This includes managing contractors to adhere to specifications and the project schedule, ensuring that permit conditions are followed, and working with suppliers and the internal procurement team to support cost and schedule.

Q. What is the purpose of your direct testimony in this proceeding?

A. As Project Manager, my testimony reviews the construction methods that will be implemented for the Project, as well as the impacts of those construction activities on traffic, solid waste disposal capacity, drainage, and other property owners. I also describe why and how certain aspects of the Project are expected to have minor changes with regard to the design of the Project. My testimony also contains information related to the Project's emergency preparedness and response, including the development of a Fire Response Plan and an Emergency Response Plan. I explain what steps Washtenaw Solar will take if it discovers natural resources not currently identified, pursuant to the Project's Unanticipated Discoveries Plan. My testimony also outlines the schedule for the Project. Additionally, I describe how the Project will comply with the labor and employment provisions of PA 233 of 2023 ("PA 233") and local, state, and federal environmental laws with regard to certain construction activities for the Project. I also provide information regarding how the Project will implement dark sky friendly lighting. Finally, my testimony proposes a Decommissioning Agreement to be entered into between Washtenaw Solar and the Michigan Public Service Commission ("MPSC" or the "Commission").

Q. How is your direct testimony organized?

A. My direct testimony is organized as follows:

I. EXPLANATORY INFORMATION

II. CONSTRUCTION INFORMATION

III. CHANGES

IV. EMERGENCY PREPAREDNESS AND RESPONSE

A. Emergency Response Plan

B. Fire Response Plan

V. UNANTICIPATED DISCOVERIES PLAN

VI. PROJECT SCHEDULE

VII. ENVIRONMENTAL COMPLIANCE

A. Hazardous Waste

B. Solid Waste

C. Liquid Industrial Byproduct

D. Used Oil

E. Spill Prevention, Control, and Countermeasures

F. Air Quality

G. Materials Management

VIII. LOCAL JOB CREATION

IX. DARK SKY PLAN

X. DECOMMISSIONING AGREEMENT

Q. Are you sponsoring any exhibits in this proceeding?

A. Yes. I am sponsoring the following exhibits:

Exhibit A-1.4 (JMP-1) Site Plan – Construction Information

Exhibit A-1.6 (JMP-2)	Site Plan – Changes
Exhibit A-1.9 (JMP-3)	Site Plan – Emergency Response Plan
Exhibit A-1.10 (JMP-4)	Site Plan – Fire Response Plan
Exhibit A-1.14 (JMP-5)	Site Plan – Unanticipated Discoveries Plan
Exhibit A-3 (JMP-6)	Project Schedule
Exhibit A-8.4 (JMP-7)	Local Job Creation
Exhibit A-11 (JMP-8)	Dark Sky Plan
Exhibit A-13.3 (JMP-9)	Proposed Decommissioning Agreement

I co-sponsor the following exhibits:

Exhibit A-1.3 (TSD-1)	Site Plan – Explanatory Information
Exhibit A-6.2 (AMI-3)	Environmental Compliance Report

Q. Were these exhibits prepared in whole or in part by you or under your direction and supervision?

A. Yes.

I. EXPLANATORY INFORMATION

Q. Did you participate in the preparation of the Explanatory Information developed for the Project?

A. Yes. Certain required Explanatory Information for the Project is provided pursuant to the MPSC's Application Filing Instructions and Procedures adopted October 10, 2024 ("Filing Guidelines") in **Exhibit A-1.3 (TSD-1)**. I co-sponsor this exhibit with Company witness Tyler Durgan and provide information regarding the impact of the Project on traffic, solid waste disposal capacity, drainage, and non-participating property owners.

Q. Does Washtenaw Solar's Site Plan consider how the proposed Project's location,

layout, and construction methods minimize impacts to traffic?

A. Yes, this is provided in **Exhibit A-1.3 (TSD-1)**. Traffic impacts during the operational life of the Project are not anticipated. With regard to the location of the Project, the Project is located in a rural area, and traffic congestion is anticipated to be minimal and exclusively during construction, although surrounding roads are narrow and mostly unpaved.

The Project's layout will require the construction of certain temporary and permanent access roads, which will generally serve to keep traffic impacts off public roads and within the Project Area.

Traffic impacts during construction are expected to be temporary, occur consistent with applicable permits, and be mitigated pursuant to any restoration and repair agreement entered into between Washtenaw Solar and the Washtenaw County Road Commission ("WCRC"). Any traffic congestion will be managed, minimized, or mitigated to the extent practicable. Construction delivery traffic will mostly occur during daylight hours. Deliveries will begin in the early morning and continue to mid-late afternoon. Typical construction and delivery vehicles, such as dump trucks for aggregate delivery and flat beds and enclosed tractor-trailers for equipment and material deliveries, will constitute the majority of Project traffic. The Project will also use light-duty pickup trucks or cars for personnel access to the Project site. A small number of oversized/overweight deliveries will be required for delivery of the main power transformer in the Project substation and grading machines. Oversized/overweight deliveries will respect the seasonal restrictions in force at the time. Delivery vehicles for the generation tie-in line ("Gen-Tie") pole structures and cranes used for offloading activities may require oversize/overweight vehicle permits depending on equipment specifications. The potential impact of

construction and delivery on local roads is relatively minimal, although Washtenaw Solar has offered to enter into an agreement with the WCRC regarding reimbursement for the repair and restoration of any County roads modified or damaged during the construction process, as demonstrated in **Exhibit A-14 (TSD-14), Appendix C, Section 2.19**.

Construction traffic in any given area will occur in a cycle of heavy hauling activities followed by more numerous but lighter weight vehicles for personnel. The initial phase of heavy hauling will be to deliver earth-moving equipment and then aggregate for access roads. After the access roads are installed, steel posts will be delivered along with equipment and personnel for installation. Then, steel racks and associated installation personnel, then solar modules and associated installation personnel, then the electrical system and associated installation personnel. Heavy hauling activities can be done primarily during daylight hours and on weekdays, but the smaller vehicles for personnel arriving on-site may continue through earlier or later hours if needed to maintain the construction schedule. A map showing the planned routes for the delivery of heavy equipment and/or cranes provided in **Exhibit A-1.4 (JMP-1), Appendix B**. A map showing a potential alternative route in the event of road closures is shown in **Exhibit A-1.6 (JMP-2), Appendix B**.

Q. Does Washtenaw Solar's Site Plan consider how the proposed Project's location, layout, and construction methods minimize impacts to solid waste disposal capacity?

A. Yes, this is provided in **Exhibit A-1.3 (TSD-1)**. The Project does not have an operations and maintenance ("O&M") building and construction activities will utilize portable bathroom facilities. The Project will interconnect to solid waste disposal infrastructure. Washtenaw Solar plans to recycle most Project materials at the time of decommissioning.

Any materials requiring disposal (*i.e.*, broken or damaged modules) prior to decommissioning will be recycled in a similar manner. Non-recyclable materials will be disposed of at an engineered landfill off-site in compliance with applicable environmental rules and regulations. No impact on solid waste disposal capacity due to the Project's location, layout, or construction methods are anticipated.

Q. Does Washtenaw Solar's Site Plan consider how the proposed Project's location, layout, and construction methods minimize impacts to county and intercounty drains?

A. Yes, that information is provided in **Exhibit A-1.3 (TSD-1)**. Washtenaw Solar commissioned a survey of these systems, the resulting map for which is included as **Exhibit A-1.4 (JMP-1), Appendix D**. The Project facilities will be located to take advantage of or improve existing private drainage in the Project Area. The Project layout (including planned construction activities) is designed to avoid impacts on county drains. No intercounty drains were identified in the Project Area.

Q. Does Washtenaw Solar's Site Plan include preliminary plans to minimize, mitigate, and repair drainage issues?

A. Yes, this information is provided in **Exhibit A-1.3 (TSD-1)**. The Project is located in an area with existing public and private drainage systems. Washtenaw Solar has consulted with the Washtenaw County Water Resources Commissioner's Office ("WCWRC") regarding its preliminary stormwater mitigation plan. While the Project is designed to avoid drainage issues, there may be additional drainage tile installed in the Project Area to improve overall drainage and protect Project facilities. Should drain or drain tile repairs be required due to the Project, Washtenaw Solar will repair or replace impacted tile systems

to the extent necessary to maintain at least equivalent drainage. Washtenaw Solar's commitment and proposed agreement to repair or replace all public and private drainage systems damaged from the construction or decommissioning process is also included in **Exhibit A-14 (TSD-14), Appendix C, Section 2.3**.

Q. Does Washtenaw Solar's Site Plan consider other impacts to non-participating property owners during construction and operation?

A. Yes, this information is provided in **Exhibit A-1.3 (TSD-1)**. ITC*Transmission* will likely need to de-energize transmission for a short period during the construction process of the Project's point of interconnection ("POI"). Such interconnections may require two or three days of planned outages, either scheduled consecutively or over several weeks. Regardless, impacts to local electrical service at the distribution level are not expected to occur as ITC*Transmission* generally schedules the outages in times when other lines can provide electric service to potentially affected areas.

II. CONSTRUCTION INFORMATION

Q. Who will construct the Project?

A. Washtenaw Solar will hire an Engineering, Procurement, and Construction firm ("EPC") to construct the Project. The Project will be constructed by an EPC that has experience with constructing utility-scale solar projects and will be required to meet certain standards set by Washtenaw Solar. The EPC for the Project will be responsible for constructing it in accordance with applicable codes and permit conditions and implementing a Project-specific Quality Assurance and Control Plan ("QA/QC Plan") to be approved by Washtenaw Solar prior to the commencement of construction. The selection of the EPC for

the Project has not been finalized at this time.

Q. What construction methods with be used for the Project?

A. Washtenaw Solar anticipates using a power block construction method. Preferably, uniform, modular building blocks are constructed with an inverter in the center. A full list of construction methods to be used for the Project is provided in **Exhibit A-1.4 (JMP-1)**. These include pre-construction soil analysis and surveys, grading and excavation, construction of temporary and permanent access roads, staging areas, laydown areas, and trenches, installing piles, racking and modules, stringing conductor, installing the substation and interconnection facilities, and post-construction restoration.

Q. Has Washtenaw Solar developed a map of the planned routes for cranes and other heavy equipment?

A. Yes. A map showing the planned routes for the delivery of heavy equipment and/or cranes is provided in **Exhibit A-1.4 (JMP-1), Appendix B**. A map showing a potential alternative route in the event of road closures is shown in **Exhibit A-1.6 (JMP-2), Appendix B**.

Q. Has Washtenaw Solar developed a map that includes the location of any existing deeded easement granted to any entity within the footprint of the facility?

A. Yes. A map showing the location of any existing deeded easement granted to any entity within the footprint of the facility is provided in **Exhibit A-1.4 (JMP-1), Appendix C**. Washtenaw Solar commissioned a review (an American Land Title Association/National Society of Professional Surveyors ("ALTA/NSPS") land title survey) of parcel boundaries, public roads, railroads, public rights-of-way, existing public utilities, and easement locations within the footprint of the Project Area. Electrical distribution easements, a gas pipeline easement, drain easements, telephone line easements, and public road rights-of-

way were identified within the Project Area.

Q. Will construction of the Project impact or interfere with existing utilities?

A. Construction of the Project is not expected to impact or interfere with the operation of existing utilities. Deeded easements are associated with the operation of the following utilities: DTE distribution lines and vegetation clearing rights, an Enbridge natural gas pipeline, and telecommunications infrastructure. Washtenaw Solar will seek crossing agreements with regard to all utilities impacted by the Project to determine what construction activities may need to be limited due to the presence of existing utility infrastructure. It is not expected that the construction of the Project will have an impact on electric service. Impacts to local electrical service at the distribution level are not expected to occur as ITC*Transmission* will schedule the outages in times when other lines can provide electric service to potentially affected areas.

Q. Has Washtenaw Solar developed a map that includes the location of known existing and proposed county and intercounty drains, drain easements, and underground drainage tile?

A. Yes. A map showing the location of known existing and proposed county and intercounty drains, drain easements, and underground drainage tile is provided in **Exhibit A-1.4 (JMP-1), Appendix D**. The Project is not anticipated to have an impact on drainage in the Project Area, and Company witness James Kampa's direct testimony discusses the impact of the Project on public and private drainage systems in greater detail.

Q. Do the construction methods proposed by Washtenaw Solar pose a risk to public health and safety?

A. No. Construction activities for the Project will take place on private lands and will be

overseen by one or more safety managers. The construction methods proposed for the Project are designed to protect against environmental and natural resource impacts that could create a risk to public health and safety. Further, the Project will have a Third-Party Independent Monitor on site during the periods when construction is taking place on a weekly basis to monitor the construction activities. The construction methods proposed for the Project do not pose a risk to public health and safety.

III. CHANGES

Q. Is the Project, as depicted in the Site Plan, the final version of the solar facilities that will be constructed?

A. No. Washtenaw Solar has presented the maximum extents of the footprint of its proposed Project. There are a number of factors that impact the final design of the Project and the drawings that will be issued for construction. Washtenaw Solar still has to go through state and local permitting processes and needs to be able to make changes to its design based on feedback or conditions from regulators. At times, changes to design are implemented as a result of changes in capacity needs, requests by regulators, changes in topographic conditions at the Project site, or changes in technology. For example, Washtenaw Solar will work with regulators, such as the WCRC and the Michigan Department of Environment, Great Lakes, and Energy ("EGLE"), and those permits may impact the final design of the Project.

Q. When will final construction drawings be issued for the Project?

A. Final design for construction drawings will be issued shortly before construction begins. The current projected date for final design for construction is Q4 2026.

Q. What kind of changes could Washtenaw Solar make to the Project after a certificate

is received from the MPSC?

A. Under PA 233, if the MPSC issues a certificate for the Project, Washtenaw Solar is permitted to make "minor changes" to the Project "if the changes are within the footprint of the previously approved site plan." MCL 460.1222(3). The MPSC provides specific examples of minor changes in its Filing Guidelines. Under the MPSC's framework, minor changes cannot "create new or additional impacts" and cannot "require new permits." Filing Guidelines, Section 7.6. Washtenaw Solar is required to list any changes that would:

1. Expand the footprint or perimeter of the site plan.
2. Change any planned technology (such as the addition of an energy storage facility to an existing site or other technological changes increasing noise or impacting permit requirements).
3. Reduce setback distances from any part of the planned facilities to occupied structures, nonparticipating property lines, or rights-of-way if the new setbacks violate any setback requirements in PA 233.
4. Affect water detention or retention or other stormwater runoff.
5. Increase the height of the tallest equipment or structures.
6. Repower.
7. Increase the noise impacts on nonparticipating structures above the 55 dB average hourly limit.

Washtenaw Solar is required to list, describe, and map any changes that would fall into the categories above. Accordingly, Washtenaw Solar has included its potential minor changes for the Project in **Exhibit A-1.6 (JMP-2)**. Washtenaw Solar requests that these changes be considered Project-specific minor changes by the MPSC and be authorized under any

certificate issued by the MPSC.

Q. What Project-specific minor changes is Washtenaw Solar requesting approval for?

A. Washtenaw Solar requests approval for an alternate northern access road to the ITC*Transmission* switchyard because design has not been finalized and it is possible that ITC*Transmission* will request an access road that does not require entering the fenced-in areas of the Project. This alternate switchyard access road is depicted in the map attached as **Exhibit A-1.6 (JMP-2), Appendix B**.

Washtenaw Solar also requests approval to make changes to its haul routes as described in **Exhibit A-1.6 (JMP-2), Appendix A**. These haul routes for cranes and other heavy equipment are subject to approval by the WCRC based on a final Road Use Agreement. The Road Use Agreement will be executed prior to construction. It is possible that the WCRC will request changes to the haul routes. Washtenaw Solar anticipates applying for and complying with this permit, but requests the ability to accommodate requests for changes from the WCRC.

Washtenaw Solar also requests approval for certain accommodations requested by landowners. These accommodations—access roads to undeveloped portions of the landowner's own property—are depicted in the map attached as **Exhibit A-1.6 (JMP-2), Appendix B**.

Finally, Washtenaw Solar requests the ability to add stormwater management facilities if required by the WCWRC. While consultations from stormwater consultants and initial consultations with the WCWRC indicated that no above ground stormwater management facilities (*i.e.*, retention/detention basins) are necessary for the Project, Washtenaw Solar requests the ability to be able to accommodate such a request if

necessary. A preliminary design of what such stormwater management facilities would consist of is included at **Exhibit A-1.6 (JMP-2), Appendix B**. Company witness James Kampa provides additional detail regarding stormwater management for the Project in his testimony.

Q. Has Washtenaw Solar provided a map of these changes?

A. Yes. A map is provided for each change detailed in my testimony as **Exhibit A-1.6 (JMP-2), Appendix B**.

Q. Does Washtenaw Solar plan on making any technology changes such as adding energy storage to the Project?

A. No. Although a 75 MW surplus energy storage study request has been submitted to the Midcontinent Independent System Operator ("MISO") related to the 150 MW solar position associated with Washtenaw Solar at the same point of interconnection, Washtenaw Solar does not plan on constructing any energy storage for the Project at this time. If any energy storage were to be added to the Project in the future, Washtenaw Solar understands that it would be outside the grant of approval from the MPSC in this case and would require returning to the MPSC with a new siting application.

Q. Could Washtenaw Solar make other changes to the Site Plan after MPSC approval?

A. If the MPSC approves a certificate for the Project, Washtenaw Solar could also make those minor changes that are not required to be listed in the Site Plan or in the Application. The Project is designed to its maximum extents, and it is not uncommon for certain arrays to be removed or for the footprint to be slightly reduced depending on the conditions in the Project Area closer to the time of construction. Any such minor changes would be consistent with the Filing Guidelines and PA 233.

IV. EMERGENCY PREPAREDNESS AND RESPONSE

A. Emergency Response Plan

Q. Did Washtenaw Solar prepare an Emergency Response Plan for the Project?

A. Yes. The Emergency Response Plan ("ERP") is provided as **Exhibit A-1.9 (JMP-3)**.

Q. Did Washtenaw Solar consult with Saline Township and Washtenaw County first responders and county emergency managers?

A. Yes. Washtenaw Solar consulted with Saline Township and Washtenaw County first responders and county emergency managers to ensure that the ERP is in alignment with acceptable operating procedures, capabilities, resources, and site access. Evidence of this consultation is provided in **Exhibit A-1.9 (JMP-3), Appendix A.** Company witness Tyler Durgan reviews these consultations in greater detail in his testimony.

Q. How was Washtenaw Solar's ERP prepared?

A. As an affiliate of Invenergy, Washtenaw Solar followed Invenergy's standard practices and procedures with regard to emergency safety measures. For the development of the ERP, I consulted with Environmental, Health, and Safety managers and technical subject matter experts to ensure that the ERP is consistent with standard industry practices. Washtenaw Solar then consulted with local first responders and integrated their feedback into the ERP.

Q. What information is included in Washtenaw Solar's ERP?

A. The ERP includes contingencies that would constitute a safety or security emergency; emergency response measures by contingency; evacuation control measures by contingency; community notification procedures by contingency; evidence of consultation; analysis of existing emergency response capacity; and potential approach and departure routes to and from the Project site. Additionally, the ERP provides for the review and

update, where necessary, with the fire departments, first responders, and county emergency managers at least once every three years.

Q. What contingencies are addressed in Washtenaw Solar's ERP?

A. The ERP contains information regarding medical emergencies, lightning events, certain natural disasters, security threats including bomb threats and active shooters, spill response, and utility strikes.

Q. Can Washtenaw Solar's ERP be fulfilled by existing local emergency response resources?

A. Yes. With the exception of the Saline Area Fire Department, all parties consulted indicated that they have sufficient capacity to respond to an emergency at the Washtenaw Solar facility. With regard to the Saline Area Fire Department, consultation indicated that additional equipment would improve its capacity to respond to a medical emergency occurring in the array areas. Washtenaw Solar has proposed a Community Benefits Agreement to meet this capacity need. See **Exhibit A-8.3 (TSD-11)**. The Company's analysis of the capacity of existing local emergency response to fulfill the ERP can be found on **Exhibit A-1.9 (JMP-3),** page 6**.**

Q. Is Washtenaw Solar's ERP in alignment with acceptable operating procedures, capabilities, resources, and site access?

A. Yes. No issues were raised in consultations on Washtenaw Solar's ERP that would indicate that the Project creates a risk to public health and safety or otherwise puts strain on the resources of Saline Township or Washtenaw County.

B. Fire Response Plan

Q. Did Washtenaw Solar prepare a Fire Response Plan for the Project?

A. Yes. The Fire Response Plan ("FRP") is provided as **Exhibit A-1.10 (JMP-4)**.

Q. Did the Company consult with local fire department representatives?

A. Yes. Company witness Tyler Durgan consulted with the Saline Area Fire Department, the summary of which is included in **Exhibit A-1.10 (JMP-4), Appendix B** and **Exhibit A-4.4 (TSD-8).**

Q. Describe all on-site equipment and systems to be provided to prevent or handle fire emergencies.

A. All EPC site vehicles will be equipped with a fire extinguisher and a shovel. Crews performing any type of hot work activity will be equipped with a fire extinguisher and a fire watch—an individual tasked with observing work activities for sign of a potential fire. See **Exhibit A-1.10 (JMP-4),** page 5.

Q. Does the FRP include contingency plans to be implemented in response to a fire emergency?

A. Yes. These plans and response measures are detailed in the FRP. See **Exhibit A-1.10 (JMP-4),** pages 5-6.

Q. Please describe the Company's commitment to conduct, or provide funding to conduct, site-specific training drills with emergency responders before commencing operation, and upon request while the Facility is in operation.

A. Washtenaw Solar, in coordination with its EPC Safety Manager, is committed to funding site-specific training drills with emergency responders before beginning commercial operations and upon request once the facility is in operation (on an annual basis). **Exhibit**

A-1.10 (JMP-4), page 8.

Q. Can Washtenaw Solar's FRP be fulfilled by existing local emergency response resources?

A. The Company's analysis of the capacity of existing local emergency response to fulfill the FRP, as well as recommendations to mitigate local response deficiencies, can be found at **Exhibit A-1.10 (JMP-4)**, page 4. Company witness Tyler Durgan describes the Community Benefits Agreement that Washtenaw Solar has proposed to the Saline Area Fire Department to mitigate the resource deficiencies it identified during the consultation process.

V. UNANTICIPATED DISCOVERIES PLAN

Q. Did the Company prepare an Unanticipated Discoveries Plan?

A. Yes. The Company worked with Environmental Consulting & Technology, Inc. ("ECT") to develop an Unanticipated Discoveries Plan ("UDP") for the Project that details the process for addressing the identification of previously unidentified potential historic properties or cultural resources during the Project's construction. The Project's UDP is included in the Application as **Exhibit A-1.14 (JMP-5), Appendix A**. While ECT reviewed the environmental and natural resources within the Project Area and developed the procedures to be followed with regard to an unanticipated discovery, my role was to confirm that Washtenaw Solar is committed to implementing the procedures contained therein.

Q. Does the UDP address the anticipated impacts and plans to mitigate impacts to the environment and natural resources?

A. Yes, the UDP addresses these anticipated impacts, which are more fully described in

Exhibit A-6.2 (AMI-2).

Q. Does the UDP contain a set of procedures to be followed if cultural resources are discovered?

A. Yes. The UDP details the conditions under which work on the Project is stopped in a certain area and when it is permitted to resume based on a series of reviews by qualified personnel. **Exhibit A-1.14 (JMP-5), Appendix A**.

Q. Does the UDP contain a procedure to be followed if human remains are discovered?

A. Yes. The UDP details when law enforcement personnel should be contacted and other procedures with regard to a discovery of human remains. **Exhibit A-1.14 (JMP-5), Appendix A**.

Q. Does the UDP contain a contact list for the relevant stakeholders listed in the Filing Guidelines?

A. Yes. These contacts are provided in the UDP. Washtenaw Solar has ongoing communication with most of these individuals as part of its Tribal engagement process, described by Company witness Tyler Barron. **Exhibit A-1.14 (JMP-5), Appendix A**, see also **Exhibit A-4.5 (TDB-1)**.

