

# **Proposed Public Involvement Program Plan**

**September 2019**

## **Ridge View Solar Energy Center**

Towns of Hartland and Newfane, Niagara County, New York



# PROPOSED PUBLIC INVOLVEMENT PROGRAM PLAN

## Case 19-F-XXXX: Ridge View Solar Energy Center

Towns of Hartland and Newfane, Niagara County, New York

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## LIST OF ACRONYMS AND COMMONLY USED TERMS

Acronym/Abbreviation	Definition/Denotation
AC	Alternating Current
CES	Clean Energy Standard
DC	Direct current
DPS	New York State Department of Public Service
Facility	Generating facility components and site associated with the Ridge View Solar Energy Center
Facility Area	Land area that may host generating facility components, interconnections and related facilities
GIS	Geographic Information Systems
GW	Gigawatt
kV	Kilovolt
MW	Megawatt
MW <sub>ac</sub>	Megawatt, Alternating Current
MWh	Megawatt-hour
MW <sub>p</sub>	Megawatt, Peak
NYISO	New York Independent System Operator
NYSDEC	New York State Department of Environmental Conservation
O&M	Operations and Maintenance
OCC	Operations Control Center
PIP	Public Involvement Program Plan
POI	Point of Interconnection
PSC	New York State Public Service Commission
PSL	Public Service Law
PSS	Preliminary Scoping Statement
PV	Photovoltaic
SCADA	Supervisory Control and Data Acquisition
Siting Board	New York State Board on Electric Generation Siting and the Environment
Stakeholders	Defined by 16 NYCRR 1000.2(an) as those persons who may be affected or concerned by any issues within the Siting Board's jurisdiction relating to the proposed major electric generating facility and any decision being made by it.
Study Area	Areas within a 2-mile radius of the Facility Area

## 1.0 INTRODUCTION

EDF Renewables Development, Inc. (“EDF RD” or the “Applicant”), a subsidiary of the EDF Renewables, Inc. (“EDF Renewables”) is proposing to construct a 350 megawatt (“MW”) alternating current (“AC”) photovoltaic (“PV”) solar energy generation facility, that may include approximately 100 MW (400 megawatt hours “MWh”) of battery energy storage capacity referred to as the Ridge View Solar Energy Center (the “Facility” or “Project”), in the Towns of Hartland and Newfane, Niagara County, New York. As discussed further below, EDF Renewables is a leading independent power producer (“IPP”) and service provider with 16 gigawatts (“GW”) of renewable energy projects developed across North America. EDF Renewables values meaningful relationships between business and society, which includes a shared goal of building a cleaner world for tomorrow.

The purpose of this Public Involvement Program Plan (“PIP Plan” or the “Plan”) is to introduce the Project to the local community and other interested parties and to explain the public outreach and involvement efforts that EDF RD will pursue throughout the development of the Project. The information that the Applicant receives through its public outreach program will assist in defining the scope of the studies that will ultimately form the basis of the Application to the Siting Board. Through this process, stakeholder concerns, interests, local knowledge, and recommendations will be evaluated, addressed and considered by the Applicant and the Siting Board.

Given the proposed size of the Project, it is considered a “major electric generating facility” under Article 10 of the New York State Public Service Law. Generally, Article 10 provides for the siting review of new major electric generating facilities in New York State with a nameplate generating capacity of 25 MW or more. This review is conducted [administered] in New York State by the Board on Electric Generation Siting and the Environment (the “Siting Board”), in a unified proceeding instead of requiring a developer of such a facility to apply separately for numerous state and local permits.

In addition to Article 10, the Siting Board has also adopted several rules and regulations which must be followed in developing a project such as the Ridge View Solar Energy Center.<sup>1</sup> The Siting Board’s rules require that applicants proposing to submit an Application to construct a major electric generating facility under Article 10, initiate the regulatory review process by first filing a PIP Plan. Under the Siting Board’s rules,<sup>2</sup> the PIP Plan must be submitted to the Department of Public Service (“DPS”) for review at least 150 days prior to filing a Preliminary Scoping Statement (“PSS”).

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<sup>1</sup> Copies of Article 10 and the Siting’s Board’s rules can be found at:  
<http://www3.dps.ny.gov/W/PSCWeb.nsf/All/1392EC6DD904BBC285257F4E005BE810?OpenDocument>.

<sup>2</sup> 16 NYCRR § 1000.4.

This document describes EDF RD's public outreach and involvement activities that will be conducted by the Applicant throughout the Article 10 review process, and is intended to serve as the required PIP Plan. Through this PIP Plan, the Applicant (1) formally introduces the Project, (2) describes the Article 10 process to the local community, stakeholders and other interested parties, and (3) outlines future public meetings and other outreach efforts, through which Facility-related information will be shared and the public will have an opportunity to participate as a stakeholder by asking questions and providing comments.

More specifically, as required by the Siting Board's rules and regulations,<sup>3</sup> this PIP Plan includes the following components:

- (1) Consultation with the affected agencies and other stakeholders;
- (2) Pre-application activities to encourage stakeholders to participate at the earliest opportunity;
- (3) Activities designed to educate the public as to the specific proposal and the Article 10 review process, including the availability of intervenor funding for municipal and local parties;
- (4) The establishment of a website to disseminate information to the public and updates regarding the Facility and the Article 10 process;
- (5) Notifications to affected agencies and other stakeholders; and
- (6) Activities designed to encourage participation by stakeholders in the certification and compliance process.

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<sup>3</sup> 16 NYCRR § 1000.4.

## 2.0 PROJECT DESCRIPTION

### 2.1 COMPANY PROFILE

With more than 30 years of renewable energy experience EDF RD and its affiliates possess the technical expertise, financial resources and commitment to deliver this new, proficient solar facility in accordance with New York's Clean Energy Standard. With United States headquarters in San Diego, California, and offices in more than 20 countries, EDF Renewables is a global market leader in renewable electricity production, as well as a leading IPP and service provider. With more than 16 GW of renewable energy projects developed, including more than 1,500 MW of commercial and utility-scale solar installations operating or in construction, EDF RD ranks among the most reputable full-service renewable energy companies in the United States. Throughout its significant experience, EDF RD has built long-standing relationships with key stakeholders, including utilities, corporate buyers, regulatory agencies, and the communities in which it operates, enabling them to expertly navigate the development process, ensuring successful completion and operation of our projects. Recent examples of grid-scale solar facilities developed and/or managed by EDF Renewables include the:

- 119 MW Gutenberg Solar facility in North Carolina
- 111 MW Bluemex Solar facility in Mexico
- 111 MW Pecan Solar facility in North Carolina
- 143 MW Catalina Solar facility in California

The Catalina Solar project in Kern County, California consists of more than 1,100,000 solar panels and generates enough electricity to meet the demand of 35,000 homes and displaces approximately 250,000 metric tons of CO<sub>2</sub> annually. EDF Renewables also develops community-scale solar projects for municipalities, schools, nonprofits, landowners and other entities. With years of expertise developing projects across the world, EDF Renewables believes in turning renewable energy ideas and long-term relationships into ethical, high-value sustainable businesses. Solar generation at grid-scale is new to these and most communities. Information, transparency, education and listening are key to developing a project that is a net benefit to all. Working in conjunction with EDF RD is EDF Renewable Services, Inc. (EDF RS), a market leader in the operating and maintaining of renewable energy facilities for EDF Renewables and for third parties. This PIP Plan establishes EDF RD's approach for successful public and stakeholder engagement.

EDF Renewables built the McHenry Energy Storage Project (McHenry Storage) in McHenry County Illinois, a 20 MW battery storage project. McHenry Storage is the first battery energy storage project for EDF Renewables in North America. Worldwide, EDF operates more than 800 MWh of batteries across a range of applications from long duration storage to frequency response world-wide.

With more than 14 GW of wind and solar facilities under its responsibility, EDF RS is one of the largest North American providers of third-party operations and maintenance (“O&M”) services for the renewable energy industry. Providing a full range of services beginning prior to commissioning and going through to decommissioning, EDF RS provides total project operations and maintenance services including options such as balance-of-plant management, remote monitoring, and OEM oversight, all performed by qualified and experienced EDF RS technicians under stringent safety standards. EDF RS provides critical 24/7/365 remote monitoring, diagnostics, and troubleshooting from its state-of-the-art Operations Control Center (“OCC”) located in San Diego, California, increasing equipment availability, minimizing downtime, and reducing operational and maintenance costs. The OCC combines control center, Supervisory Control and Data Acquisition (“SCADA”), and operations and maintenance (“O&M”) auxiliary services into a technical services hub, with a “One Touch” integrated front-end monitoring system to improve response times and more effectively track key performance indicators.

The OCC is equipped with scalable technical infrastructure with component redundancy capable of disaster recovery, risk mitigation, and compliance management. This enhances the ability to monitor and diagnose plant performance and to provide additional sophisticated O&M services to best serve the local communities. This PIP Plan establishes EDF RD’s approach for successful public and stakeholder engagement.

## 2.2 PROJECT SUMMARY

The Ridge View Solar Energy Center is a proposed 350 MW<sub>ac</sub> photovoltaic solar facility, that may include approximately 100 MW (400 MWh) of battery energy storage capacity, located in the Towns of Hartland and Newfane, Niagara County, New York. Figure 1 depicts the proposed Facility Area in relation to its regional context. The Project is consistent with the New York State Public Service Commission’s (“PSC”) proceeding implementing a Clean Energy Standard (“CES”), which supports the development of clean energy and renewable resources in New York State. The Facility will safely generate enough clean, renewable electricity to power more than 80,000 New York households. The Facility will also provide an economic stimulus to the area during construction by providing jobs and local contracts for goods and services, during operation offering long term highly skilled operational positions and significant long-term economic benefits through lease revenue to local landowners and additional revenue to the community.

The primary factor directing the siting of a solar + storage facility is proximity to a transmission line with existing capacity so the power from the project may be added to the transmission grid without prohibitive cost. To meet New York State’s renewable energy policy goals and a societal need for additional renewable power, a proposed project needs to be both clean *and* cost effective. Therefore, the cost to interconnect the Facility to the transmission system is a major factor in project siting. The Facility will interconnect to the New York power grid via a new Point of Interconnection (POI) in the Town of Hartland, tapping into the 345 kilovolt (“kV”) transmission line bisecting the Facility Area. The



selection of appropriate sites for a solar-powered electric generation facility is constrained by numerous other factors that are essential considerations for a project to operate in a technically and economically viable manner. Other important factors include the availability of relatively flat, open, and appropriately oriented land to site the panels, willing land lease and host participants, and preliminary environmental screenings that have not indicated any significant environmental or societal concerns.

The lands that are being evaluated for potential solar development are located entirely in the Towns of Hartland and Newfane, Niagara County, New York, and are identified on Figures 1 and 2 as the “Facility Area”. Not all the land included in this area will be included in the Project. Rather, the Facility Area represents the broader area within which selected parcels will be developed with solar facilities. This provides flexibility during the project development phase to minimize and avoid impacts to wetlands, cultural resources, visual resources, wildlife habitat, and other sensitive resources. The Facility will ultimately be sited on approximately 2,000 acres of leased privately owned land within the Facility Area, which will likely consist primarily of cleared land. The Applicant will be leasing or obtaining easements on the majority of the land required to accommodate the Project from private landowners.

