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**Riverbend Wind Energy Facility**  
**Wind Energy Siting Certification Application:**  
**Exhibits A-1 through A-15**

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## I. PROJECT INTRODUCTION

### *Section "224(1)(a) and Section 225(1)(c) of PA 233"*

MI Energy Developments, LLC (Applicant), a subsidiary of REV Renewables (REV), headquartered in New York City, New York, proposes to construct the Riverbend Wind Energy Facility (Project) in Sanilac County, Michigan. For purposes of this application, the Project includes all temporary and permanent infrastructure, components and usage areas required for its construction, operation and decommissioning. The Project Area includes all land located within the study area, which include all township sections in which Project infrastructure is proposed.

This application package (Application) is comprised of a series of exhibits in the form of maps, narratives, and appendices with supporting documents which comply with Section 225(1) and Section 226(8) of Public Act 233 of 2023 (MCL 460.1221, et seq.) (PA 233). The Application has also been prepared in accordance with the Michigan Public Service Commission (MPSC) Application Filing Instructions and Procedures, particularly as it relates to application filing requirements established by the MPSC for site plans, per Section 224(1) of PA 233. The Application has been written in a manner such that each requirement outlined in MPSC Application Filing Instructions and Procedures document is presented with each requirement followed by the Applicant's response. Applicable PA 233 reference sections are also noted throughout this Application at the top of sections in italics within parentheses. Appendices and Figure reference will also be followed with specific exhibit references in parentheses which are established in the MPSC Application Filing Instructions and Procedures document (Exhibits A-1.1 through A-1.16, A-2, A-3, A-4.1 through A-4.5, A-5, A-6.1 through A-6.4, A-7, A-8.1 through A-8.5, A-9, A-10, A-11, A-12, A-13.1 through A-13.3, A-14, A-15, and A-16) for the reader to correlate where each exhibit is referenced.

The Project will include infrastructure located in Fremont, Speaker and Elk Townships. The Applicant proposes to permit up to 50 turbine and pad locations, which includes up to 26 within Fremont Township and up to 24 within Speaker Township. There are no turbines or pads proposed within Elk Township. The Applicant has secured approximately 31,326 acres of participating land under lease agreement throughout Sanilac County, Michigan, of which only approximately 79 acres of land will be utilized for above ground infrastructure. There are five potential turbine manufacturers and/or models being considered for the Project. This includes Nordex N169 5.5 MW turbine, Vestas V162 6.0 MW, 6.8 MW and 7.2 MW turbines, and a Vestas V163 4.5 MW turbine. In total, the Project has a proposed nameplate capacity of up to 300 megawatts (MW) utilizing up to 50 turbine locations, which is enough capacity to supply approximately 90,000 homes with electricity.

As detailed throughout the Application, the Applicant has designed a facility that maintains compliance with the standards set forth in PA 233, as well as compliance with the Affected Local Units' (ALUs) local zoning ordinances to the extent the local zoning ordinances' requirements are not more restrictive than the requirements of PA 233. Given that the ALU professes to have a compatible renewable energy ordinance (CREO) under PA 233, the Applicant is not legally required to submit a copy of the Project's Site Plan in advance of this application to the ALU. However, the Project's Site Plan was made available on the Project's website 30 days prior to the Applicant's hosting of voluntary public meetings, as a measure of good-faith to provide information about the Project, receive community input, and demonstrate the Applicant's desire to act as a good neighbor to the communities where the Project will be located. However, the Site Plan was made available on the Project website 30 days prior to voluntarily hosting public meetings for the ALUs, as a measure of good-faith to provide information about the Project, receive community input, and demonstrate the Applicant's desire to act as a good neighbor to the communities where the Project will be located.

This Application is being filed with each ALU (Speaker and Fremont Township), which purport to have a CREO under PA 233. Notwithstanding the submission of this Application to the ALUs, the Applicant reserves all rights to challenge the validity of the Township's purported CREO under PA 233. Because the Application and Project

meet the standards and requirements set forth in PA 233, the Applicant seeks an approval of the Project from each ALU.

## II. EXHIBIT A-1: SITE PLAN NARRATIVE

### EXHIBIT A-1.1 – PLANNED FACILITIES

**A-1.1.a – Site Plans must, at a minimum, depict the following information:**

**1. The proposed location of the facility and potential right-of-way extents, including proposed electric collection and transmission lines and interconnections, all fenced in or secured areas, as well as ancillary features located on the facility site such as roads, railroads, switchyards, energy generation, storage or regulation facilities, substations, and similar facilities.**

Refer to Sheets 2, 4-34, 36-60, 62-63 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP).

**2. The proposed location of any off-site utility interconnections that are available to the applicant at the time of application, including all electric transmission lines, communications lines, stormwater drainage lines, county and intercounty drains, and appurtenances thereto, to be installed connecting to and servicing the site of the facility.**

The Project will not include any off-site utility interconnections or ancillary infrastructure. Refer to Sheets 2, 4-34, 36-60, 62-63 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP).

. Fiber communication lines will be installed with collection lines, and both will utilize the same route.

**3. 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.**

Refer to Sheets 4-33, 36-59, 62-63 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP). Turbine components will be temporarily staged at each proposed location within the displayed limits of disturbance.

**4. Major institutions, parks, and recreational areas within 1000 feet of the site.**

Refer to the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP) and **Figure 9 – Recreational and Other Land Uses Map** (with information related to Exhibits A-1.1 & A-1.2) for any of the above features.

**5. Lakes, reservoirs, streams, canals, rivers, wetlands, and other waterbodies within 1000 feet of the site.**

Refer to the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP) and **Figure 2 – Water Resources Map** (Exhibits A-1.1 & 1.2) for any of the above features applicable to the Project Area.

**6. Legal boundaries of cities, villages, townships, and counties within 1000 feet of the site.**

Refer to the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP) and **Figure 1 – Site Location Map** (Exhibits A-1.1 & 1.2).

**7. Occupied structures within 1000 feet of the site.**

Refer to Sheets 4-33, 36-59, 62-63 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP) and **Figure 10 – Occupied Dwellings Map** (Exhibit A-1.1).

**8. The location of inverters and other noise-emitting facilities showing the distance to occupied structures, property lines, and public rights-of-way.**

Refer to Sheets 4-33, 36-59, 62-63 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP).

**9. The area of the proposed site or right-of-way for the facility, and the identification of participating properties and adjacent properties.**

Refer to Sheets 2, 4-34, 36-60, 62-63 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP).

**10. The location of any deeded easement known to date that exists within the footprint of the facility.**

Refer to Sheets 4-33, 36-59, 62-63 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP). At the time of filing this application there was no publicly available data regarding deeded easement locations. As a result, the Project has provided all deeded easements known to date. Prior to construction, the Project will perform necessary surveys to identify all existing deeded easements in relation to Project infrastructure.

**i. The existing site plan elements, including without limitation, project boundary(ies), parcel boundaries, public roads, railroads, public right-of-way, existing public utilities, and easement locations shall be shown as approximate locations based on readily available desktop/GIS/publicly available spatial data within the footprint of the facility.**

A site plan was prepared for the proposed Project using the latest edition of USGS maps and GIS mapping to the extent available. The location and layout of Project infrastructure can be found on the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP) of this application.

The site plan for the Project provides a comprehensive layout of the proposed facility and right-of-way extents, including essential features such as electric collection lines, transmission lines, interconnections, and secured areas. The site plan also includes proposed ancillary features located within the Project Area such as roads, a switchyard (to be built by others), a substation, underground collector system, meteorological towers and similar infrastructure. The plan details the locations of both on-site and off-site utility interconnections as well as the areas designated for construction clearing and disturbance. Additionally, the plan includes any identified nearby significant institutions, parks, recreational areas, waterbodies, legal boundaries of surrounding municipalities, and occupied structures within 1,000 feet of the site. The proposed Project Area participating properties, adjacent properties and locations of known deeded easements (those publicly available) that exist within the footprint of the facility are included in the site plan. All existing site elements, such as public roads, utilities, railroads, parcel boundaries, and easements, are represented based on available spatial data, depicting the approximate locations of relevant components within the Project's footprint.

**A-1.1.b – 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.**

The site plan for the proposed Project includes a map of the planned facilities and roads. The Project does not anticipate including screening, landscaping or vegetative cover, outside of restoration to any areas disturbed during construction. Refer to Sheets 4-33, 36-59, 62-63 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP).

**A-1.1.c – A dimensioned drawing or 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.**

The site plan for the proposed Project includes a dimensioned map showing setbacks from the Project boundary and fences to the substation on participating properties, road rights-of-way, waterways, wetlands, occupied buildings and structures on nonparticipating properties, and property lines of non-participating properties. Refer to Sheets 4-33, 36-59, 62-63 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC’s AFIP).

**A-1.1.d – 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.**

The potential proposed turbine technologies for the Project include the Vestas V162 with a total height of 656 feet, the Vestas V163 with a total height of 655 feet, and the Nordex N169 with a total height of 645 feet. The Project will also include meteorological towers with an approximate height of 390 feet, as well as electrical equipment including lightening protection poles and high-voltage send off structures with an anticipated height of approximately 55 feet, main power transformers and interior substation with an approximate maximum height of 25 feet, and a substation fence with an approximate height of 8 feet. Typical existing overhead communication and transmission lines range from 30 to 60 feet for distribution and 80 to 150 feet for high voltage transmission. Refer to the height specifications for proposed turbine technology located on Sheet 64 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC’s AFIP).

**EXHIBIT A-1.2 – AREA LAND USE INFORMATION**

**A-1.2.a – Exhibit A-2 maps must show, at a minimum, the following information within the proposed facility (including all components and ancillary feature(s)) and within 1,000 feet of the proposed facility (including all components and ancillary feature(s)). The applicant should ensure that all items provided are clear and legible which could entail providing some of the requested items on separate layers, separate portable document format (pdf) maps, or by showing some areas on another scale.**

The area land use maps for the proposed Project include all required details within and surrounding the facility up to 1,000 feet, including all components and ancillary features. To enhance clarity and legibility, specific items have been provided on separate layers, individual PDF maps, or at varied scales where necessary. Refer to **Figures 1-10**.

**1. Municipal boundaries and taxing jurisdictions, at a scale sufficient to determine and demonstrate relation of facilities to those geographic and political features.**

The area land use maps for the proposed Project include municipal boundaries and taxing jurisdictions at a scale sufficient to determine and demonstrate relation of facilities to geographic and political features. Refer to **Figure 1 – Site Location Map** (with information related to Exhibits A-1.1 & 1.2 in the MPSC’s AFIP).

**2. Proposed land uses within the facility and surrounding area including, but not limited to, the identification of land being utilized for agriculture including the cultivation of specialty crops according to publicly available data.**

The area land use maps for the proposed Project include the planned land uses within the facility and surrounding area. This includes, but is not limited to, identification of agricultural land and the cultivation of specialty crops according to publicly available data. Currently, all the land within the proposed locations

for turbine pad placement is utilized for agriculture and/or cultivating crops. Refer to **Figure 3 – Land Use Map** (with information related to Exhibits A-1.1 & 1.2 in the MPSC’s AFIP).

**3. Farmland, including, but not limited to, prime farmland within the facility and surrounding area within 1,000 feet of the perimeter.**

The area land use maps for the proposed Project identify existing farmland, including prime farmland within the facility and the surrounding area within 1,000 feet of the perimeter. Approximately 7% (2,440 acres) of the Project Area is designated as farmland of local importance, 12% (4,183 acres) is designated as prime farmland, 76% (26,494 acres) is prime farmland if drained, 1% (349 acres) is prime farmland if drained and either protected from flooding or not frequently flooded during the growing season, and the remaining 4% (1,394 acres) of the Project Area is not designated as prime farmland or farmland of local importance. Approximately 11% (804 acres) of the land within 1,000 feet of the proposed Project boundary is designated as prime farmland, 76% (5,553 acres) is prime farmland if drained, less than 1% (73 acres) is prime farmland if drained and either protected from flooding or not frequently flooded during the growing season, and 9% (658 acres) is designated as farmland of local importance. The remaining 3% (218 acres) of the buffer area is not designated as prime farmland or farmland of local importance. Refer to **Figure 4 – Prime Farmland Map** (with information related to Exhibit A-1.2 in the MPSC’s AFIP).

**4. Existing overhead and underground major facilities for electric, gas, and telecommunications transmission.**

The area land use maps for the proposed Project identify major existing overhead and underground facilities for electric, gas, and telecommunications transmission per publicly available databases. Identified facilities within and directly adjacent to the Project Area include transmission lines, natural gas pipelines and cellular towers. Refer to **Figure 6 – Major Facilities Map** (with information related to Exhibit A-1.2 in the MPSC’s AFIP). The Project will coordinate with smaller local utilities prior to construction to obtain any necessary crossing agreements that may be required.