Q. Is the UDP consistent with those developed for other utility-scale solar projects?

A. Yes. Invenergy typically establishes a UDP such as the one in this case, consistent with

industry best practices, and follows a UDP for the life of the Project.

VI. PROJECT SCHEDULE

Q. Has a Project Schedule been prepared for the Project?

A. Yes. The schedule for the Project is included as **Exhibit A-3 (JMP-6).**

Q. What is the planned start date for construction?

A. Assuming all permits and approvals for the Project are received without delay, the planned start date for construction of the Project is November 17, 2026.

Q. What is the expected duration of construction activities?

A. Construction activities are anticipated to take about 20 months.

Q. Can you please describe the elements that are contained in the Project Schedule?

A. The Project Schedule generally consists of the following phases: engineering, procurement and delivery, permitting, construction and testing, and commissioning. Each of these elements is described in greater detail below:

Project Milestones: The Milestones for the Project represent the dates when major schedule landmarks are scheduled to be completed. The milestones for the Project are as follows:

Engineering Kickoff: This commences work by the Engineer of Record(s) ("EOR") on the Project in design of civil, structural, electrical, and controls elements. This is expected by December 22, 2025.

Construction Mobilization: Construction Mobilization refers to the start of the construction period and takes approximately one week. During mobilization, construction crews and equipment arrive on site. Mobilization will occur once the permit is issued and

is currently scheduled for November 18, 2026.

Backfeed Available: This is the date when the Project is considered interconnected into the transmission system. This is scheduled to take place on November 18, 2027.

Mechanical Completion: This is the date when the mechanical components of the Project have been completely installed. This is scheduled to take place by July 25, 2028.

Substantial Completion/COD: This is the date when the Project is considered substantially complete. This is also called the Commercial Operation Date ("COD"). There may be some work that remains outstanding that does not materially affect the function of the Project. This is scheduled to take place by September 27, 2028.

Final Completion: This is the date when the Project is considered complete. This is scheduled to take place by December 21, 2028.

Permitting: The permitting phase accounts for the expected 14-month application review period for the MPSC permit per PA 233. Additional permits required for the Project are listed in **Exhibit A-6.3 (AMI-3)** and are scheduled to be secured during that 14-month period.

MPSC Permit Received: It is estimated that the MPSC permitting process may take up to 14 months. The state permitting process is expected to be complete by November 17, 2026.

Engineering: The engineering by the EOR phase of the Project takes approximately 11 months. This phase is scheduled to take place from September 26, 2025, to August 28, 2026.

Geotech Report: A design level geotechnical report is completed before engineering kickoff. A geotechnical report is a survey of subsurface conditions of the

Project Area, looking at soil conditions and subsurface features that could impact the constructability of the Project. This is expected to take place from September 26, 2025, to December 19, 2025.

PV Engineering: The detailed engineering and design of the photovoltaic ("PV") elements of the Project (such as grading design, racking, and foundation design) are also part of the engineering by the EOR phase of the Project schedule. This takes approximately eight months and begins after the geotechnical report is completed. During this phase, engineering drawings are created. This is scheduled to take place from December 22, 2025, to August 14, 2026.

Substation Engineering: The engineering design of the substation by the EOR also occurs during this phase. The design of the substation will take into consideration the electrical design for the Project. The substation design will take approximately eight months and occur concurrently with the PV engineering phase of the Project. This is scheduled to take place from December 22, 2025, to August 28, 2026.

Procurement: Close to the end of the permitting phase of the Project, Washtenaw Solar will begin procuring the materials necessary to construct the Project. Procurement is staggered with construction activities so that parts of the Project can be constructed during the lead times for the delivery of other parts of the Project.

Control Enclosure Lead Time & Delivery: Washtenaw Solar or its EPC Contractor will procure the Control Enclosure for the substation, which has an approximate 14-month lead time. Control Enclosure delivery is expected by May 26, 2027.

Pile Lead Time & Delivery: Washtenaw Solar's EPC will procure the piles for the Project, which have an approximate six-month lead time. Piles are the foundational

supports used in solar facilities to anchor solar panels and tracking systems to the ground. Pile delivery is expected by May 10, 2027.

MPT Agreement, Lead Time, & Delivery: A Main Power Transformer ("MPT") is currently planned and is in storage for the Project. The agreement signing and lead time to deliver the MPT is approximately six months. MPT delivery is expected by May 10, 2027.

PCS (Inverter) Lead Time & Delivery: A Power Conversion System ("PCS"), or inverter, converts the electricity generated by the solar panels (direct current electricity) into the type of electricity that is used by the electrical grid (alternating current electricity). Procurement of inverters takes approximately 13 months. Inverter delivery is expected by December 17, 2027.

HV Breaker Lead Time & Delivery: A High-Voltage ("HV") Breaker is currently planned and is in storage for the Project, so the lead time, at five months, is shorter than typical. The HV Breaker delivery is expected by April 12, 2027.

Racking Lead Time & Delivery: Washtenaw Solar's EPC will procure the racking for the Project over an approximate six-month period. Racking is the system that is used to mount and control the solar panels and is supported by the piles. Racking delivery is expected by May 10, 2027.

SCADA/IT Infrastructure Hardware Lead Time & Delivery: Supervisory Control and Data Acquisition ("SCADA") and Information Technology ("IT") Infrastructure Hardware are the monitoring and controls systems of the Project. The lead time for this equipment is approximately six months. The SCADA & IT Hardware is expected by May 10, 2027.

Substation Lead Time & Delivery: Substation Lead Time & Delivery represents the

electrical and mechanical equipment unspecified thus far that goes into the below grade and above grade installation of the substation. The lead time for this substation equipment is approximately seven months and is expected by June 8, 2027.

Module Lead Time & Delivery: Washtenaw Solar will procure the PV solar modules, which have an approximate nine-month lead time. Module delivery is expected by August 4, 2027.

Construction Phase: The construction phase of the Project will take approximately 20 months to complete.

Winter Site Work: Construction activities do have seasonal elements, and the slowdown in construction activities during cold weather months is indicated by "Winter Site Work 2026 to 2027" and "Winter Site Work 2027 to 2028." This period goes from January through the start of April. During this time, work may be completed if weather permits, but the pace of work slows.

Grading, Civil Site Work, & Roads: Grading, civil site work, and access road installation will take place at the same time. This work is split into calendar years 2026 and 2027 in the Project Schedule due to the Winter Site Work period where work will be performed if weather permits but at a slowed pace. Civil work and grading involve making minor changes to the topography of the Project Area and are done only where necessary so as to minimize disturbances. Further information regarding grading and how it is done is provided in **Exhibit A-1.4 (JMP-1)**. Access roads can be constructed at the same time that the grading work is being performed. Temporary access roads are constructed by stripping, mounding, and stabilizing topsoil consistent with applicable soil and sediment control permits. Permanent access roads will either utilize a geotextile/geogrid fabric or cement

stabilization to ensure the integrity of the roads is maintained, and minimal maintenance is required during construction and operations and maintenance. Further information regarding access roads and how they are constructed is provided in **Exhibit A-1.4 (JMP-1)**. This is expected to be complete by September 27, 2027.

Pile/Foundation Installation &Racking Installation: The installation of piles and racking each take place over an approximate 6-month period, with pile installation starting about a month before racking. This work is split into calendar years 2027 and 2028 in the Project Schedule due to the Winter Site Work period where work will be performed if weather permits but at a slowed pace. Piles are inserted in the ground using a pile driver and then the racking is set and bolted on the piles. Pile Installation is expected to be complete by May 12, 2028, and Racking Installation is expected to be complete by June 12, 2028.

Module Installation: The modules for the Project are installed over a period of approximately seven months. This work is split into calendar years 2027 and 2028 in the Project Schedule due to the Winter Site Work period where work will be performed if weather permits but at a slowed pace. During this time, the modules are mounted and fastened on the racking by the EPC Contractor. This is expected to be complete by June 26, 2028.

Inverter Installation: Inverters will be installed over an approximate one-month period. For the installation of the inverters, inverters are delivered and set on foundations. This is expected to be complete by January 19, 2028.

Collection: The collection lines for the Project are installed over a period of approximately six months. This work is split into calendar years 2027 and 2028 in the

Project Schedule due to the Winter Site Work period where work will be performed if weather permits but at a slowed pace. The collection lines are both above ground and buried below ground. Collection lines bring the energy from the inverters to the collection substation. Details regarding the underground collection systems are provided in **Exhibit A-1.4 (JMP-1)**. This is expected to be complete by April 28, 2028.

Substation – Grading/Below Grade Work (Civil/Foundations): First, civil work and grading involve making minor changes to the topography of the Project Area and are done only where necessary so as to minimize disturbances. Then, below grade electrical construction includes setting up a copper grounding grid, driving grounding rods, laying conduit, and pulling cables through conduit and trenches to the Control Enclosure. Then, reinforced concrete foundations are formed and poured for large substation equipment such as the MPTs, breakers, switches, and instrument transformers. Drilled piers may also be used for foundations should ground conditions require different methods. This is expected to be complete by July 2, 2027.

Substation – Above Grade Work (Electrical/Mechanical): Above grade electrical construction includes placing breakers, switches, MPTs, etc., and placing jumpers and bus-work between insulators. This is expected to be complete by September 3, 2027.

MPT Installation: The MPT is dressed out after delivery to the site, meaning any additional parts such as bushings and panels are attached. The MPT is then filled with oil, and a sample is taken to send to a lab for dissolved gas testing. This is expected to be complete by July 26, 2027.

Control House Installation: The substation control house is delivered and stored

on-site or placed directly on foundations. This is expected to be complete by July 19, 2027.

HV Breaker Installation: High Voltage breakers are delivered and stored on-site or placed directly on foundations. This is expected to be complete by August 23, 2027.

Substation Testing/Commissioning: During substation commissioning, contractors verify that all equipment and wiring is installed correctly per the design. The contractor conducts a series of tests to ensure all protection, control, and automation equipment functions as required. Substation testing and commissioning will start November 19, 2027, and be complete by December 10, 2027.

PV Testing/Commissioning: Testing of the Project's PV elements occurs over a period of approximately three months. During this time, inverters are inspected and tested for proper configuration, the racking system is operated through its full tracking range, and the system as a whole is run for an extended period to ensure availability for continuous operation. PV Testing/Commissioning is expected to be complete by August 15, 2028.

It is important to note that the Project Schedule may be subject to delays if there are supply chain issues, labor shortages, severe weather events, or other events that interrupt the availability of materials for the Project or labor for construction.

Washtenaw Solar will hold a pre-construction meeting to coordinate among relevant stakeholders. See **Exhibit A-14 (TSD-14)**.

VII. ENVIRONMENTAL COMPLIANCE

Q. What is the Environmental Compliance Report ("ECR")?

A. The ECR, **Exhibit A-6.2 (AMI-2)**, describes how the Project will comply with applicable state and federal laws, including the Natural Resources and Environmental Protection Act ("NREPA"), Public Act 451 of 1994, and Section 1705(2) of the Michigan Environmental

Protection Act ("MEPA"), MCL 324.1505(2). The ECR provides descriptions of the expected impacts of the Project on the environment and natural resources and how these impacts will be addressed, avoided, or mitigated.

Q. How was the ECR prepared?

A. Washtenaw Solar engaged ECT to prepare the ECR in support of these proceedings. ECT worked with the Washtenaw Solar team to ensure that the Project complies with all applicable state and federal environmental laws and rules. I provided details regarding Washtenaw Solar's institutional commitments, practices, and standards with regard to certain resources and features outlined in the ECR. I coordinated with Company witnesses James Sallee and James Kampa with regard to these commitments, practices, and standards.

A. Hazardous Waste

Q. Does the ECR review and analyze the presence of hazardous waste from the Project?

A. Yes. The ECR outlines the presence and regulation of hazardous waste as established in Part 111 of NREPA.

Q. Are any direct impacts expected from hazardous waste?

A. No.

Q. How will the Project address or mitigate impacts from hazardous waste?

A. While no impacts from hazardous waste are expected, Washtenaw Solar is committed to preventing indirect impacts from hazardous waste through the adoption of the following best management practices ("BMP") and compliance measures. A site-specific spill prevention, control, and countermeasures ("SPCC") plan will be established before the start of construction. Washtenaw Solar will conduct compliance training before the start of

construction for all on-site employees, subcontractors, and visitors as part of construction site orientation. Washtenaw Solar will adhere to notification requirements immediately following the release of any material that may be hazardous to humans or the environment. An on-site hazardous material/chemical inventory will be maintained during the construction of the Project.

B. Solid Waste

Q. Does the ECR review and analyze the presence of solid waste from the Project?

A. Yes. The ECR outlines the presence and regulation of hazardous waste as established in Part 115 of NREPA.

Q. Are any direct impacts expected from solid waste?

A. No.

Q. How will the Project address or mitigate impacts from solid waste?

A. While no impacts from solid waste are expected, Washtenaw Solar is committed to preventing indirect impacts from solid waste through the adoption of the following BMPs and compliance measures. A waste determination will be completed to determine if the solid waste generated is hazardous waste. Garbage on-site will be disposed of in appropriate bins. No waste will be burned or buried. Contaminated soil and construction debris will be discarded at approved landfills. All waste materials will be removed from the site.

C. Liquid Industrial By-Product

Q. Does the ECR review and analyze the presence of liquid industrial by-product from the Project?

A. Yes. The ECR outlines the presence and regulation of liquid industrial by-product as

established in Part 121 of NREPA.

Q. Are any direct impacts expected from liquid industrial by-product?

A. No.

Q. How will the Project address or mitigate impacts from liquid industrial by-product?

A. While no impacts from liquid industrial by-product are expected, Washtenaw Solar is committed to preventing indirect impacts from liquid industrial by-product through the adoption of the following BMPs and compliance measures. A site-specific SPCC plan will be established before the start of construction.

D. Used Oil

Q. Does the ECR review and analyze the presence of used oil from the Project?

A. Yes. Used oil is reviewed in the ECR and is regulated under NREPA.

Q. Are any direct impacts expected from used oil?

A. No.

Q. How will the Project address or mitigate impacts from used oil?

A. While no impacts from used oil are expected, Washtenaw Solar is committed to preventing indirect impacts from used oil through the adoption of the following BMPs and compliance measures. Environmental compliance training will be completed prior to the start of construction by all on-site employees, subcontractors, and visitors as part of construction site orientation. The SPCC plan will highlight areas where refueling can and cannot be done. The SPCC will also contain instructions on spill management, including response, notification, containment, cleanup, storage, and disposal. Drip pans or other receptacles will be used for equipment with the potential to leak petroleum. These drip pans will be

cleaned and disposed of pursuant to the SPCC.

E. Spill Prevention, Control, and Countermeasures

Q. Does the ECR review and analyze the Project's plans for an SPCC?

A. Yes. The Project is required to adopt an SPCC and plans to implement a site-specific SPCC before the start of construction.

Q. Are any direct impacts expected from spills on the Project?

A. No.

Q. How will the Project address or mitigate impacts from potential spills?

A. While no impacts from spills are expected, Washtenaw Solar is committed to preventing indirect impacts from spills through the adoption of the following BMPs and compliance measures. Environmental compliance training will be completed prior to the start of construction by all on-site employees, subcontractors, and visitors as part of construction site orientation. Environmental compliance will include training in proper material storage and handling. The SPCC will address hazardous material handling, discharge and drainage controls, and spill prevention. The SPCC will specifically address controls and resources put in place to prevent releases from reaching aquatic resources. Activities associated with vehicle maintenance, refueling, and staging will be set back a minimum of 300 feet from aquatic resources.

F. Air Quality

Q. Does the ECR review and analyze the impact of the Project on air quality?

A. Yes.

Q. Are any direct impacts expected to air quality?

A. Impacts to air quality during the construction of the Project will be temporary and will be

minimized using BMPs. The Project will have minor impacts on air quality during operation, as described in the ECR.

Q. How will the Project address or mitigate impacts to air quality?

A. Washtenaw Solar will use water sprayers for dust suppression and use construction equipment with modern and appropriate emissions controls.

G. Materials Management

Q. Does the ECR review and analyze the Project's materials management practices?

A. Yes.

Q. Are any direct impacts expected from the Project's materials management practices?

A. No.

Q. How will the Project address or mitigate impacts from the Project's materials management practices?

A. While no impacts from materials management practices are expected, Washtenaw Solar is committed to preventing indirect impacts from materials management practices through the adoption of the following BMPs and compliance measures. An inventory of potential pollutants will be maintained on-site during construction. The inventory will also provide a site map showing the locations of storage and use for potential pollutants. Environmental compliance training will be completed prior to the start of construction by all on-site employees, subcontractors, and visitors as part of construction site orientation. Environmental compliance will include training in proper material storage and handling. A site-specific SPCC plan will be established before the start of construction. The SPCC will address hazardous material handling, discharge and drainage controls, and spill

prevention.

VIII. LOCAL JOB CREATION

Q. Are you aware of the labor and employment requirements in PA 233?

A. Yes. PA 233 requires that:

> (i) The installation, construction, or construction maintenance of the energy facility will use apprenticeship programs registered and in good standing with the United States Department of Labor under the national apprenticeship act, 29 USC 50 to 50c.
>
> (ii) The workers employed for the construction or construction maintenance of the energy facility will be paid a minimum wage standard not less than the wage and fringe benefit rates prevailing in the locality in which the work is to be performed as determined under 2023 PA 10, MCL 408.1101 to 408.1126, or 40 USC 3141 to 3148, whichever provides the higher wage and fringe benefit rates.
>
> (iii) To the extent permitted by law, the entities performing the construction or construction maintenance work will enter into a project labor agreement or operate under a collective bargaining agreement for the work to be performed.

A letter regarding these commitments is included as part of **Exhibit A-8.4 (JMP-7), Appendix A**. This letter is signed by Michael Bessell, Invenergy's Senior Vice President of Project Management, who has the authority to provide this commitment.

Q. Will Washtenaw Solar be entering into a project labor agreement or collective bargaining agreement?

A. No, not directly. Washtenaw Solar contracts with one or more EPC contractors for labor on the Project. Those entities will enter into either a project labor agreement or collective bargaining agreement. The EPC contractor(s) for the Project have not yet been selected.

Q. Will the entities performing the construction or construction maintenance work will enter into a project labor agreement?

A. Yes, a copy of the project labor agreement is provided in **Exhibit A-8.4 (JMP-7),**

Appendix B. The entities performing the construction or construction maintenance work (the EPC contractor) will be bound by the provisions of the applicable project labor agreement, the National Maintenance Agreement.

Q. Will Washtenaw Solar require their EPC contractor(s) to meet the requirement of PA 233?

A. Yes. Washtenaw Solar will require assurances from its EPC that the labor and employment requirements of PA 233 are met. Washtenaw Solar commits to only using EPC contractor(s) that implement and guarantee that the project labor agreement is being used and that the requirements of PA 233 are met.

IX. DARK SKY PLAN

Q. Will the Project have any lighting?

A. Yes. The substation will have lighting associated with the front access gate, the controls, and other lighting required for safety purposes under the National Electrical Safety Code. No permanent lighting is installed in the PV array areas. Major PV array equipment, including the modules, trackers, and inverters, will not have lit elements.

Q. What is a dark-sky friendly lighting solution?

A. The Filing Guidelines define a "dark-sky friendly lighting technology" as "a light fixture that is designed to minimize the amount of light that escapes upward into the sky." Filing Guidelines, p. 37. Generally, dark-sky lighting aims to reduce light pollution and minimize visual disruptions.

Q. Does Washtenaw Solar plan to implement dark sky-friendly lighting solutions?

A. Yes. Washtenaw Solar developed a Dark Sky Plan, included as **Exhibit A-11 (JMP-8)**, which is consistent with dark-sky principles so that no more light than is necessary for

safety and security is used. Light more bright than necessary will not be used, and light will be controlled, targeted, and only used as necessary. Warm colored light will be implemented where possible. Neither construction nor operation and maintenance of the Project will require constant flood lighting of large areas. Light will be used for safety and security purposes and will point downward where possible and utilize motion sensors where possible.

X. DECOMMISSIONING AGREEMENT

Q. Has Washtenaw Solar submitted a proposed Decommissioning Agreement?

A. Yes. Washtenaw Solar submitted a proposed Decommissioning Agreement in substantially the same form as the one provided by the MPSC in its Filing Guidelines. Minor changes have been included as redlines in **Exhibit A-13.3 (JMP-9), Appendix A**. These changes are intended only to reflect information specific to the Washtenaw Solar Project and not to change the substance of the Agreement.

Q. Does this conclude your prefiled direct testimony?

A Yes.

S T A T E O F M I C H I G A N

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of **WASHTENAW SOLAR ENERGY LLC** for approval of a certificate for siting a solar energy facility in Saline Township, Washtenaw County	))))))	Case No. U-21962

DIRECT TESTIMONY

OF

AMANDA M. IGNATOWSKI

ON BEHALF OF

WASHTENAW SOLAR ENERGY LLC

Q. Please state your name and business address.

A. My name is Amanda M. Ignatowski, and my business address is 2001 Commonwealth Boulevard, Suite 300, Ann Arbor, Michigan 48105.

Q. By whom are you employed and in what capacity?

A. I am employed by Environmental Consulting and Technology, Inc. ("ECT") as a Senior Project Manager in the Natural Resources – Midwest organization.

Q. Please describe your educational background.

A. In 2016, I received a Bachelor of Science with a Major in Environmental Biology/Zoology from Michigan State University.

Q. Please describe your professional experience.

I have nearly a decade of experience in the environmental sector. Throughout my career, my primary focus has been on managing environmental compliance and strategy for renewable energy projects in the State of Michigan. From 2016 to 2018, I was employed by Atwell, LLC ("Atwell") as an Environmental Technician II responsible for conducting water resource delineations, protected species reviews, fatal flaw analyses for prospective wind energy projects, and preparing environmental permit applications such as Department of Environment, Great Lakes, and Energy ("EGLE") Part 301 inland lakes and streams, Part 303 wetlands, and Part 31 floodplain permits. During my tenure at Atwell, I was a DTE Electric Company ("DTE") Contract Employee from 2017 to 2018, where I was responsible for developing a wind and wildlife interaction program for their current and future owned and operated wind energy portfolio. My responsibilities included coordinating with agencies, peers, consultants, and industry groups to inform the compliance strategy as it pertained to the Endangered Species Act ("ESA"), Bald and

Golden Eagle Protection Act ("BGEPA"), Migratory Bird Treaty Act ("MBTA"), and Section 404 of the Clean Water Act ("CWA"). From 2018 to 2024, I was employed by DTE as an Engineer – Environmental responsible for managing environmental compliance and strategy for DTE's renewable energy fleet. During my tenure at DTE, I held positions of increasing responsibility, and in 2022, I was promoted to Technical Supervisor, Environmental Strategy-Renewables. My responsibilities included leading a team of environmental engineers, establishing and maintaining strong relationships with state and federal regulatory agencies, representing DTE on a nation-wide scale by partnering with industry-stakeholder groups, and ensuring that DTE's solar, wind, and battery energy storage projects were developed, constructed, and operated in accordance with environmental rules and regulations.

Q. What are your responsibilities as Senior Project Manager at ECT?

A. As a Senior Project Manager at ECT, I am responsible for managing a cross-functional team of environmental subject matter experts to deliver various natural resources-related data, documentation, reports, and permits; overseeing data collection and survey efforts, including, but not limited to, threatened and endangered species reviews, habitat assessments, aquatic resource delineations, avian use surveys, raptor nest surveys, bat acoustic monitoring surveys, and bat presence/absence surveys; serving as the primary point of contact for clients; and coordinating with federal, state, and local agencies to align project goals with regulatory requirements.

Q. What is the purpose of your direct testimony in this proceeding?

A. The purpose of my direct testimony is to support Washtenaw Solar Energy LLC's ("Washtenaw Solar" or the "Company") application for solar siting approval for its 150

megawatt ("MW") solar facility proposed in Saline Township, Washtenaw County, Michigan (the "Project"). I present information regarding the resources mapped in the Site Plan for the Project, the land uses within and surrounding the Project, the expected impact of the Project on the environment and natural resources, the Project's Unanticipated Discoveries Plan, Washtenaw Solar's agency consultations, environmental compliance, and farmland protection.