The Facility will use the same type of photovoltaic panels installed on over one million homes in the United States. Solar equipment is a proven safe technology in applications from fields to rooftops of homes and schools. Ground-mounted solar panels are typically mounted on piles driven or screwed into the ground or screwed or grouted into bedrock. The Facility will consist of the following components:

- A solar field of PV panels producing direct current (“DC”) electricity mounted on fixed tilt structures, typically installed with a maximum panel height of approximately 12 feet in height above the ground;
- Inverters placed throughout the Facility to convert DC electricity to alternating current (AC) electricity, co-located with transformers that will increase the electricity voltage from the solar panels to 34.5 kV;
- A medium voltage 34.5 kV electrical collection system that will aggregate the AC output from the inverters;
- Battery energy storage containers are being considered, and may be co-located with the inverters within the Facility Area or installed near the POI;
- A POI substation where the Facility’s electrical output voltage will be increased from approximately 34.5 kV to the transmission line voltage of 345 kV via a step-up transformer. The station would be enclosed by a security fence. Although not yet designed, taller substation equipment such as the overhead gantry (which allows the powerlines to connect to the existing transmission line), lightning shield poles, and possible telecommunication structures, could have a maximum height of 70 feet or more. The POI substation will likely be located in the Town of Hartland on a parcel of land within the Facility Area, intersecting the 345 kV transmission line;

- Internal infrastructure including access roads and fencing; and
- Temporary laydown areas for equipment staging during construction.

The Ridge View Solar Energy Center will have a nameplate capacity of about 350 MW<sub>ac</sub> and may include energy storage. It is expected to generate enough electricity to meet the average annual consumption of 80,000 New York households, based on average annual electric consumption of 6.719 MWh for New York State (EIA, 2009). Solar energy is most beneficial during the summer demand to meet air conditioning loads. Because it uses no fossil fuel, it offsets additional air pollution by displacing thermal generation sources. Solar modules have followed the same cost pattern as many other electrical devices. Module costs have fallen significantly over the last 10 years, dramatically changing their role in wholesale power supply.

The proposed Facility will have positive impacts on socioeconomics in the area through employment opportunities, specifically by generating temporary construction employment, a significant amount of which will likely be drawn from Niagara County and the regional labor market. Local construction employment will primarily benefit those in the construction trades, including equipment operators, truck drivers, laborers, and electricians. The average crew size for construction employment is estimated to be around 300 workers and significantly more at peak. In addition, an estimated five full-time jobs will be generated from operation of the Facility, with additional occasional work for contractors for landscaping, periodic maintenance and other incidental work. A payment in lieu of taxes (PILOT) and host community agreement are being proposed to provide approximately \$1,000,000 in annual revenues to the Towns of Hartland and Newfane, Niagara County, Barker Central School District, Newfane Central School District and the Royalton-Hartland Central School District. The final amount will depend on the conclusion of negotiations and the final size of the Project. Landowners hosting Facility infrastructure will receive annual payments, and additional local revenues are possible through the purchase of construction materials, supplies, services and goods throughout the life of the Facility.

Through very deliberate site selection, followed by careful planning and design, and by the benign nature of the technology, the Facility will have minimal impacts on the surrounding community. Solar facilities produce minimal noise and no vibration. The solar PV panels proposed to be used for the Facility do not contain hazardous material and have a low height profile. Setbacks, fencing and landscape buffering allow solar projects to have a minimal visual impact on the community and natural setting of the area.

Responsibly sited solar facilities can provide long term preservation of agricultural land. The Facility is not a permanent structure and will be decommissioned at the end of its operational life, at which time the land can be returned to its former use. Therefore, the land is converted to another productive and beneficial use, and can be reversed back to

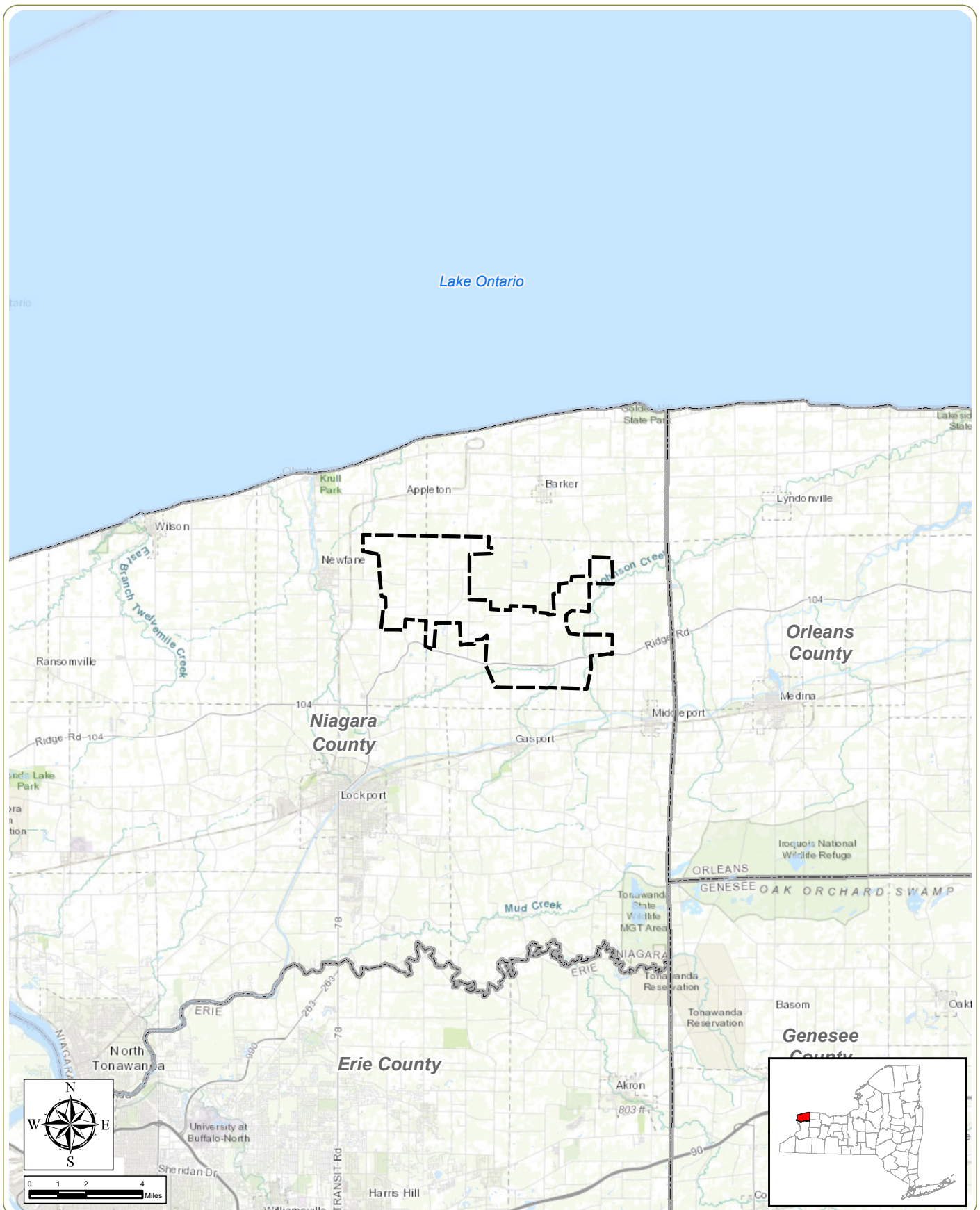
agricultural use after site decommissioning and restoration. The Facility essentially provides a form of preservation for agricultural land by preventing other forms of traditional development. Solar projects generally have an operational life of up to 40 years. The Applicant will provide a detailed decommissioning plan in the Article 10 Application. In accordance with the Siting Board's rules<sup>4</sup>, the plan will ensure proper removal of the Facility and restoration of the land at the end of the Project's useful life.

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<sup>4</sup> 16 NYCRR § 1001.29 (Site Restoration and Decommissioning).



### **Figure 1: Regional Facility Location**





## Ridge View Solar Energy Center

Town of Newfane, Town of Hartland, Niagara County, New York

**Figure 1: Regional Facility Location**

**Notes:** 1. Basemap: ESRI ArcGIS Online "World Topographic Map" map service.  
2. This map was generated in ArcMap on August 14, 2019. 3. This is a color graphic. Reproduction in grayscale may misrepresent the data.

 Facility Area  
 County Boundary

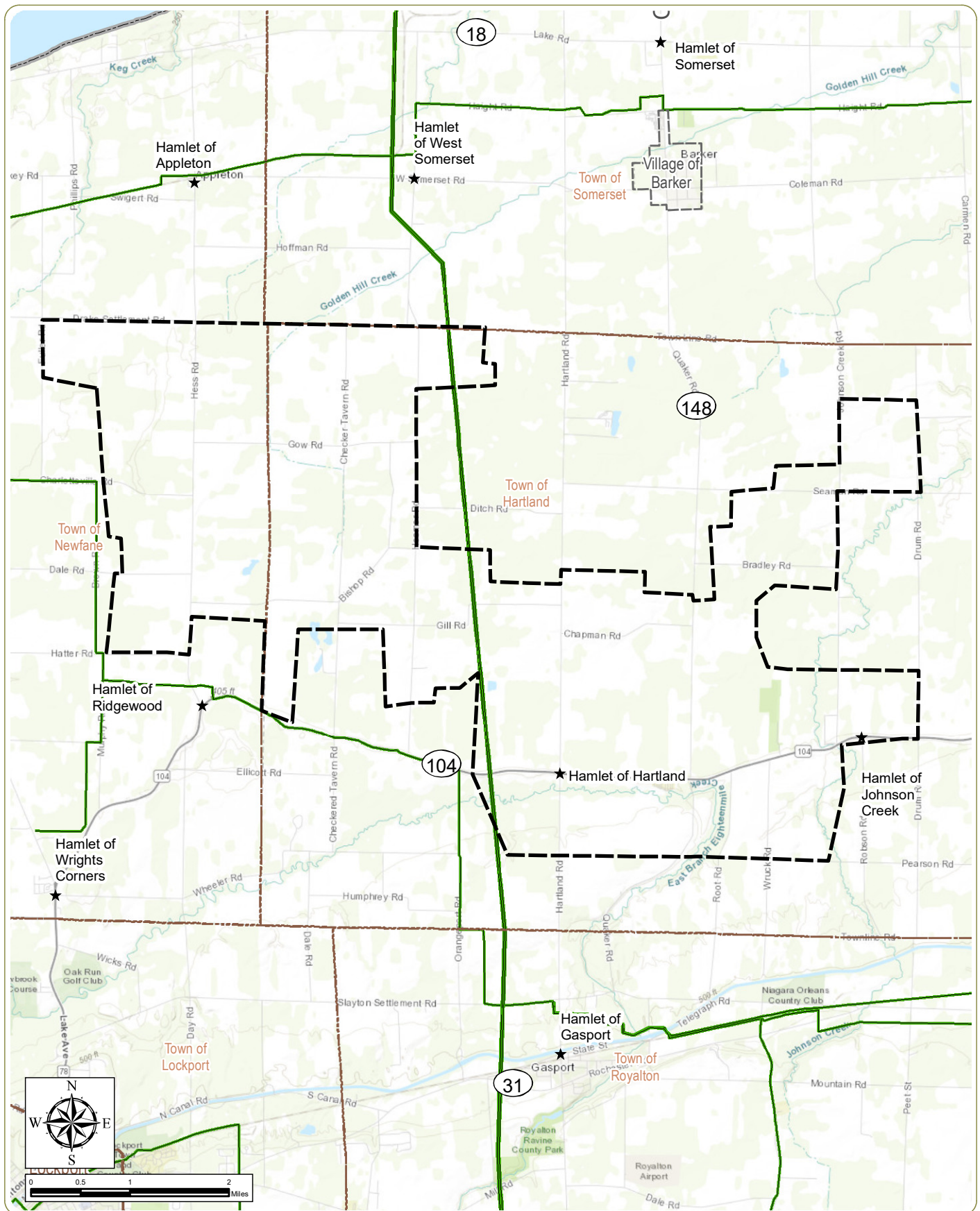


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## Figure 2: Facility Area





## Ridge View Solar Energy Center

Town of Newfane, Town of Hartland, Niagara County, New York

**Figure 2: Preliminary Facility Area**

**Notes:** 1. Basemap: ESRI ArcGIS Online "World Topographic Map" map service. 2. This map was generated in ArcMap on August 23, 2019. 3. This is a color graphic. Reproduction in grayscale may misrepresent the data.