**5. A map of all properties upon which any component of a facility or ancillary feature would be located must show the current land use, tax parcel number and owner of record of each property, and any publicly known proposed land use plans for any of these properties. Also, identify any parcels within the project boundaries participating in farmland development rights agreements under Michigan’s Farmland and Open Space Preservation Program (PA 116).**

**i. For wind facilities, all properties within 2,000 feet of such facilities must be shown.**

The area land use maps for the proposed Project include details of properties hosting any component of the facility or ancillary features, providing the current and/or proposed land use, tax parcel numbers, and owners of record for each property. In addition, the area land use maps include details of all properties within 2,000 feet of Project facilities. Additionally, a search of the 2024 Equalization Reports for Fremont and Speaker Townships was used to identify parcels participating in Michigan’s Farmland and Open Space Preservation Program (PA 116). Refer to Sheets 3, 35 & 61 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC’s AFIP) and **Figure 5 – PA 116 Map** (with information related to Exhibit A-1.2 in the MPSC’s AFIP).

**6. Existing local zoning districts.**

The area land use maps for the proposed Project identify all existing local zoning districts. According to the Township Zoning Maps, the proposed Project Area is located entirely within the Agricultural Residential (AR), Agricultural (AG) or Rural Residential (RR) zoning districts. Refer to Sheets 3, 35 & 61 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC’s AFIP).

**7. Designated coastal areas, inland waterways, groundwater management zones, designated agricultural districts, flood-prone areas, and coastal erosion hazard areas.**

The area land use maps for the proposed Project identify all designated coastal areas, inland waterways, groundwater management zones, designated agricultural districts, flood-prone areas, and coastal erosion areas. Refer to **Figure 2 – Water Resources Map** (with information related to Exhibits A-1.1 & 1.2 in the MPSC’s AFIP) for any inland waterways and **Figure 7 – Water Management Map** (with information related to Exhibits A-1.1 & 1.2 in the MPSC’s AFIP) for any ground water management zones and flood-prone areas. The Project did not observe any coastal areas, designated agricultural districts or coastal erosion hazard areas within the Project Area.

**8. 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. 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.**

The area land use maps for the proposed Project identify all recreational and other land uses potentially impacted by the sight or sound of construction or operation of the facility. These maps include wild, scenic, and recreational river corridors, archaeological, geologic, and historical sites, wilderness areas, forest lands, conservation easement lands, nature preserves communication uses, utility infrastructure, and institutional, community, and municipal facilities. The following uses were not identified within the Project Area: wild, scenic, and recreational river corridors, open spaces, scenic areas, parks, designated wilderness, forest lands, scenic vistas, designated scenic byways, trails, and public-access fishing areas. Refer to **Figure 9 – Recreational and Other Land Uses Map** (with information related to Exhibits A-1.1 & 1.2 in the MPSC’s AFIP) for any of the above features. Due to confidentiality requirements, archaeological site data obtained from the Michigan State Historic Preservation Office (SHPO) has been excluded from publicly available mapping materials.

**9. Depict the proposed facilities, adjacent properties, all structures within participating and adjacent properties, property lines, and the projected sound isolines along with the modeled sound isolines including the statutory limit and any limits that have been adopted in administrative rules by the MPSC (not applicable at this time).**

The Site Plan included in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC’s AFIP) depicts all planned facilities, adjacent properties, structures within participating and adjacent properties, property lines, as well as projected and modeled sound isolines. Additionally, the sound study map shows the projected sound isolines and modeled sound isolines, indicating compliance with statutory limits. Refer to Sheets 4-33, 36-59, 62-63 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC’s AFIP) and the Sound Report in **Appendix B** (with information related to Exhibits A-1.2 & 1.7 in the MPSC’s AFIP).

**10. Depict the area that will be impacted by shadow flicker for wind facilities, including isolines indicating areas expected to experience 30 hours or more per year of shadow flicker and locations of occupied structures.**

The area land use maps for the proposed Project depict the area that will be impacted by shadow flicker for wind facilities, including isolines indicating areas expected to experience 30 hours or more per year of shadow flicker and locations of occupied structures referenced as residences throughout this Application. Refer to Sheets 4-33, 36-59, 62-63 of the Site Plan in **Appendix A** (with information related to Exhibits A-

1.1, A-1.2, & A-1.4 in the MPSC’s AFIP) and the Shadow Flicker Analysis in **Appendix D** (with information related to Exhibits A-1.2 & 1.8 in the MPSC’s AFIP).

### **EXHIBIT A-1.3 – EXPLANATORY INFORMATION**

**A-1.3.a – 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. Examples of relevant project area information include geography, topography, cities, villages, townships, counties, major industries, and landmarks.**

The Project is situated in Fremont and Speaker Townships, as well as the southeast corner of Elk Township in Sanilac County, Michigan. Sanilac County is on the eastern edge of Michigan, approximately 60 miles north of the metro Detroit area. The Project is located approximately 3 miles north of the City of Yale and approximately 13 miles south of Sandusky, the largest city in Sanilac County. In general, the topography of the Project Area includes relatively flat terrain dominated by agricultural use. Much of the native forest cover has been cleared for farmland, but wooded areas still exist primarily near creeks and areas less desirable for farming. There are numerous creeks and drains within the Project Area, but no large rivers or lakes. Key landmarks in Sanilac County include the Sanilac Petroglyphs Historic State Park, Sanilac County Historic Village & Museum, Port Sanilac Lighthouse, Lexington State Harbor, Forester Park, and the Minden City State Game Area.

According to the U.S. Census Bureau, as of 2023, Fremont Township had a population of 874 with a median age of 49.5 years. The racial composition is predominantly White (94.6%), with minimal representation from other racial and ethnic groups. The median household income stands at \$62,361, and the poverty rate is at 8.7%. According to the U.S. Census Bureau, as of 2023, Speaker Township had a population of 1,446 with a median age of 36.6 years. The township's racial makeup is 92.9% White, with Hispanic or Latino (2.6%), and other racial groups comprising the remainder. The average household income is \$57,778, and the poverty rate at 8.6%. According to the U.S. Census Bureau, as of 2023, Elk Township had a population of 1,378 with a median age of 51.8 years. The township's racial makeup is 89.7% White, with Hispanic or Latino (5.2%), African American (1.7%), and other racial groups comprising the remainder. The average household income is \$58,636, and the poverty rate at 10.8%. Key industries in Sanilac County include agriculture, manufacturing, and tourism and recreation.

**1. Provide justification for how the proposed project location, layout, construction methods, etc. minimize the following:**

**i. Environmental and Natural Resource impacts**

The Project is designed to be compatible with the natural environment and will be constructed, operated, and maintained to not adversely affect the natural environment. The Project will adhere to applicable local, state and federal permitting requirements and is working closely with relevant agencies to employ best management practices (BMPs) in relation to environmental and natural features.

The Project will not impact the water quality or water supply in the area. The Project is designed such that post-construction stormwater flows will not materially exceed pre-construction flow. As such, the Project is unlikely to affect groundwater and drainage. Implementation of a Soil Erosion and Sedimentation Control Plan and BMPs will minimize adverse effects on soil and water quality during construction and operation. Natural features of the landscape will be retained wherever practicable to help control erosion and contain storm water runoff. Additionally, water usage for the Project is only anticipated during the construction phases to fill water trucks for dust control and vegetation purposes. Water usage will be minimal and in accordance with any applicable regulations and landowner agreements, and there are no proposed plans for water to be obtained from local wells for continual use once construction is complete.

Operation of a wind energy facility will not generate emissions, smoke, fumes, or odors. The proposed Project will not generate liquids or other waste, solid or hazardous, that is detrimental to health, safety, or general welfare. As such, the Project will not disturb or be hazardous to any surrounding uses permitted within the adjacent zoning districts or produce any hazardous by-products. Furthermore, at the end of its operational life, the Project will be decommissioned so the land may be returned to its current use.

Numerous studies and reports have been completed as part of the due diligence process to ensure impacts to threatened and endangered species and sensitive habitats will be minimized. These studies include a Site Characterization Study (2021), Phase 2 Presence/Absence Bat Acoustic Survey (2021), Raptor Nest Survey (2021), Two Years of Pre-Construction Avian Surveys (2021-2022 and 2022-2023), Wetland Delineation (2021, 2022, 2023 & 2024) and a Threatened and Endangered Species Habitat Assessment (2023). Refer to the Environmental Compliance Report in **Appendix P** (Exhibit 6.2) for these studies and additional information regarding the Applicant's commitment to minimizing impacts to Environmental and Natural Resources.

#### **ii. Noise**

Predicted noise levels for all nonparticipating residences are at or below the 55 dBA (average hourly) limit set forth in MCL 460.1226. Refer to the Sound Report in **Appendix B** (with information related to Exhibits A-1.2 & 1.7 in the MPSC's AFIP). Construction equipment will be equipped with any applicable legally required noise mitigation. The Applicant will coordinate with the Engineering Procurement and Construction (EPC) contractor, once determined, to ensure that sound specific mitigation measures are implemented and followed to the extent practicable.

#### **iii. Visual impacts**

Project structures, including towers and turbines, will be painted with non-reflective/off-white color designed to minimize visual impacts. The wind turbine base and blades shall be a color consistent with industry standards. No advertising or graphics will be placed on any part of the tower or blades. Mandatory lighting required by the FAA will be implemented, which could include only certain turbines, and the potential to synchronize lights to minimize impacts and preserve the rural character of the surrounding area.

#### **iv. Impacts to traffic**

The expected traffic generated by the Project will be safely and efficiently accommodated by the existing capacity of the road system. Construction of the Project will be conducted using current roads and highway infrastructure. The Project team will inform the local authority of potential disruptions to traffic during construction. The Project will not create excessive traffic during the operational phase. Each turbine is serviced by its own access road. The Project's setback distances from the roads are great enough to ensure the protection of the traveling public and nearby properties from any possible tower collapse, blade/fragment dislodgement, or ice throw from blades. Transportation and installation of the Project's components will likely require temporary impacts such as turning radii improvements, as well as temporary impacts to infrastructure such as road signs and above ground utilities. All temporary impacts will be restored to their original state to the maximum extent practicable. The Project will work closely the Sanilac County Road Commission during construction to minimize any potential impacts to local traffic. Temporary radii improvements as well as any proposed permanent access roads will be graded and will consist of gravel over compacted material.

Prior to Project construction, the Applicant will continue consulting with the Sanilac County Road Commission regarding workforce and component delivery routes to obtain any necessary approvals. Additionally, the Applicant will enter into a Road Use Agreement with the Sanilac County Road Commission. During operation, the Project will generate minimal vehicular or pedestrian traffic. Access

roads were designed to provide ingress and egress points for maintenance crews and emergency service vehicles and will not increase runoff to existing drains.

**v. Impacts to solid waste disposal capacity**

Waste generated throughout the Project life cycle, including construction and operation, will be handled and disposed of in a manner that complies with applicable environmental regulations. Waste and hazardous materials will be collected and stored in proper storage containers at the operation and maintenance building onsite prior to disposal. Waste that cannot be recycled will be transported to an approved landfill facility. Recyclables, such as metals, glass, plastics and paper products will be taken to certified recycling facilities. Any materials deemed hazardous will be managed according to applicable environmental regulations, with the involvement of certified hazardous waste disposal companies.

**vi. Impacts to county and intercounty drains and preliminary plans to minimize, mitigate, and repair drainage issues; and**

The proposed Project's excavation and stormwater management measures are designed to prevent increased surface drainage and minimize runoff to adjacent properties. The Project will obtain applicable permits and comply with Erosion and Sediment Control and Storm Water Management best practices. Above-ground infrastructure will be set back from any county drain right-of-way. If deemed necessary, a crossing permit and/or agreement will be obtained from the Sanilac County Drain Commissioner.

**vii. Other impacts to non-participating property owners during construction and operation.**

The Project is designed and will be constructed, operated, and maintained to prevent adverse effects to neighboring lands. The Project will preserve the agricultural character and visual appearance of the area by maintaining adequate setbacks from inhabited structures, non-participating parcel property lines, and public roads. The closest proposed turbine location to a non-participating property line is 748 feet, and 762 feet to a public road. Design measures will be employed to preserve the viewshed and rural character of adjacent non-participating properties. Additionally, portions of the Project Area outside of the turbine pads may be utilized to continue farming or other agricultural uses.

The Project will not create any hazardous or disturbing impacts on neighboring uses. The Applicant conducted a shadow flicker analysis at occupied structures. Turbines will be limited to producing no more than thirty (30) hours of shadow flicker per year at a nonparticipating residence by commercially reasonable mitigation measures approved by the applicable governing body and in consultation with the affected nonparticipating residence. Additionally, the Project will maintain the area's low density and will not increase area road traffic once constructed. Any excavation measures required for the Project will not increase surface drainage. Furthermore, stormwater mitigation efforts will minimize run-off to adjacent properties or county drains.

Wind turbine towers will not be climbable on the exterior. All utility grid wind energy systems are designed to prevent unauthorized access to electrical and mechanical components and have access doors that are kept securely locked at all times when service personnel are not present. All access doors to wind turbine towers and electrical equipment will be lockable. Appropriate warning signs will be placed on wind turbines towers, electrical equipment, and Wind Energy Facility entrances.