Q. How is your direct testimony organized?

A. My direct testimony is organized as follows:

I. SITE PLAN

A. Planned Facilities

B. Area Land Use Information

C. Explanatory Information

D. Unanticipated Discoveries Plan

II. AGENCY CONSULTATIONS

III. ENVIRONMENTAL COMPLIANCE

A. Soil and Economic Survey Report

B. Environmental Compliance Report

C. Permit List and Status

IV. FARMLAND PROTECTION

V. CONCLUSION

Q. Are you sponsoring or co-sponsoring any exhibits in this proceeding?

A. Yes. I am sponsoring the following exhibits:

Exhibit A-6.1 (AMI-1)	Environmental Compliance – Soil and Economic Survey Report
Exhibit A-6.2 (AMI-2)	Environmental Compliance – Environmental Compliance Report
Exhibit A-6.3 (AMI-3)	Environmental Compliance – Permit List and Status Report
Exhibit A-9 (AMI-4)	Farmland Protection

I am also co-sponsoring the following exhibits:

Exhibit A-1.1 (KAP-1)	Site Plan – Planned Facilities
Exhibit A-1.2 (KAP-2)	Site Plan – Area Land Use Information
Exhibit A-1.3 (TSD-1)	Site Plan – Explanatory Information
Exhibit A-1.14 (JMP-5)	Site Plan – Unanticipated Discoveries Plan
Exhibit A-4.4 (TSD-2)	Summary of Agency Consultations
Exhibit A-19 (AMI-5)	Macon Township Proposed Land Uses

Q. Were these exhibits prepared by you or under your direction and supervision?

A. Yes. As the ECT Project Manager, I am responsible for managing the overall scope of the exhibits assigned to my team for the proposed project. While I am sponsoring the development of the exhibits described above, many were authored and compiled by our internal subject matter experts. These documents reflect their technical expertise and contributions, developed in collaboration with the project team under my leadership and oversight. The exhibits that I am co-sponsoring were either (a) authored by ECT subject matter experts or (b) ECT provided data or written information that supported the

Company's development of these exhibits.

I. SITE PLAN

Q. Did ECT support the development of the Site Plan for the Project?

A. Yes. ECT surveyed certain environmental characteristics within the parcels on which the Project will be located ("Project Area") and in the lands surrounding the Project Area. Environmental characteristics were considered when developing the location and layout of the Project, as Company witness Kirsten Polen describes in her testimony. ECT also supported the mapping of certain environmental and natural resources and land uses.

A. Planned Facilities

Q. How did ECT support the review of major institutions, parks, and recreational areas within 1,000 feet of the Project?

A. ECT reviewed recreational data from the Washtenaw County Geographic Information Systems ("GIS") Data Portal and United States Geological Survey ("USGS") Protected Areas Database ("PADUS") for the Project Area plus a 1,000-foot buffer surrounding the Project Area (the "Study Area"). No major institutions, parks, or recreational areas were identified within the Study Area. A map reflecting this review is included as **Exhibit A-1.1(a)(4) (KAP-1), Appendix D**.

Q. How did ECT support the review of lakes, reservoirs, streams, canals, rivers, wetlands, and other bodies within 1,000 feet of the Project?

A. ECT performed a water resources delineation ("WRD") for the Project to support the mapping of aquatic resources on parcels where Project facilities will be located. The WRD assessed approximately 4,207 acres of land in Washtenaw County, Michigan (the "WRD Study Area"), which includes the entire Project Area and approximately 1,796 acres of

additional land in the surrounding area. Because WRDs require a right to enter onto private property, the WRD did not include all of the land that falls outside of the Project Area, but within the Study Area. For these areas, ECT reviewed the United States Fish and Wildlife Service ("USFWS") National Wetlands Inventory ("NWI") mapping database, the USGS National Hydrography Dataset ("NHD"), and the Federal Emergency Management Agency ("FEMA") Flood Insurance Rate Maps ("FIRMs") and provided this information to Washtenaw Solar. Washtenaw Solar used this information to prepare **Exhibit A-1.1(a)(5) (KAP-1), Appendix E** and **Exhibit A-1.2(a)(7) (KAP-2), Appendix G**.

The methodology of the WRD included both desktop and field components. ECT conducted a site reconnaissance survey of the WRD Study Area on August 19-23, August 26-30, September 9-11, October 3, October 7, and October 29-30, 2024, to identify, delineate, and characterize surface water features. During the site reconnaissance survey, ECT followed United States Army Corps of Engineers ("USACE") wetland delineation protocols, including regional supplements for the Midwest and Northcentral/Northeast regions. Wetlands were identified based on hydrophytic vegetation, hydric soils, and wetland hydrology, while streams were identified based on the presence of morphological features such as a defined bed and banks, the presence of an ordinary high-water mark, and evidence of water flow in accordance with the USACE protocols. Streams were separated into three flow regimes: perennial, intermittent, and ephemeral. All features were mapped using sub-meter global navigation satellite system ("GNSS") units. A full description of the methods and data used to inform ECT's field delineation is included in **Exhibit A-6.2 (AMI-2)**. Company witness James Sallee also describes how Washtenaw Solar

coordinated with ECT regarding the review of water resources within the Study Area.

ECT identified 118 wetlands within the WRD Study Area, including 71 wetlands categorized as palustrine emergent ("PEM"), 38 wetlands categorized as palustrine forested ("PFO"), seven wetlands categorized as palustrine scrub-shrub ("PSS"), and two wetlands categorized as palustrine unconsolidated bottom ("PUB"). ECT identified 49 stream segments, including 20 ephemeral stream segments, 16 intermittent stream segments, and 13 perennial stream segments, within the WRD Study Area. The aquatic features identified during the WRD are shown on **Exhibit A-1.1(a)(5) (KAP-1), Appendix E, Exhibit A-1.1(c) (KAP-1), Appendix L,** and **Exhibit A-1.2(a)(7) (KAP-2), Appendix G.**

Q. How did ECT support the review of the legal boundaries of cities, villages, townships, and counties within 1,000 feet of the Project?

A. ECT reviewed datasets available on Washtenaw County GIS Data Portal and Michigan GIS Open Data portal. Although the desktop datasets reviewed for this map included information regarding cities and villages, no such features were identified within the Study Area. The Project is located in Saline Township, Washtenaw County. The Study Area for the Project includes a small portion of Macon Township in Lenawee County. Company witness Kirsten Polen discusses the selection of the location of the Project in greater detail.

Q. How did ECT support the development of planned screening, landscaping, and vegetative cover?

A. ECT supported the development of planned screening, landscaping, and vegetative cover by preparing the preliminary Landscape Buffer Location Plan ("LBLP") included in **Exhibit A-1.3 (TSD-1)**. ECT applied a 0.25-mile buffer around non-participating residences to identify the maximum extent of proposed screening locations. Existing

vegetation or natural landforms may be incorporated into the final design if they provide sufficient viewshed obstruction, and screening requirements may be waived through mutual agreement between Washtenaw Solar and eligible non-participating landowners.

ECT also developed a Representative Seed Mix, included in **Exhibit A-13.1 (MTH-1)**, to support the preparation of **Exhibit A-1.1(b) (KAP-1), Appendix K**. The mix includes native and natural perennial species and was designed to achieve a score of 76 on the Michigan State University ("MSU") Pollinator Scorecard for lands enrolled in the PA 116 program. It excludes species identified by the Midwest Invasive Species Information Network and is subject to adjustment based on site conditions, seed availability, weather, and construction timing. The planned screening, landscaping, and vegetative cover are further detailed in **Exhibit A-1.1(b) (KAP-1), Appendix K** and explained by Company witness Isaac Pallant.

B. Area Land Use Information

Q. Does the Site Plan contain information regarding land use in and around the Project Area?

A. Yes. For the development of the Site Plan, ECT and Washtenaw Solar reviewed land use information to inform the development of the Site Plan and specifically the development of **Exhibit A-1.2 (KAP-2)**. The land use information shown in **Exhibit A-1.2 (KAP-2)** is provided for the Project Area as well as the Study Area.

Q. How did ECT support the development of mapping proposed land uses within the facility and surrounding area?

A. To review proposed land uses, ECT reviewed the Future Land Use map of Saline Township. While a small portion of Macon Township falls within the Study Area and

outside the Project Area, Macon Township's only available map showing future land uses was published in 2002. See **Exhibit A-19 (AMI-5)**. Although Macon Township has not provided a current map of proposed land uses within the Township, available information in the Township's Future Land Use Plan published in 2022 indicates that it is most likely that the small area of land adjacent to the Project Area (*i.e.*, within 1,000 feet of the Project) will remain agricultural in use.

Q. How did ECT support the development of identifying land being used for agriculture including the cultivation of specialty crops?

A. ECT reviewed the National Land Cover Database ("NLCD") to identify land being used for agriculture within the Project Area. Approximately 80% of the Project Area is designated as agriculture land use. ECT reviewed the United States Department of Agriculture ("USDA") Specialty Cropland Data layer to identify specialty crops within the Project Area. A total of approximately one acre of dry beans, tomatoes, strawberries, cucumbers, grapes, sweet corn, pumpkins, apples, and peppers were identified within the Project Area. These specialty crops are mapped in the Site Plan in **Exhibit A-1.2(a)(2) (KAP-2), Appendix B.**

Q. How did ECT identify farmland, including, but not limited to, prime farmland within the Project Area and the Study Area?

A. ECT reviewed data from soil survey data published by the United States Department of Agriculture-Natural Resources Conservation Service ("USDA-NRCS") to determine the farmland classifications within the Project Area by acreage. In descending order, the most prevalent farmland classifications within the Project are as follows: Prime Farmland if drained, Prime Farmland, Farmland of Local Importance, and Not Prime Farmland. These

classifications are mapped in **Exhibit A-1.2(a)(3) (KAP-2), Appendix C**. Additional information regarding farmland classifications in the Project Area is included in **Exhibit A-9 (AMI-4)**.

Q. Did ECT review information regarding existing zoning districts in the Project Area and the Study Area?

A. Yes. To develop the Site Plan, ECT reviewed the zoning maps for both Saline Township and Macon Township. While Macon Township is not located within the Project Area, a small portion of the Township falls within the southern boundary of the Study Area. These zoning maps were used to develop **Exhibit A-1.2(a)(6) (KAP-2), Appendix F**, which depicts the existing local zoning districts within Saline Township, including Agriculture ("A-1"), Residential ("R-1"), Commercial ("C-1"), and Planned Use Development ("PUD"). The Saline Township Zoning Map was identified by reviewing the Saline Township Master Plan (Saline Township 2016). The Project Area is entirely zoned as A-1.

Macon Township zoning districts include Agriculture ("AG"), Single Family Residential ("R-1" and "R-2"), Multiple Family Residential ("RM"), Commercial ("CM"), and Industrial ("I"). The portion of the Study Area that overlaps with Macon Township is entirely within the AG district.

Q. Did ECT review designated coastal areas, inland waterways, groundwater management zones, designated agricultural districts, flood-prone areas, and coastal erosion hazard areas within the Study Area?

A. Yes, ECT reviewed designated coastal areas, inland waterways, groundwater management zones, designated agricultural districts, flood-prone areas, and coastal erosion hazard areas

within the Study Area in support of the development of **Exhibit A-1.2(a)(7) (KAP-2), Appendix G**. To identify potential coastal areas and coastal erosion hazard zones, ECT accessed EGLE's Coastal Zone Management Areas GIS layer. For the Project Area, inland waterways (*i.e.*, inland lakes and streams) were identified during the WRD. ECT reviewed the NHD to identify potential inland waterways that fall within the Study Area, but outside of the Project Area. Flood-prone areas were assessed through review of FEMA FIRMs, which depict areas of elevated flood risk, and designated agricultural districts were assessed through a review of Saline Township's Master Plan.

With respect to groundwater management zones, ECT reviewed the Phase I Environmental Assessment to identify any potential wellhead protection areas (*i.e.*, groundwater protection areas) within the Project Area. See **Exhibit A-13.1 (MTH-1)**. Although the Saline Township Master Plan discusses designated groundwater recharge areas, groundwater protection zones are not formally designated within the Township, and recharge areas are not mapped in the Master Plan. As a result, groundwater protection areas were not identified within the Study Area.

Q. What was the result of this review?

A. No coastal areas, inland lakes, groundwater management zones (*i.e.*, wellhead protection areas or locally designated groundwater protection areas), coastal erosion hazard areas, or flood-prone areas occur within the Study Area. Streams that were identified within the Study Area are depicted in **Exhibit A-1.1(a)(5) (KAP-1), Appendix E** and **Exhibit A-1.2(a)(7) (KAP-1), Appendix G**. No designated agricultural districts outside of the zoning districts depicted in **Exhibit A-1.2(a)(6) (KAP-2), Appendix F** were identified.

Q. Did ECT review recreational and other land uses that might be affected by the sight

or sound of the construction or operation of the facility, interconnections, and related facilities.

A. Yes. This information was reviewed, and a map is provided as **Exhibit A-1.2(a)(8) (KAP-2), Appendix H**.

Q. Did ECT review and identify any wild, scenic, and recreational river corridors, open spaces, known archaeological, geologic, historical, or scenic areas, parks, designated wilderness, forest lands, scenic vistas, conservation easement lands, federal or state designated scenic byways, nature preserves, designated trails, public-access fishing areas, major communication and utility uses and infrastructure, and institutional, community, and municipal uses and facilities?

A. Yes, ECT reviewed publicly available databases, including the NLCD, PADUS, NWI, Homeland Infrastructure Foundation-Level Data ("HIFLD"), National Pipeline Mapping System ("NPMS"), National Wild and Scenic Rivers System, Michigan Natural Rivers Program, and FEMA FIRMs to identify: recreational areas; wild, scenic, and recreational river corridors; parks; designated wilderness; forest land; scenic vistas; conservation easement lands; federal or state designated scenic byways; nature preserves; designated trails; public access fishing areas; major communication and utility uses; institutional or community uses and facilities within the Study Area. Additionally, ECT conducted a Cultural Resources Desktop Analysis for the Project in 2025 to identify known archeological sites within the Study Area. See **Exhibit A-6.2 (AMI-2), Appendix D**.

ECT's review identified forested land, open spaces, one transmission line, one hazardous liquid pipeline, and two known archaeological sites within the Study Area. Company witness Kirsten Polen provides additional detail regarding the review of major

communication and utility uses and infrastructure, institutional, community, and municipal uses and facilities included in the Study Area.

C. Explanatory Information

Q. Did Washtenaw Solar examine information related to the Project Area and the surrounding community?

A. Yes. ECT reviewed census data and provided Washtenaw Solar with socioeconomic and demographic data for the Project Area and surrounding community, which is detailed in **Exhibit A-1.3 (TSD-1)**. ECT also provided a description of the geography, topography, surrounding cities, villages, townships, counties, major industries, and landmarks.

Further information regarding Washtenaw Solar's history in the community is provided in Company witness Tyler Durgan's testimony.

Q. What other explanatory information did ECT provide to Washtenaw Solar to support the development of Exhibit A-1.3 (TSD-1)?

A. ECT also provided support with regard to the descriptions of maps that ECT provided data to help generate. These explanations of the elements and features on each map are broken out by map in **Exhibit A-1.3 (TSD-1)**.

Q. How did ECT support Washtenaw Solar's review of the Project's visual impact?

A. ECT reviewed the Project Area for protected scenic vistas, and none were identified. ECT also examined Washtenaw Solar's plans to implement landscape screening buffers to minimize the viewshed of the Project to surrounding properties. ECT also took into account that a glint and glare study is planned for the Project. Taken together, Washtenaw Solar is committed to appropriate measures to minimize the visual impact of the Project, as detailed

in **Exhibit A-1.3 (TSD-1)**.

Q. How did ECT support Washtenaw Solar's analysis of land use compatibility for the Project?

A. ECT provided a qualitative assessment of the compatibility of the Project with existing, proposed, and permitted land uses located within the Study Area. The entirety of the Study Area is zoned as agricultural for current and future land use. No schools, civic facilities, recreational facilities, or commercial areas were identified within the Study Area. The Project is consistent with agricultural uses and will return to agricultural use after decommissioning. This qualitative assessment is described in detail in **Exhibit A-1.3 (TSD-1)**. Information regarding how the Project will be returned to agricultural use is provided in **Exhibit A-13.1 (MTH-1)** and in Company witness Michael Hebert's testimony.

D. Unanticipated Discoveries Plan

Q. Has an Unanticipated Discoveries Plan ("UDP") been developed for the Project?

A. Yes. The UDP for the Project is included as **Exhibit A-1.14 (JMP-5)** and is co-sponsored by Company witness Julie Pierson.

Q. How did ECT support the development of the UDP?

A. ECT assisted in the preparation of the UDP through its Cultural Resources Management team. I coordinated a team of individuals to perform a desktop review of cultural resources in the Project Area and to develop the UDP for the Project. I coordinated and oversaw the work of ECT's Principal Cultural Resource Specialist ("Archeologist") to assist in the development of the UDP. ECT's Archeologist developed the UDP to conform to industry best practices such as maintaining confidentiality and training key construction personnel

on the procedures and protocols to be implemented in the event that cultural materials and/or evidence of human remains or burials are inadvertently discovered during Project construction-related activities. The procedures and protocols outlined in the UDP include immediate work stoppage, site security measures, and coordination with appropriate authorities. Company witness Julie Pierson provides testimony regarding Washtenaw Solar's commitments with regard to the implementation of the UDP.

ECT also reviewed anticipated impacts of the Project on the environment and natural resources, including sensitive habitats and waterways, wetlands and floodplains, wildlife corridors, parks, historic and cultural sites, and threatened or endangered species as part of this Application. These resources are referenced in the UDP and are discussed in further detail in **Exhibit A-6.2 (AMI-2)**.

Q. Does the UPD contain a set of procedures to be followed if cultural resources are discovered?

A. Yes. The UDP provides a set of procedures regarding the discovery of cultural resources or suspected cultural resources. The UDP outlines work stoppage, notifications regarding the discovery, and the consultations that must occur before work can begin again.

Q. Does the UPD contain a set of procedures to be followed if human remains are discovered?

A. Yes. The UDP details how the discovery of human remains will proceed consistent with state and federal laws. The UDP outlines work stoppage, notifications regarding the discovery (including to law enforcement personnel), and the consultations that must occur

before work can begin again.

Q. Does the UDP include a list of contacts regarding unanticipated discoveries?

A. Yes. The UPD includes contacts for the State Historic Preservation Office ("SHPO"), Tribal Historic Preservation Offices ("THPO") of Michigan, and emergency contacts specific to Saline Township and Washtenaw County.

II. AGENCY CONSULTATIONS

Q. How did you support Washtenaw Solar's efforts to consult with agencies regarding the Project?

A. ECT supported Washtenaw Solar by coordinating agency consultations, preparing and submitting required documentation, attending meetings, and providing technical assistance. This included coordinating and attending a Pre-Application Meeting with the EGLE Water Resources Division – Jackson District Office on March 25, 2025. Prior to the meeting, ECT prepared a Part 301 Inland Lakes and Streams, Part 303 Wetlands Protection Pre-Application Meeting Request through the MiEnviro Portal System on March 11, 2025 (Submission Number: HQA-HSX3-VAMDZ, Version 1). The submission included a cover letter, Project description, and site location map. During the meeting, ECT provided technical assistance to Washtenaw Solar.

ECT also attended a meeting with the USFWS East Lansing Field Office and Michigan Department of Natural Resources ("MDNR") on March 14, 2025. During the meeting, ECT provided technical assistance to Washtenaw Solar and documented the discussion.

In addition, ECT submitted the Application for SHPO Consultation under Public Act 233 – Renewable Energy and Energy Storage Facility Siting ("SHPO Application")

through SHPO's online portal on August 8, 2025. The application materials were prepared and submitted by James T. Marine, a 36 CFR Part 61 Qualified Archaeologist. A summary of these efforts is included in **Exhibit A-4.4 (TSD-8)**.

Q. What agency consultations did ECT participate in with regard to the Project?

A. ECT participated in consultations with the EGLE Water Resources Division, USFWS, MDNR, and SHPO. A summary of these efforts is included in **Exhibit A-4.4 (TSD-8)**. Additionally, ECT contacted seven state and local agencies and visited two libraries in an effort to locate Soil and Economic Survey Reports relevant to the Project, including the United States Department of Agriculture ("USDA"). A summary of these efforts is included in **Exhibit A-6.1 (AMI-1)** and **Exhibit A-4.4 (TSD-8)**.

III. ENVIRONMENTAL COMPLIANCE

Q. Please explain ECT's role with regard to reviewing environmental and natural resources data for the Project as well as the laws, regulations, rules and policies that may apply to the Project?

A. ECT served as consultant to Washtenaw Solar with regard to environmental due diligence, environmental compliance, and environmental analysis required to prepare the Application. This included identifying and evaluating applicable federal, state, and local environmental laws, regulations, and policies, and assessing the Project's potential impacts on natural resources. ECT's work was conducted in accordance with relevant standards and permitting requirements, including those administered under Michigan's Natural Resources and Environmental Protection Act ("NREPA"), Section 1705(2) of the Michigan Environmental Protection Act ("MEPA"), the Clean Water Act ("CWA"), the Endangered Species Act ("ESA"), the Bald and Golden Eagle Protection Act ("BGEPA"),

the Migratory Bird Treaty Act ("MBTA"), and PA 233. This review is provided in the Environmental Compliance Report included as **Exhibit A-6.2 (AMI-2)**.

A. Soil and Economic Survey Report

Q. Did ECT obtain a Soil and Economic Survey Report for the Project?

A. Yes. The Soil and Economic Survey Report—which is now referred to as the Custom Soil Resource Report—is included as **Exhibit A-6.1 (AMI-1)**. ECT undertook significant efforts to locate the Soil and Economic Survey Report developed under Section 60303 of NREPA, MCL 324.60303. Based on ECT's findings and consultation with the USDA, it is ECT's understanding that these reports are no longer published in hard copy format. Instead, this information is now contained within the USDA-NRCS Web Soil Survey ("WSS"), which is where ECT obtained the Custom Soil Resource Reports for both the Project Area and Washtenaw County.

Q. Why is Lenawee County included in the Custom Soil Resource Report for the Project?

A. Although there is no part of the Project located in Lenawee County, the Project includes a parcel that directly borders Lenawee County. Because of proximity to the County line, there is one soil map unit that lies within both Washtenaw and Lenawee Counties. A portion of this soil map unit is located in the Project Area within Washtenaw County. Since this map unit occurs in both Washtenaw and Lenawee Counties, which are considered two separate survey areas, the presence of this map unit pulls Lenawee County into the report.

Q. What information does the Custom Soil Resource Report provide regarding the soils in the Project Area?

A. The Custom Soil Resource Report provides a high-level overview of the soil map units

within the Project Area, based on data from the USDA-NRCS WSS. Soil map units describe the types and characteristics of soils present, including texture, drainage class, slope, and suitability for various land uses. ECT reviewed the soil map units included in the USDA-NRCS WSS to inform the soil survey plan that ECT prepared for the Project ("Baseline Soil Health Survey Plan"), and the information in the WSS is consistent with the data included in the Custom Soil Resource Report. The Baseline Soil Health Survey Plan was prepared prior to the development of **Exhibit A-6.1 (AMI-1)**. The Baseline Soil Health Survey Plan is included in **Exhibit A-1.4 (JMP-1), Appendix A**, and the results of the survey are described in **Exhibit A-13.1 (MTH-1)**.

B. Environmental Compliance Report

Q. Is the Project expected to impact the environment and natural resources?

A. Yes. However, Project impacts to environmental and natural resources are expected to be minimal and temporary. These impacts are limited to the installation of underground collection lines beneath wetlands and streams, ground-disturbing activities, and tree clearing activities. These impacts are detailed in **Exhibit A-6.2 (AMI-2)**.