- ★ Hamlet
- Transmission Line
- ▭ Facility Area
- ▭ Village Boundary
- ▭ Town Boundary
- ▭ County Boundary



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## 2.3 STUDY AREA

The Siting Board's rules define the Study Area to be used for analysis of major electric generating facilities as "an area generally related to the *nature of the technology* and the *setting* of the proposed site. For large facilities or wind power facilities with components spread across a rural landscape, the Study Area shall generally include the area within a radius of at least five miles from all generating facility components, interconnections and related facilities and alternative location sites."<sup>5</sup> Unlike a wind power project that contains wind turbines that may be 500 feet or more in height and which are visible from a relatively large surrounding area (e.g., 5 miles or more), a solar generating facility does not have any tall visible components. The tallest components of the generating portion of the proposed Facility will be the PV panels and inverter equipment, which have a relatively low profile, and are not expected to be more than 12 feet above grade, less than a single-story residence. Non-generating portions of the Facility, including an operation and maintenance building and any required storage facilities, are also not expected to exceed 25 feet above grade. As described above, equipment within the POI will be as high as 70 feet or more above grade at a single location near the existing 345 kV transmission line that will serve as the final grid interconnection point within the Facility Area. Therefore, the nature of the technology is such that visibility is anticipated to be relatively limited to those areas located adjacent to the Facility.

With respect to setting, the Facility Area is located within elevations of approximately 350± feet to approximately 450± feet above sea level, while elevations for Niagara County range from approximately 250± feet to approximately 676± feet.<sup>6</sup> The Facility Area is characterized by relatively flat to gently sloping topography. Land use in and around the Project Site is dominated by a mix of agricultural land with associated rural residences, forested land, lowland marshes/swamps, and successional communities. Because of the flat topography in the immediate vicinity of the Facility, and its low-profile, visibility of the Facility components will be largely limited to the immediate vicinity of the proposed Facility. Each section of the Facility will be surrounded by fencing and sections bordering public roads or nearby residences will be designed to include landscape buffering outside the fence. Therefore, the Applicant proposes a 2-mile radius Study Area from (and including) all Facility components. Figure 3 depicts the 2-mile radius Study Area extending from the Facility Area. Municipalities within this Study Area include the Towns of Hartland, Newfane, Royalton and Somerset, all of which are located in Niagara County.

A more in-depth description of the Study Area will be included in the PSS and Application, and it should be noted that the extent of the Study Area may be expanded for certain studies (e.g., visual impact assessment). For the purposes of this PIP Plan, the Study Area has been defined conservatively based on a Facility Area that is anticipated to be

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<sup>5</sup> 16 NYCRR § 1000.2(ar).

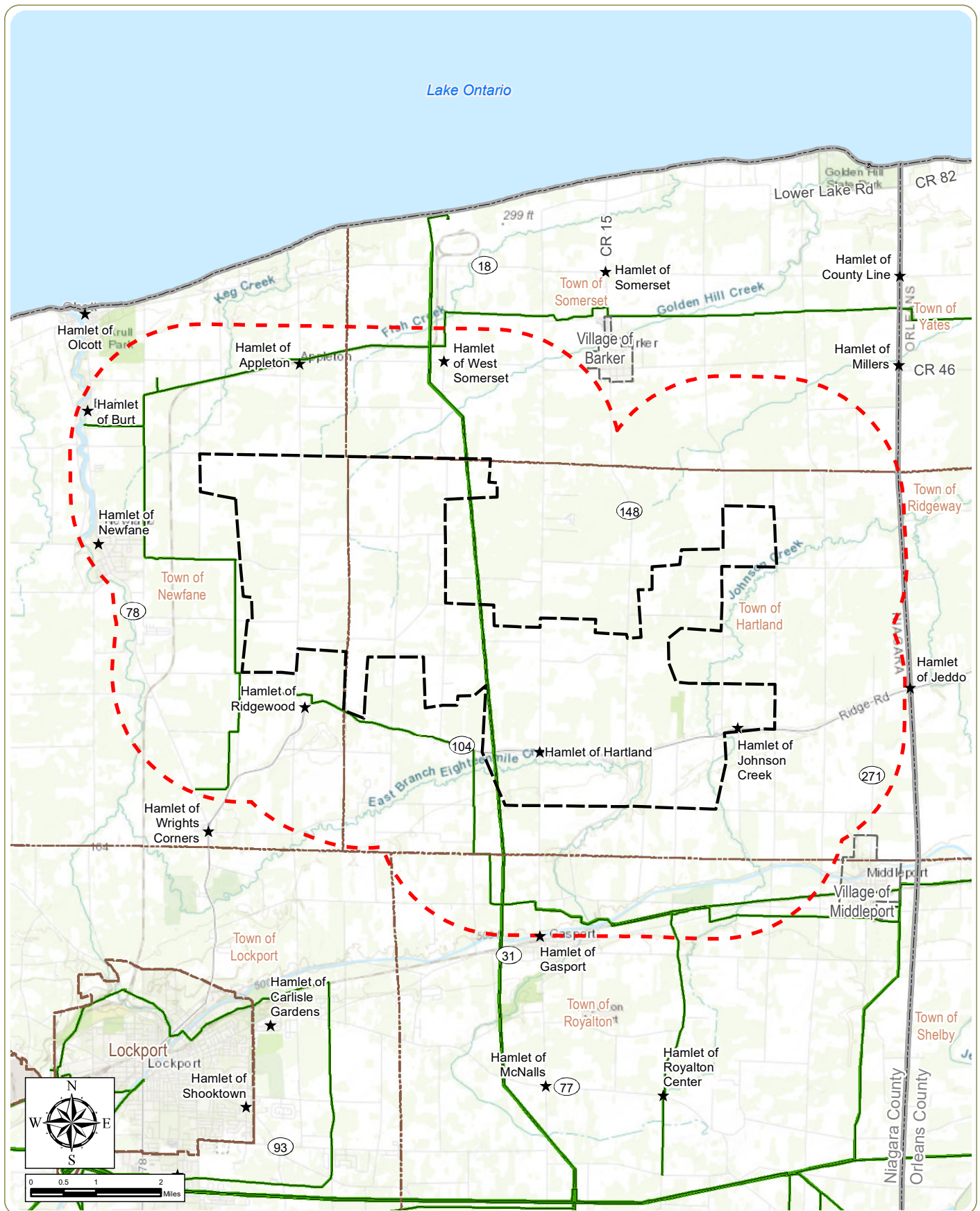
<sup>6</sup> USGS Topographic Map



larger than the ultimate footprint of the Facility. As the Article 10 process continues, specific Facility component locations will be identified and shared with the general public, stakeholders and all affected agencies. It is presumed that any potential alternatives would be located within the communities identified herein.



### **Figure 3: Facility Study Area**



### Ridge View Solar Energy Center

Town of Newfane, Town of Hartland, Niagara County, New York

**Figure 3: Study Area**

**Notes:** 1. Basemap: ESRI ArcGIS Online "World Topographic Map" map service. 2. This map was generated in ArcMap on August 23, 2019. 3. This is a color graphic. Reproduction in grayscale may misrepresent the data.

- ★ Hamlet
- Transmission Line
- Facility Area
- Village Boundary
- Town Boundary
- County Boundary
- 2-Mile Study Area



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### 3.0 IDENTIFICATION OF STAKEHOLDERS

A fundamental first step in the community outreach process for the Project is identifying the stakeholders that may be affected by construction and operation of the proposed Facility. In more than 30 years of activity in North America, EDF RD has developed more than 16,000 MW of grid-scale power, including a wide variety of solar, wind, and energy storage projects. EDF RD maintains a development approach that places transparency, safety, accountability, and respect for local communities as its core values. Based on this experience, EDF RD has successfully engaged interested agencies, municipalities, utilities, host landowners, and other potential stakeholders by being transparent at all times and providing timely information to consistently educate all stakeholders. The process by which EDF RD identifies specific stakeholders for this Facility is informed by experience coupled with DPS guidance, local community guidance, and prior submissions of other Article 10 PIP plans. Stakeholder identification efforts for Ridge View Solar Energy Center also included reviewing County GIS records, tax records, personal visits, and internet research, among other steps. At the outset, the Applicant considered the following in compiling its list of affected agencies and other stakeholders:

- The anticipated locations of Facility components within the Facility Area;
- “Local Party,” as defined in the Siting Board’s rules (16 NYCRR §1000.2[s]);
- “Affected Agencies,” as that term is used in the Siting Board’s rules (16 NYCRR § 1000 et seq.);
- Host municipalities, which, for the purposes of this PIP Plan, refers to those municipalities that are currently within the Facility Area and are anticipated to host Facility components (to be determined and further described in the PSS);
- Adjacent municipalities;
- Previous consultation with local stakeholders;
- Public interest groups; and
- State and federal elected officials representing the Host Municipalities and, if different, other municipalities within the Study Area.

A master list of stakeholders (also referred to as the Notification List), which includes all known potentially interested stakeholders and parties, was developed based upon the combination of efforts described above (see Exhibit A). EDF RD anticipates that the Notification List will be updated as necessary based on information and requests from interested stakeholders received during PIP Plan activities and these updates will be provided to the DPS along with the PIP Plan tracking submissions. In addition, potentially affected or interested stakeholders include host landowners who have a land agreement with EDF RD, as well as adjacent landowners as defined in Section 3.6 and landowners who would normally be notified of a local Town land use action. Sections 3.1 through 3.8, below, identify stakeholders by category.

### 3.1 AFFECTED STATE AND FEDERAL AGENCIES

Empire State Development Corporation  
National Telecommunications and Information Administration  
New York Independent System Operator  
NYS Energy Research and Development Authority  
NYS Attorney General  
NYS Department of Agriculture and Markets  
NYS Department of Corrections and Community Services  
NYS Department of Environmental Conservation, Central Office  
NYS Department of Environmental Conservation, Region 9  
NYS Department of Health  
NYS Department of Public Service  
NYS Department of State  
NYS Department of Transportation, Central Office  
NYS Department of Transportation, Region 5  
NYS Division of Homeland Security and Emergency Services  
NYS Governor's Office  
NYS Office of Parks, Recreation and Historic Preservation  
State Assemblyman Robin Schimminger, 140<sup>th</sup> Assembly District  
State Assemblywoman Jane L. Corwin, 144<sup>th</sup> Assembly District  
State Assemblyman John D. Ceretto, 145<sup>th</sup> Assembly District  
State Assemblyman Raymond Walter, 146<sup>th</sup> Assembly District  
State Senator Robert G. Ort, 62<sup>nd</sup> Senate District  
US Army Corps of Engineers  
US Federal Aviation Administration  
US Fish and Wildlife Service  
US House of Representatives, Brian Higgins, 26<sup>th</sup> Congressional District  
US House of Representatives, Chris Collins, 27<sup>th</sup> Congressional District  
US Senator Charles E. Schumer  
US Senator Kirsten E. Gillibrand

### 3.2 LOCAL AGENCIES

Hartland Fire Department  
Niagara County Department of County Manager  
Niagara County Department of Economic Development  
Niagara County Department of Health  
Niagara County Department of Public Works  
Niagara County Office of Emergency Services & Fire Coordinator  
Niagara County Planning Board  
Niagara County Soil and Water Conservation District  
Miller Hose Company (Fire Station)  
Town of Hartland Clerk's Office  
Town of Hartland Highway Department  
Town of Hartland Historian  
Town of Hartland Town Board  
Town of Hartland Zoning & Building Department  
Town of Newfane Clerk's Office  
Town of Newfane Highway Department  
Town of Newfane Town Board

### 3.3 MUNICIPALITIES AND SCHOOL DISTRICTS IN THE FACILITY AREA

Niagara County  
Town of Hartland  
Town of Newfane  
Barker Central School District  
Newfane Central School District  
Royalton-Hartland Central School District

### 3.4 MUNICIPALITIES AND SCHOOL DISTRICTS IN THE STUDY AREA

Town of Somerset  
Town of Royalton  
Medina Central School District

### 3.5 ADDITIONAL STAKEHOLDERS

Cornell Cooperative Extension of Niagara County  
Finger Lakes – Lake Ontario Watershed Protection Alliance  
Iroquois National Wildlife Refuge  
National Grid  
New York Forest Owners Association  
New York State Electric and Gas Company (NYSEG)  
Western New York Land Conservancy  
Sierra Club, Niagara Group  
The Nature Conservancy, Central & Western New York  
Tonawanda Reservation  
Tuscarora Nation

### 3.6 HOST AND ADJACENT LANDOWNERS

Host landowners are landowners with whom the Applicant has entered or will enter into a lease or easement agreement. As defined in the Siting Board's rules,<sup>7</sup> adjacent landowners are landowners with property within 500 feet of proposed Project components. Landowners who would typically be notified of local Town land use actions will be included. The identities of potential host and adjacent landowners are determined from county GIS records, tax records, and personal visits by representatives of the Applicant.