The Project will properly maintain all access roads and work with landowners to provide adequate measures to deter trespassers from the public right of way entrance. The Project will provide a complete set of material safety data sheets, to the extent they are obtainable, for any hazardous products that may be a part of the Project. In addition to this, the Project will work with the local fire departments and first responders to provide any necessary safety equipment and annual training necessary to comply with any safety requirements or emergency situations that may occur. Refer to the Emergency Response Plan in **Appendix E** (Exhibit A-1.9) and Fire Response Plan in **Appendix F** (Exhibit A-1.10).

The Project will comply with all applicable provisions of recognized national and international engineering standards, including: International Building Code (IBC), American Society of Civil Engineers (ASCE) 7, American Concrete Institute (ACI) 318, American Society for Testing and Materials (ASTM) Standards, American Institute of Steel Construction (AISC) Steel Manual, National North American Electric Reliability Corporation (NERC) Reliability Standards, National Electric Code (NEC), Institute of Electrical and Electronics Engineers (IEEE) Standards National Electric Safety Code (NESC), International Electrotechnical Commissioning (IEC) Standards National Fire Protection Association (NFPA).

Overall, the Project is designed to protect the health, safety, welfare, social well-being, and economic well-being of those using the land, nearby residents, landowners adjacent to the Project, and the community at large.

**2. Provide the number of acres of the proposed site for the facility.**

The Applicant has secured approximately 31,326 acres of participating land under lease agreement throughout Sanilac County, Michigan, of which only approximately 79 acres of land will be utilized for above ground infrastructure. The remaining unused acreage will be restored and returned to landowners following construction.

**3. Provide written descriptions explaining the relation of the location of the facility site, and all ancillary features not located on the facility site, to the ALUs of government.**

The Project will include up to 26 turbines, as well as underground collection, substation, switch yard, O&M building, MET tower, and ADLS within Fremont Township. The Project will include up to 24 turbines, as well as underground collection, MET tower, and ADLS within Speaker Township. Infrastructure within Elk Township will be limited to underground collection.

**4. Provide a qualitative assessment of the compatibility of the facility, including any off-site staging and storage areas, with existing, proposed and allowed land uses located within a 1,000-foot perimeter of the facility site. The assessment shall identify the nearby land uses of and shall address the land use impacts of the facility on residential areas, schools, civic facilities, recreational facilities, and commercial areas. The assessment and evaluation shall demonstrate that conflicts from facility-generated noise, traffic, and visual impacts with current and planned uses have been minimized to the extent practicable.**

The Project is proposed in an area in which the primary land use is agricultural and is favorable for wind energy development. In 2011, the Michigan Department of Agriculture and Rural Development issued guidance, entitled "Wind Turbines on Land Enrolled in a PA 116," establishing that commercial wind development is consistent with farmland preservation and permitted on land enrolled under Part 361 of the Natural Resources and Environmental Protection Act. The Project use is consistent with agricultural uses, with infrastructure located in a manner that current farming activities will not be disrupted. Refer to **Figure 3 – Land Use Map** (Exhibit A-1.2) and **Figure 9 – Recreational and Other Land Uses Map** (Exhibits A-1.1 & 1.2).

Surrounding woodlots and farmland will be preserved to the extent possible, with a large majority of the Project Area available for continued agricultural use outside of the active operational footprint. Rural residences within the Project Area will be minimally impacted through adherence to required setbacks and sound and shadow flicker restrictions, ensuring that the Project maintains the rural and residential character of the area. The Project has been sited to avoid occupied structures including, schools, civic facilities, recreational facilities and commercial areas to the extent practicable. Noise associated with turbine operation will not exceed 55 dBA (average hourly) as required by PA 233 and in accordance with Attachment D of the Application Filing Instructions and Procedures. Visual impacts will be minimized by painting turbines with a white non-reflective color, while any additional mitigation to visual impacts will be assessed and addressed on a case-by-case basis through the complaint resolution process.

The proposed Project will maintain the low-density character of the region and avoid adverse effects on surface drainage through comprehensive stormwater management measures, preventing changes to runoff to neighboring properties. The inclusion of traffic management strategies during construction and minimal operational traffic post-construction will ensure compatibility with the area's infrastructure. Overall, the Project has been designed to align with and complement the surrounding land uses, preserving the community's character while protecting the health, safety, and welfare of nearby residents and stakeholders.

**5. Provide a description of the planned screening, landscaping, and vegetative cover. For solar developments, describe the plan to establish and maintain pollinator habitat and vegetative ground cover for the life of the proposed facility. This information is not required if the proposed facility is located entirely on brownfield land.**

The proposed Project is not a solar facility and thus does not require a plan to establish and maintain pollinator habitat and vegetative ground cover for the life of the proposed facility. Typical ground cover restoration will occur once construction is complete and regular farming operations and land uses can resume.

**i. Describe the plan to meet or exceed pollinator standards throughout the lifetime of the proposed facility as established by the "Michigan Pollinator Habitat Planning Scorecard for Solar Sites" developed by the Michigan State University Department of Entomology in effect on February 27, 2024, or any applicable successor standards approved by the Commission.**

**ii. Explain how the seed mix used to establish pollinator plantings shall not include invasive species as identified by the Midwest Invasive Species Information Network, led by researchers at the Michigan State University Department of Entomology and supporting regional partners.**

The proposed Project is not a solar facility and thus the pollinator planting standards for approval in Exhibit A-1.3.a.5.i-ii do not apply.

**6. Provide a written description of how planned fencing complies with the version of the National Electric Code in effect on November 29, 2024, or as approved by the Commission.**

The Project will include perimeter security fencing that meets the requirements of the National Electric Code installed around the proposed substation. All access doors to wind turbines will be lockable and will not be climbable on the exterior. Construction, installation and permitting of the switchyard will be conducted by a separate entity. Refer to the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP).

**EXHIBIT A-1.4 – CONSTRUCTION INFORMATION**

**A-1.4.a – Describe the project's proposed construction and installation methods including:**

**1. Soil surveying and testing plans, pursuant to NREPA.**

A limited geo-technical analysis has been performed for the Project in order to inform construction feasibility. A detailed geo-technical survey will be completed to inform detailed design. In addition, the Project will implement Best Management Practices (BMPs) during construction activities involving soil disturbance to minimize erosion, sedimentation, and off-site impacts. Refer to Sheets 64-65 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP) for anticipated BMPs that could be utilized.

**2. Grading and excavation.**

Grading for the Project is expected to be minimal and only required to smooth existing grades for the installation of access roads and staging areas. Excavation will be required for the installation of turbine

foundations. Topsoil will be stockpiled adjacent to the proposed turbine locations, on the same property, with appropriate Soil Erosion and Sedimentation Control (SESC) BMPs utilized to the extent practicable. Following erection of the turbine, the stock-piled topsoil will be spread around the turbine base and restored to existing conditions to continue ongoing farming activities. Existing soil will not be transported off-site. Refer to Sheets 64-65 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP) for additional details on the grading requirements for proposed Project infrastructure.

### **3. Construction of temporary and permanent access roads, staging areas, and laydown areas and trenches.**

Refer to Sheets 64-65 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP) for preliminary details on the construction of temporary and permanent access roads, and trenches. Construction and installation of staging areas and laydown yards require additional input from the EPC contractor once determined. A gravel base laydown area, located in Fremont Township, will be temporarily required during construction of the Project. This Laydown yard will be used to temporarily store turbine parts, equipment, office trailers, and parking. The laydown yard is expected to require an area of approximately 15 acres. The area will first be stripped of topsoil and stockpiled using SESC BMPs.

### **4. Stringing of cable and/or laying of pipe.**

Underground collection and fiber communication installation will utilize a plowing or trenching method. The method and machinery will be decided by the EPC contractor, once determined. In areas where trenching or plowing is not feasible, either due to difficult terrain, stream crossings, road crossings, existing railroad crossings or environmental concerns, directional drilling methods may be utilized.

### **5. Installation of electric transmission line poles and structures, including foundations.**

A generation interconnection line will be required between the proposed substation and switchyard and a structure will be required for interconnection to the existing overhead transmission. The process begins with a comprehensive assessment of operational requirements, including capacity, voltage levels, and transmission distance, to ensure alignment with long-term infrastructure goals. The design is conducted respecting regulatory requirements. Post-installation testing and commissioning confirm operational readiness. Details regarding these structures, foundations and methods of construction will be determined pursuant to all applicable best practices and industry standards, as contemplated by fully and finalized engineered plans.

### **6. Depth of underground infrastructure.**

The Project will install all underground collection at a minimum of 4 feet below existing grade. Depths for utility crossings under county roads, county drains, streams, and existing railroads will be determined through further consultation with the County Road and County Drain Commissions, railroad owner and EGLE for stream crossings. Illustrative details are shown for turbine foundations on Sheet 64 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP).

### **7. Post-construction restoration.**

Refer to Sheet 64 of the Site Plan provided in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP) for details on temporary and permanent stabilization to occur following construction activities. The Project will restore the Project Area after construction. Roads segments, upgrades, and entrances identified as temporary will be completely removed, sub-base de-compacted and replaced with previously stockpiled native topsoil such that the land is restored as close to its pre-construction condition. The Project will remove piles of debris and other unusable materials. Construction

trailers and other temporary infrastructure will be removed. Temporary fencing and erosion control measures will be removed as needed.

**8. Maps showing the following:**

**i. The planned routes (may be preliminary) for cranes and other heavy equipment.**

Refer to Sheets 2, 4-34, 36-60, 62-63 for preliminary crane walk routes and Sheets 02 and 34 for preliminary haul routes for delivering turbine components and heavy equipment within the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP).

**ii. The location of any existing deeded easement granted to any entity within the footprint of the facility.**

At the current stage of development deeded easements were not identified via publicly available spatial data. As development progresses, easement locations will be incorporated and accounted for in the design and placement of Project infrastructure.

**iii. The location of known existing and proposed county and intercounty drains, drain easements, and underground drainage tile including data provided by the county drain commission or the property owner as applicable and to the extent available.**

The location of known county drains within the Project boundary are displayed in Sheets 2 and 34 of the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP). The Applicant is in the process of coordinating with Sanilac County Drain Commission to obtain easement locations to be incorporated in the Project design at a later date.

**EXHIBIT A-1.5 – ALTERNATIVES**

**A-1.5.a – Provide a map and description of each alternative site location, proposed site layout, or other alternatives that are or were considered, including rationale for why alternative locations were not selected for development.**

**If the proposed site of the energy facility is undeveloped land, the applicant must provide a description of feasible alternative developed locations, including, but not limited to, vacant industrial property and brownfields, and an explanation of why they were not chosen for the project site.**

Site selection for a utility-scale wind project begins with identifying regions that meet three core criteria: a favorable energy market with offtake potential, a strong wind resource, and grid infrastructure capable of supporting interconnection. Using this framework, a target region in Michigan was identified for further evaluation. At the local level, additional factors were assessed, including township ordinances, compatibility with surrounding land uses, proximity to potential interconnection points, and the willingness of landowners to participate. In practice, these conditions determine whether a project can be permitted, constructed, and operated successfully.

Because a project of this scale requires a large, contiguous land base, early-stage land acquisition played a central role in defining the Project's location. The Project ultimately secured lease agreements on over 550 parcels across six townships, totaling more than 31,000 acres. This reflects a broad geographic scope of evaluation, with over 130,000 acres under consideration at various points during development. As leasing progressed, a significant number of participating landowners emerged in Speaker and Fremont Townships. This early interest created the best opportunity to secure contiguous areas large enough to support the infrastructure needs of the Project, so development efforts increasingly concentrated in those two townships. As a result of this directed effort, the Project leased approximately 22,000 acres in Speaker and Fremont, representing nearly 50 percent of the total land

area across both townships (around 44,500 acres, including both participating and non-participating landowners).

While roughly 9,000 leased acres fall outside of Speaker and Fremont, those areas lacked sufficient continuity and could not be effectively incorporated into the Project's collection system. Although the wind resource across the broader area is relatively uniform, and alternative interconnection points, such as in Buel Township, were considered, those locations could not be pursued due to an inability to secure the necessary land rights. Ultimately, it was the participation of landowners in Speaker and Fremont—who made available multiple contiguous blocks of land across a broad footprint—that defined the final Project area.

The Project's location was not selected based on land use type, but rather on whether the land met ordinance requirements, introduced no environmental risk, and could be leased in sufficient quantity. All land types, including agricultural land, vacant industrial property, and brownfields, were considered during the leasing process. However, given the predominant land use in the area, the Project is sited mainly on agricultural land.

Throughout the life of the Project, numerous layouts have been considered utilizing the determined buildable areas. As the design has progressed, the Applicant has been able to decrease the number of proposed turbine locations to 50. Previous layouts discussed with the associated ALUs had included up to 56 potential turbine locations. Specific turbine locations have been removed due to a number of factors, including but not limited to landowner feedback, MPSC siting requirements, and layout optimization. Refer to the Alternative Layout Plan and Project Study Area Map that includes all areas that have been considered for turbine locations provided in **Appendix J** (Exhibit A-1.5).