No direct impacts are expected to wild and scenic rivers, state designated rivers, inland lakes, floodplains, coastal zones, coastal management areas, the Great Lakes, critical dunes, cultural resources, parks, public lands, critical habitat, or air quality. In addition, no direct impacts of hazardous waste, solid waste, liquid industrial by-products, used oil, or spills are anticipated for the Project. Furthermore, the Project is not likely to adversely affect state or federally listed threatened or endangered species, eagles, migratory birds, wildlife corridors, sensitive habitats, or farmland.

Q. Will the Project comply with applicable state and federal laws with respect to

environmental compliance?

A. ECT identified the relevant provisions of state and federal laws that the Project is subject to with respect to environmental compliance. An explanation of applicable state and federal laws is included in **Exhibit A-6.2 (AMI-2)**. Company witnesses Julie Pierson, James Kampa, and James Sallee explain Washtenaw Solar's commitment to compliance with regard to these state and federal laws. Based on my reviews of these commitments, Washtenaw Solar will comply with applicable state and federal laws with respect to environmental compliance.

Q. Will the Project pollute, impair, or destroy the air, water, or other natural resources, or the public trust in these resources?

A. No. The Project is not expected to impair or destroy the air, water, or other natural resources. To the extent that there are de minimis impacts to natural resources, those impacts are mitigated by the measures proposed by Washtenaw Solar with respect to the Project. Avoidance, minimization, and mitigation measures for the Project are detailed in **Exhibit A-6.2 (AMI-2)**.

Q. Has Washtenaw Solar provided evidence that the Project will not begin commercial operation until it complies with applicable state and federal environmental laws, including NREPA?

A. Yes. Company witness James Sallee's direct testimony supports the statement that the Project will not begin commercial operation until it complies with state and federal environmental laws. This statement is also included in **Exhibit A-6.2 (AMI-2)**.

Q. Is there a feasible or prudent alternative to the Project?

A. No. I am not aware of any feasible or prudent alternatives to the Project. The alternatives

to this Project are discussed in further detail by Company witness Kirsten Polen. Witness Polen concludes that there is no feasible or prudent alternative to constructing the Project that would meet the reasonable requirements of public health, safety, and welfare.

C. Permit List and Status

Q. Has Washtenaw Solar provided a list of all permits necessary prior to construction?

A. Yes. A list of all permits necessary prior to construction is included as **Exhibit A-6.3 (AMI-3)**. This list provides the subject of each permit, the regulatory agency, an approximate proposed date that an application will be submitted, and an approximate date that the permit is expected to be issued. The list is generally over-inclusive and includes all permits that may be required of the Project. It is preferrable to avoid impacts to regulated features, if possible, which could result in the elimination of certain permits included in this list.

Q. How was this list developed?

A ECT developed the permit list by first identifying the jurisdictional boundaries of the Project and reviewing applicable federal, state, and local regulatory requirements for solar facilities. ECT then evaluated the site layout, construction schedule, and proposed methods to determine which permits may be required prior to construction. Estimated submission and issuance dates were established accordingly. Throughout this process, ECT worked closely with Washtenaw Solar to prepare the permit list.

Q. Has Washtenaw Solar already received any permits for the Project?

A. No. The Application to the MPSC represents the start of Washtenaw Solar's permitting phase of the Project. There will be other permits sought concurrently to the permit from the MPSC, as shown in both **Exhibit A-6.3 (AMI-3)** and in the Project Schedule sponsored

by Company witness Julie Pierson, **Exhibit A-3 (JMP-6)**.

IV. FARMLAND PROTECTION

Q. How did ECT support Washtenaw Solar's review of the potential impact of the Project on farmland?

A. ECT prepared **Exhibit A-9 (AMI-4)**, which discusses how the Project will not unreasonably diminish farmland and provides detailed information regarding farmland present within the Project Area and the surrounding area, including Saline Township and Washtenaw County. **Exhibit A-9 (AMI-4)** was prepared by an ECT soil scientist, under my direction. My understanding is that ECT obtained farmland class designations from the soil survey data published by the USDA-NRCS, and information on specialty crops from the USDA Specialty Cropland Data layer. This farmland designation and specialty crop data were used to determine the amount of farmland within the Township and County being used by the Project. **Exhibit A-9 (AMI-4)** also describes how Washtenaw Solar's approach to vegetation and soil management is designed to minimize disturbance and maintain long-term soil health. Washtenaw Solar's Farmland Protection Plan is included as **Exhibit A-9 (AMI-4)**. Company witness Isaac Pallant provides additional details regarding Washtenaw Solar's commitments to protecting farmland.

Q. Did ECT review information on the township level with regard to the impact of the Project on farmland?

A. Yes. ECT examined data from the USDA-NRCS WSS to identify the types of farmland within the Project Area. ECT also analyzed the current percentage of land within Saline Township considered farmland, differentiated by type. Finally, ECT also analyzed the total

acreage of farmland within Saline Township, differentiated by type.

According to the farmland class designations obtained from USDA-NRCS WSS, approximately 14% of land classified as prime or potentially prime farmland within Saline Township occurs within the Project Area, and less than 11% of all farmland in Saline Township is located within the Project Area.

Q. Did ECT review information on the county level with regard to the impact of the Project on farmland?

A. Yes. ECT calculated farmland utilized by the Project as a percentage of farmland in Washtenaw County. ECT also analyzed the current percentage of land within Washtenaw County considered farmland, differentiated by type. Finally, ECT also analyzed the total acreage of farmland within Washtenaw County, differentiated by type.

According to the farmland class designations obtained from USDA-NRCS WSS, approximately 1% of land classified as prime or potentially prime farmland is located within Washtenaw County, and less than 1% of all farmland in Washtenaw County is located within the Project Area.

Q. In your opinion, will the Project unreasonably diminish farmland?

A. No. Washtenaw Solar is dedicated to ensuring that soils and farmlands are managed properly throughout the design, construction, operation, and decommissioning stages of the Project. Based upon the planned vegetation and land use across the Project Area throughout the Project's lifespan, ECT subject matter experts believe that the soil condition will not be unreasonably diminished by the construction or operation of the proposed

facility.

V. CONCLUSION

Q. In your opinion, are the environmental practices proposed by Washtenaw Solar consistent with other utility-scale solar projects that you have worked on?

A. Yes. Washtenaw Solar conducted a comprehensive and thorough review of the environmental and natural resource conditions in the Project Area and the Study Area. In my opinion, Washtenaw Solar's efforts exceed typical industry standards. The best management practices proposed by Washtenaw Solar also ensure that, to the extent there are limited environmental impacts associated with the Project, those impacts are avoided and minimized in a manner consistent with industry best practices for a utility-scale solar project.

Q. Does this conclude your prefiled direct testimony?

A. Yes.

S T A T E O F M I C H I G A N

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of	)	
WASHTENAW SOLAR ENERGY LLC	)	Case No. U-21962
for approval of a certificate for siting	)	
a solar energy facility in Saline	)	
Township, Washtenaw County	)	
_____	)	

DIRECT TESTIMONY

OF

JAMES B. SALLEE

ON BEHALF OF

WASHTENAW SOLAR ENERGY LLC

Q. Please state your name and business address.

A. My name is James B. Sallee, and my business address is One South Wacker Drive, Suite 1500, Chicago, Illinois 60606.

Q. By whom are you employed and in what capacity?

A. I am employed by Invenergy LLC ("Invenergy") as a Senior Manager in the Environmental Compliance & Strategy Department. Washtenaw Solar Energy LLC ("Washtenaw Solar" or the "Company") is an Invenergy renewable energy solar project.

Q. Please describe your educational background.

A. In 1995, I received a Bachelor of Science degree in Natural Resources from The Ohio State University. In 1998, I received a Master of Science degree in Crop and Soil Sciences from Michigan State University.

Q. Are you a member of any professional associations?

A. I am a member of the Soil Science Society of America and the Society of Wetland Scientists.

Q. Do you hold any licenses or certifications?

A. Yes. I am a Certified Professional Soil Scientist and a Professional Wetland Scientist.

Q. Please describe your professional background and qualifications.

A. I have 26 years' experience in a variety of projects and in various environmental roles. From 1998 to 2013, I was employed by the Michigan Department of Environment, Great Lakes, and Energy ("EGLE") (formerly the Michigan Department of Environmental Quality) as an Environmental Quality Analyst/Specialist responsible for processing water-related construction permit applications in accordance with state environmental laws. My responsibilities included review of permit applications (making decisions to

issue, modify, or deny permit applications), complaint investigations, and initiating enforcement actions for noncompliance activities. In that role, I was the EGLE field representative for Washtenaw County for 13 years. During my tenure at EGLE, I held positions of increasing responsibility, and, in 2008, I was promoted to Environmental Quality Specialist. From 2013 to 2023, I was an environmental consultant at Stantec, King & MacGregor Environmental Inc., and Barr Engineering. In my role as an environmental consultant, I conducted environmental field studies, including protected species habitat assessments and wetland delineations, and prepared permit applications for clients ranging from individual homeowners to large corporations. In 2023, I joined Invenergy as a Senior Manager in the Environmental Compliance & Strategy Department.

Q. What are your responsibilities as a Senior Manager at Invenergy?

A. As a Senior Manager for Invenergy, I supervise the work of a team of environmental professionals. In this role, I oversee my team's management of environmental permitting and compliance under federal, state, and local laws and regulations for development, construction, and operation of solar, wind, and thermal projects across the United States. I supervise the work of environmental consultants and manage project schedules and budgets as it relates to environmental work. Additionally, I engage federal and state wildlife agencies to introduce projects, share results of environmental surveys, and discuss how to avoid or minimize impacts to species of concern and their habitats.

Q. What is the purpose of your direct testimony in this proceeding?

A. I am testifying in support of Washtenaw Solar's application for siting approval for its Washtenaw Solar Project pursuant to 2023 PA 233 (the "Project"). The purpose of my testimony is to describe the environmental surveys conducted for the Project. Specifically,

I will explain how those studies informed elements of the Site Plan and discuss the environmental impacts summarized in the Explanatory Information that accompanies the Site Plan. I also provide details regarding the agency consultations conducted for the Project with respect to environmental regulators. Finally, I discuss the Project's plans for environmental compliance and permitting.

Q. Are you sponsoring any exhibits in this proceeding?

A. Yes. I am co-sponsoring the following exhibits:

Exhibit A-1.1 (KAP-1)	Site Plan – Planned Facilities
Exhibit A-1.2 (KAP-2)	Site Plan – Area Land Use Information
Exhibit A-1.3 (TSD-1)	Site Plan – Explanatory Information
Exhibit A-4.4 (TSD-8)	Summary of Agency Consultations
Exhibit A-6.2 (AMI-2)	Environmental Compliance – Environmental Compliance Report ("ECR")
Exhibit A-6.3 (AMI-3)	Environmental Compliance – Permit List and Status Report ("Permit Report")

Q. Were these exhibits prepared by you or under your direction and supervision?

A. Yes. I oversaw the development of these exhibits in conjunction with each co-sponsoring witness.

Q. How is your testimony organized?

A. My testimony is organized as follows:

I. SITE PLAN

A. Planned Facilities

B. Area Land Use Information

I. SITE PLAN

Q. Did you participate in the preparation of the Site Plan for the Project?

A. Yes. I assisted in developing elements of the Site Plan that mapped wetlands and water resources, as well as elements that discuss how the Project minimizes environmental and natural resource impacts. I oversaw a number of environmental consultants and contractors that performed various environmental reviews, studies, and analysis that informed project development and design, as well as the preparation of the Site Plan. My role is to coordinate Washtenaw Solar's environmental compliance and standards and make sure that other members of the Washtenaw Solar team are aware of those obligations as they perform their responsibilities.

A. Planned Facilities

Q. Please describe the proposed Project's location.

A. The proposed project is a 150 megawatt ("MW") solar facility located in Saline Township, Washtenaw County, Michigan (the "Project"). The Project is located on approximately 2,412 acres of privately-owned land ("Project Area").

Q. Does the Washtenaw Solar Site Plan include a depiction of the proposed limits of

clearing for the Project?

A. Yes. The proposed limits of clearing are identified in **Exhibit A-1.1(a)(3) (KAP-1), Appendix C**. Washtenaw Solar aims to minimize tree clearing where possible. Of the total area of disturbance projected for the Project (1,407 acres), tree clearing will occur on less than one percent of that disturbance (8.4 acres of tree clearing). An explanation of the elements and features shown on this map is included in **Exhibit A-1.3 (TSD-1)**.

Q. Did Washtenaw Solar review and map lakes, reservoirs, streams, canals, rivers, wetlands, and other waterbodies within the Project Area and the surrounding 1,000 feet (the "Study Area") when developing its Site Plan?

A. Yes. Within the Project Area, Washtenaw Solar reviewed lakes, reservoirs, streams, canals, rivers, wetlands, and other waterbodies through field delineations performed in summer and fall of 2024. Because field delineations require a right to enter onto private property, only the Project Area was field delineated. The results of these field delineations are mapped in part in **Exhibit A-1.1(a)(5) (KAP-1), Appendix E**, but are described in further detail in **Exhibit A-6.2 (AMI-2), Appendix A ("Water Resources Delineation Report")**. I was responsible for overseeing and reviewing the work that Environmental Consulting & Technology, Inc. ("ECT") performed to prepare the Water Resources Delineation Report.

The purpose of the Water Resources Delineation Report is to identify and document the location and extent of state or federally regulated aquatic resources near proposed infrastructure within the Project Area. Wetlands and waterways were delineated using off-site and on-site wetland determination methods as described in Section 2 of the Water Resources Delineation Report. First, potential wetland and waterway areas within the Project Area were identified through a desktop review of available public resources

including United States Geological Survey ("USGS") topography, elevation data, National Wetlands Inventory ("NWI") Mapping, National Hydrography Dataset ("NHD"), Michigan Wetland Inventory ("MWI") Mapping, soil survey for Washtenaw County, Federal Emergency Management Agency ("FEMA") floodplain mapping, precipitation data near the Project Area, and aerial photography.

Next, a field-based water resources delineation was completed for the Project Survey Area following the 1987 Corps of Engineers Wetlands Delineation Manual (January 1987) along with the Regional Supplements to the Corps of Engineers Wetland Delineation Manual: Midwest Region (Version 2.0, 2010) and the Northeast/Northcentral Region (Version 2.0, 2012). The Project Survey Area encompassed areas within the Project Area that have potential to be impacted during construction. The field delineation described in the Water Resources Delineation Report occurred during five field visits: August 19-23, September 9-11, September 26-30, October 3, and October 29-30, 2024. The field visits took place during the growing season.

The Water Resources Delineation Report identified wetlands and streams within the Project Area, which are shown on the first page of **Exhibit A-1.1(a)(5) (KAP-1), Appendix E.** No lakes, reservoirs, canals, rivers, or other waterbodies were identified within the Project Area. Washtenaw Solar did not uniformly have the right to perform field delineations in the 1,000-foot area outside of the Project Area. Washtenaw Solar reviewed NHD and NWI data and identified wetlands, lakes/ponds, riverine areas, and flowlines/streams in this 1,000-foot area. No reservoirs, canals, or rivers were identified within the Study Area.

Company witness Kirsten Polen describes how the results of the Water Resources Delineation Report, and the location of water resources, informed the design of the Project in her testimony.

B. Area Land Use Information

Q. Did Washtenaw Solar review and map designated coastal areas, inland waterways, groundwater management zones, designated agricultural districts, flood-prone areas, and coastal erosion hazard areas when developing its Site Plan?

A. Yes. I provided support with the review of designated coastal areas, inland waterways, groundwater management zones, flood-prone areas, and coastal erosion hazard areas, the results of which are included as **Exhibit A-1.2(a)(7) (KAP-2), Appendix G**. Inland waterways were reviewed in the Project Area by field delineation, in the same manner as described above for **Exhibit A-1.1(a)(5) (KAP-1)**. Inland waterways within the Study Area were identified using the NHD, NWI, and county drain records because Washtenaw Solar did not have the rights to uniformly field delineate inland waterways outside the Project Area.

Designated coastal areas, groundwater management zones, and coastal erosion hazard areas were reviewed by ECT as part of a Phase I Environmental Site Assessment ("PIESA"). Flood-prone areas were reviewed through the FEMA Floodplain Mapper. No designated coastal areas, groundwater management zones, flood-prone areas, or coastal erosion hazard areas occur within the Project Area or the Study Area. Company witness Amanda Ignatowski provides additional details regarding the PIESA, its scope, and its methodologies in her testimony.

While inland waterways occur within the Project Area and Study Area, Washtenaw Solar is committed to minimizing impacts on these features, as shown by the layout of the Project included on page 3 of **Exhibit A-1.2(a)(7) (KAP-2), Appendix G**, which avoids those inland waterways through either setbacks or underground boring. Washtenaw Solar prioritizes avoidance and minimization of impacts to water resources to reduce Project impacts to the local environment.

C. Explanatory Information

Q. Does the Project location minimize environmental and natural resource impacts?

A. Yes. The Project location is predominately agricultural, with scattered woodlots, wetlands, and streams. This location requires minimal tree clearing and is generally lacking in habitat suitable for federally protected species, state-listed species, and special concern species. The use of predominately agricultural lands means that the Project is sited on previously disturbed lands that are less likely to create adverse impacts to the environment and natural resources. The use of predominately agricultural lands also means that—where there are sensitive environmental and natural resource features—there is generally ample lands to avoid or minimize impacts to those features. A description of how the Project location minimizes environmental and natural resource impacts is included in **Exhibit A-1.3 (TSD-1).**

Q. Does the Project layout minimize environmental and natural resource impacts?

A. Yes. The Project is designed to avoid sensitive environmental and natural resource impacts where feasible and minimizes impact to water resources or other regulated environmental features. Company witness Kirsten Polen's testimony provides further detail of how the Project layout is designed to minimize environmental impacts by using setbacks and

incorporating the results of environmental analyses into the design process. A description of how the Project layout avoids and minimizes environmental and natural resource impacts is included in **Exhibit A-1.3 (TSD-1).** Washtenaw Solar is committed to obtaining all necessary permits and complying with the conditions in those permits for any unavoidable Project impacts.

Q. Do the Project's construction methods minimize environmental and natural resource impacts?

A. Yes. It is anticipated that some environmental and natural resource impacts will occur during the construction phase of the Project. These will be temporary in nature and will dissipate quickly after the completion of Project construction. The main construction method used to minimize impacts to sensitive or regulated environmental features (*i.e.*, wetlands and streams) is horizontal directional drilling ("HDD"), or boring.

All field delineated wetlands have been avoided in the Project layout, as described above. However, minimal wetland impact is anticipated to be needed for underground HDD installation of collector circuits beneath wetlands and streams. The HDD method will be used in locations where collection circuits cross delineated wetlands or waterways. Bore pits for HDD will be placed in previously disturbed upland areas and minimal wetland or waterway impacts are anticipated for the installation of the collection circuits.

Washtenaw Solar holds its Engineering, Procurement, and Construction ("EPC") contractors to certain environmental compliance standards, particularly with regard to HDD. The EPC must provide a drilling plan for HDD, which must be shared with Washtenaw Solar for review and approval. Any drilling plan must include a detailed

description of preventative measures and equipment to be deployed as part of the proposed HDD activities (and potential inadvertent return).

Company witness Julie Pierson's testimony provides further detail regarding construction methods used throughout the entire Project. Company witness James Kampa's testimony provides further detail regarding the soil erosion and sediment control measures that will be implemented during construction to mitigate erosion and sediment impacts to water resources. A description of how the construction methods for the Project minimize environmental and natural resource impacts is included in **Exhibit A-1.3 (TSD-1).**

II. AGENCY CONSULTATION

Q. Did you consult with any local, state, or federal agencies with respect to the Project and its potential environmental impacts?

A. Yes. I coordinated joint consultations between Washtenaw Solar, the United States Fish and Wildlife Service ("USFWS"), the Michigan Department of Natural Resources ("MDNR") and EGLE. Information regarding these consultations is provided in **Exhibit A-4.4 (TSD-8)**.

Q. Can you provide a summary of those consultations?

A. Yes. Washtenaw Solar has been working on this Project for nearly seven years and has been consulting with agencies regarding environmental resources, Project plans, and regulatory compliance even before Michigan's state siting process existed. Invenergy's practice is to engage with regulatory agencies early in the development process and to cultivate open lines of communication. Consistent with this practice, Washtenaw Solar first consulted with USFWS and MDNR on May 16, 2022. Reviewing early records from this consultation, Washtenaw Solar presented the results of its initial environmental due

diligence. Agency staff from USFWS and MDNR concurred that there was unlikely to be adverse impacts to sensitive species in the Project Area.

Washtenaw Solar met again with USFWS, MDNR, and EGLE on July 7, 2024. I provided a Project update and indicated that environmental diligence for the Project was being updated given the time that had lapsed since initial data requests were submitted to the USFWS and MDNR in 2020. No concerns were raised by any agency staff regarding the Project.

Washtenaw Solar met with USFWS and MDNR a third time on March 14, 2025. Updated environmental diligence had been completed at that time and the results were presented to the agencies along with an update on Project design plans. During the meeting, USFWS and MDNR concurred that the Project is low risk to both federally protected species and state-listed species.

On March 25, 2025, I sent a follow-up thank you email to USFWS and MDNR with a copy of Washtenaw Solar's agency consultation records from 2022, 2024, and 2025. The USFWS replied by email on March 28, 2025, confirming the Project is low risk to federally listed species. The MDNR replied by email on March 26, 2025, confirming the Project is low risk to state threatened and endangered species.

Finally, Washtenaw Solar met with EGLE for a Pre-Application Meeting on March 25, 2025. During this meeting, Washtenaw Solar provided additional details about the Project's Site Plan and discussed Washtenaw Solar's plans to apply for a sitingpermit from the Michigan Public Service Commission ("MPSC" or the "Commission"). Because final issued-for-construction design plans were not available at the time of the meeting, EGLE was not able to determine whether a permit would be required for the Project.

Q. Did any of the consultations reveal opposition to or concerns regarding the Project?

A. No. Washtenaw Solar has been consulting with environmental regulators for years regarding the Project. Over the course of these consultations, no opposition or concerns have been raised by USFWS, MDNR, or EGLE that would prevent the construction or operation of the Project.

III. ENVIRONMENTAL COMPLIANCE

A. Environmental Compliance Report

Q. What is the Environmental Compliance Report ("ECR")?

A. The ECR describes how the Project will comply with applicable state and federal laws, including the Natural Resources and Environmental Protection Act ("NREPA"), Public Act 451 of 1994, and Section 1705(2) of the Michigan Environmental Protection Act ("MEPA"), MCL 324.1505(2). The ECR provides descriptions of the Project's expected impacts on the environment and natural resources and how these impacts will be addressed, avoided, or mitigated.

Q. How was the ECR prepared?

A. Washtenaw Solar engaged ECT to prepare the ECR in support of these proceedings. ECT worked with the Washtenaw Solar team to assure that the Project complies with all applicable state and federal environmental laws and rules. I provided details regarding Washtenaw Solar's institutional commitments, practices, and standards with regard to the resources and features outlined in the ECR. I coordinated with Company witnesses Julie Pierson and James Kampa with regard to these commitments, practices, and standards.

Q. What is a protected aquatic resource for the purpose of the ECR?

A. For the purpose of the ECR, the MPSC's Application Filing Instructions and Procedures ("Filing Guidelines") have grouped together the following resources as "protected aquatic resources," including wild and scenic rivers, state designated rivers, wetlands, waterbodies, inland lakes and streams, floodplains, coastal zones and management, great lakes, critical dunes, stormwater, and soil erosion and sediment control. While these are all grouped under "protected aquatic resources," these resources are not regulated under a single statutory framework at the state and federal levels. **Exhibit A-6.2 (AMI-2)** identifies the specific regulatory framework applicable to each resource.

Q. Does the ECR review and analyze the presence of protected aquatic resources?

A. Yes. The ECR provides a detailed summary of protected aquatic resources within the Project Area.

Q. Are any direct impacts expected to protected aquatic resources?

A. Yes. Based on the preliminary site layout, underground HDD crossings of wetlands and streams are anticipated to be needed for installation of underground collection lines. No other direct impacts are expected to protected aquatic resources. The Project Area does not contain any wild and scenic rivers, state designated rivers, inland lakes, coastal zones and management, great lakes, or critical dunes.