The Applicant has not determined when the final Facility layout will be completed. However, information obtained during the pre-application process will be used, as appropriate, to assist in developing the final layout. In addition, the final layout will be determined by incorporating further input from stakeholders, as well as processing data from fieldwork (e.g., avoidance of impacts to wetlands identified during field delineation efforts). Therefore, specific host and adjacent landowner information is not included within this PIP Plan. Participating and adjacent landowners will be included in mailings, outreach activities and notifications that are provided to the stakeholders identified in this PIP Plan throughout design and construction of the Facility. Additional outreach to host landowners and municipal officials will take place during decommissioning and site restoration activities at the end of the Facility's operational life. However, for privacy purposes, the stakeholder list may include addresses or parcel numbers rather than landowner identification.

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<sup>7</sup> 16 NYCRR § 1000.2(a).



### 3.7 PUBLIC INTEREST GROUPS

Niagara County Farm Bureau

Niagara River Region Chamber of Commerce

Niagara USA Chamber

### 3.8 ENVIRONMENTAL JUSTICE COMMUNITIES THAT WILL BE AFFECTED BY THE PROPOSAL

The Ridge View Solar Energy Center is subject to NYSDEC rules for the analysis of environmental justice issues associated with projects subject to review and approval under Article 10 of the Public Service Law.<sup>8</sup>

Per NYSDEC Environmental Justice Policy CP-29, Potential Environmental Justice Areas include census block groups featuring populations that meet or exceed at least one of the following statistical thresholds:

1. At least 51.1% of the population in an urban area reported themselves to be members of minority groups; or
2. At least 33.8% of the population in a rural area reported themselves to be members of minority groups; or
3. At least 23.59% of the population in an urban or rural area had household incomes below the federal poverty level.

Based on data obtained from the *NYSDEC's Geospatial Information System (GIS) Tools for Environmental Justice* website ([www.dec.ny.gov/public/911.html](http://www.dec.ny.gov/public/911.html)), there are no Potential Environmental Justice Area within the Study Area. The nearest Potential Environmental Justice Area to the Facility is located within the City of Lockport, which is approximately 7 miles south west of the Facility (at least 42.29% of the population in this Urban area have household incomes below the federal poverty level). Further discussion on Potential Environmental Justice Areas, including the cumulative impact of existing sources of air pollutants and the projected emission of air pollutants from the proposed Facility, will be included in the PSS and the Application (Exhibit 28) pursuant to the Siting Board's rules.<sup>9</sup>

## 4.0 LANGUAGE ACCESS

The Siting Board's regulations require a PIP Plan to identify (1) any language, other than English, that is spoken (according to United States Census data) by 5,000 or more persons residing in any portion of a 5-digit zip code postal zone located within the Study Area for the facility; and (2) any language other than English spoken by a significant population of persons residing in close proximity to the proposed facility, alternative locations, or interconnections.<sup>10</sup>

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<sup>8</sup> See 6 NYCRR Part 487.

<sup>9</sup> 16 NYCRR § 1000.5(l)(2)(xi).

<sup>10</sup> 16 NYCRR § 1000.4(d).



According to the US Census Bureau data from the 2013-2017 American Community Survey (ACS) 5-year estimates, 4% of Niagara County residents age 5 or older speak a language other than English at home<sup>11</sup>. With a 2017 population estimate of 201,586 persons, this means approximately 8,185 people in the County speak a language other than English at home. The Study Area contains portions of seven zip codes in which languages other than English are spoken. However, in all seven zip codes, fewer than 5,000 people speak a language other than English (see Table 1). Based on these findings, the Applicant is proposing to distribute Project related materials in only the English language.

**Table 1. Most Prevalent Languages Spoken in Study Area Zip Codes**

Zip Code	Language	Number of Speakers
14008	English	1,279
	Spanish	3
	Other Indo- European Languages	2
	Asian and Pacific Island Languages	2
	Other Languages	0
	<b>Total:</b>	<b>1,286</b>
14012	English	2,211
	Spanish	103
	Other Indo- European Languages	26
	Asian and Pacific Island Languages	0
	Other Languages	0
	<b>Total:</b>	<b>2,340</b>
14028	English	1,515
	Spanish	9
	Other Indo- European Languages	2
	Asian and Pacific Island Languages	1
	Other Languages	0
	<b>Total:</b>	<b>1,527</b>
14067	English	5,212
	Spanish	27
	Other Indo- European Languages	75
	Asian and Pacific Island Languages	0
	Other Languages	17
	<b>Total:</b>	<b>5,331</b>
14094	English	44,840
	Spanish	745
	Other Indo- European Languages	728
	Asian and Pacific Island Languages	283
	Other Languages	54
	<b>Total:</b>	<b>46,650</b>
14105	English	4,138
	Spanish	51

<sup>11</sup> <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>

	Other Indo- European Languages	17
	Asian and Pacific Island Languages	0
	Other Languages	0
	<b>Total:</b>	<b>4,206</b>
14108	English	5,891
	Spanish	14
	Other Indo- European Languages	3
	Asian and Pacific Island Languages	0
	Other Languages	0
	<b>Total:</b>	<b>5,908</b>

Source: <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml> (American Fact Finder, U.S. Census Bureau)

## 5.0 PROPOSED PUBLIC INVOLVEMENT PROGRAM

### 5.1 PROJECT CONTACT INFORMATION

- EDF Renewables Development, Inc.  
195 Montague Street, 14th Fl.  
Brooklyn, NY 11201  
(833) 333-7369
- Project Representative:  
Kevin Campbell, Development Manager  
(833) 333-7369  
[Kevin.Campbell@edf-re.com](mailto:Kevin.Campbell@edf-re.com)
- Local Project Office During Construction:<sup>12</sup>  
[Address TBD]  
[Hours of Operation TBD]
- Project Website: [www.ridgeviewsolar.com](http://www.ridgeviewsolar.com)
- Local Document Repositories:
  - Hartland Town Clerk  
8942 Ridge Rd.  
Gasport, NY 14067

<sup>12</sup> When this information becomes available, the Applicant will post it to the Project Website, provide it to Host Municipalities and Document Repositories, and include it on future public notices, where appropriate.

Phone: (716) 735-7179

Open: 8:30 AM – 4:00 PM Tuesdays – Friday

- Royalton Hartland Public Library

9 S. Vernon St.

Middleport, NY 14105

Phone: (716) 735- 3281

Open: 11:00 AM- 8:00 PM Monday – Thursday, 11:00 AM – 4:00 PM Saturday

- Town of Newfane

2737 Main Street

Newfane, NY 14108

Phone: (716) 778-8531

Open: 8:30 AM – 4:30 PM Monday through Friday

- Newfane Public Library

2761 Maple Avenue

Newfane, NY 14108

Open: 10:00 AM – 5:00 PM Monday, Wednesday and Friday; 12:00 PM – 8:00 PM Tuesday and Thursday; 11:00 AM – 2:00 PM Saturday

## 5.2 PROPOSED PUBLIC INVOLVEMENT PLAN

The Applicant's proposed PIP Plan focuses first and foremost on early and frequent communication with Host Communities, including the Towns of Hartland and Newfane, and Niagara County. The PIP Plan will be made available at the document repositories listed in Section 5.1 above and the Project website. Aside from the Town and County, there are many important stakeholders to consider in developing a solar project of this scale. The Siting Board's rules provide that a PIP Plan must include: (1) consultation with the affected agencies and other stakeholders; (2) pre-application activities to encourage stakeholders to participate at the earliest opportunity; (3) activities designed to educate the public as to the specific proposal and the Article 10 review process, including the availability of funding for municipal and local parties; (4) the establishment of a website to disseminate information to the public; (5) notifications; and (6) activities designed to encourage participation by stakeholders in the certification and compliance process.<sup>13</sup> It is anticipated that this will be an ongoing, evolving process throughout all phases of the Article 10 review process (pre-application phase, application phase, hearing and decision phase, and post-certification phase), intended to disseminate information regarding the Facility to stakeholders, solicit information from those stakeholders during public outreach events, and generally foster participation in the Article 10 review. The Applicant will establish a user-friendly

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<sup>13</sup> 16 NYCRR § 1000.4(c).

website in plain English that describes the Facility, describes the Article 10 process, and provides Facility updates throughout the development and construction phases of the Facility to keep the community informed of the Facility's status (see Section 5.4 below for additional detail).

### 5.3 CONSULTATION WITH THE AFFECTED AGENCIES AND STAKEHOLDERS

The Siting Board's rules require both general and specific consultations with affected agencies, municipalities, and other stakeholders. Affected agencies, listed above in Sections 3.1 and 3.2, were identified through review of the Article 10 regulations in consultation with the Facility's permitting counsel and environmental consultant. Affected municipalities are identified in Sections 3.3 and 3.4 above.

The Applicant engaged the Towns of Hartland and Newfane earlier in 2019 about its intentions to develop a solar project in the Towns, and since been in close communication to keep the Towns apprised of its development effort and progress. A public meeting was hosted by the Applicant on August 14, 2019 in the Town of Hartland to introduce the Project to the community prior to submitting this PIP Plan to the DPS. The meeting was communicated through notices in local newspapers and direct invitations to landowners, neighbors, media and Town representatives. EDF RD will continue to communicate with the municipalities and make an initial contact with each agency to make certain they are aware of the Facility and inform them of any progress on a regular basis.

Consultation with affected agencies and municipalities will include the following general steps:

1. The Applicant has already contacted the Town of Hartland and the Town of Newfane to make certain they are aware of the Facility and to inform them of the Article 10 process, including steps for intervenor funding, and provide information on who to contact with any questions or comments about the Facility and/or about the Article 10 process. Other agencies and municipalities as identified by this PIP Plan will be contacted as part of the Article 10 permitting process;
2. Subsequent interaction with each agency or municipality as needed to answer specific questions or interests about the Facility, and to identify the applicable studies and impact analyses to be performed and how they pertain to the Facility;
3. Regular consultation with DPS Staff during early development of the PSS; and
4. Other specific consultations as required by the Siting Board's rules, or as needed to inform the process.