The Project currently proposes to use turbine technologies that will minimize impacts to the surrounding land. Alternative turbine technologies considered would have increased the total number of turbines required for the Project to meet the targeted output. As part of the Project design process, numerous potential turbine technologies have been identified. Comprehensive modeling and impact assessments, including studies on sound propagation and shadow flicker, have been conducted to identify and mitigate any potential effects on the local environment and nearby residents. The final turbine selection will be based on site-specific conditions and performance criteria while ensuring minimal impact on both the community and natural resources.

## **EXHIBIT A-1.6 – CHANGES**

### **A-1.6.a – Provide a map and description of any known potential modifications or variations in the proposed site plan that are being considered at the time of filing and that will be finalized prior to construction.**

The Applicant anticipates that the following features have the potential to be modified or vary from the proposed site plan and will be finalized before construction:

- i. Turbine Technology – the Project is currently considering five different turbine technologies for construction, the Nordex N169 5.5 MW turbine, Vestas V162 6.2 MW, 6.8 MW and 7.2 MW turbines and the Vestas V163 4.5 MW turbine. All potential turbine technologies have been modeled for setbacks, sound and shadow flicker which are displayed in the Site Plan provided in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP).
- ii. Access Roads – design considerations including but not limited to landowner input, cost considerations and design optimization are ongoing. Known access road options are

currently displayed in the Site Plan provided in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC’s AFIP).

- iii. Collection Routes – design considerations including but not limited to landowner input, cost considerations and design optimization are ongoing. Known collection route options are currently displayed in the Site Plan provided in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC’s AFIP).

**A-1.6.b – Minor changes are not required to be submitted. A minor change is any change within the project footprint that still allows the facilities to meet all of the criteria outlined in PA 233, does not create new or additional impacts and does not require new permits; however, a minor change does not include any of the following:**

- 1. A change that would expand the footprint or perimeter of the site plan.**
- 2. A change in planned technologies (such as the addition of an energy storage facility to an existing site or other technological changes increasing noise or impacting permit requirements).**
- 3. Reduced setback distances from any part of the planned facilities to occupied structures, non-participating property lines, or rights-of-way if the new setbacks violate any setback requirements in PA 233.**
- 4. Any change that affects water detention or retention or other stormwater runoff.**
- 5. An increase in the height of the tallest equipment or structures.**
- 6. Repowering.**
- 7. Any increase of noise impacts to non-participating structures above the 55 dB average hourly limit.**

The Applicant understands that any potential modifications or variations to the site plan being considered at the time of filing that will be finalized prior to construction and are not considered “minor changes” will need to be submitted for review and approval.

#### **EXHIBIT A-1.7 – SOUND REPORT AND MONITORING PROTOCOL**

**A-1.7.a – Submit a report detailing the sound modeling results along with proposed preconstruction (optional) and postconstruction sound monitoring plans to be completed upon receipt of a siting certificate from the Commission as well as mitigation plans to ensure that sound emitted from the facilities will remain below the statutory limit throughout the operational life of the facilities. An overview of the sound report requirements is provided below.**

- 1. Sound modeling must be conducted following the requirements of International Organization for Standardization (ISO) 9613-2 (2024), “Engineering method for the prediction of sound pressure levels outdoors.”**
- 2. The purpose of the Sound Report is to provide the Commission with information necessary to assess if the facility meets the noise limits defined in MCL 460. 1226.**
- 3. All sound studies shall be completed by or under the direction of a qualified noise control engineer whose qualifications are documented in the report.**
- 4. The sound monitoring should generally follow the requirements of the American National Standards Institute (ANSI) S12.18 and ANSI S12.9 Part 3, where applicable.**
- 5. Reporting shall include, but is not limited to, the following:**
  - i. Facility Description**

- ii. **Maps and descriptions of sources and monitoring locations, including the distance from each to the nearest facility equipment.**
- iii. **Sound Modeling Results**
- iv. **Sound Modeling Results Discussion including an assessment of the noise impacts and ability to meet MCL 460.1226.**

A pre-construction noise analysis report prepared by Hankard Environmental, a noise consultant based in Verona, Wisconsin, has been created in full compliance with all listed regulations and is available in **Appendix B** (with information related to Exhibits A-1.2 & 1.7 in the MPSC's AFIP). This report includes sound modeling results, conducted per ISO 9613-2 (2024) standards, to predict outdoor sound pressure levels, and confirms the facility meets the noise limits set by MCL 460.1226. Prepared under the direction of a qualified noise control engineer, the report follows ANSI standards S12.18 and S12.9 Part 3 for sound monitoring. The document includes a facility description, maps and descriptions of sound sources and monitoring locations, modeling results, and an assessment of compliance with noise limits. It also includes post-construction sound monitoring protocols as required.

**6. Submit a Pre-construction Sound Monitoring Protocol (optional) in accordance with the guidance.**

An ambient noise survey was conducted for the Project during June and July of 2024. Noise levels were measured at six locations representative of the non-participating noise-sensitive residences located closest to the Project. The measurement points were selected to be representative of rural non-participating residences, both close to and removed from existing sources of noise, which would be most impacted by the Project. The results of the ambient noise study can be found in **Appendix B** (with information related to Exhibits A-1.2 & 1.7 in the MPSC's AFIP).

**7. Submit a Post-construction Sound Monitoring Protocol in accordance with the guidance.**

A Post-construction Sound Monitoring Protocol is available in **Appendix C** (Exhibit A-1.7). This protocol describes the post-construction sound monitoring equipment, measurement and analysis procedures, and documentation to which the Project commits.

**EXHIBIT A-1.8 – SHADOW FLICKER REPORT (WIND FACILITIES ONLY)**

**A-1.8.a - Provide a report detailing the flicker modeling results for wind facilities along with mitigation plans to ensure that flicker will remain below the statutory limit throughout the operational life of the facilities.**

1. **The report must be prepared by a qualified third party using the latest or most recent current modeling software available establishing that no Occupied Residence will experience more than 30 hours per year, of shadow flicker at the nearest external wall based on real world or adjusted case assessment modeling.**
2. **The report must show the locations and estimated amount of shadow flicker to be experienced at all Occupied Residences as a result of the individual turbines in the project.**

A shadow flicker report drafted by Stantec Consulting Services Inc, a consulting firm based in De Pere, Wisconsin, has been created in full compliance with regulations for wind facilities and is available in **Appendix D** (with information related to Exhibits A-1.2 & 1.8 in the MPSC's AFIP). This report includes the potential amount of shadow flicker on sensitive nonparticipating residences within the Project Area. This has been modeled using EMD's WindPRO Version 3.4 software, an application that considers and positions the wind turbines in relation to nonparticipating residences in the area as well as sun position as it passes through all 365 days per year and regional climatological information. The document includes a facility

description, maps and descriptions of shadow flicker sources and monitoring locations, modeling results, and an assessment of compliance with shadow flicker limits and proposed mitigation options.

#### **EXHIBIT A-1.9 – EMERGENCY RESPONSE PLAN**

**A-1.9.a – The Emergency Response Plan (ERP) shall include:**

- 1. Evidence of consultation or a good-faith effort to consult with local first responders and county emergency managers to ensure that the ERP is in alignment with acceptable operating procedures, capabilities, resources, site access, etc.**
- 2. An identification of contingencies that would constitute a safety or security emergency (fire emergencies are to be addressed in a separate Fire Response Plan (FRP)).**
- 3. Emergency response measures by contingency.**
- 4. Evacuation control measures by contingency.**
- 5. Community notification procedures by contingency.**
- 6. An identification of potential approach and departure routes to and from the facility site for police, fire, ambulance, and other emergency vehicles.**
- 7. A commitment to review and update the ERP with fire departments, first responders, and county emergency managers at least once every 3 years.**
- 8. An analysis of whether plans to be implemented in response to an emergency can be fulfilled by existing local emergency response capacity, and identification of any specific equipment or training deficiencies in local emergency response capacity.**
- 9. Other information the applicant finds relevant.**

Refer to the draft Emergency Response Plan (ERP) provided in **Appendix E** (Exhibit A-1.9).

**A-1.9.b – Changes to the design, type, manufacturer, etc. of facilities or equipment after the initial filing must be analyzed to determine if changes are necessary to the ERP. Additional consultation with local fire departments, first responders, and county emergency managers is required for amended plans.**

If the Project’s design, type, or manufacturer of facilities and equipment changes after the initial filing, the Applicant is committed to analyzing the ERP for any necessary updates and consulting with local fire departments, first responders, and county emergency managers regarding any required amendments to emergency response protocols.

#### **EXHIBIT A-1.10 – FIRE RESPONSE PLAN (FRP)**

**A-1.10.a – The FRP shall include the following:**

- 1. Evidence of consultation or a good-faith effort to consult with local fire department representatives to ensure that the FRP is in alignment with acceptable operating procedures, capabilities, resources, etc. If consultation with local fire department representatives is not possible, provide evidence of consultation or a good-faith effort to consult with the State Fire Marshal or other local emergency manager.**
- 2. A description of all on-site equipment and systems to be provided to prevent or handle fire emergencies.**
- 3. A description of all contingency plans to be implemented in response to the occurrence of a fire emergency.**

4. For energy storage projects, a commitment to offer to conduct, or provide funding to conduct, site-specific training drills with emergency responders before commencing operation, and at least once per year while the facility is in operation. Training should familiarize local fire departments with the project, hazards, procedures, and current best practices.
5. For wind and solar projects, a 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. Training should familiarize local fire departments with the project, hazards, procedures, and current best practices.
6. A commitment to review and update the FRP with fire departments, first responders, and county emergency managers at least once every 3 years.
7. An analysis of whether plans to be implemented in response to a fire emergency can be fulfilled by existing local emergency response capacity. The analysis should include identification of any specific equipment or training deficiencies in local emergency response capacity and recommendations for measures to mitigate deficiencies.
8. Other information the applicants find relevant.

Refer to the draft Fire Response Plan (FRP) provided in **Appendix F** (Exhibit A-1.10).

**A-1.10.b – Changes to the design, type, manufacturer, etc. of facilities or equipment after the initial filing must be analyzed to determine if changes are necessary to the FRP. Additional consultation with local fire departments, first responders, and county emergency managers is required for amended plans.**

If the Project's design, type, or manufacturer of facilities and equipment changes after the initial filing, the Applicant is committed to analyzing the FRP for any necessary updates and consulting with local fire departments, first responders, and county emergency managers regarding any required amendments to emergency response protocols. Refer to the draft Fire Response Plan provided in **Appendix F** (Exhibit A-1.10).

#### **EXHIBIT A-1.11 – COMMISSIONING PLAN (FACILITIES WITH STORAGE ONLY)**

**A-1.11.a – For energy storage projects, provide a Commissioning Plan in compliance with NFPA 855 (4.2.4 & 6.1.3.2).**

The proposed Project is not an energy storage facility and thus the standards in Exhibit A-1.11 do not apply.

#### **EXHIBIT A-1.12 – EMERGENCY OPERATIONS PLAN (FACILITIES WITH STORAGE ONLY)**

**A-1.12.a – For energy storage projects, provide an Emergency Operations Plan in compliance with NFPA 855 (4.3.2.1.4).**

The proposed Project is not an energy storage facility and thus the standards in Exhibit A-1.12 do not apply.

#### **EXHIBIT A-1.13 – HAZARD MITIGATION ANALYSIS (FACILITIES WITH STORAGE ONLY)**

**A-1.13.a – For energy storage projects provide a Hazard Mitigation Analysis in compliance with NFPA 855 (4.4).**

The proposed Project is not an energy storage facility and thus the standards in Exhibit A-1.13 do not apply.

#### **EXHIBIT A-1.14 – UNANTICIPATED DISCOVERIES PLAN**

**A-1.14.a – Submit an Unanticipated Discoveries Plan (UDP) that addresses the anticipated impacts and plans to mitigate impacts to the environment and natural resources, including, but not limited to, sensitive habitats and waterways, wetlands and floodplains, wildlife corridors, parks, historic and cultural sites, and threatened or endangered species. The UDP must include:**

**1. A set of procedures to be followed if cultural resources are discovered. Examples of cultural materials include, but are not limited to, the following:**

- i. An accumulation of shell, burned rocks, or other food-related materials**
- ii. Bones or small pieces of bone**
- iii. An area of charcoal or very dark stained soil with artifacts**
- iv. Stone tools or waste flakes (i.e., an arrowhead, or stone chips)**
- v. Clusters of tin cans or bottles**
- vi. Logging or agricultural equipment that appears to be older than 50 years**
- vii. Buried railroad tracks, decking, or other industrial materials**

**3. A set of procedures to be followed if human remains are discovered.**

**4. A contact list that includes the following:**

- i. Contact for the State Historic Preservation Office**
- ii. Contacts for Tribal Historic Preservation Offices of Michigan**
- iii. Local, project-specific, emergency contacts (i.e., County Sheriff, County Medical Examiner.)**

An Unanticipated Discoveries Plan has been prepared and includes procedures that the Applicant and their contractors will follow if previously undocumented cultural and natural resources, including but not limited to historic and cultural sites, sensitive habitats and waterways, wetlands and floodplains, wildlife corridors, parks, and threatened or endangered species are located during construction activities. Refer to the Unanticipated Discoveries Plan provided in **Appendix G** (Exhibit A-1.14).