The wetland delineation survey identified the presence of wetlands, waterbodies, and streams within the Project Area. The Project minimizes direct impacts to waterbodies, NREPA Part 303 wetlands, and NREPA Part 301 streams. No FEMA-mapped floodplains were identified within the Project Area.

Company witness James Kampa discusses the Project's expected impacts on soil erosion and sediment control and the Project's expected impacts on stormwater in his direct testimony.

Q. How will the Project address or mitigate impacts to protected aquatic resources?

A. The primary method used by Washtenaw Solar to address potential impacts to protected aquatic resources is to avoid them, to the extent feasible. As discussed in Company witness Kirsten Polen's direct testimony, during Project design, Washtenaw Solar adhered to a 50-foot setback from all wetlands and streams. All facilities, including the panel array, temporary and permanent access roads, fence lines, substation, and temporary staging areas, have been sited to comply with this setback. The only exception involves underground collection lines, which will occur within the 50-foot setback and will require limited wetland and stream crossings. These crossings will be completed using HDD, with bore entry and exit points located outside the wetland and stream boundaries. The best management practices ("BMPs") that Washtenaw Solar will use to mitigate impacts to protected aquatic resources are included in **Exhibit A-6.2 (AMI-2)**. Washtenaw Solar is committed to implementing these BMPs throughout the construction of the Project.

Q. What are protected species and habitats for the purpose of the ECR?

A. For the purpose of the ECR, the Filing Guidelines have defined the following resources as "protected species and habitats" including federally listed, threatened, endangered, and candidate species, federally designated critical habitat, state listed threatened, endangered and candidate species, eagles, migratory birds, and sensitive habitat.

Q. Does the ECR review and analyze the presence of protected species and habitats?

A. Yes. A Site Characterization Study ("SCS") was conducted in 2024 that analyzed the potential for protected species and habitats within the Project Area. See **Exhibit A-6.2 (AMI-2), Appendix B.** The SCS included a desktop review for protected species and habitats. The SCS also included field reconnaissance from public rights-of-way to note and document the presence of water resources, land use/land cover types, and potential habitat for species of concern.

As part of the SCS, a USFWS Information for Planning and Consultation ("IPaC") report was generated for the Project Area to identify a list of federally listed species and their habitats that could be present at the Project. Using the Project Area as an input, ECT also generated an IPaC report as part of the ECR in September 2025. See **Exhibit A-6.2 (AMI-2), Appendix C.**

ECT also accessed the Michigan Natural Features Inventory ("MNFI") database, which contains information on all state-listed species for which locations have been recorded. The MNFI state-listed species for the Project are provided in **Exhibit A-6.2 (AMI-2).**

Q. Are any direct impacts expected to protected species and habitats?

A. Washtenaw Solar is located within the range of three federally listed endangered species (Indiana bat, Northern Long-eared bat, and Mitchell's Satyr butterfly), two federally threatened species (Eastern Massasauga rattlesnake and Eastern Prairie Fringed Orchid), and one proposed federally threatened species (Monarch Butterfly). No bald or golden eagle nests are known to be present within the Project Area. There are no designated critical habitats for federally listed species within or adjacent to Washtenaw Solar. The Project is designed to avoid areas of suitable habitat for these species and migratory birds to the

extent practicable. Direct impacts to migratory birds are not anticipated; however, the Project has the potential to temporarily affect suitable nesting habitat for some bird species during construction, but these impacts will be minimized as described later in my testimony and in **Exhibit A-6.2 (AMI-2)**.

Two state-threatened species (Orangethroat darter and White or Prairie False Indigo) have documented occurrences within the same general geographic area (within the same township, range, and section as the Project) but would be avoided by the Project. The Orangethroat darter occurs in small and medium streams with strong swift currents. The Project is designed to avoid streams. The White or Prairie False Indigo is a historical observation from 1924. This species occurs in prairie, savanna, and woodland habitats. Little suitable habitat currently remains within the Project Area. The Project is designed to avoid areas of suitable habitat for White or Prairie False Indigo.

No direct impacts to sensitive habitats are expected as Project planning and siting have prioritized avoidance of sensitive habitats.

Q. How will the Project address or mitigate impacts to protected species and habitats?

A. Washtenaw Solar has minimized impacts to protected species and sensitive habitats by siting its panels away from forested habitat and water features and will continue to do so as the site design is further refined. Additionally, Washtenaw Solar has coordinated with USFWS and MDNR as necessary to identify potential effects the Project may have on federal and state-listed species and to develop any required surveys, avoidance, conservation, or mitigation measures for potentially affected protected species. This includes limiting tree clearing activities to the inactive season (November 16–March 31) for federally listed bat species (Indiana bat and Northern Long-eared bat).

Washtenaw Solar will comply with applicable guidance at the time of construction for federal and state-listed species.

No clearing of woody vegetation containing active bird nests will be done. If any suitable nesting vegetation is proposed to be cleared during a restricted period, the area will be surveyed no more than seven days prior to these activities by a qualified wildlife biologist to assess for active nests. During the nesting season, components, equipment, and facilities will be covered or closed as appropriate to discourage nesting and wildlife inhabitation. BMPs related to protected species and habitats are more fully described in **Exhibit A-6.2 (AMI-2).** Washtenaw Solar is committed to implementing these BMPs throughout the construction of the Project.

Q. What are protected lands for the purpose of the ECR?

A. For the purpose of the ECR, the Filing Guidelines classify protected lands as parks, wildlife corridors, public lands, and farmland.

Q. Does the ECR review and analyze the presence of protected lands?

A. Yes. ECT performed a SCS that reviewed the presence of protected lands in the Project Area and in the surrounding two miles. The SCS identified protected lands in the two-mile radius around the Project, but no parks, wildlife corridors, or public lands were identified in the Project Area. See **Exhibit A-6.2 (AMI-2), Appendix B.** The SCS includes a review of USGS Protected Areas Database ("PADUS") information data within the Project Area to identify parks and public lands. Company witness Amanda Ignatowski co-sponsors the ECR, **Exhibit A-6.2 (AMI-2)**, that describes the development of the SCS and the review of protected lands.

Q. Do you expect the Project to have a direct impact on protected lands?

A. The Project avoids protected lands, other than PA 116 farmlands, and Company witness Isaac Pallant discusses how the Company will mitigate the impact to PA 116 farmland. The Project does not intersect any known migratory corridors and is not expected to impede wildlife movement. Through strategic siting, limited tree clearing, protective setbacks, and a fencing approach that avoids crossing rivers, streams, and other sensitive water features that could host wildlife, the Project maintains landscape permeability and supports the continued ecological function of the surrounding area.

Q. Is the Project likely to pollute, impair, or destroy the air, water, or other natural resources, or the public trust in those resources?

A. No. The Project requires de minimis tree clearing, is designed to have minimal impacts to the environment and natural resources, and utilizes mitigation measures where appropriate. Washtenaw Solar's strategy has been multi-pronged. First, Washtenaw Solar retained ECT to conduct studies to assess the impacts to the environment and natural resources potentially present within the Project Area. Through that analysis, Washtenaw Solar identified ways to minimize the overall impacts to the environment and natural resources while constructing the Project. These measures are described in more detail in the ECR, **Exhibit A-6.2 (AMI-2)**. In summary, Washtenaw Solar's proposed Project avoids and minimizes impacts to the air, water, and other natural resources, and Washtenaw Solar will employ necessary measures to mitigate any potential Project impacts identified in the future.

Q. In the unlikely event that the Project does pollute, impair, or destroy the air, water, or other natural resources, or the public trust in those resources, is there a feasible or prudent alternative to the Project?

A. No. A feasible or prudent alternative would have to produce a similar or better amount of power in a similar or smaller footprint with similar or fewer environmental impacts. Replacing the energy generation from the Project with an alternative source such as a fossil fuel would create more pollution that would impair or destroy natural resources. A wind resource producing the same amount of power could not fit within the Project's geographic footprint. Company witness Kirsten Polen discusses Project alternatives in further detail in **Exhibit A-1.5 (KAP-3)**.

Q. Will the Project begin commercial operation before it complies with applicable state and environmental laws, including NREPA?

A. No. Washtenaw Solar will not begin commercial operation of the Project until it complies with all applicable state and federal environmental laws and rules, including NREPA. Environmental noncompliance creates legal, practical, and financial risk for Washtenaw Solar. Compliance with state and federal law is consistent with Washtenaw Solar's obligations with its financing agreements, insurance obligations, and through its Build-Transfer-Agreement with Consumers Energy. Finally, Washtenaw Solar has included in its proposed agreement regarding permit conditions with the MPSC that any approval will be contingent on receiving approval for all necessary applicable state, federal, and local permits before beginning construction. See **Exhibit A-14 (TSD-14), Appendix C, Section 2.13**.

B. Permit List and Status

Q. Have you provided a list of all permits necessary prior to construction?

A. Yes. This list, **Exhibit A-6.3 (AMI-3),** was prepared by ECT and described in further detail by Company witness Amanda Ignatowski. Washtenaw Solar is fully committed to seeking all necessary permits and complying with the conditions in those permits.

Q. Have any permits been received prior to filing the application for the Project?

A. No. Permits will be sought in parallel with this application to the MPSC. Company witness Julie Pierson provides a timeline for these activities in **Exhibit A-3 (JMP-6). Exhibit A-6.3 (AMI-3)** also provides the dates that Washtenaw Solar expects to apply for specific permits.

IV. CONCLUSION

Q. Has Washtenaw Solar reasonably considered and addressed impacts to the environment and natural resources, including, sensitive habitats and waterways, wetlands and floodplains, wildlife corridors, and threatened or endangered species?

A. Yes. By siting the Project on primarily agricultural lands and implementing setbacks and boring under regulated wetlands and waterways, the Project avoids impacts to nearly all environmental and natural resources. Washtenaw Solar has conducted environmental due diligence for nearly five years on this Project and has been consulting with environmental regulators over the course of that due diligence. It is my professional opinion with a reasonable degree of certainty that Washtenaw Solar has considered and addressed impacts to the environment and natural resources.

Q. Does this conclude your direct testimony?

A Yes.

S T A T E O F M I C H I G A N

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of **WASHTENAW SOLAR ENERGY LLC** for approval of a certificate for siting a solar energy facility in Saline Township, Washtenaw County	))))))	Case No. U-21962

DIRECT TESTIMONY

OF

ISAAC B. PALLANT

ON BEHALF OF

WASHTENAW SOLAR ENERGY LLC

Q. Please state your name and business address.

A. My name is Isaac B. Pallant, and my business address is One South Wacker Drive, Suite 1500, Chicago, Illinois 60606.

Q. By whom are you employed and in what capacity?

A. I am employed by Invenergy LLC ("Invenergy") as an Associate in the Vegetation Management group.

Q. Please describe your educational background.

A. In 2017, I received a Bachelor of Arts in Environmental Studies with a minor in Geology from Allegheny College.

Q. Please describe your professional experience.

A. From 2019 to 2022, I was employed by TRC Companies Inc. ("TRC") as an Environmental Scientist and Lead Wetland Delineator, where I was responsible for interdisciplinary ecological field work and associated permitting, primarily focused on renewable energy facility development. During my tenure at TRC, I held the following positions of increasing responsibility: Intern, Environmental Scientist, Wetland Delineator, Lead Wetland Delineator, New York Field Lead, and Coordinator. In 2022, I joined Invenergy as a Senior Analyst in the Vegetation Management group. In 2023, I was promoted to Associate.

Q. What are your responsibilities as Associate in Vegetation Management at Invenergy?

A. As an Associate in the Vegetation Management group, I am responsible for the planning and implementation of compatible vegetative communities for projects in the northeast and upper Midwest of the United States. This involves the development of a site-specific Vegetation and Soil Management Plan, coordination of local and state vegetation regulations with vegetation implementation activities during project construction, and the

oversight, monitoring, and adaptive management of the vegetative communities on projects in which I am involved.

Q. What is the purpose of your direct testimony in this proceeding?

A. The purpose of my direct testimony is to discuss the current land cover for Washtenaw Solar Energy LLC's ("Washtenaw Solar" or the "Company") 150 megawatt ("MW") solar facility located in Saline Township, Washtenaw County, Michigan (the "Project"). I also discuss the vegetation management practices that will be employed during the construction and operation of the Project. I also testify regarding the Project's plans to protect farmland through its vegetation management practices. Additionally, I support certain elements of Washtenaw Solar's Environmental Compliance Report that relate to vegetation management practices.

Q. How is your direct testimony organized?

A. My direct testimony is organized as follows:

I. SITE PLAN

II. FARMLAND PROTECTION

III. CONCLUSION

Q. Are you sponsoring any exhibits in this proceeding?

A. Yes. I co-sponsor the following exhibits:

Exhibit A-1.1(b) (KAP-1)	Site Plan – Planned Facilities
Exhibit A-1.3 (TSD-1), Sections 8.3 and 12	Site Plan – Explanatory Information
Exhibit A-9 (AMI-4), Appendix A, Section 2	Farmland Protection

Q. Were these exhibits prepared in whole or in part by you or under your direction and supervision?

A. Yes. I oversaw the development of these exhibits in conjunction with each co-sponsoring witness, specifically with regard to the Company's commitments regarding vegetation and landscape screening and practices anticipated for this Project.

I. SITE PLAN

Q. Did you participate in the development of the Washtenaw Solar Site Plan?

A. Yes. I helped develop elements of the Washtenaw Solar Site Plan related to vegetative cover and vegetative screening. The Washtenaw Solar Site Plan shows the Project plans within the boundaries of the parcels on which facilities are proposed to be located ("Project Area"). I worked with Environmental Consulting & Technology, Inc. ("ECT") to develop elements of the Site Plan related to vegetation management.

Q. Does the Washtenaw Solar Site Plan include a map with aerial imagery depicting planned screening, landscaping, and vegetative cover for the Project?

A. Yes. Planned landscaping, screening, and vegetative cover are depicted in **Exhibit A-1.1(b) (KAP-1), Appendix K**. This map shows the current maximum extents of proposed landscaping and screening. This map also shows the proposed locations of vegetative cover broken down by seed mix type. Washtenaw Solar will establish and maintain vegetative ground cover for the life of the facility. The use of and proposed locations for these seed mixes is consistent with Washtenaw Solar's commitment, see **Exhibit A-14 (TSD-14), Appendix C, Sections 2.7** and **2.8**, to meet the pollinator standard established in the "Michigan Pollinator Habitat Planning Scorecard for Solar Sites" developed by the Michigan State University Department of Entomology in effect on February 27, 2024 (the

"Pollinator Scorecard"). An explanation of the elements and features shown on this map is included in **Exhibit A-1.1(b) (KAP-1)** and **Exhibit A-1.3 (TSD-1), Sections 8.3** and **12**.

Q. What is the Pollinator Scorecard?

A. The Michigan State University Michigan Pollinator Habitat Planning Scorecard for Solar Sites is a framework developed to assess and guide the incorporation and establishment of pollinator habitat on solar facilities.

Q. How does the Project score relative to the Scorecard?

A. Based on preliminary vegetation planning, the Project is anticipated to score a minimum of 76 points on the Pollinator Scorecard, achieving a score that meets pollinator standards therein.

Q. How did Washtenaw Solar analyze the Project Area to inform the proposed screening features as depicted in Exhibit A-1.1(b) (KAP-1)?

A. The Company engaged ECT to analyze environmental and natural resources in the Project Area, including analyzing the characteristics of the existing land cover and soil fertility metrics. Together, initial vegetative cover plans were developed to meet the standards of the Pollinator Scorecard. A landscape location and buffer plan was developed to screen the Project from the viewshed of adjacent non-participating (parcels that do not have Project facilities) residences within a one-quarter mile of the Project. This exhibit depicts the preliminary locations of landscape screening that will be installed between the Project and non-participating residences. However, screening may be waived in a mutual agreement between Washtenaw Solar and the non-participating landowner.

Q. What further analysis will be performed by Washtenaw Solar with regard to vegetative cover?

A. Before construction begins for the Project, the Company will develop a comprehensive Vegetation and Soil Management Plan ("VSMP") unique to the Project's location. While initial soil testing has been performed within the Project Area, additional on-site assessments of existing vegetation, environmental conditions, and soil fertility will be performed. The VSMP will include discussion of existing conditions, site-specific best management practices ("BMPs") for topsoil management, soil amendments and fertilizer applications, site preparation, vegetation installation, mulching, mowing, and adaptive management both during and post-site construction.

Q. What is the purpose of a VSMP?

A. Invenergy is one of the first solar developers and operators in the U.S. with a dedicated vegetation management team, and the Company is committed to implementing a comprehensive, project-specific vegetation plan for the Project. The Company will develop a VSMP that focuses on three primary goals, which include:

(1) The establishment and maintenance of low-growing, regionally appropriate grass-dominated vegetation within the array fields and along the Project's buffer to stabilize soil surfaces, reduce erosion and sedimentation, build soil health, and protect water quality resources.

(2) Minimizing the presence and proliferation of invasive and noxious plant species listed in Michigan's recognized invasive/weed species program.

(3) Avoidance and minimization of disturbance to the vegetative communities associated with any sensitive natural resources within the Project Area.

Q. How is the VSMP developed?

A. In the development of the VSMP for the Project, the Company and its contracted consultant(s) will ensure that vegetative cover in all portions of the Project site meets Invenergy's standards and objectives for vegetation. Biophysical site conditions, including current land cover type, soil fertility, topsoil depth, topography, hydrology, plant life, and other environmental factors, will be carefully studied to inform the VSMP. A preliminary analysis of these biophysical site conditions was used to develop a proposed seed list of native, naturalized, and other non-invasive species that are suitable to specific site conditions. During the development of the VSMP, soil testing results will be used to develop a unique soil amendment and fertilizer strategy for the Project to ensure favorable conditions for desirable vegetation establishment. Additionally, topsoil depth surveys will be used to develop location-specific topsoil stripping and replacement plans to ensure topsoil preservation throughout construction of the Project.

Additionally, this plan will include the necessary steps to meet and/or exceed a minimum score to meet pollinator standards on the Pollinator Scorecard. Washtenaw Solar plans to achieve this by employing certain practices outlined on the Pollinator Scorecard and by planting a native and naturalized perennial seed mix, which includes the requisite number of flowering plant species. A representative seed list meeting these criteria is included in **Exhibit A-9 (AMI-4), Appendix A, Section 2**. The final seed mix planted on the facility is subject to change based on factors such as seed availability and environmental conditions at the time of planting. The final seed mix used will meet the thresholds of the Pollinator Scorecard and all seed will be purchased from a reputable vendor. Only seed that is certified weed-free and does not include any species identified by the Michigan Invasive Species

Information Network will be purchased and installed on the Project. The implementation of the VSMP will establish and maintain pollinator habitat and vegetation ground cover for the life of the Project.

Q. What are the expected benefits of the VSMP?

A. There are numerous expected benefits of the VSMP, including, but not limited to, improved water quality due to reduced sediment and nutrient runoff' reduced herbicide use; improved erosion control, stormwater storage, and infiltration from a diverse and dense ground cover, including deep rooted native species; establishment of diverse pollinator habitat in the selected open buffer areas between the fenceline and arrays; and control of noxious and undesirable weeds and establishment of desired vegetation.

Q. When does Washtenaw Solar plan on finalizing its VSMP?

A. The site-specific VSMP is expected to be complete before beginning construction activities.

Q. Does Washtenaw Solar's Site Plan provide a description of planned screening, landscaping, and vegetative cover?

A. Yes. In addition to the visual depictions of planned screening, landscaping, and vegetative cover included in **Exhibit A-1.1(b) (KAP-1), Appendix K**, Washtenaw Solar's Site Plan provides a narrative description of planned screening, landscaping, and vegetative cover in **Exhibit A-1.3 (TSD-1), Sections 8.3 and 12**. This exhibit describes how the Company worked with ECT to develop a preliminary Landscape Buffer Location Plan ("LBLP") that outlines the proposed locations and content of vegetative screening around the facility. The LBLP provides for visual screening for surrounding non-participating residences. This Project will be built on land that is primarily agricultural. In order to minimize the impact

to agricultural land adjacent to the Project and provide adjacent landowners agency within their viewshed, the Company intends to include these landowners in the final decisions regarding siting and installation of landscape screening. Screening may also be reduced where existing screening features such as buildings, topography or existing woodlands are present. See **Exhibit A-1.3 (TSD-1), Sections 8.3** and **12**.

Q. Does Washtenaw Solar's Site Plan describe a plan to establish and maintain pollinator habitat and vegetative ground cover for the life of the Project?

A. Yes. As discussed in **Exhibit A-1.3 (TSD-1), Sections 8.3 and 12**, the Company has a multi-phased approach to establishing and maintaining all vegetative cover on the Project, including pollinator habitat, for the lifetime of the facility. This begins with the creation of a site-specific VSMP, as previously described. During construction, the Company requires that all contractors implement the VSMP to provide stabilization, remedial vegetation installation, and vegetation management activities as specified. This is overseen and ensured by a multi-faceted environmental audit and monitoring program conducted by Invenergy and qualified environmental consultants with regionally-specific construction and vegetation experience. Following construction, vegetation may be managed by routine mowing to control the height of the vegetation to prevent shading of the panels, and to facilitate the continued persistence of the desired vegetative community. Targeted herbicide applications may also occur to control invasive species and noxious weeds. When pollinator habitat is present on site, it is delineated and managed in accordance with BMPs that will be outlined in the VSMP. The Site Plan, **Exhibit A-1.3 (TSD-1), Sections 8.3 and 12**, also includes a description of how the Project will meet or exceed pollinator standards throughout the lifetime of the Project as established by the Pollinator Scorecard.

Additionally, the Site Plan, **Exhibit A-1.3 (TSD-1), Sections 8.3 and 12**, also describes how the Company's seed mixes will not include invasive species identified by the Midwest Invasive Species Information Network.

II. FARMLAND PROTECTION

Q. Has Washtenaw Solar considered how the Project will impact farmland?

A. Yes, Washtenaw Solar worked with ECT to develop the Farmland Protection Plan included as **Exhibit A-9 (AMI-4), Appendix A, Section 2**, in which I participated specifically with regard to vegetation management for the Project. Company Witness Amanda Ignatowski provides additional detail regarding the development of the Farmland Protection Plan in her direct testimony.

Q. Will the Project's vegetation management practices unreasonably diminish farmland?

A. No. The VSMP will integrate practices to preserve topsoil resources as well as conserve soil fertility in the Project's footprint where vegetation management is enacted. The Company will carefully consider the vegetative cover it will install on this Project with the intention of installing a mix of native and naturalized species to provide quick and efficient soil stabilization as well as the creation of a diverse vegetative community that will persist throughout the Project's life. The goal is that the vegetative community will preserve, and ideally enhance, soil fertility metrics, ensuring that the land can be returned to agriculture at the end of the Project's life in usable condition. The vegetation management process is intended to mimic agricultural BMPs to achieve the goal of, at a minimum, preserving the areas of farmland on which it is sited with the intent of long-term enhancement.

III. CONCLUSION

Q. Have you reviewed the Commission's proposed conditions with regard to vegetative screening and groundcover?

A. Yes. The Commission's proposed conditions, as provided in **Exhibit A-14 (TSD-14), Appendix C, Sections 2.7 and 2.8**, include an agreement regarding the implementation of screening as well as the implementation of vegetative groundcover that complies with the Pollinator Scorecard.

Q. Is Washtenaw Solar requesting any exceptions with regard to these conditions proposed by the Commission?

A. No. Agreements with respect to both of these conditions are included in **Exhibit A-14 (TSD-14), Appendix C, Sections 2.7 and 2.8**. As discussed by my testimony, above, the Company has specific plans to meet both conditions.

Q. Does this conclude your prefiled direct testimony?

A Yes.