With respect to intervenor funding, the Applicant is required to deposit funds for intervenor participation. Funds are deposited with the DPS at the time the pre-application PSS is filed, in an amount equal to \$350 for each 1,000 kilowatts (i.e. 1 MW) of generating capacity of the Facility. Pre-application funds are dispersed to qualifying parties to aid in their

participation in the scoping phase of this proceeding. Each request for pre-application funds is submitted to the presiding examiner assigned to the proceeding before the Siting Board, and at least 50% of the pre-application intervenor funds shall be reserved for potential awards to municipalities. Additional funds for intervenor participation will be deposited with the DPS at the time the Project Application is filed in an amount equal to \$1,000 for each 1,000 kilowatts of capacity. Funds deposited with the Application may be used by parties for qualifying consultants and activities in the post-Application phase of the proceeding.<sup>14</sup>

The goals of the initial consultation with each municipality or agency will be to consult with representatives, disseminate information, request information, and schedule follow-up meetings and/or consultations, as appropriate. Specific information provided to the affected agencies and municipalities will include a description of the Facility and location; explanation of the phases of the Article 10 process and how the agency or municipality can participate in each step; description of the available intervenor funding and the process for obtaining funding; description of the ad hoc committee process and local municipal responsibility; information about other planned consultations; and sources of additional information about the Facility and Article 10 (e.g., the Facility and Siting Board websites). Information to be requested from affected municipalities and agencies will vary by the involvement of each, but may include topics such as local laws, emergency response, environmental impact review, and determination of news sources to be used for official notices.

Goals of consultation with various utilities within the Project Area include avoiding impacts to utility infrastructure, and minimizing any impacts to local service providers and utility customers during Facility construction and operation.

It should be noted that in accordance with the Siting Board's rules,<sup>15</sup> comments on the PSS are due within 21 days after filing with the Secretary to the Siting Board. The Applicant intends to engage municipalities, agencies, and stakeholders throughout the PIP Plan implementation process in order to identify their respective interests, and obtain information regarding particular resources, locations, concerns and recommendations of the affected communities, agencies and interest groups. Prior to filing the PSS, this will be accomplished through a variety of methods, including open house meetings, direct correspondence, review of comments submitted through the Project and DPS websites, and targeted meetings with some of the individual stakeholders identified herein. Stakeholder consultation meetings will be documented and summarized in the PIP Plan Record of Activity (Exhibit C) and discussed in both the PSS and the Application (Exhibit 2).

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<sup>14</sup> Further information on obtaining funding for participation in this proceeding can be found at: [http://www3.dps.ny.gov/W/PSCWeb.nsf/96f0fec0b45a3c6485257688006a701a/6fd11ce8db088a2785257e200054a99b/\\$FILE/02420356.pdf/Guide%20to%20Intervenor%20Funding%202-14-13.pdf](http://www3.dps.ny.gov/W/PSCWeb.nsf/96f0fec0b45a3c6485257688006a701a/6fd11ce8db088a2785257e200054a99b/$FILE/02420356.pdf/Guide%20to%20Intervenor%20Funding%202-14-13.pdf)

<sup>15</sup> 16 NYCRR § 1000.5(g).

The Table provided in Exhibit B lists the affected agencies and municipalities, as identified at the time this PIP Plan was prepared, along with the goals and objectives (to be developed) for each consultation and the plan for achieving these goals.

#### **5.4 PRE-APPLICATION ACTIVITIES TO ENCOURAGE STAKEHOLDER PARTICIPATION**

EDF Renewables has engaged involved and interested agencies, municipalities, utilities, host landowners, neighbors, and other potential stakeholders on many solar and wind projects throughout North America. EDF Renewables intends on using this prior experience to facilitate meaningful stakeholder interaction through the Article 10 review process for the Ridge View Solar Energy Center. In addition to the engagement activities that have already taken place, the Applicant will continue pre-application activities to encourage stakeholder participation as set forth in the Agency/Municipality Consultations and Stakeholder Participation table included in Exhibit B of this PIP Plan. The Record of Activity (Exhibit C) will be regularly updated as consultations and stakeholder participation activities take place, and additional means of engagement are identified (as necessary). In addition, concerns and questions raised by the public, and the Applicant's response to these issues will be documented in Exhibit C, as well as the PSS and the Article 10 Application (Exhibit 2). Exhibit D provides general guidance for public participation in the Article 10 process.

#### **5.5 ACTIVITIES TO EDUCATE THE PUBLIC ON THE PROPOSAL, PROCESS, AND FUNDING**

The Applicant plans to attend Town meetings and present Applicant-sponsored public information sessions. EDF RD will be distributing educational materials, and will provide a Facility website, which will offer information on the proposed Facility, as well as links to information on the Article 10 process, intervenor funding, and other important stakeholder issues. These efforts will allow the Applicant to engage with stakeholders regarding the proposed Facility and will offer multiple avenues of information distribution so that stakeholders and the public have multiple, varied opportunities to obtain information on the Facility and participate in the proceedings. These efforts are discussed in further detail below and Exhibit E outlines the anticipated project and public participation schedule.

##### **5.5.1 PUBLIC MEETINGS**

The Applicant intends to hold a minimum of two open-house style public meetings prior to submittal of the PSS, and two meetings following PSS submittal but prior to application submittal. These meetings will be held at two different times on the same day or different days to accommodate workers' schedules and provide the best opportunity for interested persons to attend. Representatives for the Applicant will be present to provide Facility information and answer questions. It is anticipated that these meetings will be held at a public meeting space in reasonable proximity

to the Facility Area. To provide early outreach to adjacent landowners, the Applicant will contact all residents within 2,500 feet of the proposed Facility (panels and substation) location to make sure they are aware of the project.

The Applicant will also conduct a mass mailing to all residents in the Study Area to announce the initial set of public meetings and will properly notice these meetings in local newspapers, including the Lake Country Penny Saver, and the Lockport Union- Sun & Journal at least 14 days prior to the scheduled event. In addition, the Applicant will maintain a copy of the mailing and an affidavit of service as a record of what was mailed and to whom. The first meeting following PSS submittal will be scheduled approximately two months prior to filing of the Application, to present detailed information regarding the anticipated content of the Application and to solicit public input. The second meeting will be scheduled immediately before or after filing of the Application to present an overview of the Applications content. Notification of all public meetings held by the Applicant will also be mailed or emailed to the Master Stakeholders List (also referred to as the Notification List) contained in Exhibit A. The Applicant will indicate in the PIP Record of Activity (Exhibit C) whether a mailing was sent.

Additional stakeholders will be added to this list as they are identified through the initial public meetings and the Facility website. The updated list will then be used for future mail and email notifications, and the list will be further updated based on additional requests. In addition, all meetings will be posted on the Facility website. The Applicant will provide DPS Staff with informal notice of all scheduled public meetings.

### **5.5.2 EDUCATIONAL MATERIALS**

The Applicant will develop educational materials to inform the public about solar energy, the proposed Facility, the Article 10 process, and intervenor funding. These materials will include poster-sized maps and graphics to be displayed at public meetings, as well as factsheets and brochures that will be made available at public meetings, local libraries, and/or through mailings to stakeholders. Materials will also be available on the Facility website.

### **5.6 PROJECT WEBSITE**

Concurrent with the filing of the Final PIP Plan, the Applicant will establish a live, user-friendly website with all information up to date in plain English which describes the Facility. This website ([www.RidgeViewSolar.com](http://www.RidgeViewSolar.com)) will provide information regarding the Article 10 process and will provide Facility updates throughout the development and construction phases of the Facility to keep the community informed of the Facility's status. For example, maps will be added to the website as the Facility layout evolves, and notices will be posted to the website prior to various milestones and public meetings/outreach events.

The Applicant anticipates that the website will include:

- Facility description;
- Facility benefits and need;
- Summary of permitting requirements;
- Links to the Siting Board Article 10 Public Information Coordinator, the Siting Board home page, and case-specific documents;
- Information on the Article 10 process;
- Summary of the Intervenor Funding process and how to apply;
- Facility contact information, including email address and toll-free telephone number;
- Copies of Article 10 and related permitting documents;
- Addresses of local document repositories;
- A schedule that lists dates/times/locations for outreach events and key milestone dates.

As indicated above, the website will include the Facility contact information (email address and toll-free telephone number). The Applicant will make efforts to respond directly to all substantive inquiries and comments submitted to the Facility contact (by email, telephone or mail) within three business days of receiving the inquiry and/or comment. The Applicant's normal business hours are from 9 AM to 5 PM Monday to Friday, excluding statutory holidays and between Christmas and New Year's. Where the inquiry and comments may take longer to respond, the initial response will indicate a timeframe anticipated for the full response. Correspondence will be documented. In addition, where an in-person meeting is requested, efforts will be made to accommodate such meetings within 20 business days. Email inquiries will receive an automated response acknowledging receipt of an interested party's question or comment. A local office will be established in the Town of Hartland or Newfane during the construction phase of the Project.

## 5.7 NOTIFICATIONS

The Siting Board's rules establish the notification requirements for serving documents. Pursuant to the rules, the Applicant shall publish all required notices in the Lake County Penny Saver and the Lockport Union- Sun & Journal and provide notice in accordance with standard notice requirements for actions of the Towns of Hartland and Newfane.<sup>16</sup>

No less than three days before filing of the PSS and the Application, the Applicant will publish a notice of the PSS and the Application in the newspapers listed above; serve each member of the State Legislature in whose district any portion of the proposed Facility is to be located; provide written notice to those persons who have filed a statement

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<sup>16</sup> See 16 NYCRR § 1000.7.



with the secretary that wish to receive such notices; and provide mail and email (if available) notification to all parties on the Master Stakeholder List. In addition, notifications will be posted on the Facility website.

The Applicant will publish any other notices required by the Presiding Examiner or other section of Article 10 in the manner prescribed by the Presiding Examiner or under the procedures contained in Article 10. An updated stakeholder list will be provided with the Application filings, including parties identified through the Applicant's outreach efforts, and in the Application including host and adjacent landowners, as well as proof that a mailing has occurred.

## **5.8 ACTIVITIES TO ENCOURAGE STAKEHOLDER PARTICIPATION**

Beyond the activities described above in Sections 5.1 through 5.5, the Applicant will seek to identify additional, practical measures to encourage stakeholder participation during the certification process. It is anticipated that this will be an ongoing, evolving process throughout all phases of the Article 10 review process (pre-application phase, application phase, hearing and decision phase, and post-certification phase).

The Applicant will track its PIP Plan and provide regular updates to DPS Staff. Specifically, the Applicant will maintain a Record of Activity (see Exhibit C) that will provide specifics on all meetings, including dates, locations, attendees, purpose, and discussion topics.

As previously stated, the Applicant intends to hold at least two open-house style public meetings prior to submittal of the PSS, and an additional two meetings following submittal of the PSS, but prior to submitting the application. These meetings will be held at two different times on the same day to accommodate workers' schedules and provide the best opportunity for interested persons to attend. In addition, the Facility website will be updated continuously with Facility developments, meetings, and announcements to keep stakeholders and the public informed. Following project certification, the Applicant will conduct additional public outreach and notifications as the project enters the construction phase. These efforts will include notification of the start of construction to various parties and implementation of a Complaint Resolution Plan.

## **5.9 ADDITIONAL CONSIDERATIONS**

As required by the New York State Energy Research and Development Authority (NYSERDA), additional considerations include the following:

- (1) Details of the direct benefits to the community

As discussed in Section 2.2, the proposed Facility will have positive impacts on socioeconomics in the area through employment opportunities, specifically by generating temporary construction employment, a significant amount of which will likely be drawn from Niagara County and the regional labor market. Local construction employment will primarily benefit those in the construction trades, including equipment operators, truck drivers, laborers, and electricians. The crew size for construction employment could peak to more than 400 workers. In addition, an estimated five full-time on-site jobs will be generated from operation of the Facility, with additional occasional work for landscaping, periodic maintenance and other incidental work. Local hospitality sectors would benefit from the presence of construction employment in the area.

EDF RD is committed to working with the community to incorporate complimentary forms of agriculture into the project. EDF RD can include pollinator friendly vegetation and host healthy populations of bees. Those bees can benefit nearby farm fields. Sheep grazing to maintain the vegetation beneath and around the solar panels is also being proposed to provide new lands for sheep farmers to grow their operations, and also to enable them an opportunity to market free range grass fed lamb.

