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# FLICKERTAIL SOLAR PROJECT

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## Flickertail Solar Project Commitments Updated 11/16/2023

- **Decommissioning –**
  - At the end of its useful life, Flickertail must comply with the North Dakota Solar Facility Decommissioning Guidelines (North Dakota Administrative Code (NDAC) Chapter 69-09-10).
  - The Project must provide financial assurance to the PSC in accordance with NDAC Section 69-09-10-08.
  - Flickertail will obtain PSC Certificate of Site Compatibility.
- **Permits –**
  - Flickertail will obtain all other permits necessary prior to beginning construction.
- **Setbacks –**
  - Flickertail will comply with the 500-foot setback from inhabited rural residence setback to all above-ground infrastructure, including fence, or obtain a waiver, in addition, the Project shall setback the BESS 1,320 feet (1/4 mile) from an inhabited rural residence, as requested.
  - All above-ground components of the Project will exceed the 100-foot setback from county and state highway right-of-way by providing a 150-foot setback from the centerline, as requested.
  - All above-ground components of the Project will exceed the 75-foot setback from the township road right-of-way by providing a 150-foot setback from the centerline, as requested.
  - The above-ground components of the Project will comply with the 50-foot setback from the rear lot line.
  - The above-ground components of the Project will comply with the 50-foot setback from the side lot line.
- **Location (Galchutt) –**
  - Flickertail will be at least one mile from the Village of Glachutt, described as one mile from the northern boundary of the SW ¼ of Section 26-13N-49W.
  - Flickertail will not locate any laydown areas in Section 26-134N-49W.
  - The Project has committed to not utilizing the portions of Galchutt Drive, 172 ½ Avenue SE, Galchutt Street, or Galchutt Avenue located within Section 26 for construction traffic.
- **Tree plantings and shelterbelts –**
  - Flickertail will comply with this setback. No screening or tree buffer will be installed within 120' from the centerline of any road. Any trees installed will be located between the Project fence line and 120' from the centerline of the road.
- **Underground Lines –**
  - The Project's underground electric collection and communication lines/cables will be installed in trenches or plowed into place at a depth of at least three feet and will not interfere with or become hazardous to normal farming operations.
- **Emergency Response Plan –**
  - Flickertail will coordinate with local emergency management and the local fire department to develop an emergency response plan.

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- Once operational, the Project operator will coordinate with local emergency management and the local fire department regarding emergency response procedures and training. Flickertail has also agreed to provide and pay for any training necessary to ensure the fire department and emergency response teams are fully trained to respond to any foreseeable fire emergency as agreed upon by the fire chief.
- **Vegetation Management and Drainage –**
  - Flickertail will develop a vegetation management plan in coordination with the local Natural Resources Conservation Service (NRCS) office and the Richland County Soil Conservation District (SCD).
  - The Project will avoid and/or minimize impacts to drainage.
  - The Project will comply with U.S. Environmental Protection Agency regulations regarding stormwater runoff, obtaining coverage under the NDPDES General Stormwater Permit, which requires preparation of a SWPPP.
  - The Flickertail team has already spoken with the local NRCS office and the Richland County SCD and are committing to a pollinator perimeter within the project fence.
  - Temporary or permanent seeding prior to construction will be implemented in accordance with the final Vegetation Management Plan.
- **Roads –**
  - Flickertail will obtain the appropriate approvals with the applicable road authorities regarding selection and use of haul roads as part of the road use and maintenance agreement(s) and haul road permits will be acquired from the appropriate road authorities, as necessary.
  - The Project will work with the Township and other appropriate road authorities, as needed, to facilitate and pay for required upgrades to support such Project construction or operation that meet the required public standards.
  - Flickertail will enter into an approved Road Use Agreement (RUA) with the County and Township as required, prior to the start of construction with specified snow/ice removal language.
- **Fencing –**
  - Permanent security fencing will be installed along the perimeter of the solar arrays, the BESS, and the collector substation. The fencing along the perimeter of the solar arrays will be an approximately seven-foot-tall agricultural-style fence (non-chain link, without barbed wire). The fencing around the BESS and collector substation will be seven feet above grade and may include one foot or more of three or more strands of barbed wire at the top to comply with the National Electric Code. This fencing will be designed to prevent the public from gaining access to electrical equipment. All-access points will have gates.
- **Modules –**
  - Flickertail will only utilize tier 1 module manufacturers that have undergone and passed the EPA's Toxicity Characteristic Leachate Procedure (TCLP) test. This EPA test is required prior to delivery of the panels, and Flickertail is committing to providing the township the results of those test prior to delivery. The test shows that there are no hazardous materials within or on the panels, so there is no concern of leakage from the panels into the soil or the ground water.