S T A T E O F M I C H I G A N

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of **WASHTENAW SOLAR ENERGY LLC** for approval of a certificate for siting a solar energy facility in Saline Township, Washtenaw County	))))))	Case No. U-21962

DIRECT TESTIMONY

OF

JAMES E. KAMPA

ON BEHALF OF

WASHTENAW SOLAR ENERGY LLC

Q. Please state your name and business address.

A. My name is James E. Kampa, and my business address is One South Wacker Drive, Suite 1500, Chicago, IL 60606.

Q. By whom are you employed and in what capacity?

A. I am employed by Invenergy LLC ("Invenergy") as a Director of Renewable Civil and Structural Engineering.

Q. Please describe your educational background.

A. I hold a Bachelor of Science in Civil & Environmental Engineering from the University of Wisconsin-Madison. I also hold a Master's in Business Administration from DePaul University.

Q. Are you a member of any professional associations?

A. Through my role at Invenergy, I am on the Solar Siting and Land Management Committee of the American Clean Power Association and participate in the Solar and Stormwater Working Group.

Q. Do you hold any licenses or certifications?

A. I am a Registered Professional Engineer in both Wisconsin and Illinois.

Q. Please describe your professional background and qualifications.

A. As a Professional Civil Engineer for over 25 years, I have provided engineering design and support to a wide variety of projects, including residential, commercial, and industrial developments; public projects such as roadways, airports, railways, municipal stormwater networks, and public water utilities; and renewables projects, including onshore wind, solar, transmission, and battery storage projects. Hydrology and hydraulics are several of my core areas of technical expertise.

Q. What are your responsibilities as Director of Renewable Civil and Structural Engineering at Invenergy?

A. I manage and lead our internal team of subject matter experts with civil, structural, and geotechnical elements of renewables projects. Our engineers provide expert oversight and guidance for aspects within solar, onshore wind, storage, and transmission projects that consider subterrain conditions, water resources, structural design and access, layout, and transportation design.

Q. What is the purpose of your direct testimony in this proceeding?

A. I am testifying in support of Washtenaw Solar Energy LLC's ("Washtenaw Solar" or the "Company") application for siting approval for its 150 megawatt ("MW") solar facility located in Saline Township, Washtenaw County, Michigan (the "Project") pursuant to 2023 PA 233 ("PA 233"). My testimony reviews Washtenaw Solar's engagement with the Washtenaw County Water Resources Commissioner's Office ("WCWRC") with regard to the Project, the Project's preliminary stormwater mitigation plan, and Washtenaw Solar's commitments with regard to soil erosion and sediment control and stormwater pollution and prevention.

Q. Are you sponsoring any exhibits in this proceeding?

A. Yes. I am sponsoring the following exhibits:

Exhibit A-6.4 (JEK-1) Stormwater Mitigation Plan

I am also co-sponsoring the following exhibits.

Exhibit A-1.6 (JMP-2) Changes

Exhibit A-4.4 (TSD-8) Summary of Agency Consultations

Exhibit A-6.2 (AMI-2) Environmental Compliance – Environmental Compliance Report ("ECR")

Q. Were these exhibits prepared by you or under your direction and supervision?

A. Yes. I oversaw the development of these exhibits in conjunction with each co-sponsoring witness.

Q. Were these exhibits prepared in whole or in part by you or under your direction and supervision?

A. Yes. I oversaw the development of these exhibits in conjunction with each co-sponsoring witness.

Q. How is your testimony organized?

A. My testimony is organized as follows:

I. CHANGES

II. STORMWATER MITIGATION PLAN

III. ENVIRONMENTAL COMPLIANCE REPORT

A. Soil Erosion and Sediment Control

B. Stormwater

C. Stormwater Pollution and Prevention Plan

I. CHANGES

Q. Does Washtenaw Solar's Application include a map of any known potential modifications or variations in the proposed site plan that Washtenaw Solar is considering at the time of filing that will be finalized prior to construction?

A. Yes. This map includes the location of a potential stormwater detention basin related to the Project's substation. The WCWRC is currently in alignment with Washtenaw Solar—that

no stormwater detention or retention measures are required for the Project—however, the final civil design work for the substation is not yet complete. If the WCWRC were to require a stormwater detention basin related to the substation, Washtenaw Solar requests that change be considered a minor change and approved under a certificate issued by the Michigan Public Service Commission. These changes are more fully described in **Exhibit A-1.6 (JMP-2)**, as well as in the testimony of Company witness Julie Pierson.

II. STORMWATER MITIGATION PLAN

Q. Has Washtenaw Solar prepared a stormwater mitigation plan for the Project?

A. Yes. Washtenaw Solar has prepared a preliminary stormwater mitigation plan ("Plan") for the Project. See **Exhibit A-6.4 (JEK-1)**. To support these efforts, Washtenaw Solar engaged Kimley-Horn to develop a preliminary stormwater assessment and stormwater mitigation plan. I oversaw the development of the Plan and consulted with the WCWRC, which is the relevant regulatory jurisdiction that will ultimately review and approve the Plan.

Q. Does the Plan describe measures to minimize, mitigate, and repair any drainage impacts?

A. Yes, the Plan describes these measures. The primary mitigation method utilized by the Project is through source controls, specifically, preservation of the natural environment. The primary mitigation method that the Project will employ is infiltration of runoff on-site, specifically with subsurface infiltration beds. The Plan also describes Washtenaw Solar's commitment to repairing drainage impacts.

Q. Does the Plan address guidance from the WCWRC?

A. Yes. Washtenaw Solar presented the Plan to the WCWRC in early summer 2025. WCWRC provided its feedback, and Washtenaw Solar revised the Plan to adopt the guidance from the WCWRC. I participated in consultation with the WCWRC. This consultation is described in **Exhibit A-4.4 (TSD-8)**, as well **Exhibit A-6.4 (JEK-1)**. Both the initial feedback and the revised Plan are included in **Exhibit A-6.4 (JEK-1), Appendix A** and **Appendix C**.

Q. What is the Project's expected impact on public and private drainage in the Project Area?

A. The Project is not expected to negatively impact public or private drainage. While the Project commissioned a drain mapping survey for the Project (including private drain tile mapping), Washtenaw Solar expects that some drain tile system replacement may be needed during the Project's construction phase. If any physical damage is incurred on either public or private drainage systems, Washtenaw Solar is committed to repairing or replacing the damaged system. See **Exhibit A-14 (TSD-14)**.

III. ENVIRONMENTAL COMPLIANCE REPORT

Q. What is the Environmental Compliance Report ("ECR")?

A. The ECR, **Exhibit A-6.2 (AMI-2)**, describes how the Project will comply with applicable state and federal laws, including the Natural Resources and Environmental Protection Act ("NREPA"), Public Act 451 of 1994, and Section 1705(2) of the Michigan Environmental Protection Act ("MEPA"), MCL 324.1505(2). The ECR provides descriptions of the Project's expected impacts on the environment and natural resources and how these impacts will be addressed, avoided, or mitigated.

Q. How was the ECR prepared?

A. Washtenaw Solar engaged Environmental Consulting & Technology, Inc. ("ECT") to prepare the ECR in support of these proceedings. ECT worked with the Washtenaw Solar team to ensure that the Project complies with all applicable state and federal environmental laws and rules. I provided details regarding Washtenaw Solar's institutional commitments, practices, and standards with regard to certain resources and features outlined in the ECR. I coordinated with company witnesses James Sallee, Kirsten Polen, and Julie Pierson with regard to these commitments, practices, and standards.

A. Soil Erosion and Sediment Control

Q. Does the ECR review and analyze the Project's plans for Soil Erosion and Sediment Control ("SESC")?

A. Yes. The ECR includes an analysis of the need for an SESC permit for the Project, the expected direct impact of the Project with regard to SESC, and the avoidance, minimization, and mitigation methods expected to be employed by the Project. See **Exhibit A-6.2 (AMI-2)**.

Q. Are any direct impacts expected with regard to the SESC measures?

A. Yes. The limits of disturbance for the Project is an area of approximately 1,407 acres.

Q. How will the Project address or mitigate impacts related to its SESC measures?

A. Washtenaw Solar is committed to seeking the applicable SESC approvals and complying with appropriate avoidance, minimization, and mitigation methods regarding SESC. Washtenaw Solar plans to take measures to protect topsoil and avoid construction activities on moderate to steep slopes (15 to 20 percent) where practicable. Washtenaw Solar anticipates that temporary stabilization measures will be completed within seven days. Additionally, sediment brought onto paved surfaces will be removed at the end of each

workday. Finally, a silt fence will be installed 50 feet from all wetlands and waterbodies. While it will be the Engineering, Procurement, and Construction ("EPC") contractor that will seek these approvals and implement these practices, Washtenaw Solar is committed to requiring its EPC to implement approved SESC measures.

B. Stormwater

Q. Does the ECR review and analyze the Project's plans for stormwater?

A. Yes. See **Exhibit A-6.2 (AMI-2)**.

Q. Are any direct impacts to stormwater expected?

A. No. Direct impact to stormwater is not expected, although a National Pollutant Discharge Elimination System ("NPDES") permit will be required for the Project.

Q. How will the Project address or mitigate impacts related to stormwater?

A. Impacts related to stormwater will be addressed pursuant to applicable permits and through Washtenaw Solar's Plan for the Project. See also **Exhibit A-6.4 (JEK-1)**. Washtenaw Solar is engaged with the WCWRC and will seek approval of applicable permits from the WCWRC.

C. Stormwater Pollution and Prevention Plan

Q. Does the ECR review and analyze the Project's plans for Stormwater Pollution and Prevention ("SWPPP")?

A. Yes. See **Exhibit A-6.2 (AMI-2)**.

Q. Are any direct impacts expected with regard to the SWPPP measures?

A. Yes. Washtenaw Solar is expected to disturb more than five acres of land during construction activities, requiring the development of an SWPPP.

Q. How will the Project address or mitigate impacts related to its SWPPP measures?

A. Washtenaw Solar will develop a SWPPP that includes the policy and schedule for inspections, details on erosion and sediment control devices, soils and slope analysis, and a list of receiving waters. Although the EPC contractor will seek these approvals and implement these practices, Washtenaw Solar is committed to requiring its EPC to seek approval for and implement an SWPPP.

Q. Does this conclude your prefiled direct testimony?

A Yes.

S T A T E O F M I C H I G A N

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of **WASHTENAW SOLAR ENERGY LLC** for approval of a certificate for siting a solar energy facility in Saline Township, Washtenaw County	))))))	Case No. U-21962

DIRECT TESTIMONY

OF

TYLER D. BARRON

ON BEHALF OF

WASHTENAW SOLAR ENERGY LLC

Q. Please state your name and business address.

A. My name is Tyler D. Barron, and my business address is One South Wacker Drive, Suite 1500, Chicago, Illinois 60606.

Q. By whom are you employed and in what capacity?

A. I am employed by Invenergy LLC ("Invenergy") as Senior Manager of Community Affairs.

Q. Please describe your educational background.

A. In 2015, I received a Bachelor of Arts from the University of Notre Dame. In 2018, I received a Master of Public Policy from the University of Chicago Harris School of Public Policy.

Q. Please describe your professional background and qualifications.

A. I have nearly ten years of experience working in the green energy and policy space. I have worked on issues related to clean energy, federal lands protection, municipal climate action plans, electric vehicles, and tribal policy. In 2015, I worked in Washington, D.C. in the office of Former Representative Raúl Grijalva, where I focused on issues related to tribal sovereignty, clean energy, veterans' affairs, and federal lands protection. From 2018 to 2023, I worked as a policy professional at the Environmental Law and Policy Center ("ELPC"), where I began as a Policy Fellow, working on issues related to electric vehicles, clean energy, and air quality for Chicago students. In 2020, I was promoted to Policy Associate and my role expanded to include work on federal lands protection, municipal climate action plans, and tribal policy. In 2023, I joined Invenergy as a member of the Community Affairs team. During my tenure at Invenergy, I started as Manager of Community Affairs and was promoted to Senior Manager of Community Affairs in 2025. My responsibilities at Invenergy are to ensure that we establish deep, meaningful, and long-

lasting ties to our host communities. My team ensures that the community we build a project in is well-informed of the project, understands the benefits of the project, and understands that Invenergy is making a long-term commitment to the health and well-being of the community.

Q. What are your responsibilities as Senior Manager of Community Affairs at Invenergy?

A. As a Senior Manager of Community Affairs, I am primarily responsible for working with the broader East Region Development team in Michigan, Ohio, Kansas, and Virginia to pursue permits for our proposed projects, build strong community relationships and partnerships with the people and organizations within our projects' host communities, and assist with the overall strategy of permitting and building successful projects.

Q. What is the purpose of your direct testimony?

A. I am testifying in support of Washtenaw Solar Energy LLC's ("Washtenaw Solar" or the "Company") application for Michigan Public Service Commission approval of a siting certificate under 2023 PA 233 ("PA 233") for a 150 megawatt ("MW") utility-scale solar facility (the "Project") located in Saline Township, Washtenaw County, Michigan (the "Project Area"). My testimony summarizes the Company's engagement with federally recognized Native American tribes in Michigan. My testimony also summarizes some of Washtenaw Solar's community outreach and education efforts.

Q. How is your direct testimony organized?

A. My direct testimony is organized as follows:

I. TRIBAL ENGAGEMENT

II. COMMUNITY OUTREACH AND EDUCATION

III. CONCLUSION

Q. Are you sponsoring any exhibits in this proceeding?

A. Yes. I am sponsoring the following exhibit:

Exhibit A-4.5 (TDB-1) Summary of Tribal Engagement

I am also co-sponsoring the following exhibit:

Exhibit A-4.2 (TSD-6) Summary of Community Outreach and Education Efforts

Q. Were these exhibits prepared in whole or in part by you or under your direction and supervision?

A. Yes.

I. <u>TRIBAL ENGAGEMENT</u>

Q. Did the Company engage any federally recognized Native American tribes in Michigan seeking input related to the Project?

A. Yes. The Company conducted outreach with the Tribal Historic Preservation Officers ("THPO") or equivalent positions from the Bay Mills Indian Community, Grand Traverse Band of Ottawa & Chippewa Indians, Hannahville Indian Community, Keweenaw Bay Indian Community of the Lake Superior Band of Chippewa Indians, Lac Vieux Desert Band of Lake Superior Chippewa Indians, Little River Band of Ottawa Indians, Little Traverse Bay Bands of Odawa Indians, Match-E-Be-Nash-She-Wish Band of Potawatomi Indians of Michigan (Gun Lake Tribe), Nottawaseppi Huron Band of the Potawatomi, Pokagon Band of Potawatomi Indians, Saginaw Chippewa Indian Tribe of Michigan, and Sault Ste. Marie Tribe of Chippewa Indians to discuss any sensitive cultural resources they are aware of in the vicinity of the Project. Conversations with the aforementioned Tribes

did not identify any concerns. The Company has committed to a number of follow-up items and anticipates communication with these Tribes to continue throughout the development and construction of the Project. A summary of the Company's engagement is included in the Application as **Exhibit A-4.5 (TDB-1)**.

Q. Please explain the Summary of Washtenaw Solar's Tribal Engagement, Exhibit A-4.5 (TDB-1).

A. **Exhibit A-4.5 (TDB-1)** is a summary of the Company's engagements with the THPOs of all 12 federally recognized tribes in the State of Michigan. It also includes the dates, times, and participants in the engagement or outreach, as well as the outcome of these engagements and the input provided by the tribal representatives during those consultations. This exhibit also contains copies of all correspondence between the Company and the tribal representatives.

Q. Please describe your communications with the Bay Mills Indian Community.

A. I first reached out to the Bay Mills Indian Community's THPO, Paula Carrick, on March 10, 2025. After sending several follow-up emails, I received a response from Ms. Carrick on March 25, 2025. During a phone conversation on April 2, 2025, Ms. Carrick indicated that the Bay Mills Indian Community will defer to the Tribe(s) nearest to the Project, including those Tribes designated by the Michigan Anishinaabek Cultural Preservation and Repatriation Alliance ("MACPRA"). Ms. Carrick requested that we provide her with notification of any discoveries made during the survey.

Q. Please describe your communications with the Little River Band of Ottawa Indians.

A. I first reached out to the Little River Band of Ottawa Indians' Utility Director and Executive Lead, Gary Lewis, on March 10, 2025. After sending several follow-up emails,

Mr. Lewis notified me that Corey Wells is the new THPO. After sending an introductory email and several follow-up emails to Mr. Wells—most recently on August 15, 2025—I have not received any further response from the Little River Band of Ottawa Indians.

Q. Please describe your communications with the Little Traverse Bay Bands of Odawa Indians.

A. On March 10, 2025, I sent an initial email to the Little Traverse Bay Bands of Odawa Indians' THPO, Mae Wright. On March 28, 2025, Ms. Wright shared what Project information would be helpful to have, including any known archaeological sites within the Project Area, copies of site forms, and summaries of what was found at each site. Other than these additional pieces of information, Ms. Wright indicated that the information from the Project Notification Checklist provided by Washtenaw Solar to the Gun Lake Tribe is sufficient.

Q. Please describe your communications with the Grand Traverse Band of Ottawa & Chippewa Indians.

A. On March 10, 2025, I sent an initial email to the Grand Traverse Band of Ottawa & Chippewa Indians' Cultural Department Manager, Aaron Chivis. After sending several follow-up emails—most recently on August 15, 2025—I have not received a response from the Grand Traverse Band of Ottawa & Chippewa Indians.

Q. Please describe your communications with the Hannahville Indian Community.

A. I first sent correspondence to the Hannahville Indian Community's THPO, Dustin Meshigaud, on March 10, 2025. After sending several follow-up emails, Mr. Meshigaud told me that he wants to engage in conversation on the Project. After sending several further

follow-up emails—most recently on August 15, 2025—I have not received another response from the Hannahville Indian Community.

Q. Please describe your communications with the Keweenaw Bay Indian Community of the Lake Superior Band of Chippewa Indians.

A. I initially reached out to the Keweenaw Bay Indian Community of the Lake Superior Band of Chippewa Indians' THPO, Alden Connor, on March 10, 2025. After sending several follow-up emails—most recently on August 15, 2025—I have not received a response from the Keweenaw Bay Indian Community of the Lake Superior Band of Chippewa Indians.

Q. Please describe your communications with the Lac Vieux Desert Band of Lake Superior Chippewa Indians.

A. On March 10, 2025, I first contacted the Lac Vieux Desert Band of Lake Superior Chippewa Indians' THPO, Alina Shively. After sending several follow-up emails, I received a response from Ms. Shively on April 9, 2025. She indicated that she was unable to review PA 233's requirements because of a heavy workload, so she asked me to provide her with a synopsis of my questions. I did so, and, after sending several further follow-up emails and leaving one voicemail—most recently on August 15, 2025—I have not received a further response from the Lac Vieux Desert Band of Lake Superior Chippewa Indians.

Q. Please describe your communications with the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians (Gun Lake Tribe).

A. I first sent correspondence to the Gun Lake Tribe's THPO, Lakota Hobia, on February 7, 2025. After sending a follow-up email, I received a response from Ms. Hobia on February 17, 2025. She sent me a communication preferences letter that is sent annually to consultants and private companies initiating historic property scoping requests, which

included a Project Notification Checklist. Ms. Hobia also indicated that the Deputy THPO, Kaila Akina, is the best contact person for any follow-up questions. On August 8, 2025, I provided the completed information for the Project Notification Checklist.

Q. Please describe your communications with the Nottawaseppi Huron Band of the Potawatomi.

A. I initially reached out to the Nottawaseppi Huron Band of the Potawatomi's THPO, Onyleen Zapata, on February 7, 2025. After several follow-up emails, Ms. Zapata said that a completed Project Notification Checklist, like that requested by Ms. Hobia of the Gun Lake Tribe, would be helpful. On August 8, 2025, I provided the completed information for the Project Notification Checklist.

Q. Please describe your communications with the Pokagon Band of Potawatomi Indians.

A. On February 7, 2025, I first contacted the Pokagon Band of Potawatomi Indians' THPO, Matthew J.N. Bussler. On April 21, 2025, I met with the Pokagon Band of Potawatomi Indians' Historic Research Specialist, Cecil Wilson. I explained the PA 233 process, the Washtenaw Solar Project more specifically, and clarified the information we planned to send Mr. Bussler, modeled after the Project Notification Checklist provided by Ms. Hobia. After sending several follow-up emails to Mr. Wilson and Mr. Bussler, I provided a completed Project Notification Checklist on August 8, 2025. I have yet to receive a response from the Pokagon Band of Potawatomi Indians.

Q. Please describe your communications with the Saginaw Chippewa Indian Tribe of Michigan.

A. I first reached out to the Saginaw Chippewa Indian Tribe of Michigan's THPO, Marcella Hadden, on March 10, 2025. After sending several follow-up emails, I spoke on the phone

with Ms. Hadden on April 10, 2025. She indicated that it would be helpful to receive a Project Notification Checklist, similar to what Ms. Hobia of the Gun Lake Tribe requested. She also emphasized that, more than anything, she wants to see an archeological assessment that includes an Unanticipated Discoveries Plan. After several further follow-up emails, Ms. Hadden inquired about my contact with the Michigan State Historic Preservation Office ("SHPO") on August 19, 2025. I confirmed that the application for projects seeking approval pursuant to PA 233 was submitted to SHPO, and shared that an Architectural Reconnaissance Survey is planned for Fall 2025, which will then be submitted to SHPO for review and comment. I also told Ms. Hadden that Washtenaw Solar has been in contact with Dr. Sarah Surface-Evans, SHPO Senior Archaeologist, to discuss Washtenaw Solar's approach to tribal engagement. On September 5, 2025, Ms. Hadden shared a letter with me, indicating that there are no recorded resources within the Project Area, and that the Project will have no effect on cultural resources.

Q. Please describe your communications with the Sault Ste. Marie Tribe of Chippewa Indians.

A. On March 10, 2025, I sent an initial email to the Sault Ste. Marie Tribe of Chippewa Indians' THPO, Emma Donmyer. After sending a follow-up email, Ms. Donmyer responded on April 9, 2025, stating that the Tribe has no interest in Washtenaw County. I clarified that future projects may be developed across the State, so I would like to begin conversations now. In response, Ms. Donmyer shared that many agencies have the Tribe complete "Counties of Interest" forms and asked for the coordinates and location of Washtenaw Solar. After sending several follow-up emails—most recently on August 15,

2025—I have not received a further response from the Sault Ste. Marie Tribe of Chippewa Indians.

II. COMMUNITY OUTREACH AND EDUCATION

Q. Did the Company engage in any community outreach and education efforts for the Project?

A. Yes. During the development of the Project, I engaged in community outreach and education efforts with various local community groups, environmental organizations, and labor union representatives. In so doing, I introduced the Washtenaw Solar Project, provided information regarding solar developments and their impact on communities, and looked for opportunities to engage in financial or other support of these groups.

Q. Please explain the Summary of Washtenaw Solar's community outreach and education efforts, Exhibit A-4.2 (TSD-6).

A. **Exhibit A-4.2 (TSD-6)**, sponsored by Company witness Tyler Durgan, is a summary of the Company's community outreach and education efforts. It also includes the dates, times, and participants in the engagement or outreach, as well as the outcome of these engagements. Company witness Tyler Durgan's direct testimony provides additional details regarding these efforts.

Q. Please describe your outreach to locally impacted groups.

A. To engage in community outreach and education efforts, I reached out to the following locally impacted groups: Washtenaw County 4-H, Ann Arbor SPARK, Saline Area Social Services, Saline Area Senior Center, Saline Area Schools, Clinton Community Schools, Saline Area Fire Department, United Way for Southeastern Michigan, Saline Area Community Fair, and Saline Area Chamber of Commerce. As a result of these

engagements, Washtenaw Solar sponsored the Washtenaw County 4-H Youth Show and Saline Area Community Fair and donated to United Way's Backpacks Program. Outreach, education, and communication with locally impacted groups is included in **Exhibit A-4.2 (TSD-6).**

Q. Please describe your outreach to environmental organizations.

A. The Company engaged with the Michigan League of Conservation Voters and Greenlight America regarding the Project. Outreach with environmental organizations was facilitated through a consultant engaged on the Project. Outreach, education, and communication with environmental organizations is included in **Exhibit A-4.2 (TSD-6).**

Q. Please describe your outreach to labor union representatives.

A. To engage in community outreach and education efforts, I reached out to the following labor union representatives: Michigan Building and Construction Trades Council ("Trades Council") and Michigan Regional Council of Carpenters and Millwrights. On September 9, 2025, I gave a presentation about the Project to the Trades Council. A presentation to the Michigan Regional Council of Carpenters and Millwrights is scheduled for September 24, 2025. Outreach, education, and communication with labor union representatives is included in **Exhibit A-4.2 (TSD-6).**

Q. Please describe your community outreach and education efforts in anticipation of the August 18, 2025, public meeting in Saline Township.