#### **EXHIBIT A-1.15 – PARTICIPATING PARCEL LIST**

**A-1.15.a – Provide a list of all parcels that are participating or adjacent to the proposed facilities, including land-owner information for each parcel. Landowner information may be redacted and filed confidentially pursuant to protective order at the discretion of the applicant if the land-owner information is not available publicly.**

A list of all parcels participating in the Project has been prepared and is available in **Appendix H.1** (Exhibit A-1.15). A separate list of all parcels adjacent to the proposed Project has been prepared and is available in **Appendix H.2** (Exhibit A-1.15).

#### **EXHIBIT A-1.16 – COMPLAINT RESOLUTION PROCESS**

**A-1.16.a – Provide a complaint resolution process for the site. The complaint process should include:**

- 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.**

**5. Procedures for regular reporting of complaints received and how each complaint was resolved to be filed on a periodic basis in the docket.**

A draft complaint resolution process for the site has been established and is detailed in **Appendix I** (Exhibit A-1.16). This process includes the name of a designated applicant representative authorized to address local complaints, along with a dedicated phone number and email address for submitting complaints. Additionally, website information is provided to guide the public on how to use the complaint resolution process. Procedures are in place for periodic reporting of complaints received and their resolutions, which will be filed regularly in the docket.

### **III. EXHIBIT A-2: PROJECT DESCRIPTION**

**A-2.a – The Project Description shall include the following information:**

**1. Complete name, address, and phone number of the applicant and representative for the application.**

*Section “225(1)(a) of PA 233”*

The Applicant for this wind energy facility is MI Energy Developments, LLC (REV); the Applicant's representative for this Project is Rob Nadolny from MI Energy Developments, LLC (REV).

MI Energy Developments, LLC Address:

575 5<sup>th</sup> Ave, Suite 2501

New York, NY 10017

MI Energy Developments, LLC Phone:

Rob Nadolny: 1 (416) 356-5796

MI Energy Developments, LLC Email:

Feedback@RiverbendWind.com

**2. A description of the facility, including the following:**

*Section “225(1)(d) and Section 225(1)(h) of PA 233”*

**i. General description of size, purpose, and location.**

The Project will include up to 50 wind turbine generator locations within Fremont and Speaker Townships and underground collection within Elk Township, Sanilac County, Michigan, and will have a proposed capacity of up to 300-MW that would be available to supply energy to the grid. The Project Area was selected based on land use, interest from landowners, and proximity to existing electrical grid infrastructure. Refer to the Site Plan in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC’s AFIP) and the Participating Parcels List located in **Appendix H.1** (Exhibit A-1.15).

**ii. General description of the community where the facility will be located (i.e. land use, population).**

The Project Area is located within Elk, Fremont and Speaker Townships in Sanilac County, Michigan.

Elk Township is a predominantly rural community with a strong presence in the manufacturing, healthcare, and agricultural sectors. According to U.S. Census Bureau data, approximately 1,378 people live within Elk Township. Of the employed population, approximately 29% work in the educational services, healthcare, and social assistance industries, approximately 21% work in the manufacturing

industry, approximately 8% work in the construction industry and approximately 8% work in the agricultural industry.

Fremont Township is also a relatively rural, manufacturing focused community. According to U.S. Census Bureau data, approximately 874 people live within Fremont Township. Of the employed population in Fremont Township, approximately 33% work in the manufacturing industry, approximately 20% work in educational services, health care, and social assistance industries, approximately 9% work in professional, scientific, and management, and administrative and waste management services, and approximately 4% work in the agricultural industry.

Similarly, Speaker Township is a relatively rural, manufacturing focused community. According to census data, approximately 1,446 people live within Speaker Township. Of those employed in Speaker Township, approximately 24% work in the manufacturing industry, approximately 21% work in the educational services, health care, and social assistance industries, approximately 13% work in the construction industry, and 10% work in the agricultural industry.

Aerial imagery indicates that the Project Area is located within a relatively rural and agricultural landscape with agricultural land as the majority land use. Other land cover types near and directly adjacent to the Project Area include crop fields, industrial and commercial developments, and residential developments. Review of the National Land Cover Database (NLCD) identified that the Project Area land cover includes approximately 72% cultivated crops, 8% woody wetlands, 8% deciduous forest, 3% developed open space, 3% hay/pasture, 2% low-intensity development, and 1% mixed forest.

**iii. The percentage of land within the township, city, or village dedicated to energy generation at the time of the application. In addition, the percentage of land within the county dedicated to energy generation at the time of the application.**

At the time of this application, the Applicant could not locate publicly available records that indicated that any land within Elk, Fremont or Speaker townships is dedicated to energy generation. Determining the exact percentage of land in Sanilac County dedicated to energy generation is challenging due to limited publicly available data regarding acreage of existing energy generation facilities. However, utilizing the MPSC GIS Hub, the Applicant identified two existing wind energy facilities, Michigan Wind II and Minden Park Wind, and one existing natural gas power plant, MSC Crowell, within the County. Michigan Wind II consists of 50 turbines that span across Delaware, Marion, and Minden Townships in Sanilac County. Minden Park Wind consists of 20 turbines spanning across Delaware and Minden townships in Sanilac County. It is estimated that approximately 0.01% of Sanilac County's available land area is dedicated to these energy generation projects. Please note the following assumptions made when calculating this estimation: 1) of the total area of Sanilac County, which totals approximately 1,590 square miles, only approximately 963 square miles were considered because the remaining area is water; and 2) for the two existing wind energy facilities, 1 acre of land per turbine was assumed considering specific land area data for these projects is not publicly disclosed. MSC Crowell is comprised of one generator with a nameplate capacity of 1.3 MW located on approximately 70 acres and is owned by the Michigan Sugar Company. It is estimated that approximately 0.01% of Sanilac County's available land is dedicated to this energy generation facility.

Though not verified by public records available to the Applicant, the Applicant is also generally aware of a solar energy facility that is proposed in Watertown Township in Sanilac County, Michigan. The Applicant does not have specific details of the size of this project but does generally understand this project received a special land use approval from Watertown Township.

**iv. Expected use.**

The primary expected land use of the proposed Project Area includes the wind energy facility, with a proposed capacity of up to 300-MW that would be available to supply energy to the grid. Additionally,

land use for ancillary infrastructure includes the proposed substation, security fencing around substation, electrical collection system, overhead transmission line connection, laydown yard during construction, Operation & Maintenance (O&M) facility, switching station, permanent MET towers, and access roads. Access roads were designed to provide ingress and egress points for maintenance crews and emergency service vehicles. All collection lines from turbines to the proposed substation will be buried.

All turbines being considered for the proposed Project employ active yaw control to steer the machine with respect to the wind. They have active blade pitching to maximize power output. The towers and turbines will be painted with a non-reflective/off-white color designed to minimize visibility. No advertising or graphics will be placed on any part of the tower or blades; however, the turbines will be clearly numbered above the entrance doors for identification and emergency response. Other safety signage may be posted on or near the entrance doors. The towers will not be illuminated except as required by the Federal Aviation Administration (FAA). The location and layout of Project infrastructure can be found in **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC's AFIP).

#### **IV. EXHIBIT A-3: PROJECT SCHEDULE**

**A-3.a – The application shall include expert witness testimony and exhibits presenting the following information:**

**1. Detailed schedule of planned construction activities including planned construction start date and expected duration of construction. Section “225(1)(b) of PA 233”**

Project siting approval is a critical part of determining construction schedules for the Project. The Project prefers to begin construction in August 2026, which would see it enter commercial operation before the end of 2027; however, respecting the maximum siting approval timelines, the Project could begin construction as late as August 2027 and begin commercial operation by December 2028. The schedule presented in **Appendix K** (Exhibit A-3) presents the latter of the two timelines. Refer to **Appendix K** (Exhibit A-3) for the detailed project schedule.

**2. Testimony describing each element within the construction schedule.**

Prior to construction, the Applicant will secure all necessary permits, conduct feasibility studies and environmental assessments, finalize site design, and engage in consultation with applicable stakeholders.

The Applicant will begin construction with general mobilization, including clearing and grubbing the laydown yard, installing gravel in the laydown yard, and mobilizing construction trailers in August 2027. Procurement of equipment will take place concurrently, involving the selection of battery systems and other necessary components.

Once the site is adequately prepared, civil work will be conducted, including clearing crops from working areas as well as building access road entrances, access roads, and public road intersection improvements. Civil work is expected to occur from August – November 2027.

Following civil work, foundation construction will begin, including stripping topsoil in excavation areas, excavating foundation, building rebar for foundation, and pouring concrete foundation. Foundation construction is expected to occur from October 2027 – June 2028.

Electrical collector system construction will include installation of underground electrical cable as well as termination of cable and fiber at turbines and substation. Wind turbine generator (WTG) install will include delivery of WTG components, erection of towers, install of nacelle, blades, and tower wiring, as well as commissioning of turbines. Electrical collector system construction is expected to occur May 2028 – September 2028 and WTG install is expected to occur from May – December 2028. Substation

construction will include clearing and grubbing the substation footprint as well as installing equipment foundations and equipment. Substation construction is expected to occur May 2028 – October 2028.

After installation, interconnection, testing, and commissioning will ensure the system operates safely and efficiently. Commissioning will be followed by final inspections for regulatory compliance and training for operational management. Refer to **Appendix K** (Exhibit A-3) for the detailed project schedule.

## **V. EXHIBIT A-4: LOCAL OUTREACH**

*Section “225(1)(j) of PA 233”*

**A-4.a – The following local outreach documentation is to be provided:**

### **EXHIBIT A-4.1 – CHIEF ELECTED OFFICIAL DOCUMENTATION**

- i. A copy of applicant’s offer to meet with the chief elected official in each ALU.**
- ii. Documentation of the chief elected official response(s) to the meeting request if provided.**
- iii. A summary of all meetings, including meeting dates held between the applicant and the chief elected officials.**

The Applicant notes that formal offers to meet with the chief elected officials in each affected local unit (ALU) to discuss the proposed Project within the communities has been made. The ALUs contacted include Elk Township, Fremont Township, and the Speaker Township. The meeting invitations requested each ALU respond with a proposed meeting time to occur within 30 days of receipt of the request for meeting.

Responses received from the contacted chief elected officials are documented as follows:

#### **ALU #1: Elk Township**

- Date: January 8<sup>th</sup>, 2025, at 1:00pm
- Location: Offices of Taylor Butterfield, 407 Clay Street, Lapeer, Michigan
- Attendees:

Walter Parke – Supervisor, Elk Township

Wanda Grifka – Township Clerk, Elk Township

Brian Garner – Lawyer for Elk Township, Taylor Butterfield P.C.

Nelson Moleiro – Director, Liberty Power

Seth Arthur – Lawyer for MI Energy Developments, LLC, Varnum LLP

- Key Discussion Points:
  - Reviewed the (in progress) Site Plan for the project and the proposed layout.
  - Discussed in more detail the infrastructure that will be installed in Elk: Short run of underground collection (~700 ft) passing through the township.
  - Walked through the state siting application process and timelines: (1) Application through the township, if they have a Compatible Renewable Energy Ordinance (CREO) or (2) Application through the MPSC (with township participation) if the township doesn’t have a CREO.

- Discussed next steps:
  - Township to inform REV whether they had a CREO. The Township suggested that it did not have a CREO in place during the meeting, but said it would confirm subsequently.
  - Explained that REV would hold public meetings/open houses for the public to provide feedback on the proposed project.

#### ALU #2: Fremont Township

- Date: January 30<sup>th</sup>, 2025, at 10:00am
- Location: Fremont Township Hall, 2512 Galbraith Line Road, Yale, Michigan
- Attendees:

Mark Kenward – Supervisor, Fremont Township

Sonya Francis – Township Clerk, Fremont Township

Richard Mee – Planning Commission Chairman, Fremont Township

Nelson Moleiro – Director, REV Renewables

Sebastian Tejada – Project Manager, REV Renewables

Irene Bezuidenhout – Senior Manager, Environmental Planning and Permitting, REV Renewables

- Key Discussion Points:
  - Reviewed the (in progress) Site Plan for the project and the proposed layout.
  - Discussed in more detail the infrastructure that will be installed in Fremont: Up to 26 wind turbines, associated underground collection, access roads, O&M building, MET tower, substation, and transmission tie-in.
  - Walked through the state siting application process and timelines: (1) Application through the township, if they have a CREO or (2) Application through the MPSC (with township participation) if the township doesn't have a CREO.
  - Township asserted that it has a CREO, in line with the letter sent to Algonquin Power d/b/a Liberty Power on January 3<sup>rd</sup>, 2025.
  - Township requires that a request under the Freedom of Information Act (FOIA) be submitted to obtain a copy of the CREO.
  - Discussed next steps:
    - Explained that the site plan would be made available to the public.
    - Explained that public meetings/open houses would be hosted for the public to provide feedback on the proposed project.
    - Explained that shortly after the public meeting, an application to the township for the Special Land Use (SLU) permit will be submitted.