(2) Details of payment in lieu of taxes (PILOT) or host community agreements

As discussed in Section 2.2, a PILOT and host community agreement are being proposed to provide approximately \$1,000,000 in annual revenues to the Towns of Hartland and Newfane, Niagara County, Barker Central School District, Newfane Central School District and the Royalton-Hartland Central School District. The final amount will depend on the conclusion of negotiations and the final size of the Project. Landowners hosting Facility infrastructure will also receive annual payments, and additional local revenues are possible through the purchase of construction materials, supplies, services and goods throughout the life of the Facility.

(3) Description of local interests or concerns

As discussed throughout this PIP, the purpose of this Plan is to introduce the Project to the local community and other interested parties and to explain the public outreach and involvement efforts that EDF RD will pursue throughout the development of this Project. The information that the Applicant receives through its public outreach program will assist in defining the scope of the studies that will ultimately form the basis of the Application to the Siting Board, and will identify local interests or concerns to be considered by the Applicant and the Siting Board.

As previously identified, EDF RD has been engaging officials at the Town of Hartland, the Town of Newfane, Niagara County and the Niagara County Industrial Development Agency since earlier in 2019. A public meeting was also held in the Town of Hartland on August 14, 2019. The meeting was attended by almost 100 people and confirmed that the community is generally supportive of the Project. Attendees of the public meetings indicated that they support renewable energy and the new revenues proposed for the Town, County and School District by the Facility. On the other hand, some participants expressed concern about the amount of land that will be used by the project and what will happen when the Project is at its end of life, and who will pay for decommissioning. There were some questions about whether the solar panels were toxic, the view of panels from local residences and what happens at the end of the operating life. These questions will be addressed throughout the consultation process with the community and individual stakeholders.

EDF RD has extensive experience working with local communities and stakeholders to help find common ground and address concerns and interests. A great deal of attention and importance is placed on local feedback guiding our development process. For example, one of the first meetings at the very outset of the project was to communicate the project idea with local Town supervisors and ask their permission to contact local landowners to seek their interest for hosting the Project. Regular follow up meetings were held with Town officials from both the Town of Hartland and the Town of Newfane where questions were asked, and issues addressed.

As the project continues to mature, it is anticipated that many more concerns and interests will be shared with the Project team. While it may not be feasible to address every interest or concern, EDF RD is committed to meeting with stakeholders to proactively inform, receive feedback, and seek mutually beneficial solutions where possible and practicable.

(4) Host community status w/r/t NYS real property tax law

Neither Niagara County, the Town of Hartland, nor the Town of Newfane have opted out of New York Real Property Tax Law 587. Therefore, they all support the negotiation of PILOT agreements for large scale solar project development. Furthermore, the Town of Hartland and the Town of Newfane either have in place, or are currently proposing new solar codes, or revisions to existing solar codes that would support the development of the Project in their Towns.

## 6.0 REQUIRED AIRPORT/HELIPORT PRE-APPLICATION CONSULTATION

Evaluation of potential Project impacts on aviation is governed by the rules of the Federal Aviation Administration (“FAA”). It is not anticipated the proposed Facility will meet any of the requirements set forth in the FAA’s regulations for construction or alteration activities requiring notice to the FAA.<sup>17</sup> The proposed Facility will not involve the construction of any structure that exceeds 200 feet above ground level (“AGL”). Consequently, the filing of a notice with the FAA will not be required for the Facility.

## 7.0 REFERENCES

Energy Information Administration (EIA). 2009. *Household Energy Use in New York: A closer look at residential energy consumption*. Available at: [https://www.eia.gov/consumption/residential/reports/2009/state\\_briefs/pdf/NY.pdf](https://www.eia.gov/consumption/residential/reports/2009/state_briefs/pdf/NY.pdf)

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<sup>17</sup> See 14 CFR §77.9(a-e) (Construction or alternation requiring notice).



## **Exhibit A**

### **Master List of Stakeholders/Notification List**

## **AFFECTED STATE AND FEDERAL AGENCIES**

### **Empire State Development Corporation**

Vinnie Esposito, Finger Lakes Regional Director  
400 Andrews Street, Suite 300, Rochester, NY 14604  
(585) 399-7050  
nys-fingerlakes@esd.ny.gov

### **National Telecommunications and Information Administration**

David J. Redl, Assistant Secretary  
Herbert C. Hoover Building (HCHB) U.S. Department of Commerce, 1401 Constitution Avenue, N.W.  
Washington, DC 20230  
(202) 482-1840  
*Email not available*

### **New York Independent System Operator**

Brad C. Jones, President and CEO  
10 Krey Boulevard, Rensselaer, NY 12144  
(518) 356-6060  
stakeholder\_services@nyiso.com

### **New York State Energy Research and Development Authority**

Alicia Barton, President and CEO  
17 Columbia Circle, Albany, NY 12203  
(518) 862-1090  
info@nyserda.ny.gov

### **New York State Energy Research and Development Authority**

Richard Kaufmann, Chair  
17 Columbia Circle, Albany, NY 12203  
(518) 862-1090  
info@nyserda.ny.gov

### **NYS Attorney General**

Barbara M. Underwood, NYS Attorney General  
New York State Capitol Building, State Street and Washington Avenue, Albany, NY 12224  
*Email not available*

### **NYS Department of Agriculture and Markets**

Richard A. Ball, Commissioner  
10B Airline Drive, Albany, NY 12235  
(585) 457-8876  
info@agriculture.ny.gov

### **NYS Department of Agriculture and Markets**

Matthew Brower, Environmental Analyst  
10B Airline Drive, Albany, NY 12235  
(585) 457-2851  
matthew.brower@agriculture.ny.gov

### **NYS Department of Corrections and Community Supervision**

Eric Greppo, Professional engineer  
The Harriman State Campus, 1220 Washington Avenue, Albany, NY 12226  
(518) 473-3582  
eric.greppo@doccs.ny.gov

### **NYS Department of Corrections and Community Supervision**

Keith Rupert, Professional engineer  
The Harriman State Campus, 1220 Washington Avenue, Albany, NY 12226  
(518) 485-5410  
Keith.Rupert@doccs.ny.gov

### **NYS Department of Environmental Conservation, Central Office**

Basil Seggos, Commissioner  
625 Broadway, Albany, NY 12233-1011  
(518) 402-8545  
basil.seggos@dec.ny.gov

**NYS Department of Environmental Conservation,  
Central Office**

Daniel Whitehead, Director, Division of Environmental  
Permits, Major Projects Management  
625 Broadway, Albany, NY 12233-1750  
(518) 402-9167  
deppermitting@dec.ny.gov

**NYS Department of Environmental Conservation,  
Region 9**

Abby Snyder, Regional Director  
270 Michigan Avenue, Buffalo, NY 14203-2915  
(716) 851-7200  
region9@dec.ny.gov

**NYS Department of Health**

Howard A. Zucker, Commissioner  
Corning Tower Empire State Plaza, Albany, NY  
12237  
(518) 474-2011  
dohweb@health.ny.gov

**NYS Department of Public Service**

John B. Rhodes, Chair and CEO  
Empire State Plaza Agency, Building 3, Albany, NY  
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secretary@dps.ny.gov

**NYS Department of Public Service**

James Denn, Director of Public Affairs  
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(518) 474-7080  
james.denn@dps.ny.gov

**NYS Department of Public Service**

Lorna Gillings, Outreach Contact  
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lorna.gillings@dps.ny.gov

**NYS Department of Public Service**

Andrea Cerbin, Assistant Counsel  
Empire State Plaza Agency, Building 3, Albany, NY  
12223  
(518) 408-1441  
Andrea.Cerbin@dps.ny.gov

**NYS Department of Public Service, Office of  
Electric, Gas, and Water**

Andrew Davis, Utility Supervisor  
Empire State Plaza Agency, Building 3, Albany, NY  
12223  
(518) 486-2853  
Andrew.Davis@dps.ny.gov

**NYS Department of State**

Rossana Rosado, Secretary of State  
One Commerce Plaza, 99 Washington Avenue,  
Albany, NY 12231-0001  
(518) 473-2293  
*Email not available*

**NYS Department of Transportation, Central Office**

Paul A. Karas, Acting Commissioner  
50 Wolf Road, Albany, NY 12232  
(518) 457-4422  
*Email not available*

**NYS Department of Transportation, Region 5**

Francis Cirillo, Regional Director  
100 Seneca Street, Buffalo, NY 14203  
(716) 847-3238  
*Email not available*

**NYS Division of Homeland Security and  
Emergency Services**

John P. Melville, Commissioner  
1220 Washington Avenue, State Office Campus,  
Building 7A Suite 710, Albany, NY 12242  
(518) 242-5000  
*Email not available*

**NYS Governor's Office**

Andrew Cuomo, Governor of NY  
New York State Capitol Building, State Street and  
Washington Avenue, Albany, NY 12224  
*Email not available*

**NYS Office of Parks, Recreation and Historic Preservation**

Daniel Mackay, Deputy Commissioner  
Peebles Island State Park, P.O. Box 189, Waterford,  
NY 12188-0189  
(518) 268-2171  
Roger.Mackay@parks.ny.gov

**NYS Office of Parks, Recreation and Historic Preservation**

Diana Carter, Director of Planning  
Resources and Facility Planning Bureau, 625  
Broadway, Albany, NY 12207  
(518) 474-8288  
Diana.Carter@parks.ny.gov

**New York State Assembly**

Robin Schimminger, Assembly Member, District 140  
3514 Delaware Avenue, Kenmore, NY 14217  
(716) 873- 2540  
schimmingerr@nyassembly.gov

**New York State Assembly**

Michael J. Norris, Assembly Member, District 144  
8180 Main Street, Clarence, NY 14221  
(716) 839- 4691  
norris@nyassembly.gov

**New York State Assembly**

Angelo J. Morinello, Assembly Member, District 145  
800 Main Street, Suite 2C, Niagara Falls, NY 14301  
(716) 282- 6062  
morinello@nyassembly.gov

**New York State Assembly**

Karen McMahon, Assembly Member, District 146  
5500 Main Street, Suite 216, Williamsville, NY 14221  
(716) 634- 1895  
mcmahonk@nyassembly.gov

**New York State Senate**

Robert G. Ort, NYS Senator, District 62  
175 Walnut Street, Suite 6, Lockport, NY 14094  
(716) 434- 0680  
Ort@nysenate.gov

**US Army Corps of Engineers, Buffalo District**

Andrew Kornacki, Chief of Public Affairs  
1776 Niagara Street, Buffalo, NY 14207  
1-800-833-6390  
Public.Affairs@lrb01.usace.army.mil

**US Department of Defense**

James N. Mattis, Secretary of Defense  
1000 Defense Pentagon, Washington, DC 20301-  
1000  
(703) 571-3343  
*Email not available*

**US Federal Aviation Administration**

Jennifer Solomon, Eastern Regional Administrator  
1 Aviation Plaza, Jamaica, NY 11434  
(718) 553-3001  
*Email not available*

**US Fish and Wildlife Service, New York Field Office**

David Stilwell, Field Supervisor  
3817 Luker Road, Cortland, NY 13045  
(607) 753-9334  
david\_stilwell@fws.gov



**US House of Representatives**

Brian Higgins, Representative-elect, District 26

2459 Rayburn House Office Building

Washington, DC 20515

(202) 225- 3306

*Email not available*

**US House of Representatives**

Chris Collins, Representative-elect, District 27

2243 Rayburn House Office Building

Washington, DC 20515

(202) 225-5265

*Email not available*

**US Senate**

Charles E. Schumer, US Senator

Leo O'Brien Building, Room 420, Albany, NY 12207

(518) 431-4070

*Email not available*

**US Senate**

Kirsten E. Gillibrand, US Senator

Leo O'Brien Building, Room 420, Albany, NY 12207

(518) 431-0120

*Email not available*

## LOCAL AGENCIES

### **Niagara County**

Richard E Updegrove, County Manager  
Philo J. Brooks Co. Office Bldg., 2<sup>nd</sup> Floor, 59 Park Ave., Lockport, NY 14094  
(716) 439- 7213  
*Email not available*