A. In anticipation of the August 18, 2025, public meeting in Saline Township, I invited the following organizations and/or representatives to attend: Washtenaw County 4-H, Ann Arbor SPARK, Saline Area Social Services, Saline Area Schools, Clinton Community

Schools, Saline Area Fire Department, Saline Area Chamber of Commerce, and Michigan League of Conservation Voters.

III. CONCLUSION

Q. Will Washtenaw Solar continue its tribal and community outreach and education efforts during the construction of the Project?

A. Yes. Washtenaw Solar will continue to work to build strong community relationships and partnerships with the people and organizations of Saline Township and Washtenaw County. Washtenaw Solar also plans on continuing its efforts to engage with Tribes and keeping them informed regarding the Project's progress.

Q. Does this conclude your prefiled direct testimony?

A Yes.

S T A T E O F M I C H I G A N

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of	)	
WASHTENAW SOLAR ENERGY LLC	)	
for approval of a certificate for siting	)	Case No. U-21962
a solar energy facility in Saline	)	
Township, Washtenaw County	)	
_____	)	

DIRECT TESTIMONY

OF

MICHAEL T. HEBERT

ON BEHALF OF

WASHTENAW SOLAR ENERGY LLC

Q. Please state your name and business address.

A. My name is Michael T. Hebert, and my business address is 3125 Sovereign Drive, Suite 9C, Lansing, Michigan 48911.

Q. By whom are you employed and in what capacity?

A. I am employed by Environmental Consulting and Technology, Inc. ("ECT") as Operations Manager of Site Assessment and Remediation ("SAR").

Q. Please describe your educational background.

A. In 1993, I received a Bachelor of Science from Akron University. In 1995, I achieved my Master-Level Certification from the Institute of Hazardous Materials Management. My expert disciplines include facility inspections; deconstruction and demolition; asbestos; non-hazardous and hazardous waste abatement; groundwater and vapor abatement associated with aboveground storage tanks ("AST"), underground storage tanks ("UST"), the Toxic Substances Control Act ("TSCA"), the Resource Conservation and Recovery Act ("RCRA"), and the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"); and site investigations to obtain state and federally recognized closures.

Q. Do you hold any licenses?

A. I am a Certified Professional Geologist with the American Institute of Professional Geologists; a Professional Geologist with the State of Indiana; a Certified Underground Storage Tank Professional with the State of Michigan; an Asbestos Inspector with the State of Michigan; and a Certified Hazardous Materials Manager with the Institute of Hazardous Materials Management.

Q. Have you completed any trainings?

A. I have completed the Occupational Safety and Health Administration's ("OSHA") Hazardous Waste Operations and Emergency Response ("HAZWOPER") Training (40-hour training and 8-hour refresher training); OSHA's Supervisor and Confined Space Training; OSHA's Hazardous Material Specialist Training; OSHA's Hydrogen Sulfide Training; and Incident Manager Training.

Q. Please describe your professional experience.

A. In my decades-long career in environmental consulting, I have served in several roles. From 1988 to 1995, I was employed by Keck Consulting as a Project Manager, specializing in Environmental Assessment and Abatement. From 1995 to 1997, I moved to Soil and Materials Engineers, Inc. in the same role. From 1997 to 1999, I worked at Landmark Environmental as an Operations Manager, specializing in Environmental Assessment and Abatement and Demolition Management. From 1999 to 2001, I was employed by Aker Demolition as the Vice President of Abatement and Demolition Management. From 2001 to 2006, I returned to my previous role at Landmark Environmental. In 2007, I joined ECT as a Senior Consultant and Operations Manager, specializing in Environmental Assessment and Abatement and Demolition Management.

Throughout my career, I have managed and resolved complex projects and situations. I routinely develop, review, and revise engineering specifications based on my understanding of field and equipment restrictions and construction requirements and codes. I typically review analytical data for compliance with state and federal regulations. I have developed hundreds of engineering estimates for the remediation and demolition of power plants, superfund sites, industrial and commercial facilities, airport hangers, dams, and incinerators. I am responsible for preparing permits, risk assessments, field inspections,

monthly tracking reports, schedules, cost tracking, and formal reports. I conduct hazardous, non-hazardous, and universal waste assessments, and develop means and methods to recycle materials to reduce waste disposal operations. I also currently manage ECT's SAR field staff in the Northeast United States, in addition to multiple Project Managers, Professional Engineers, and Geophysical Professionals.

During the past five years at ECT, I have developed all of the decommissioning plans for solar and wind energy developments, including the cost developments. In addition, I have prepared waste determination records for facilities proposed for construction and those pending demolition and abatement. I also have solar demolition planning experience in over ten states, where I typically support other firms and/or federal and state regulatory agencies—including the Michigan Department of Environment, Great Lakes, and Energy ("EGLE"), the Michigan Department of Corrections ("MDOC"), and the Michigan Department of Natural Resources ("MDNR")—with the development of engineering cost estimates for abatement and demolition. I have worked on large facilities, including dams, power plants, schools, airport hangers, silos, municipal buildings, treatment plants, solar facilities, universal waste facilities, switchyards, and Superfund and RCRA facilities.

Because of my subject matter expertise, I was appointed by EGLE to the first Response Activity Review Panel from 2015 to 2023. In this role, I served as the inaugural Chief of the Review Panel and heard the first appeal case in the State of Michigan. I have also proctored classes on TSCA, RCRA, and CERCLA.

Q. What are your responsibilities as Operations Manager of SAR?

A. As the SAR Operations Manager, and, specifically, the Decommission Phase Manager, I am responsible for developing the Decommissioning Plan, **Exhibit A-13.1 (MTH-1**), and the Decommissioning Cost Estimate, **Exhibit A-13.2 (MTH-2**), for Washtenaw Solar Energy LLC's ("Washtenaw Solar" or the "Company") 150 megawatt ("MW") solar energy facility proposed in Saline Township, Washtenaw County, Michigan (the "Project"). I oversaw the data management, design calculations, correspondence responsibilities, and staffing to support the development of these documents.

Q. Have you previously filed testimony with the Michigan Public Service Commission ("MPSC" or the "Commission")?

A. No. However, I have presented expert testimony and submitted written and oral testimony in 26 states before federal, state, and local agencies.

Q. What is the purpose of your direct testimony in this proceeding?

A. The purpose of my direct testimony is to support Washtenaw Solar's Decommissioning Plan and Decommissioning Cost Estimate for the Project. I provide information regarding the current land conditions, the proposed actions to decommission the Project, and the proposed plan to return the land to its pre-construction use. I also describe the costs associated with these activities.

Q. How is your direct testimony organized?

A. My direct testimony is organized as follows:

I. DECOMMISSIONING PLAN

A. Project Overview

B. Removal Process

C. Site Restoration Plan

D. Expected Necessary Permits

E. Financial Assurance

F. Commitments and Assurances

II. DETAILED DECOMMISSIONING COST ESTIMATE

Q. Are you sponsoring or co-sponsoring any exhibits in this proceeding?

A. Yes. I am sponsoring the following exhibits:

Exhibit A-13.1 (MTH-1) Decommissioning Plan

Exhibit A-13.2 (MTH-2) Detailed Decommissioning Cost Estimate

Q. Were these exhibits prepared by you or under your direction and supervision?

A. Yes.

I. DECOMMISSIONING PLAN

A. Project Overview

Q. Please describe the facilities for the Project.

A. The Project components will include approximately 524,466 modules of photovoltaic ("PV") solar panels mounted on a single axis tracking system. The necessary components and infrastructure will accompany the PV solar panels, including approximately 60 inverters and transformers; a Project substation; a tracking system; electrical cabling and conduits; a point of interconnection switchyard; a short overhead transmission line; a supervisory control and data acquisition ("SCADA") system; a control enclosure; foundations and steel piles; and internal gravel access roads with gated ingress and egress points and security fencing. Temporary facilities associated with construction will include construction staging areas and laydown yards. Collectively, these facilities comprise the "Project Facilities."

Q. Please describe the current land use for the Project Site?

A. The Project is situated on approximately 2,412 acres of privately owned land in Saline Township (the "Project Site"). Project activities will predominately occur within fenced areas, which total approximately 1,107 acres. All of the Project Site's land is zoned as agricultural.

Q. Did the Company assess the useful life of the Project Facilities?

A. Yes. The useful life of the Project Facilities is at least 30 years. The Project may be capable of exceeding 30 years if, as needed, repairs and upgrades to the technology are made, along with the renewal of land and energy contracts. The financial security will be in place for the life of the Project, until the decommissioning and restoration activities are completed.

Q. Does the Washtenaw Solar Decommissioning Plan include a description of events triggering Applicant-initiated Decommissioning?

A. Yes. Applicant-initiated decommissioning activities are described in the Decommissioning Plan, **Exhibit A-13.1 (MTH-1)**, and are consistent with the MPSC's trigger events as provided in its form Decommissioning Agreement.

Q. Did the Company perform a physical and chemical analysis of the soil on which the Project Facilities will be located?

A. Yes. Washtenaw Solar contracted ECT to develop a Baseline Soil Health Survey Plan to support the Decommissioning Plan, **Exhibit A-13.1 (MTH-1)**, and support **Exhibit A-1.4 (JMP-1), Appendix A**. The Baseline Soil Health Survey Plan includes an initial physical and chemical analysis of the soil on which the Project Facilities will be located. This testing is repeatable at decommissioning to determine how the land can be returned to farmable

conditions, *i.e.*, as good as or better condition than that recorded during the 2025 assessment.

The purpose of the Baseline Soil Health Survey Plan was to determine the state of the soil fertility prior to development. As such, this data will be used to compare the soil fertility at the time decommissioning is initiated to ensure the nutrient levels achieve the soil fertility condition for agricultural uses.

ECT conducted soil fertility sampling across 1,107 acres of the Project Site for purposes of the Baseline Soil Health Survey Plan, between April 21 and 24, 2025.

Q. Does Washtenaw Solar's Decommissioning Plan contain a list of known hazardous substances on the Project Site?

A. Yes. ECT completed a Phase I Environmental Site Assessment ("ESA") for the Project Site, which defines Recognized Environmental Concerns ("REC") on the Project Site. Pursuant to the Phase I ESA, a Phase II ESA will be conducted to determine if the RECs actually support existing contamination before development. Projected assessment with reporting shall be initiated within 60 days of the initiation of development. If contamination is identified, an amended pre-development list of found chemicals and known hazardous substances will be prepared, and the Decommissioning Plan will be amended accordingly. See **Exhibit A-13.1 (MTH-1)**.

B. Removal Process

Q. Does Washtenaw Solar's Decommissioning Plan include a proposed decommissioning schedule?

A. Yes. The Company anticipates decommissioning activities to occur over a five-month period, and restoration may extend the activities to ten months, pending weather conditions.

Weather is the only presumed condition that may temporarily slow or delay the decommissioning and restoration activities once they commence. See **Exhibit A-13.1 (MTC-1), Appendix B.**

Q. Does the Washtenaw Solar Site Plan include a description of the facilities that will be removed and those that will be kept in place (including the reasoning)?

A. Yes. This information is provided in **Exhibit A-13.1 (MTC-1)**. Project Facilities constructed above ground and any structures within forty-seven inches of the surface will be removed from the Project Site for disposal and/or recycling as part of the decommissioning activities, except the following:

- Access roads, driveways, and fencing on private property, if the property owner requests, in writing, that Washtenaw Solar leave them; and
- The substation, transmission line, switchyard, interconnection facilities, and other similar utility facilities if not owned by Washtenaw Solar, at the time of decommissioning.

Access roads, driveways, and fencing on private property will be left in place if the property owner submits such a request to the Company. The access roads and driveways can improve the movement of agricultural equipment in the future, and the fencing will secure the property and protect future agricultural crops and/or equipment storage. Second, substations, transmission lines, switchyards, interconnection facilities, and other similar utility facilities not owned by the Company at the time of decommissioning will remain in place because the Company cannot exert control and ownership over such facilities.

Q. Does the Washtenaw Solar Decommissioning Plan include a description of removal methods and site clearing activities?

A. Yes. Washtenaw Solar's Decommissioning Plan describes the removal methods and site clearance activities proposed for the Project, along with the sequence of these activities. **Exhibit A-13.1 (MTC-1)**.

Q. Does Washtenaw Solar's Decommissioning Plan contain a description of anticipated hazardous substances that will be used in the Project Facilities, and further describe the manner in which those substances will be removed (based on what is known at the time of the Application)?

A. Yes. The Decommissioning Plan includes this information. No bulk quantities of hazardous materials are projected for use in the Project Facilities. **Exhibit A-13.1 (MTC-1)**.

Q. Does the Washtenaw Solar Decommissioning Plan contain a description of material management methods and transportation plans, as well as an initial plan for the method of disposal?

A. Yes, this information is provided in Washtenaw Solar's Decommissioning Plan. **Exhibit A-13.1 (MTC-1)**. It is expected that approximately 85% of the materials used will be recycled off-site. The reclamation or recycling of the materials is a fundamental consideration of the decommissioning process, along with the utilization of local firms to conduct work activities. Local metal recyclers and disposal facilities will be scheduled for use to allow Michigan to capture tax increments.

Q. What resources, conditions, or activities will be potentially affected by decommissioning and what mitigation measures will be employed by the Company?

A. No conditions or activities are expected to have an adverse effect on the local community or environment during decommissioning, nor when utilizing mitigation measures. As

stated previously, approximately 85% of materials will be recycled off-site. If available and suitably qualified, Washtenaw Solar will employ local firms. Michigan Department of Transportation ("MDOT") roads will be utilized to transport materials, and directions will be issued to avoid heavily populated areas, as practical. Road weight restrictions will be reviewed and followed pursuant to MDOT and Washtenaw County Road Commission requirements. Soil erosion controls will be used to prevent the distribution of soil during demolition. Finally, work will be limited to daylight hours. These measures are described in the Decommissioning Plan. **Exhibit A-13.1 (MTC-1)**.

C. Site Restoration Plan

Q. Does the Washtenaw Solar Decommissioning Plan contain a site restoration plan to return the Project Site to a useful condition similar to its pre-construction state?

A. Yes. Washtenaw Solar's Decommissioning Plan details the operational efforts to support soil quality; process milestones for lands enrolled in the Farmland and Open Space Preservation Program ("PA 116 Program"), managed by the Michigan Department of Agriculture and Rural Development ("MDARD"); pre-demolition assessments; and post-demolition and restoration measures. See **Exhibit A-13.1 (MTC-1)**.

D. Expected Necessary Permits

Q. What permits does the Company anticipate will be required for decommissioning activities, such as demolition, new temporary construction, and component removal?

A. Washtenaw Solar may need to apply for the following permits with Michigan and/or Washtenaw County: road site lane closure permits (as needed); a soil erosion and sedimentation permit; electrical permits (disconnections); and a demolition permit. A Stormwater Pollution Prevention Plan ("SWPPP") will be prepared to include best

management practices ("BMPs") for construction and decommissioning that may include construction entrances, silt fencing, temporary seeding, permanent seeding, mulching (in non-agricultural areas), erosion control matting, filter berms, and filter socks. A complete list of permits is included in **Exhibit A-13.1 (MTC-1)**. Washtenaw Solar will obtain all required permits prior to the start of decommissioning.

E. Financial Assurance

Q. What type of financial assurance will Washtenaw Solar pursue for Project decommissioning?

A. Washtenaw Solar plans on seeking a surety bond, consistent with its proposed Decommissioning Agreement. **Exhibit A-13.2 (MTH-2)**. This bond will be expressly held for the benefit of the MPSC. Details describing the financial assurance for the decommissioning of the Project are included in **Exhibit A-13.1 (MTH-1)**.

F. Commitments and Assurances

Q. What other commitments and assurances will be included in the proposed Decommissioning Plan?

A. The Decommissioning Plan contains a number of commitments consistent with the Decommissioning Agreement, **Exhibit A-13.3 (JMP-9**), and the MPSC's Application Filing Instructions and Procedures ("Filing Guidelines"). Washtenaw Solar further commits to and assures the following:

- Washtenaw Solar will provide a Decommissioning Plan and financial assurance cost updates on a five-year basis for the first 20 years of commercial operation and every three years thereafter.
- Restoration measures will be in accordance with agreements with landowners.

- Washtenaw Solar will coordinate with property owners, Saline Township, and Washtenaw County before beginning decommissioning activities. Local government officials will be contacted regarding decommissioning activities, and neighboring properties will be sent correspondence indicating that decommissioning is set to begin. Such correspondence will include contact information for questions and concerns.
- Washtenaw Solar will file updates to the Decommissioning Plan and Cost Estimate with the MPSC in docket no. U-21962.
- Washtenaw Solar will update the financial assurance as the Decommissioning Plan and Decommissioning Cost Estimate are updated.
- Washtenaw Solar will provide annual proof with the MPSC in docket no. U-21962 that the financial assurance remains sufficient and in effect.
- Washtenaw Solar will provide a decommissioning completion report within 60 days after decommissioning is complete.

These commitments are explained in further detail in **Exhibit A-13.1 (MTH-1)**.

II. DETAILED DECOMMISSIONING COST ESTIMATE

Q. Has the Company provided a Detailed Decommissioning Cost Estimate for the Project?

A. Yes. See **Exhibit A-13.2 (MTH-2)**.

Q. What is the decommissioning cost estimate, determined by the Company, for restoration of participating properties to useful condition similar to that which existed before construction?

A. A Detailed Decommissioning Cost Estimate was prepared for the Project consistent with the MPSC's Filing Guidelines. The purpose of the Cost Estimate is to estimate the amount of financial assurance required for the Project. The Cost Estimate, **Exhibit A-13.2 (MTH-2)**, includes costs for removal of equipment, land restoration and reclamation, and other costs. The Cost Estimate also takes into account salvage value of the equipment and the cost if a decommissioning consultant is needed in the event of abandonment or bankruptcy. The total, net estimated decommissioning cost for the Project is $10,095,956.96.

Q. Does this conclude your direct testimony?

A. Yes.

S T A T E O F M I C H I G A N

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of **WASHTENAW SOLAR ENERGY LLC** for approval of a certificate for siting a solar energy facility in Saline Township, Washtenaw County	))))))	Case No. U-21962

DIRECT TESTIMONY

OF

MICHAEL HANKARD

ON BEHALF OF

WASHTENAW SOLAR ENERGY LLC

Q. Please state your name and business address.

A. My name is Michael Hankard, and my business address is 211 E. Verona Avenue, Verona, Wisconsin 53593.

Q. By whom are you employed and in what capacity?

A. I am the owner of and principal acoustical consultant at Hankard Environmental, Inc. ("Hankard Environmental").

Q. Please describe your educational background.

A. In 1990, I received a Bachelor of Science in Electrical Engineering degree from the University of Maine with a specialization in acoustics.

Q. Are you a member of any professional associations?

A. I am a full member of both the Acoustical Society of America and the Institute of Noise Control Engineering.

Q. What are your qualifications for conducting acoustics analysis?

A. I have 35 years of experience conducting acoustic measurements and modeling analyses, as well as providing expert testimony in a variety of local, state, federal, and court proceedings. Specifically, I have provided expert acoustics testimony before the public service commissions of seven states. I was a member of the American Clean Power Association committee that developed the American Clean Power/American National Standards Institute ("ACP/ANSI") wind turbine sound modeling standard and am a member of the ACP committee currently creating a national standard for the prediction of noise from solar and energy storage projects. My curriculum vitae is attached as **Exhibit A-20 (MH-1)**, which demonstrates my credentials as a qualified noise control engineer.

Q. What are your responsibilities as principal acoustical consultant at Hankard Environmental?

A. As the owner of Hankard Environmental and its principal acoustical consultant, I am responsible for either directly conducting acoustic measurements and analyses or supervising staff that conduct such measurements and analyses. My areas of responsibility include noise modeling and monitoring, the design of conceptual noise mitigation recommendations, preparing reports, creating post-construction sound monitoring protocols, and providing expert testimony.

Q. Do you have sound modeling and/or sound monitoring experience with other projects, including solar renewable energy development projects?

A. Yes. I have conducted noise analyses for approximately 50 wind farm projects, 40 solar projects, and 20 energy storage facilities.

Q. Have you filed testimony with other state public service commissions?

A. Yes. I have either filed testimony or provided in-person testimony regarding noise from energy projects before the public service commissions of Minnesota, New York, Ohio, Rhode Island, South Dakota, West Virginia, and Wisconsin. See **Exhibit A-20 (MH-1).**

Q. What is the purpose of your direct testimony in this proceeding?

A. Hankard Environmental was retained by Invenergy Renewables LLC ("Invenergy") to conduct an analysis of noise for the Washtenaw Solar Energy LLC ("Washtenaw Solar" or the "Company") 150 megawatts ("MW") solar facility (the "Project") pursuant to Public Act 233 of 2023 ("PA 233"). This includes measuring ambient noise levels, predicting noise levels from the operation of the Project, preparing a report, and testifying in support of Washtenaw Solar's Application for siting approval for the Project pursuant to PA 233.

Specifically, I am providing testimony regarding: (1) sound modeling and results, (2) preconstruction and postconstruction noise monitoring, and (3) mitigation plans to ensure that sound emitting from the facilities will remain below the statutory limit throughout the operational life of the Project. My analysis and testimony demonstrate the Project's compliance with the Michigan Public Service Commission's ("MPSC" or the "Commission") noise level requirements for solar project siting.

Q. Are you sponsoring any exhibits in this proceeding?

A. Yes. I am sponsoring the following exhibits:

Exhibit A-20 (MH-1)	Michael Hankard Curriculum Vitae
Exhibit A-1.7 (MH-2)	Site Plan – Sound Report

I am also co-sponsoring the following exhibits:

Exhibit A-1.3 (TSD-1)	Site Plan – Explanatory Information
Exhibit A-1.2(a)(9) (KAP-2)	Site Plan – Sound Isolines Map
Exhibit A-10 (KAP-4)	Public Health and Safety

Q. Were these exhibits prepared in whole or in part by you or under your direction and supervision?

A. Yes.

I. SUMMARY OF PROJECT

Q. Were sound studies conducted for the project?

A. Yes. The Company engaged Hankard Environmental to perform a sound study and prepare a report (the "Sound Report"). Hankard Environmental worked with the Project team to ensure that the Project complies with all applicable sound standards required by PA 233

and that the Sound Report was prepared and executed pursuant to the MPSC's Application Filing Instructions and Procedures ("Filing Guidelines").

Q. Please describe what services are offered by Hankard Environmental and the experience of the firm.

A. Hankard Environmental is an acoustical consulting firm that, over the past 30 years, has conducted hundreds of noise studies for projects located across Michigan and the United States, including numerous solar, energy storage, and wind farm facilities. Our services and experience include the measurement of existing sound environments, the prediction of noise emissions from proposed projects, recommending noise mitigation strategies for projects, presenting the results of our studies in various public forums, and the measurement of noise from operational facilities.

Q. What is your role with respect to the Project?

A. I lead the preparation of the required Sound Report and coordinated with the Project team to ensure that the Project was designed to meet the sound limits defined in MCL 460.1226, which states that a solar facility must not "generate a maximum sound in excess of 55 average hourly decibels as modeled at the nearest outer wall of the nearest dwelling located on an adjacent nonparticipating property. Decibel modeling shall use the A-weighted scale as designed by the American National Standards Institute." I also modeled sound isolines relative to Project facilities for inclusion in the Site Plan for the Project. My conclusions with regard to sound levels are also included in **Exhibit A-10 (KAP-4)** and **Exhibit A-1.3 (TSD-1)**.

Q. Please describe the overall location and scope of Washtenaw Solar's proposed solar project.

A. The proposed Project is a utility-scale solar facility located in Saline Township, Washtenaw County, Michigan (the "Project Area"). The Project will generate approximately 150 MW of electricity, which can power approximately 28,000 homes. Washtenaw Solar has obtained interconnection rights to connect to the Milan to Majestic 345kV transmission line, which is located just north of the Project.