ALU #3: Speaker Township

- Date: January 30<sup>th</sup>, 2025, at 2:30pm
- Location: Speaker Township Hall, 7639 North Brockway Road, Melvin, Michigan
- Attendees:

Carolyn Fairman – Supervisor, Speaker Township

Bill McKlarty – Township Board Member, Speaker Township

Mark Fairman – Spouse of Township Supervisor, present but not participating

Nelson Moleiro – Director, REV Renewables

Sebastian Tejada – Project Manager, REV Renewables

Irene Bezuidenhout – Senior Manager, Environmental Planning and Permitting, REV Renewables

- Key Discussion Points:
  - Reviewed the (in progress) Site Plan for the project and the proposed layout.
  - Discussed in more detail the infrastructure that will be installed in Speaker: Up to 24 wind turbines, associated underground collection, access roads, and MET tower.
  - Walked through the state siting application process and timelines: (1) Application through the township, if they have a CREO or (2) Application through the MPSC (with township participation) if the township doesn't have a CREO.
  - Township asserted that it had a CREO, in line with the letter sent to Algonquin Power d/b/a Liberty Power on December 27<sup>th</sup>, 2024.
  - Township requires that a request under the Freedom of Information Act (FOIA) be submitted to obtain a copy of the CREO.
  - Discussed next steps:
    - Explained that the site plan will be made available to the public.
    - Explained that public meetings/open houses will be hosted for the public to provide feedback on the proposed project.
    - Explained that shortly after the public meeting, an application to the township for the SLU permit will be submitted.

This documentation reflects the Applicant's commitment to engaging with local officials and fostering a collaborative dialogue throughout the Project development process. A copy of the offer to meet with the chief elected official of each ALU, as well as additional correspondence documentation related to these conversations can be found in **Appendix L** (Exhibit A-4.1).

**EXHIBIT A-4.2 – SUMMARY OF COMMUNITY OUTREACH AND EDUCATION EFFORTS**

**Provide a summary including a copy of all presentation or education materials, number of attendees for any public meetings or meetings with elected officials, meeting length, number of commenters and topics discussed during the meetings.**

**i. Outreach conducted to locally impacted community groups, environmental organizations, and labor union representatives. Include, at a minimum, the date and time the outreach took place, who participated in the consultation, and summary of findings.**

At this stage of the submittal process, Exhibit A-4.2 is not required per PA 233 Sec. 223(3)(a). However, the Applicant would like to note that public meetings were voluntarily held for Speaker and Fremont Townships on July 9<sup>th</sup>, 2025, from 4:00-6:30pm and 6:30-9:00pm respectively. A separate public meeting was held for Elk Township on July 10<sup>th</sup>, 2025, from 5:00-7:30pm. The Applicant provided sign-in sheets as well as public comment cards to allow community members to express their thoughts regarding the Project. The Applicant also had numerous representatives available at the public meetings to have direct discussions with community members. In general, discussions with community members included concerns regarding the height of the proposed turbines, sound, shadow flicker, property values, and impacts to air temperature. Additionally, there were discussions regarding the expected tax revenue that would be generated by the Project as well as feedback and suggestions on the Project layout. In total, there were 35 attendees, and 6 comment cards submitted for the Speaker Township public meeting, 18 attendees, and 7 comment cards submitted for the Fremont Township public meeting, and 15 attendees, and 0 comment cards submitted for the Elk Township public meeting.

#### **EXHIBIT A-4.3 – ACCOMMODATIONS OR CHANGES**

**Accommodations or changes made to the project design to address the public comments received.**

The Applicant has made the following accommodations and changes to the proposed Project design to better address public comments:

- Based on a request by a participating landowner, the Applicant has adjusted the access road and collection routing to turbines T37 and T49 in order to utilize an existing farm road and avoid drainage tiles.
- Based on a request by a participating landowner, the Applicant has adjusted the collection routing to turbine T50 to avoid drainage tiles.
- Based on a request by a participating landowner, the Applicant has adjusted the collection routing to turbine T21 and provided an alternative access road location.
- Prior to the public meeting, the Applicant agreed to provide security fencing around meteorological towers currently installed within the Project Area at the request of the townships.

#### **EXHIBIT A-4.4 – SUMMARY OF AGENCY CONSULTATIONS**

*Section “225(1)(k) of PA 233”*

**Summary of Agency Consultations. Provide a summary for each federal, state and local agency consultation that includes, at a minimum: the date and time the consultation took place; who participated in the consultation; and copies of correspondence listing necessary permits, next steps, and associated timeline. Provide a justification for any consultations the applicant deemed not necessary.**

- i. Federal agencies – where applicable.**
- ii. Michigan Department of Natural Resources.**
- iii. State Historic Preservation Office.**

- iv. Michigan Department of Environment, Great Lakes, and Energy.**
- v. Michigan Department of Agriculture and Rural Development.**
- vi. County Drain Commission.**
- vii. County Road Agency.**
- viii. Owners of major facilities for electric, gas, or telecommunications lines.**
- ix. Michigan Department of Transportation – Aeronautics Commission (if applicable).**

The table provided in **Appendix M** (Exhibit A-4.4) is a comprehensive summary of consultations conducted to date with various federal, state, and local agencies as part of the Project development process. Each entry details the date and time of the consultation, the participants involved, and a summary of the correspondence exchanged, which outlines necessary permits, next steps, and associated timelines. Additionally, justifications for any consultations that were deemed unnecessary are included where appropriate. This summary demonstrates the Applicant’s commitment to engaging with relevant agencies to ensure compliance with regulatory requirements and to facilitate a transparent and collaborative project execution. Also included in **Appendix M** (Exhibit A-4.4) are the copies of the correspondences listing necessary permits, next steps, and associated timeline.

#### **EXHIBIT A-4.5 – SUMMARY OF TRIBAL ENGAGEMENT**

**A summary of tribal engagement, including at a minimum, the communication and outreach conducted with each Tribe, date and time, who participated, and a summary of tribal input and outcomes if applicable.**

The Applicant is committed to fostering respectful and meaningful dialogue with tribal communities, ensuring their perspectives are considered in the Project development process. As a part of this effort, outreach was conducted via letters sent to the twelve tribal nations located within Michigan on June 5, 2025, via USPS certified mail. At the time of this submittal the Applicant has received a response from one of the twelve tribal communities within Michigan. The letters as well as the responses received up until the point of submittal of this application are provided in **Appendix N** (Exhibit A-4.5).

### **VI. EXHIBIT A–5: NFPA COMPLIANCE (FACILITIES WITH ENERGY STORAGE ONLY)**

**A-5.a – Provide documentation that the energy storage facility complies with the version of National Fire Protection Association (NFPA) 855 “Standard for the Installation of Stationary Energy Storage Systems” in effect on November 29, 2024 or as adopted by the Commission.**

The proposed Project is not an energy storage facility and thus the standards in Exhibit A-5 do not apply.

### **VII. EXHIBIT A–6: ENVIRONMENTAL COMPLIANCE**

*Section “225(1)(f) and Section 225(1)(i) of PA 233”*

**A-6.a – Exhibits A-6.1 through A-6.4 are designed to demonstrate compliance with applicable state and federal environmental laws. Below is a list of the sub exhibits.**

#### **EXHIBIT A-6.1 – SOIL AND ECONOMIC SURVEY REPORT**

*Section “225(1)(l) of PA 233”*

The Sanilac County Soil and Economic Survey Report was reviewed to assess the soil and economic qualities of the proposed Project Area. A Custom Soil Resource Report has been generated for the Project Area as well as for the entire Sanilac County. Refer to the Soil and Economic Survey Report available in **Appendix O** (Exhibit A-6.1).

## **EXHIBIT A-6.2 – ENVIRONMENTAL COMPLIANCE REPORT**

**This report describes how the proposed facility 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 324.1705(2).**

- i. Provide a description of the expected direct impacts of the proposed energy facility on the environment and natural resources and a plan describing how these impacts are proposed to be addressed and/or mitigated.**
- ii. Provide a statement and reasonable evidence that the proposed facility will not begin commercial operation until it complies with applicable state and federal environmental laws including NREPA.**

The Applicant is committed to adhering to all 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 324.1705(2). To ensure compliance, the Applicant will conduct reviews prior to construction to identify the expected direct impacts of the proposed facility on the environment and natural resources. Anticipated impacts may include land disturbance, potential effects on local wildlife, and changes to stormwater runoff patterns. To address and mitigate these impacts, the Applicant will implement a detailed mitigation plan that may include the restoration of disturbed areas, the creation of buffer zones, and the installation of stormwater management systems to control runoff and prevent erosion. Additionally, the Applicant will engage with environmental experts to develop specific strategies tailored to protect sensitive habitats and species in the area. Refer to the Environmental Compliance Report in **Appendix P** (Exhibit 6.2) for additional information regarding the studies the Applicant has completed thus far, as well as potential mitigation measures that will be considered to ensure all direct impacts are addressed and mitigated to the extent practicable.

The Applicant recognizes the importance of complying with all relevant environmental regulations before commencing operations. The Applicant is committed to maintaining compliance and, as such, the proposed Project will not begin commercial operation, of the relevant portion of the Project that needs such specific approval, until applicable state and federal environmental laws, including NREPA, are met. This commitment is supported by evidence such as permit applications, environmental assessments, and correspondence with regulatory agencies. The Applicant will continue to rigorously adhere to these activities throughout the project development process, as it has on all previously constructed projects. Refer to the Environmental Compliance Report available in **Appendix P** (Exhibit A-6.2).

## **EXHIBIT A-6.3 – PERMIT LIST AND STATUS**

- i. Provide a list of all permits necessary prior to construction with the information identified below:**
  - **Subject.**
  - **Responsible Agency.**
  - **Date or Proposed Date Application Submitted.**
  - **Date Permit Issued or Expected to be Issued.**
- ii. Include any permits received prior to filing an application in this exhibit.**

The table provided in **Appendix Q** (Exhibit A-6.3) is a comprehensive list of all permits necessary for the proposed Project prior to construction. It includes information regarding each permit's subject, the responsible agency overseeing the issuance, the proposed date the application will be submitted, and the

date the permit is expected to be issued. At the time of this submission, no permits have been issued for the Project.

#### **EXHIBIT A-6.4 – STORMWATER MITIGATION PLAN**

*Section “225(1)(p) of PA 233”*

- i. Conduct a stormwater assessment and prepare a plan that describes measures to minimize, mitigate, and repair any drainage impacts. The assessment and plan may be preliminary.**
- ii. The Plan shall address any guidance from consultation with the county drain commissioner and shall include the date and time the consultation took place, who participated in the consultation, and copies of correspondence listing necessary permits, next steps, and associated timeline for each consultation.**

The Applicant has conducted a comprehensive stormwater assessment that outlines measures to minimize, mitigate, and repair any potential drainage impacts associated with the proposed Project. This plan is designed to ensure effective management of stormwater runoff, incorporating best practices to protect the surrounding environment and natural resources. The plan also addresses guidance obtained from consultations with the Sanilac County Drain Commissioner from a meeting that took place on January 6, 2025. Correspondence from this meeting, detailing necessary permits, next steps, and associated timelines, is included in **Appendix R (Exhibit A-6.4)**. Refer to **Appendix R (Exhibit A-6.4)** for the Stormwater Mitigation Plan.

### **VIII. EXHIBIT A-7: SIGNAL MITIGATION PLAN**

*Section “225(1)(o) of PA 233”*

- i. If the facility 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, provide a plan to minimize and mitigate that impact.**

A thorough assessment has been conducted by ComSearch (a third-party communications expert) to evaluate the proposed Project’s potential impacts on various signal systems, including television signals, microwave signals, agricultural global positioning systems (GPS), radio reception, and weather and Doppler radar. No turbines associated with the Riverbend Wind project will be installed in any location where its proximity with existing fixed broadcast, retransmission, or reception antennas for radio, television, or wireless phone would produce electromagnetic interference with signal transmission or reception. No turbines associated with the project shall be installed in any location along the major axis of an existing microwave communications link where its operation is likely to produce electromagnetic interference in the link’s operation. There are no interstate highways or active railways within 1.2 miles of the proposed turbines.

Based on the Signal Interference Studies provided by ComSearch, there is no expected signal interference associated with the construction and operation of the Project; thus, a Signal Mitigation Plan is not required. Should any signal interference be experienced a complaint regarding the potential signal interference can be submitted to the Applicant. The Applicant will work with the tower operator as needed to mitigate any potential interference. Refer to the Signal Interference Studies provided in **Appendix S (Exhibit A-7)**.

Additionally, the Applicant entered into a mitigation agreement with the Department of Defense and United States Air Force on October 22, 2023, and is committed to mitigating any potential adverse impacts to military operations in the area by implementing the requirements set out in that agreement.

**ii. Wind turbine facilities should provide evidence of prior consultation with nearby communication tower operators, including those of the United States Defense Department.**

The Applicant is currently in the process of consulting with nearby communication tower operators. Records of these communications are included within **Appendix S** (Exhibit A-7).