### **Niagara County Department of Economic Development**

Michael A. Casale  
Samuel M. Ferraro Center for Economic Development, 6311 Inducon Corporate Dr., Suite One, Sanborn, NY 14132  
(716) 278- 8750  
*Email not available*

### **Niagara County Department of Health**

Daniel J. Stapleton, Director  
5467 Upper Mountain Road, Lockport, NY 14094  
(716) 439- 7435

### **Niagara County Planning Board**

Amy Fisk, Senior Planner  
6311 Inducon Corporate Drive, Sanborn, NY 14132  
(716) 278-8750  
Amy.fisk@niagaracounty.com

### **Niagara County Department of Public Works**

Garret A. Meal, PE, Commissioner  
Philo J. Brooks Co. Office Bldg. 2<sup>nd</sup> Floor, 59 Park Ave., Lockport, NY 14094  
(716) 439- 7955  
*Email not available*

### **Niagara County Farm Bureau**

John King, President  
8999 Ridge Road  
Gasport, NY 14067  
(716) 735-7791  
*Email not available*

### **Niagara County Office of Emergency Services & Fire Coordinator**

Warren J. Rathke Public Safety Training Facility,  
5574 Niagara Street Ext. P.O. Box 496, Lockport, NY 14095- 0496  
(716) 438- 3171  
firetraining@niagaracounty.com

### **Niagara County Soil and Water Conservation District**

#### **Mark Seider, District Engineer**

USDA Service Center, 4487 Lake Avenue, Lockport, NY 14094  
(716) 434- 4349 Ext. 4  
Mark.seider@ny.nacdnet.net

### **Town of Hartland Clerks Office**

Cynthia Boyler, Town Clerk  
8942 Ridge Road, Town Hall, Gasport, NY 14067  
(716) 735- 7179  
cindyboyler@townofhartlandny.us

### **Town of Hartland Code Enforcement Office**

Michael Hartman, Code Enforcement Officer  
8942 Ridge Road, Gasport, NY 14067  
(716) 735-7778  
*Email not available*

### **Town of Hartland Highway Department**

Keith Hurtgam, Highway Superintendent  
8940 Ridge Road, Gasport, NY 14067  
(716) 735-7234  
*Email not available*

### **Town of Hartland Historian**

Norman LaJoie, Historian  
8942 Ridge Road, Gasport, NY 14067  
(716) 735-7220  
*Email not available*

**Town of Hartland Zoning and Building Department**

Michael Hartman, Code Enforcement Officer  
8942 Ridge Road, Town Hall, Gasport, NY 14067  
(716) 735- 3061

**Town of Newfane Clerk's Office**

Mickie M. Kramp, Town Clerk  
2737 Main Street, Newfane, NY 14108  
(716) 778- 8822 ext. 2  
*Email not available*

**Town of Newfane Highway Department**

Jon Miller, Superintendent  
2737 Main Street, Newfane, NY 14108  
(716) 778- 8844  
*Email not available*

**Town of Newfane Town Board**

Troy Barnes, Board Member  
2737 Main Street, Newfane, NY 14108  
(716)778-8531  
*Email not available*

## **MUNICIPALITIES AND SCHOOL DISTRICTS IN FACILITY AREA**

### **Niagara County**

Richard E Updegrove, County Manager

Philo J. Brooks Co. Office Bldg., 2<sup>nd</sup> Floor, 59 Park Ave., Lockport, NY 14094

(716) 439- 7213

*Email not available*

### **Town of Hartland**

Cynthia Boyler, Town Clerk

8942 Ridge Road, Town Hall, Gasport, NY 14067

(716) 735- 7179

cindyboyler@townofhartlandny.us

### **Town of Newfane**

Mickie M. Kramp, Town Clerk

2737 Main Street, Newfane, NY 14108

(716) 778- 8822 ext. 2

*Email not available*

### **Barker Central School District**

Jacob Reimer, Superintendent

1628 Quaker Road, Barker, NY 14012

(716) 795- 3832

*Email not available*

### **Newfane Central School District**

Michael J. Baumann, Superintendent

6273 Charlotteville Road, Newfane, NY 14108

(716) 778- 6850

mbaumann@newfane.wnyric.org

### **Royalton-Hartland Central School District**

Hank Stopinski, Superintendent

54 State Street Middleport, NY 14105

(716) 735-200

## MUNICIPALITIES AND SCHOOL DISTRICTS IN THE STUDY AREA

### **Town of Somerset**

Tracy Carmer, Town Clerk

Town Hall, 8700 Haight Road, Barker NY 14012

(716) 795- 3575 ext. 2

*Email not available*

### **Town of Royalton**

Daniel R Bragg, Supervisor

5316 Royalton Center Road, Middleport, NY 14105

(716) 772 - 7531

trsUPER@rochester.rr.com

### **Medina Central School District**

Mark B. Kruzynski, Superintendent

1 Mustand Drive Medina, NY 14103

(585) 798- 2700

mkruzynski@medinacsd.org

## ADDITIONAL STAKEHOLDERS

### **Cornell Cooperative Extension of Niagara County**

Darlene Farnham, Office Manager  
4487 Lake Avenue, Lockport, New York 14094  
(716) 433-8839 ext. 224  
djf18@cornell.edu

### **Finger Lakes - Lake Ontario Watershed Protection Agency**

Kristy LaManche, Program Coordinator  
Water Resources Board, 3105 NYS Route 3, Fulton,  
NY 13069  
(315) 592-9663  
klamanche@twcny.rr.com

### **Iroquois National Wildlife Refuge**

Louie Bo Freeman, Executive Director  
1101 Casey Road Basom, NY 14013  
(585) 948- 5445  
iroquois@fws.gov

### **National Grid<sup>1</sup>**

John Bruckner, President  
300 Erie Boulevard West, Syracuse, NY 13202  
1-800-642-4272  
*Email not available*

### **New York Forest Owners Association- Niagara Frontier Chapter**

Mitch Banas, Vice-Chair  
P.O. Box 541, Lima, NY 14485  
(716) 983- 6895  
mbanas@bsk.com

### **New York State Electric and Gas (NYSEG)<sup>1</sup>**

Carl A. Taylor, President  
89 East Avenue, Rochester, NY 14649  
1-800-743-2110  
*Email not available*

### **The Nature Conservancy, Central & Western New York**

Mark Tercek, CEO  
274 North Goodman Street, Suite B261, Rochester,  
NY 14607  
(585) 546-8030  
gholtz@tnc.org

### **Tuscarora Nation**

Bryan Printup, Cultural Resources  
5226 Walmore Road, Lewiston, NY 14092  
(716) 264-6011  
bprintup@hetf.org

### **Tuscarora Nation<sup>2</sup>**

Neil Patterson, Jr., Director of the Tuscarora  
Environmental Program  
Address 1: 5226 Walmore Road, Lewiston, NY 14092  
Address 2: 2045 Upper Mountain Road, Sanborn, NY  
14132  
Phone 1: (716) 297-9982 Ext. 102  
Phone 2: (716) 609-3810  
npatterson@hetf.org

<sup>1</sup> An alternate contact within the organization is still being sought.

<sup>2</sup> Stakeholder has alternate addresses, phone numbers, and/or email addresses. When sending out a mass mailing or notification, use all listed contacts until notified of the appropriate contact information by the stakeholder.



## **Exhibit B**

### Goals and Objectives for Stakeholder Involvement

**Table 1: Affected Agency and Municipality Consultations**

Agency/Municipality	Goals of Consultation	Plan/Method and General Schedule for Consultation
<b><i>Municipalities in Facility Area</i></b>		
Town of Hartland (host municipality)       Town of Newfane (host municipality)	<p>Provide general information on the Project, Article 10 process, and intervenor funding, and provide contact information.</p> <p>Discuss potential avoidance, minimization and mitigation measures to address identified impacts.</p> <p>This includes ongoing coordination with the Code Enforcement Office and Town Board, as applicable.</p>	<p>Provide timely public/stakeholder notices and information on public comment periods, scheduled meetings/ information sessions, and opportunities for participation.</p> <p>Initiate direct contact with local officials and boards regarding upcoming Article 10 milestones, submission of PSS (no less than three days prior to filing), etc.</p>
	Provide notice to Town no less than three days prior to submittal of PSS.	Mail notice.
	Notifications, as required by Article 10.	As per schedule in regulations.
	<p>Solicit local feedback.</p> <p>Provide answers to specific questions or concerns.</p>	By phone, mail, or in person as requested.
	Work with local Fire Departments to develop appropriate emergency response plans for construction and operational phases of the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.
	<p>Obtain all relevant local laws, building codes, comprehensive plans, zoning maps, etc.</p> <p>Determine whether all local laws potentially applicable to the Project have been identified.</p>	Initial meeting or telephone conference no later than one month prior to submittal of PSS.
	Discuss transportation routes, use of right-of-way and other issues of local	Meeting with Town Highway Departments before submittal of PSS to discuss capital improvement



Agency/Municipality	Goals of Consultation	Plan/Method and General Schedule for Consultation
	concern with Town Highway Departments.	projects and future plans, during Article 10 process as needed, and prior to mobilization to site for construction.
	Inform local emergency responders of contingency plans in the event of an emergency during construction or operational phases of the Project.	Meeting or telephone conference during Article 10 process and at least two months prior to mobilization to site for construction.
Town of Hartland Historian Town of Newfane Historical Society	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
<b><i>Schools in Facility Area</i></b>		
Barker Central School District (host school district)	Provide general information on the Project, Article 10 process, and intervenor funding, and provide contact information.	Provide timely public/stakeholder notices and information on public comment periods, scheduled meetings/ information sessions, and opportunities for participation.  Initiate direct contact with local officials and boards regarding upcoming Article 10 milestones, submission of PSS (no less than three days prior to filing), etc.  Letter to be sent before submittal of PSS.
Newfane Central School District (host school district)	Notifications, as required by Article 10.	As per schedule in regulations.
Royalton- Hartland Central School District (host school district)	Solicitation of local feedback.  Provide answers to specific questions or concerns.	By phone, mail, or in person as requested.  Public Information Open House Sessions and attendance at local meetings. At least two public sessions currently planned, one prior to, and one following, submittal of the PSS.  Establish a contact phone number, and dedicated project email address

Agency/Municipality	Goals of Consultation	Plan/Method and General Schedule for Consultation
		to respond to inquiries and accept public comment.
	Explain and discuss delivery methods of project components and transportation routes and timing; discuss and address school district concerns regarding transportation and project impacts pre- and post-construction.	Meeting or telephone conference at least two months prior to mobilization to site for construction.
<b><i>Municipalities in Study Area</i></b>		
Town of Somerset Town of Royalton	Provide general information on the Project, Article 10 process, and intervenor funding, and provide contact information.	Provide timely public/stakeholder notices and information on public comment periods, scheduled meetings/ information sessions, and opportunities for participation.  Letter to be sent before submittal of PSS.
	Provide notice no less than three days prior to submittal of PSS.	Mail notice.
	Notifications, as required by Article 10.	As per schedule in regulations.
	Solicit feedback Provide answers to specific questions or concerns.	By phone, mail, or in person as requested.
	Inform local emergency responders of contingency plans in the event of an emergency during construction or operational phases of the Project.	Meeting or telephone conference during Article 10 process and at least two months prior to mobilization to site for construction.
<b><i>Schools in Study Area</i></b>		
Medina Central School District	Provide general information on the Project, Article 10 process, and intervenor funding, and provide contact information.	Provide timely public/stakeholder notices and information on public comment periods, scheduled meetings/ information sessions, and opportunities for participation.  Initiate direct contact with local officials and boards regarding