II. PRECONSTRUCTION SOUND MODELING AND SOUND MONITORING

A. General

Q. What sound is emitted by a solar project?

A. Sound is produced by the inverters that are spaced throughout the Project facilities and by the main transformer located at the Project's substation. An inverter is a device that converts direct current ("DC") electricity, which is what solar panels generate, to alternating current ("AC") electricity, which the electrical grid uses. A transformer converts the voltage of the electricity produced by the Project facilities to the voltage required by the electric grid. Sound from these sources is produced mainly from cooling fans. Sound is also produced from the motors that move the solar panel tracking system, but it is insignificant and expected to be inaudible off-site.

Q. Have sound isolines been modeled?

A. Yes. See **Exhibit A-1.2(a)(9) (KAP-2), Appendix I** for noise model results, which demonstrate that Washtenaw Solar modeled sound isolines. Sound isolines demonstrate how far from a noise source a certain level of sound is generated. In this case, the 55 dBA isolines were produced and overlaid onto maps of the area. The isolines demonstrate that no more than 55 dBA is generated at any nonparticipating residence in the area. Hankard

Environmental provided the sound isolines modeled in this map, which were generated using the SoundPlan acoustical modeling software.

Q. Has a sound isoline map been prepared and included in Washtenaw Solar's Application?

A. Yes. See **Exhibit A-1.2(a)(9) (KAP-2), Appendix I**, which depicts (1) proposed facilities; (2) adjacent properties; (3) all residential structures within participating and adjacent properties; (4) property lines; and (5) projected sound isolines (sound level contours), including the statutory 55 dBA limit.

Q. What does the sound isoline map demonstrate?

A. The sound isoline map, **Exhibit A-1.2(a)(9) (KAP-2), Appendix I**, depicts information relative to how sound dissipates as it gets farther from its origin (the Project facilities that emit the sound). The sound isoline map is a visual depiction of where sound levels are the highest and how that sound has reduced to well below the statutory limits by the time it reaches the nearest nonparticipating structure.

Q. What are the maximum sound limits for the Project?

A. The Project must not generate more than 55 A-weighted decibels ("dBA") on an hourly average basis at the nearest wall of the nonparticipating residence.

Q. Does the Project comply with this standard?

A. Yes.

Q. Do solar projects emit significant quantities of infrasound?

A. No. Infrasound refers to sound with energy in the 0 to 20 Hertz range, which is generally considered below human hearing thresholds. The noise sources on solar projects, primarily inverters, do not produce any significant or remotely audible quantities of infrasound.

Q. Are the sound levels of the Project such that minor changes to inverter locations would exceed the limit of 55 dBA?

A. No. Because the sound levels of the Project are well below the statutory limit, minor changes to inverter locations could be implemented and there would not be an exceedance of the 55 dBA statutory limit.

Q. Have you reviewed Attachment D of the Filing Guidelines with regard to preconstruction submission requirements?

A. Yes.

Q. Does Exhibit A-1.7 (MH-2) meet the requirements of Attachment D of the Filing Guidelines with regard to preconstruction submission requirements for sound modeling and sound monitoring?

A. Yes. A full explanation of how the Sound Report complies with Attachment D of the Filing Guidelines is provided in **Exhibit A-1.7 (MH-2), Appendix A**, page 2.

B. The Sound Report – Preconstruction Modeling

Q. Was the sound modeling conducted consistent with International Organization for Standardization ("ISO") 9613-2 (2024), "Engineering Method for the Prediction of Sound Pressure Levels Outdoors"?

A. Yes. Sound modeling was conducted consistent with ISO 9613-2 (2024), "Engineering Method for the Prediction of Sound Pressure Levels Outdoors." See the Pre-Construction Noise Analysis (September 4, 2025), which is attached as **Exhibit A-1.7 (MH-2)**, **Appendix A**, page 13.

Q. What sound modeling parameters were utilized?

A. Noise levels from the proposed Project were predicted following the guidelines prescribed by the MPSC's Filing Guidelines, Attachment D, Sound Report Requirements ("Sound Report Requirements"). Noise levels were predicted using the method set forth in International Organization for Standardization ("ISO") Standard 9613-2:2024 – Attenuation of Sound During Propagation Outdoors. Modeling was implemented using the SoundPLAN v9.1 acoustic modeling program. The analysis included adding six dBA to the results to account for pressure doubling at the façade of a residence.

Q. What source of sound power was considered?

A. In the SoundPLAN model, each inverter was modeled as a point source located two meters above the ground and assumed to propagate equally in all directions. The noise emission levels of the inverters were provided by the manufacturer. Based on S12.9 Part 4 (Annex C), the inverters are tonal and therefore five dBA was added to the sound power levels to account for this. In addition, one 189 megavolt-amperes ("MVA") step-up transformer will operate at the substation. The transformer was modeled as a point source located three meters above the ground, with no barriers or directivity reductions. The sound level spectrum of the transformers was estimated using the procedures outlined in the Institute of Electrical and Electronics Engineers ("IEEE") Standard C57.12.90-2021. The transformer is assumed to be tonal, and thus five dBA was added to the sound power levels to account for this tonality, per the Sound Report Requirements.

Q. Do the projected noise impacts of the Project, based on modeling, meet the requirements of MCL 460.1226 for maximum sound levels?

A. Yes. Predicted noise levels at the nearest outer wall of the nearest dwelling located on all adjacent nonparticipating properties are less than the 55 dBA limit.

Q. Has a preconstruction sound monitoring protocol been established?

A. No, there is no need for a protocol because the preconstruction sound monitoring study has already been performed. As described below, the study was conducted in accordance with applicable ANSI standards, using calibrated equipment, and was designed and executed by experienced and trained staff.

C. The Sound Report – Preconstruction Monitoring

Q. What is the purpose of preconstruction sound monitoring?

A. Preconstruction sound monitoring provides an understanding of potential noise impacts on the existing soundscape prior to development of the Project. Preconstruction sound monitoring is used to determine the existing character of the acoustics in the Project Area.

Q. What standards did you follow in implementing the preconstruction sound monitoring?

A. The preconstruction sound measurements were taken in accordance with applicable sections of ANSI S12.18 and ANSI S12.9 Part 3.

Q. What sound level meters did you use for the sound monitoring?

A. Sound levels were measured using Larson Davis models 831 and LxT meters that meet the provisions for Class 1 meters per American National Standards Institute/International Electrotechnical Commission ("ANSI/IEC") standards. The sound level meters were calibrated on location prior to the measurements using a handheld calibrator, and were calibrated by an accredited laboratory within 18 months of use.

Q. Please describe the results of the preconstruction sound monitoring.

A. Based on the long-term monitoring data, the average Equivalent Continuous Sound Level ("L_{eq}") in the area is 44 dBA, which is a typical level for rural locations. The range of

measured levels is 26 to 65 dBA. The measured sound levels at the short-term location ranged from 28 to 64 dBA and the average was 44 dBA. The L_{90} levels for these same measurements ranged from 24 to 43 dBA with an average of 31 dBA.

The following general observations about the existing sound levels in the study area can be drawn from the short-term measurement results: (1) in general, local and distant traffic are the most common sources of existing sound; (2) U.S. Highway 12 is a significant source of existing sound and consistently influences sound levels at ST9, ST10, and ST11 during both daytime and nighttime; and (3) at locations farther removed from roads, birds, vegetation rustling from wind, and overhead aircraft were the most significant sources of noise.

II. POSTCONSTRUCTION SOUND MONITORING PROTOCOL

Q. Has Washtenaw Solar committed to performing postconstruction sound monitoring?

A. Yes.

Q. Has Washtenaw Solar established a postconstruction sound monitoring protocol?

A. Yes. Section 7 of the Sound Report details Washtenaw Solar's commitments regarding postconstruction sound monitoring.

Q. What is the purpose of postconstruction sound monitoring?

A. Postconstruction sound monitoring of the facility assesses whether sound levels from the as-built facility meet the noise limits defined in MCL 460.1226. Sound monitoring should generally follow the applicable requirements of ANSI S12.9 Part 3.

Q. When will postconstruction sound monitoring take place?

A. The postconstruction sound measurements will be conducted within one year of the Project achieving commercial operation. The sound level monitors will be operated for at least 10

days or until sufficient valid data is obtained, whichever is greater. If possible, measurements will be conducted between late fall and early spring.

Q. Please describe the equipment to be utilized for postconstruction sound monitoring.

A. Sound level meters will meet ANSI/IEC Class 1 performance requirements and log one-third octave band equivalent sound pressure levels. The microphone will be protected by a seven-inch diameter or equivalent hydrophobic windscreen. Sound level meters will be coupled with audio recorders to aid in sound source identification. Each sound level meter will be field calibrated with an acoustical calibrator meeting the requirements of IEC 60942 Class 1 immediately before and after the survey. Each sound level meter and calibrator will be calibrated within two years/one year, respectively, of the completion of monitoring, by a National Institute of Standards and Technology traceable facility. Anemometers will be located adjacent to each monitoring station at microphone height to measure wind speed.

Q. Please explain how monitors will be sited.

A. Monitors will be sited at representative locations for the two nonparticipating dwellings with the highest modeled sound level. Additional monitors will be deployed at up to three residences where formal noise complaints regarding facility operation have been received. Microphones will be placed outside residences, approximately 1.5 meters above the ground, in a location with direct line of sight to nearby Facility components. Monitoring equipment will not be placed within dense vegetation and will be located away from other contributing sources of sound.

Q. How will be equipment be set up?

A. Sound levels will be measured using monitors that meet ANSI/IEC Class 1 specifications (*e.g.*, IEC 61672-1 and ANSI S1.4). A seven-inch diameter hydrophobic windscreen will

be fitted to each microphone. Sound level meters will be coupled with audio recorders to aid in sound source identification and soundscape characterization. Each sound level meter will be field calibrated using an acoustical calibrator meeting IEC 60942 Class 1 specifications immediately before and after the monitoring campaign. Any calibration drift will be noted and addressed in accordance with ANSI S12.18. Each sound level meter and calibrator will be calibrated within two years/one year, respectively, of the completion of monitoring, by a National Institute of Standard and Technology traceable facility. The monitors will be mounted at least 25 feet from any vertical reflecting surfaces. Anemometers will be located adjacent to the monitoring station at approximate microphone height. This is consistent with both the Sound Report Requirements as well as standard industry practice.

Q. What data will be collected?

A. The one-hour equivalent level (L1h or L_{eq}) will be measured primarily. In addition, sound levels will be logged at a finer time interval (*e.g.*, on a 10-second average basis), as well as one-third octave band levels and percentile levels (*e.g.*, the L_{10}, L_{50}, and L_{90}). Project operation logs will be collected to categorize the operational state of the facility during the measurements.

Q. How will the data be analyzed?

A. The data will be analyzed consistent with the Sound Report Requirements and standard industry practice. Details regarding the methodologies that will be used for the data analysis are included in **Exhibit A-1.7 (MH-2), Appendix A,** page 22.

Q. Will a postconstruction monitoring report be produced?

A. Yes. A sound monitoring report will be submitted within 60 calendar days of the end of field data collection.

Q. Has Washtenaw Solar established a complaint resolution process for postconstruction sound monitoring?

A. Yes. The Sound Report contains additional details regarding the complaint resolution process and Washtenaw Solar, or its successor, will make every effort to respond to complaints within five business days. **Exhibit A-1.7 (MH-2), Appendix A,** page 24.

III. CONCLUSION

Q. Are any mitigation measures necessary with regard to the expected sound levels for the Project?

A. No. There is no need for mitigation measures because the Project is designed not to exceed the statutory sounds limitations in PA 233. This is supported by the findings of the Sound Report.

Q. Do you expect any negative public health and safety impacts from the Project related to sound?

A. No. The setbacks used in the Project are consistent with PA 233 with regard to sound. The Project's predicted sound levels do not exceed the 55 dBA threshold at the nearest wall of nonparticipating properties. In fact, the Project's predicted sound levels do not exceed 49 dBA at the nearest wall of nonparticipating properties. Fifty dBA is an extremely common noise level limit, one that is used in local regulations across the country and also used by some states. Moreover, the Project will produce noise primarily during daytime hours, when background noise is generally higher and when people are active and not as prone to being disturbed by noise. Given this, no increase in setbacks for the facility is warranted to

adequately protect public health and safety. I provided this conclusion as part of **Exhibit A-10 (KAP-4)**, confirming that the Project meets the applicable design criteria in PA 233 with regard to sound levels. It is my opinion to a reasonable degree of professional certainty that the operation of the Washtenaw Solar Project will not result in undue adverse impacts because of noise.

Q. Will noise from the Project be audible at nearby residences when the Project is operating during the day?

A. Noise from the operation of the Project will be barely audible or completely inaudible much of the time at even the nearest residences due to the relatively low levels of noise emitted from the Project and the moderate levels of ambient noise that presently exist, particularly during the daytime. The existing daytime noise levels will often mask noise from the Project. In addition, the predicted operational noise levels assume that the solar arrays and the substation are producing maximum noise emissions. This will not always be the case due to varying degrees of sunshine and ambient temperature. Moreover, the atmosphere is not often as conducive to sound propagation as assumed in the analysis, particularly on sunny days, due to atmospheric mixing.

Q. Are the sound levels predicted for the Project reasonable?

A. Yes. The Project is designed to create sound levels consistent with the existing land use in the area. The sound levels predicted for the Project are the same as or exceed other similar Projects that I have analyzed and well below levels recommended by governmental and scientific bodies to avoid unreasonable adverse effects.

Q. Does this conclude your pre-filed direct testimony?

A. Yes.

S T A T E O F M I C H I G A N

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of **WASHTENAW SOLAR ENERGY LLC** for approval of a certificate for siting a solar energy facility in Saline Township, Washtenaw County	))))))	Case No. U-21962

DIRECT TESTIMONY

OF

DR. DAVID G. LOOMIS

ON BEHALF OF

WASHTENAW SOLAR ENERGY LLC

Q. Please state your name and business address.

A. My name is Dr. David G. Loomis, and my business address is 1604 Visa Drive, Suite 1, Normal, Illinois 61761.

Q. By whom are you employed and in what capacity?

A. I am the President of Strategic Economic Research, LLC ("Strategic Economic Research"). I am also a Professor Emeritus of Economics at Illinois State University.

Q. Please summarize your academic background.

A. In 1985, I graduated magna cum laude with a Bachelor of Arts in Mathematics and Honors Economics from Temple University. In 1995, I earned my Doctor of Philosophy and Economics from Temple University.

Q. Please summarize your relevant professional experience.

A. From 1996 to 2023, I was employed by Illinois State University ("ISU") as a professor of Economics. During my tenure at ISU, I held various positions with increasing responsibility. In 1996, I was hired as an Assistant Professor. In 2002, I was promoted to Associate Professor. In 2010, I was promoted to full professor. From 2023 to present, I have served as a Professor Emeritus. Throughout my time at ISU, my responsibilities have included teaching the following subjects: Regulatory Economics; Telecommunications Economics and Public Policy; Environmental Economics; Industrial Organization and Pricing; Individual and Social Choice; Economics of Energy and Public Policy; and a Graduate Seminar Course in Electricity, Natural Gas, and Telecommunications. I also supervised as many as five graduate students in research projects each semester, and served on numerous departmental committees.

From 1997 to 2023, I served as Co-Director (1997 to 2005) and Executive Director (2005 to 2023) of the Institute for Regulatory Policy Studies ("IRPS") at ISU. IRPS is a public-private partnership between the regulatory community, including the Illinois Commerce Commission, and ISU. During my tenure at IRPS, my responsibilities included developing and implementing state-level workshops concerning regulatory issues related to the electric, natural gas, and telecommunications industries.

In 2006, I founded the Illinois Wind Working Group (the "Group"). From 2006 to 2018, I served as Director of the Group. As Director, my responsibilities included organizing strategic conferences to address critical wind energy issues.

In 2007, I co-founded the Center for Renewable Energy at ISU (the "Center"). From 2007 to 2018, I served as Director of the Center. As Director, my responsibilities included reviewing renewable energy manufacturing grant applications for the Illinois Department of Commerce and Economic Opportunity for a $30 million program, and creating technical "Due Diligence" documents for the Illinois Finance Authority loan program for wind farm projects.

Q. What are your responsibilities as the President at Strategic Economic Research?

A. From 2011 to present, I have served as President at Strategic Economic Research. As President, my responsibilities include performing economic impact analyses on policy initiatives and energy projects, such as wind energy, solar energy, natural gas plants, and transmission lines at the county and state level. I am the Lead Expert providing expert testimony at county and state zoning hearings. I have personally trained a staff of 15 full-time employees, along with approximately 10 part-time employees. I also oversee the analysis, report-writing, financial, and human resources functions.

Q. Have you previously filed testimony with any state public service commissions?

A. Yes. I sponsored testimony before the Florida Public Service Commission, Illinois Commerce Commission, Illinois Senate Energy and Environment Committee, Indiana Utility Regulatory Commission, Iowa Utilities Board, Kansas Corporation Commission, Kentucky State Board on Electric Generation and Transmission Siting, Louisiana Public Service Commission, Mississippi Public Service Commission, Missouri Public Service Commission, New Mexico Public Regulation Commission, Ohio Power Siting Board, Public Service Commission of West Virginia, and Public Service Commission of Wisconsin. All of this testimony concerned the economic impacts of energy projects. The specific dates and case numbers for these testimonies are contained within my curriculum vitae, included as **Exhibit A-21 (DGL-1)**.

Q. What is the purpose of your direct testimony in this proceeding?

A. The purpose of my direct testimony is to support Washtenaw Solar Energy LLC's ("Washtenaw Solar" or the "Company") application for siting approval for its proposed 150 megawatt ("MW") solar energy facility ("Project") by providing information regarding the economic impacts of the Project on Saline Township ("Township"), Washtenaw County ("County"), and the State of Michigan ("State"). My testimony demonstrates the significant economic benefits that will flow to the Township, County, and State as a result of the Project. My testimony also details the expected tax revenue paid by the energy facility to local taxing districts.

Q. How is your testimony organized?

A. My testimony is organized as follows:

I. PUBLIC BENEFITS – EXPECTED TAX REVENUE

II. CONCLUSION

Q. Are you sponsoring any exhibits in this proceeding?

A. Yes. I am sponsoring the following exhibits:

Exhibit A-21 (DGL-1)	David G. Loomis Curriculum Vitae
Exhibit A-8.1 (DGL-2)	Public Benefits – Expected Tax Revenue

Q. Were these exhibits prepared by you or under your direction and supervision?

A. Yes.

I. PUBLIC BENEFITS – EXPECTED TAX REVENUE

Q. Please describe Washtenaw Solar's proposed solar project.

A. The Project is a utility-scale solar project located on the land of 34 participating families, consisting of a Project area of approximately 2,412 acres ("Project Area"). The Project will generate approximately 150 MW of electricity, which can power approximately 28,000 homes. The Company is utilizing the most recent technology, including bifacial solar panels and advanced tracking systems, to maximize the efficiency of the solar arrays. Washtenaw Solar has obtained interconnection rights to connect to the Majestic to Lemoyne 345kV transmission line, which is located directly north of the Project. Washtenaw Solar selected the Project location due to the existence of supportive property owners, advantageous access to the electric grid, predictable solar resources, and the demand for electricity. The location of the Project is discussed in greater detail in Company witness Tyler Durgan's testimony.

Q. Did the Company evaluate the public benefits that will arise out of the Project?

A. Yes. Washtenaw Solar determined that many public benefits will arise out of the completion of the Project, including, but not limited to: (1) expected tax revenue to local taxing districts; (2) payments to owners of participating properties; (3) various financial and other advantages arising out of host community agreements; (4) local job creation with advantageous terms of labor agreements; and (5) ongoing relationship and investment in the community. Additionally, the Project will contribute to meeting Michigan's identified energy, capacity, reliability, and resource adequacy needs. My testimony speaks specifically to the expected revenue to local taxing districts generated by the Project.

Q. Please describe the methodology used in your analysis.

A. The economic analysis of solar photovoltaic ("PV") projects, such as the Washtenaw Solar Project, warrants the use of the latest Impact Analysis for Planning ("IMPLAN") multipliers available at the time of the report. IMPLAN is an input-output model that measures the spending patterns and location-specific economic structures that reflect expenditures supporting varying levels of employment, income, and output. IMPLAN software and parameters are based on government data collected at the federal, state, and local levels. I performed this modeling to reflect impacts at both the county and state level using the most recent economic multipliers for the area.

Q. Please explain how you calculated the expected tax revenue paid by the energy facility to local taxing districts.

A. In Michigan, qualified solar facilities, excluding the transmission line, are exempt from property taxes for 20 years after applying for the exemption. Projects that receive this exemption will pay a solar energy facilities tax of $7,000 per MW of nameplate capacity

in most cases during operation (the "Solar Energy Facilities Tax"). Our analysis assumes that the Project qualifies for the Solar Energy Facilities Tax for the first 20 years of operation and is otherwise exempt from industrial personal property tax. We assume that the nameplate capacity for the Project is 150 MW and that the Solar Energy Facilities Tax is allocated to the taxing jurisdictions according to their relative millage rates starting in 2028 and lasting for 30 years. Our analysis assumes that, after 20 years of eligibility, ordinary industrial personal property taxes will be paid, and that the total taxable industrial personal property will be $215 million. All tax rates are assumed to stay constant at their 2025 (2024 tax year) rates. Other analysis details are contained in the Economic Impact Analysis Report.

Q. How did you determine the timeframe for how long the Project will create expected tax revenue for local taxing districts?

A. The tax revenue for local taxing districts will last during the entire lifetime of the Project, which is expected to begin in 2028 and operate for 30 years.

Q. What local taxing districts did you identify that would be impacted by the Project?

A. Local taxing districts include Washtenaw County, Clinton Community Schools Operating Fund, Clinton Community Schools Bond Fund, Saline Area School District Operating Fund, Saline Area School District Debt Fund, Lenawee Intermediate School District, Washtenaw Intermediate School District, Washtenaw Community College, Saline Township, Saline Township Roads, Saline Sinking Fund, Saline Recreation, Saline Fire District, and Saline District Library. Taxes will also be paid into the State Education Tax.

Q. Please explain the benefits arising out of the Project.

A. As discussed in **Exhibit A-8.1 (DGL-2)**, I conclude that the Project will support 251 new local jobs during construction for the County and 438 new local jobs during construction for the State. During operation, the Project will support 13.1 new jobs for the County and 18.2 new jobs for the State. These jobs will result in over $24.7 million in earnings during construction for the County and over $41.2 million in earnings during construction for the State. During operation, these jobs will result in over $948,000 in earnings for the County annually and over $1.3 million in earnings for the State annually. In addition, the Project will increase the economic output in the State by $92.4 million annually during construction and $3 million annually during operation. Finally, the Project has direct and significant impacts to the tax base of the County, potentially resulting in over $25 million in total property taxes for all taxing districts over the life of the Project.

Q. Is the Project anticipated to pay these expected taxes or is a Payment in Lieu of Taxes contemplated for the Project?

A. The Project is anticipated to pay the Solar Energy Facilities Tax for the first 20 years of operations, and then pay ordinary property taxes for the next 10 years. No Payment in Lieu of Taxes agreement is contemplated for the Project.

II. CONCLUSION

Q. Do these public benefits contribute to the justification of the construction of the Washtenaw Solar Project?

A. Yes. The Project will increase the tax revenues flowing into the local taxing bodies and allow for needed improvements and reduced property taxes paid by other taxpayers. The

Project will boost economic activity in the Township, County, and State by creating and supporting good-paying jobs both during construction and the operating life of the Project.

Q. Do you have an opinion to a reasonable degree of professional certainty whether the construction and operation of the Washtenaw Solar Project will have a positive impact on the economy of the Township, County, and State?

A. Based on my analysis, the Washtenaw Solar Project, both during construction and while in operation, will have a positive impact on the economy of the Township, County, and State in terms of jobs, earnings, output, and tax revenue.

Q. Does this conclude your prefiled direct testimony?

A. Yes.