## **IX. EXHIBIT A-8: PUBLIC BENEFITS**

**A-8.a – Provide a description of the expected public benefits of the proposed energy facility, including, but not limited to, the list below. Explain how the public benefits of the proposed energy facility justify its construction. Section “225(1)(e) of PA 233”**

### **EXHIBIT A-8.1 – EXPECTED TAX REVENUE**

A primary benefit of the proposed Project will be the generation of substantial tax revenue, which will be paid to local taxing districts. This revenue is a substantial contribution to essential services such as education, public safety, infrastructure maintenance, and community development initiatives. Specifically, the Applicant anticipates that the Project will contribute an estimated \$64.4 million in local tax revenue. This revenue will support local schools, enhance public services, and improve infrastructure, ultimately benefiting residents and businesses in the area. Refer to **Appendix T** (with information related to Exhibits A-8.1, 8.2 & 8.4 in the MPSC’s AFIP) for the Economic Impact Analysis.

### **EXHIBIT A-8.2 – PAYMENTS TO OWNERS OF PARTICIPATING PROPERTY**

**These may be filed confidentially if provided to Staff pursuant to a confidentiality agreement that will be superseded by a protective order once one is entered.**

Participating landowners in the Riverbend Wind Energy Facility Project have chosen voluntarily to include their property in the Project through one of the following real estate arrangements:

- Land Purchase Agreements
- Land Lease and Wind Easements
- Easement Agreements, and
- Good Neighbor Agreements

Each agreement includes varying economic terms. These agreements, and the associated payments, further demonstrate the public benefits of the Project that justify its construction. Agreements will be filed confidentially if provided to ALU/MPSC pursuant to a confidentiality agreement that will be superseded by a protective order, once one is entered. Refer to **Appendix T** (with information related to Exhibits A-8.1, 8.2 & 8.4 in the MPSC’s AFIP) for the Economic Impact Analysis which includes additional details regarding landowner payments.

### **EXHIBIT A-8.3 – HOST COMMUNITY AGREEMENTS**

**Provide signed copies of host community agreements (which includes a payment provision of \$2,000 per MW megawatt of nameplate capacity to the ALU upon commencement of operation) and/or community benefits agreements (which includes payment provisions as outlined in 6.2.10(a)(3)(ii) of this guidance).**

**i. Host community agreements or community benefits agreements are required for each ALU, according to the nameplate capacity located within the ALU.**

- **If host community agreements are not signed after good-faith negotiations with an ALU, community benefit agreements may be entered into with one or more community-**

**based organizations providing benefits within or serving the residents of each ALU without a signed host community agreement.**

- **In the event that agreements were proposed and were not signed, those may be provided in lieu of signed agreements with an explanation of why the proposed agreements have not yet been executed.**

**ii. Community benefits agreements with community-based organizations within, or that serve residents of, the ALU, must include provisions for payments that are equal to, or greater than, what would have paid pursuant to a host community agreement. The topics and specific terms of the agreements may vary and may include, but are not limited to, any of the following:**

- **Workforce development, job quality, and job access provisions that include, but are not limited to, any of the following:**
  - o **Terms of employment, such as wages and benefits, employment status, workplace health and safety, scheduling, and career advancement opportunities.**
  - o **Worker recruitment, screening, and hiring strategies and practices, targeted hiring planning and execution, investment in workforce training and education, and worker input and representation in decision making affecting employment and training.**
- **Funding for or providing specific environmental benefits.**
- **Funding for or providing specific community improvements or amenities, such as park and playground equipment, urban greening, enhanced safety crossings, paving roads, and bike paths.**
- **Annual contributions to a nonprofit or community-based organization that awards grants.**

A draft of the Host Community Agreement (HCA) has been provided to each ALU as part of this application, for the ALU's consideration. Per Section 227 (1) of PA 233, and as stated in the draft Host Community Agreements provided in **Appendix V** (Exhibit A-8.3), each ALU will receive \$2,000 per megawatt of nameplate capacity located within the ALU. The final payment amount to each ALU will be determined upon final selection of the turbine models presented within this application. At the time of this application submittal, the agreements have not been executed. However, the Applicant is committed to engaging in good faith negotiations with the ALUs. Please consider the inclusion of the draft HCA as part of the good-faith negotiations with the Township; the Applicant welcomes feedback from the ALU on the draft HCA. If an agreement cannot be reached after negotiations, the Applicant will pursue Community Benefit Agreements with one or more community-based organizations providing benefits within or serving the residents of each ALU.

#### **EXHIBIT A-8.4 – LOCAL JOB CREATION**

**Provide a project labor agreement or collective bargaining agreement if applicable.**

The Project does not have a project labor agreement or collective bargaining agreement available to submit at the time of this application; however, the Applicant and its contractors will adhere to all applicable Michigan labor laws during construction and will consider entering into a project labor agreement to facilitate compliance. Furthermore, the Applicant has analyzed the positive economic impact that the Project will make on the communities and siting a wind energy facility in a community not only provides the short-term economic gain of providing additional construction related job opportunities

but can also bring additional full-time jobs to the area, increase tax revenue, and increase sales of local goods and services. The Applicant estimates that the Project will generate approximately 300-400 temporary construction jobs and up to 11 full-time positions to support operations of the wind energy facility. Refer to **Appendix T** (with information related to Exhibits A-8.1, 8.2 & 8.4 in the MPSC's AFIP) for the Economic Impact Analysis, which includes information on local job creation.

#### **EXHIBIT A-8.5 – ENERGY NEEDS CONTRIBUTIONS**

**When applicable, contributions to meeting Michigan's identified energy, capacity, reliability, or resource adequacy needs such as approved Integrated Resource Plans and Renewable Energy Plans.**

The proposed wind energy Project supports Michigan's energy, capacity, reliability, and resource adequacy goals, specifically those outlined in Public Act 235 of 2023, which includes achieving 50 percent renewable energy generation by 2030 and 60 percent (as well as a clean energy standard of 80%) by 2035. Wind energy facilities provide reliable energy without consuming fuel, reducing the need for power generation from other sources and utilizing significantly less land than traditional power plant infrastructure. This technology further supports the integration of renewable energy, enabling Michigan to maximize its wind resources and contribute to state renewable energy targets, fostering a more resilient, sustainable power grid.

### **X. EXHIBIT A-9: FARMLAND PROTECTION**

#### **A-9.a – Provide an explanation for how the proposed facility will not unreasonably diminish farmland.**

The Project is designed to coexist and preserve any existing agricultural operations. Wind turbines have a relatively small physical footprint, typically occupying less than 1 acre per turbine, including access roads and associated infrastructure. The majority of the land surrounding the turbines will remain available to be actively farmed for crops or grazing. The construction and operation of wind turbines involve minimal soil disturbance. Once construction is complete, topsoil is restored, and farming operations can resume as normal. Modern construction techniques and erosion control practices further ensure that soil integrity is preserved, reducing any potential loss of productivity. All participating landowners will reserve the right to continue agricultural activities including farming. This dual-use model ensures the land remains economically productive, often enhancing the viability of family farms and rural communities. Additionally, the Applicant has worked closely with landowners to minimize interference to existing field patterns, irrigation systems, and agricultural operations. The Applicant is committed to preserving farmland to the extent possible and working with landowners to ensure they are able to maintain farming operations throughout the construction and operation of the project.

#### **A-9.b – Provide the information below at both the local (township/city/village) and the county level using publicly available data, such as <https://croplandcros.scinet.usda.gov/>, as follows:**

##### **1. Type of farmland being utilized by the project (i.e. Standard, Prime, Specialty Crops).**

According to the National Resource Conservation Services (NRCS) Web Soil Survey, approximately 4% of the 79 acres utilized by the Project's permanent above ground infrastructure is designated as "all areas are prime farmland", approximately 6% is designated as "farmland of statewide importance", approximately 84% is designated as "prime farmland if drained", approximately 1% is designated as "prime farmland if drained and either protected from flooding or not frequently flooded during the growing season", and approximately 5% is designated as "not prime farmland".

According to data obtained on the U.S. Department of Agriculture CroplandCROS system, the top crops currently grown within Sanilac County include soybeans, corn, dry beans, winter wheat, and alfalfa.

##### **2. Total acreage of farmland utilized by the project.**

According to National Land Cover Database (NLCD) data, approximately 95% of the 79 acres utilized by the Project's permanent above ground infrastructure is designated as cultivated crops land cover.

**3. Farmland utilized by the project as a percentage of farmland in the township and county.**

Fremont Township encompasses approximately 24,190 acres of land. According to the NLCD, cultivated crop land cover makes up approximately 76% (approximately 17,135 acres) of the land in Fremont Township. The estimated aboveground permanent impact area to farmland in Fremont Township by the Project is estimated to be approximately 51 acres. Therefore, it is estimated that the Project will utilize approximately 0.3% of the land used for agricultural purposes within Fremont Township.

Speaker Township encompasses approximately 24,360 acres of land. According to the NLCD, cultivated crop land cover makes up approximately 65% (approximately 14,411 acres) of the land in Speaker Township. The estimated aboveground permanent impact area to farmland in Speaker Township by the Project is estimated to be approximately 25 acres. Therefore, it is estimated that the Project will utilize approximately 0.2% of the land used for agricultural purposes within Speaker Township.

The underground collection proposed within Elk Township will be buried a minimum of 4 feet below ground and will not interfere with existing farming activities, therefore the Project will not utilize any farmland within Elk Township.

Overall, the Project will utilize less than approximately 1% of the 86,141 acres of dedicated farmland within Sanilac County.

**4. Current percentage of land within the township and county considered farmland, differentiated by type.**

According to NLCD, approximately 76% of the land in Fremont Township is designated as cultivated crops. According to the NRCS Web Soil Survey, approximately 6% of the soils within Fremont Township are designated as "all areas are prime farmland", approximately 7% is designated as "farmland of local importance", approximately 83% is designated as "prime farmland if drained", approximately 2% is designated as "not prime farmland", and 2% is designated as "prime farmland if drained and either protected from flooding or not frequently flooded during the growing season."

According to NLCD, approximately 65% of the land in Speaker Township is designated as cultivated crops. According to the NRCS Web Soil Survey, approximately 19% of the soils within Speaker Township are designated as "all areas are prime farmland", approximately 7% is designated as "farmland of local importance", approximately 68% is designated as "prime farmland if drained", approximately 5% is designated as "not prime farmland", and less than 1% is designated as "prime farmland if drained and either protected from flooding or not frequently flooded during the growing season."

According to NLCD, approximately 82% of the land in Elk Township is designated as cultivated crops. According to the NRCS Web Soil Survey, approximately 3% of the soils within Elk Township are designated as "all areas are prime farmland", approximately 11% is designated as "farmland of local importance", approximately 80% is designated as "prime farmland if drained", approximately 5% is designated as "not prime farmland", and less than 1% is designated as "prime farmland if drained and either protected from flooding or not frequently flooded during the growing season."

According to the 2022 Census of Agriculture, approximately 57% of the land within Sanilac County is designated as farmland. Approximately 91% of the farmland in Sanilac County is utilized as crop land, 3% as woodland, and 1% as pastureland. In Sanilac County, the primary crops are soybeans for beans, covering approximately 31% of farmland, corn for grain at 20%, wheat for grain at 12%, forage (hay/haylage) at 8%, and dry edible beans at 7%. According to the NRCS Web Soil Survey, approximately 13% of the soils in Sanilac County are designated as "all areas are prime farmland", approximately 7% is designated as "farmland of local importance", approximately 75% is designated as "prime farmland if drained", approximately 4% is designated as "not prime farmland", and 2% is designated as "prime

farmland if drained and either protected from flooding or not frequently flooded during the growing season.”

**5. Total acreage of farmland within the township and the county, differentiated by type.**

According to NLCD, approximately 17,135 acres of the land in Fremont Township is designated as cultivated crops. According to the NRCS Web Soil Survey, approximately 1,321 acres of the soils within Fremont Township are designated as “all areas are prime farmland”, approximately 1,670 acres is designated as “farmland of local importance”, approximately 18,573 acres is designated as “prime farmland if drained”, approximately 446 acres is designated as “not prime farmland”, and 474 acres is designated as “prime farmland if drained and either protected from flooding or not frequently flooded during the growing season.”

According to NLCD, approximately 14,411 acres of the land in Speaker Township is designated as cultivated crops. According to the NRCS Web Soil Survey, approximately 4,203 acres of the soils within Speaker Township are designated as “all areas are prime farmland”, approximately 1,539 acres is designated as “farmland of local importance”, approximately 14,765 acres is designated as “prime farmland if drained”, approximately 1,012 acres is designated as “not prime farmland”, and 85 acres is designated as “prime farmland if drained and either protected from flooding or not frequently flooded during the growing season.”

According to NLCD, approximately 18,738 acres of the land in Elk Township is designated as cultivated crops. According to the NRCS Web Soil Survey, approximately 645 acres of the soils within Elk Township are designated as “all areas are prime farmland”, approximately 2,591 acres is designated as “farmland of local importance”, approximately 18,193 acres is designated as “prime farmland if drained”, approximately 1,182 acres is designated as “not prime farmland”, and 180 acres is designated as “prime farmland if drained and either protected from flooding or not frequently flooded during the growing season.”

According to the NRCS Web Soil Survey, approximately 4,975 acres of the soils within Sanilac County are designated as “all areas are prime farmland”, approximately 2,815 acres is designated as “farmland of local importance”, approximately 28,962 acres is designated as “prime farmland if drained”, approximately 1,382 acres is designated as “not prime farmland”, and 546 acres is designated as “prime farmland if drained and either protected from flooding or not frequently flooded during the growing season.”

## **XI. EXHIBIT A–10: PUBLIC HEALTH AND SAFETY**

### *Section “225(1)(g) of PA 233”*

**Public health and safety impacts of the project are considered acceptable if the design criteria for the proposed facility are met. The following sections outline the applicable standards required for each type of proposed facility.**

Public Act 233 of 2023 provides overarching state-wide standards for wind turbine setback distances to various features, sound levels and shadow flicker requirements to ensure the protection of public health and safety (MCL 460.1226 Subsection (8)(b)); See Section 226(8) of PA 233 (An energy facility meets the requirements of subsection 7(g) (no unreasonable threat to public health or safety) if the standards in Section 226(8) are met) As proposed, the Project adheres to these standards and therefore will not have an adverse impact on local residents’ public health and safety. Refer to the Public Health and Safety Report in **Appendix U** (Exhibit A-10) for additional information regarding the Project’s compliance with PA 233 and supporting documentation that the standards outlined in PA 233 are consistent with other State siting requirements and ensure the protection of public health and safety.

### **A-10.a – Solar Facility.**

The proposed Project is not a solar facility and thus the standards for approval in Exhibit A-10.a do not apply.

### **A-10.b – Wind Facility.**

#### **1. Setbacks**

- i. 2.1 x maximum blade height to nearest point on the outside wall of the structure.**
- ii. Residences and other nonparticipating parties – 1.1 x maximum blade tip height to the nearest point on the outside wall of the structure.**
- iii. Nonparticipating property lines – 1.1 x maximum blade tip height to nearest point on the outside wall of the structure.**
- iv. Public right-of-way – 1.1 x maximum blade tip height to center line of the public road right-of-way.**

All planned turbine locations and associated infrastructure will comply with specific criteria regarding setbacks for wind energy facilities. The Project will include setbacks of 2.1 x maximum blade height to the nearest point on the outside wall of the nonparticipating structures, and 1.1 x maximum blade tip height to the nearest point of a nonparticipating property line, and the center line of the public road right-of-way. Refer to **Appendix A** (with information related to Exhibits A-1.1, A-1.2, & A-1.4 in the MPSC’s AFIP) for further clarification and details.

#### **2. Shadow Flicker – Occupied buildings or nonparticipating residences experience <30 hr/year shadow flicker.**

A shadow flicker report has been drafted and includes the potential amount of shadow flicker on occupied structures and public roads and rights of way. Turbines that produce more than thirty (30) hours of shadow flicker per year will be mitigated by shutting down the turbine or another approach approved by local and state governing bodies. Mitigation efforts and project design will ensure occupied buildings and nonparticipating residences experience <30 hr/year shadow flicker. Refer to **Appendix D** (with information related to Exhibits A-1.2 & 1.8 in the MPSC’s AFIP) for results of the Shadow Flicker Report.

#### **3. Maximum height – Wind tower blade tips may not exceed height allowed under a Determination of No Hazard to Air Navigation by the Federal Aviation Administration under 14 CFR Part 77.**

The Project is designed so that wind tower blade tips will not exceed height allowed under a Determination of No Hazard (DNH) to Air Navigation by the Federal Aviation Administration (FAA) under 14 CFR Part 77. The potential proposed turbine technologies for the Project include the Vestas V162 with a total height of 656 feet, the Vestas V163 with a total height of 655 feet, and the Nordex N169 with a total height of 645 feet.

The Project has received DNHs from the FAA for 42 of the 50 proposed turbine locations. The remaining 8 turbines had also previously received DNHs but were minimally relocated to comply with MPSC setback guidelines, with the maximum relocation distance among them being 723 feet—a distance marginally greater than the rotor sweep diameter of one turbine. These relocations do not increase the potential risk to aircraft operations, and the overall turbine height remains unchanged. All approved and refiled DNHs, including those for the relocated turbines, are for a height of 656 feet, which accommodates all the proposed turbine models for the Project. Updated DNH requests for the 8 relocated turbines were filed in December 2024. Approval of these requests is expected, as the relocations are minor and do not increase hazards to air navigation. Once it is confirmed that the remaining turbines will not substantially interfere with

the safe and efficient use of navigable airspace or air navigation facilities, and will not pose a hazard to air navigation, the DNHs will be granted.

Following issuance of the DNHs, the Applicant will file FAA Form 7460-1, Notice of Proposed Construction or Alteration, at least 10 or 60 days prior to construction, as required by the FAA. Subsequently, Parts 1 and 2 of FAA Form 7460-2, Notice of Actual Construction or Alteration, will be filed—Part 1 shortly before construction begins and Part 2 within 5 days after reaching the structure’s greatest height.

In accordance with FAA Advisory Circular 70/7460-1M, Obstruction Marking and Lighting, the structures will also be marked and/or lighted with white paint and synchronized red lights, as specified in Chapters 4, 13 (Turbines), and 15.

**4. Sound – Must not generate >55 decibel (dB); (average hourly) at nearest wall of nonparticipating property.**

A sound report has been prepared and includes sound modeling results, conducted per IDO 9613-2 (2024) standards, predicting outdoor sound pressure levels confirming the facility meets the noise limits. Project structures will not exceed 55 decibels (average hourly) as measured from the nearest wall of nonparticipating property. The Sound Report is included as **Appendix B** (with information related to Exhibits A-1.2 & 1.7 in the MPSC’s AFIP).

**5. Radar Interference – “any standard” concerning radar interference.**

The Applicant has entered into a mitigation agreement with the Department of Defense and United States Air Force on October 22, 2023, and is committed to mitigate any potential adverse impacts to military operations in the area by implementing the requirements set out in that agreement. Refer to **Appendix M** (Exhibit A-4.4) for the Summary of Agency Consultations including consultation with the Department of Defense.

**A-10.c – Energy Storage Facility. Describe how the facility will meet the following standards:**

The proposed Project is not an energy storage facility and thus the standards in Exhibit A-10.c do not apply.

## **XII. EXHIBIT A–11: DARK SKIES**

**Provide plans to comply with dark sky-friendly lighting solutions for solar or storage facilities and light-mitigation plans for wind facilities as submitted to the Federal Aviation Administration, including exemptions requested for during the construction period.**

The proposed Project is designed to align with dark sky-friendly principles, with outdoor lighting minimized to reduce light pollution. In accordance with FAA requirements, an Aircraft Detection Lighting System (ADLS) will be utilized to reduce the visual impact of required aviation lights while maintaining safety if authorized and approved by the FAA. Other lighting will be limited to what is required for operation of the substation which will be shielded and directed downward to prevent excess illumination ensuring that the Project will have minimal impact on the night sky. No exemptions for additional lighting during construction have been requested at this stage of the Project as night-time construction is generally limited.

Additionally, the Project will comply with FAA Advisory circular 70/7460-1 for Obstruction Marking and Lighting as required by the Designation of No Hazard issued by the FAA for each turbine.

## **XIII. EXHIBIT A-12: TRANSMISSION AND INTERCONNECTION AGREEMENTS**

*Section "225(1)(m) of PA 233"*

**A-12.a – Provide the following information related to power transmission and interconnection.**

- 1. Queue number or other information providing the ability to identify the proposed facility within the interconnection queue.**
- 2. Copies of all studies completed by the regional transmission organization including feasibility studies and system impact studies.**
  - i. If a generator interconnection agreement has been executed, the executed generator interconnection agreement may be submitted in lieu of the studies.**
  - ii. The generator interconnection agreement and/or studies may be filed subject to a protective order and non-disclosure agreement.**

The required information related to power transmission and interconnection, including the facility's queue number for identification within the interconnection queue, is included in the executed generator interconnection agreement provided in **Appendix W** (Exhibit A-12). This executed agreement is being provided in lieu of the requested studies.

## **XIV. EXHIBIT A-13: DECOMMISSIONING**

*Section "225(1)(r) of PA 233"*

### **EXHIBIT A-13.1 – DECOMMISSIONING PLAN**

**Submit a decommissioning plan that includes the following:**

- 1. An overview of the proposed energy facility including:**
  - i. A detailed description of the proposed energy facility above ground and overview of the current land use of the site where the proposed energy facility will be located.**
  - ii. The expected useful life of the proposed energy facility.**
  - iii. A description of events which would trigger applicant-initiated decommissioning.**
  - iv. A physical and chemical analysis of the soil which can be used to ensure soil is returned to a useful condition.**
  - v. A list of known hazardous substances at the time of development.**
- 2. A description of the energy facility removal process including:**
  - i. A proposed decommissioning schedule.**
  - ii. A description of facilities that will be removed and those that will be kept in place including the reasoning and agreement with the property owner.**
  - iii. A description of removal methods and site clearance activities.**
  - iv. A description of anticipated hazardous substances used in the facility and removal from the site based upon what is known at the time the application is filed.**



plan outlines the process for dismantling and removing facility components, hazardous materials management, and recycling or disposal methods.

The site restoration section details steps to return the land to a state similar to its pre-construction condition, following PA 116 requirements. Anticipated permits for demolition and temporary construction will be obtained prior to decommissioning.

Upon an executed Decommissioning Agreement, financial assurances, such as a bond, parent company guarantee, or irrevocable letter of credit, will be in place for ALU's benefit. The plan will also include commitments for periodic updates, landowner coordination, and assurances of compliance with ALU requirements, as well as a final report within 60 days of decommissioning completion.

#### **EXHIBIT A-13.2 – DETAILED DECOMMISSIONING COST ESTIMATE**

**1. Provide a decommissioning cost estimate for restoration of participating properties to useful condition similar to that which existed before construction, including removal of above-surface facilities and infrastructure that have no ongoing purpose. The estimate must include the following:**

**i. Detailed cost estimates for removal of energy facility equipment and infrastructure, land restoration and reclamation, and liability insurance requirements calculated by a third party with expertise in decommissioning to restore to useful condition similar to before the energy facility.**

**ii. An estimate of salvage value for energy facility equipment and infrastructure calculated by a third party with expertise in decommissioning.**

**iii. An estimate of the cost to hire a decommissioning consultant to manage the decommissioning process in the event of owner abandonment or bankruptcy.**

A detailed decommissioning cost estimate for restoring participating properties to a condition similar to that before construction is provided in **Appendix X** (with information related to Exhibits A-13.1 & 13.2 in the MPSC's AFIP). This estimate includes third party calculated costs for equipment removal, land restoration, and liability insurance to ensure the site is returned to a usable state. Additionally, a third-party estimate of the salvage value of facility equipment and infrastructure is included, along with a projected cost to hire a decommissioning consultant if needed due to owner abandonment or bankruptcy.

#### **EXHIBIT A-13.3 – PROPOSED DECOMMISSIONING AGREEMENT**

**1. Submit a Decommissioning Agreement between the applicant and each Business Structure and State of Organization. A copy of the proposed agreement is provided in Attachment F and a word file is available here. Any changes to the sample agreement shall be redlined.**

A Decommissioning Agreement will be entered into with each ALU pursuant to application approval.

### **XV. EXHIBIT A-14: CONDITIONS**

**A-14.a – Submit a completed Exhibit N regarding the proposed minimum conditions in Attachment G.**

**1. The applicant shall include proposals to meet the proposed minimum conditions when filing an application or provide an explanation justifying why any of the proposed minimum conditions should not be applied to the facilities. Those participating in the case are encouraged to evaluate the efficacy of the proposed conditions made by the applicant in the application and to propose modifications or additions to proposed conditions in contested cases filed pursuant to PA 233.**

**2. For each condition listed, consider how the project meets, plans to meet, or should not be required to meet, that condition. Either reference where in the application that condition is addressed or provide a response – either in the table or as an attachment to the table (i.e., Exhibit O-1).**

The Project will meet all standards for approval. Refer to **Appendix Y** (Exhibit A-14) for detailed responses on how the Project plans to meet or exceed all conditions laid out in Exhibit A-14.

## **XVI. EXHIBIT A-15: OTHER REQUESTED INFORMATION**

**A-15.a – Provide other information identified during a pre-application meeting or requested by the Commission that is not otherwise included in the preceding exhibits.**

This application submittal is intended for the ALUs, as such this section is not applicable at this time. The Applicant is committed to working with the ALUs and will respond to requests for relevant additional information as appropriate.

## **V. CONCLUSION**

In support of the Riverbend Wind Energy Facility’s application for approval of its wind energy project, this submission and its attachments provide comprehensive documentation of the Project’s compliance with the Michigan Public Service Commission’s (MPSC) wind energy siting requirements, as outlined in the MPSC’s Application Filing Instructions and Procedures, as well as compliance with the ALUs local zoning ordinances to the extent the local zoning ordinances’ requirements are not more restrictive than the requirements of Public Act 233 of 2023 (MCL 460.1221, et seq.). Throughout all phases of the Project, from design and construction through to operations and its eventual decommissioning, the Applicant is committed to ensuring the Project will adhere to all applicable local, state, and federal regulations, maintaining high standards for environmental stewardship and community benefit.