Agency/Municipality	Goals of Consultation	Plan/Method and General Schedule for Consultation
		<p>upcoming Article 10 milestones, submission of PSS (no less than three days prior to filing), etc.</p> <p>Letter to be sent before submittal of PSS.</p>
	Notifications, as required by Article 10.	As per schedule in regulations.
	<p>Solicitation of local feedback.</p> <p>Provide answers to specific questions or concerns.</p>	<p>By phone, mail, or in person as requested.</p> <p>Public Information Open House Sessions and attendance at local meetings. At least two public sessions currently planned, one prior to, and one following, submittal of the PSS.</p> <p>Establish a contact phone number, and dedicated project email address to respond to inquiries and accept public comment.</p>
	<p>Explain and discuss delivery methods of project components and transportation routes and timing; discuss and address and school district concerns regarding transportation and project impacts pre- and post-construction.</p>	<p>Meeting or telephone conference at least two months prior to mobilization to site for construction.</p>
<b>County</b>		
Niagara County (host municipality)	<p>Provide general information on the Project, Article 10 process, and intervenor funding, and provide contact information.</p>	<p>Letter to be sent before submittal of PSS.</p>
	<p>Provide notice to County no less than three days prior to submittal of PSS.</p>	<p>Mail notice.</p>
	<p>Notifications, as required by Article 10.</p>	<p>As per schedule in regulations.</p>
	<p>Solicit local feedback.</p>	<p>By phone, mail, or in person as requested by County.</p>

Agency/Municipality	Goals of Consultation	Plan/Method and General Schedule for Consultation
	Provide answers to specific questions or concerns.	
	Obtain all relevant local laws, building codes, comprehensive plans, zoning maps, etc.  Determine whether all local laws potentially applicable to the Project have been identified.	Initial meeting or telephone conference no later than one month prior to submittal of PSS.
	Review County Division of Transportation requirements, transportation routes, and use of right- of-ways.	Meeting with Division of Transportation before submittal of PSS to discuss capital improvement projects and future plans, during Article 10 process as needed, and prior to mobilization to site for construction.
	Work with County Emergency Management Office to develop appropriate emergency response plans for construction and operational phases of the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.
Niagara County Farm Bureau	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss facilities that may be affected by the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.
Niagara County Department of Economic Development	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
Niagara County Department of Health	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss facilities that may be affected by the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.

<b>Agency/Municipality</b>	<b>Goals of Consultation</b>	<b>Plan/Method and General Schedule for Consultation</b>
Niagara County Department of Health- Environmental Health Division	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss facilities that may be affected by the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.
Niagara County Department of Public Works	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss facilities that may be affected by the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.
Niagara County Office of Emergency Services & Fire Coordinator	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss facilities that may be affected by the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.
Niagara County Planning Board	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss facilities that may be affected by the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.
Niagara County Soil and Water Conservation District	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss existing and future planning documents, associated objectives, and how such objectives may be affected or promoted by the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.
<b>State Agencies/Representatives</b>		
Empire State Development Corporation	Notifications, as required by Article 10.	As per schedule in regulations.
National Telecommunications and Information Administration	Notifications, as required by Article 10.	As per schedule in regulations.

Agency/Municipality	Goals of Consultation	Plan/Method and General Schedule for Consultation
New York Independent System Operator	Generator interconnection studies and timing	Prior to submittal of Article 10 Application and throughout Article X process.
New York State Research and Development Authority (NYSERDA)	Notifications, as required by Article 10.	As per schedule in regulations.
NYS Attorney General	Notifications, as required by Article 10.	As per schedule in regulations.
NYS Department of Agriculture and Markets (NYSA&M)	Notifications, as required by Article 10.	As per schedule in regulations.
	Determine whether all NYSA&M regulations potentially applicable to the Project have been identified.	Initial meeting or telephone conference no later than one month prior to submittal of PSS.
NYS Department of Corrections and Community Supervision (DOCCS)	Notifications, as required by Article 10.	As per schedule in regulations.
New York State Department of Environmental Conservation (NYSDEC), Central Office	Identify agency concerns to incorporate feedback into environmental study design.	Initial meeting or telephone conference no later than one month prior to submittal of PSS. Obtain agency comment/approval.
	Notifications, as required by Article 10.	As per schedule in regulations.
	Determine whether all NYSDEC regulations potentially applicable to the Project have been identified.	Initial meeting or telephone conference no later than one month prior to submittal of PSS.
NYSDEC Region 9	Notifications, as required by Article 10.	As per schedule in regulations.
New York State Department of Health (NYSDOH)	Notifications, as required by Article 10.	As per schedule in regulations.
	Determine whether all NYSDOH regulations potentially applicable to the Project have been identified.	Initial meeting or telephone conference no later than one month prior to submittal of PSS.
NYS Department of Public Service	Facilitate Article 10 review process.	Meetings throughout process.
NYS Department of State (NYSDOS)	Notifications, as required by Article 10.	As per schedule in regulations.

Agency/Municipality	Goals of Consultation	Plan/Method and General Schedule for Consultation
	Determine whether all NYSDOS regulations potentially applicable to the Project have been identified.	Initial meeting or telephone conference no later than one month prior to submittal of PSS.
NYS Department of Transportation (NYSDOT), Central Office	Identify constraints associated with roads used for component transport.	Prior to submittal of Article 10 Application.
NYSDOT Region 5	Identify constraints associated with roads used for component transport.	Prior to submittal of Article 10 Application.
NYS Division of Homeland Security and Emergency Services	Notifications, as required by Article 10.	As per schedule in regulations.
NYS Governor's Office	Notifications, as required by Article 10.	As per schedule in regulations.
NYS Office of Parks, Recreation and Historic Preservation	Consultation in accordance with Section 14.09 of the New York State Parks, Recreation, and Historic Preservation Law and/or Section 106 of the Historic Preservation Act, as required.	Meetings to develop work plans and content of cultural resources studies prior to submittal of PSS, ongoing review of studies and mitigation recommendations.
Members of NYS Assembly for District 140 (currently Robin Schimminger), District 144 (currently Jane L. Corwin), District 145 (currently John D. Ceretto), and District 146 (currently Raymond Walter)  Members of NYS Senate for District 62 (currently Robert G. Ort)	Provide general information on the Project, Article 10 process, and intervenor funding, and provide contact information.	Letter to be sent before submittal of PSS.
	Notifications, as required by Article 10.	As per schedule in regulations.
	Solicit feedback. Provide answers to specific questions or concerns.	By phone, mail, or in person as requested.
<b>Federal Agencies/Representatives</b>		
US Army Corps of Engineers	Determine jurisdiction and permits necessary under Section 404 of the Clean Water Act.	Pre-application meeting anticipated as final design of Project nears completion.
US Federal Aviation Administration	No Hazard Determinations.	Prior to submittal of Article 10 Application.
US Fish and Wildlife Service	Determine potential concerns regarding compliance with	Prior to submittal of the PSS.

Agency/Municipality	Goals of Consultation	Plan/Method and General Schedule for Consultation
	applicable federal laws and regulations.	
US House of Representatives, Brian Higgins, 26 <sup>th</sup> Congressional District, and Chris Collins, 27 <sup>th</sup> Congressional District	Notifications, as required by Article 10.	As per schedule in regulations.
US Senator Charles E. Schumer	Notifications, as required by Article 10.	As per schedule in regulations.
US Senator Kirsten E. Gillibrand	Notifications, as required by Article 10.	As per schedule in regulations.
<b>Other Stakeholders</b>		
Bent- Wing- Airport	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
Cornell Cooperative Extension of Niagara County	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
Finger Lakes- Lake Ontario Watershed Protection Alliance	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
Iroquois National Wildlife Refuge	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
National Grid	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that	Initial correspondence no later than one month prior to submittal of PSS.



Agency/Municipality	Goals of Consultation	Plan/Method and General Schedule for Consultation
	may be affected or promoted by the Project.	
New York Forest Owners Association	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
New York State Electric and Gas Company (NYSEG)	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
Western New York Land Conservancy	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
Sierra Club, Niagara Group	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
The Nature Conservancy, Central & Western New York	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
Tonawanda Reservation	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.

Agency/Municipality	Goals of Consultation	Plan/Method and General Schedule for Consultation
Tuscarora Nation	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
Telecommunications Providers with equipment, easements or rights-of-way within Facility Area	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.



## **Exhibit C**

Example Record of Activity

# Ridge View Solar

## PIP Tracking Log – Record of Activities Updated Through September 06, 2019

Date of Activity	Location of Activity	Activity Attendees	Purpose of Activity	Follow-up Action Items	Comments	Future Outreach
2019-02-06	Phone call	Grant Cushing, Brownfield Group, LLC Mike Hartman, Code Enforcement Officer (CEO), Town of Hartland	Left message regarding discussions about large-scale solar projects.			
2019-02-06	Phone call	Grant Cushing, Brownfield Group, LLC Mike Hartman, Code Enforcement Officer (CEO), Town of Hartland	Initiate discussions about large-scale solar projects and set up meeting date.			
2019-02-06	E-Mail	Grant Cushing, Brownfield Group, LLC Mike Hartman, Code Enforcement Officer (CEO), Town of Hartland	E-mail thanking for the set-up meeting and the call.			
2019-02-08	Meeting	Grant Cushing, Brownfield Group, LLC Kevin Campbell, Development Manager, EDF Renewables Mike Hartman, Code Enforcement Officer (CEO), Town of Hartland Ross Annable, Supervisor, Town of Hartland	Discussion regarding solar project, Article 10, scale of project & timing.			
2019-02-11	Phone call	Grant Cushing, Brownfield Group, LLC Mike Hartman, Code Enforcement Officer (CEO), Town of Hartland	Follow-up on meeting			
2019-02-13	Phone call	Grant Cushing, Brownfield Group, LLC Mike Hartman, Code Enforcement Officer (CEO), Town of Hartland	Discussion about potential land, zoning and path forward.			

# Ridge View Solar

## PIP Tracking Log – Record of Activities Updated Through September 06, 2019

Date of Activity	Location of Activity	Activity Attendees	Purpose of Activity	Follow-up Action Items	Comments	Future Outreach
2019-02-27	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion about project status, target landowners, schedule a meeting with the Town Board.			
2019-03-05	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion regarding meeting for land review update.			
2019-03-08	Meeting	Grant Cushing, Brownfield Group, LLC Kevin Campbell, Development Manager, EDF Renewables Ross Annable, Supervisor, Town of Hartland Mike Hartman, Code Enforcement Officer (CEO), Town of Hartland	Discussion regarding land availability, soil quality and preferred target areas.			
2019-03-11	E-Mail	Kevin Campbell, Development Manager, EDF Renewables Mike Hartman, Code Enforcement Officer (CEO), Town of Hartland	E-Mail about land agents approaching land owners for Morris Ridge Solar.			
2019-03-13	Meeting	Grant Cushing, Brownfield Group, LLC Kevin Campbell, Development Manager, EDF Renewables Town of Hartland Town Board	Project overview presentation.			
2019-03-19	Phone call	Grant Cushing, Brownfield Group, LLC Mike Hartman, Code Enforcement Officer (CEO), Town of Hartland	Discussion about solar zoning and soil quality			
2019-04-01	E-Mail	Kevin Campbell, Development Manager, EDF Renewables Ross Annable, Supervisor, Town of Hartland	E-mail regarding positive feedback received from town meeting, land agents beginning to approach land owners, request for town solar codes			

# Ridge View Solar

## PIP Tracking Log – Record of Activities Updated Through September 06, 2019

Date of Activity	Location of Activity	Activity Attendees	Purpose of Activity	Follow-up Action Items	Comments	Future Outreach
		Mike Hartman, Code Enforcement Officer (CEO), Town of Hartland				
2019-04-09	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion about land acquisition efforts and Article 10.			
2019-04-19	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion regarding numerous topics including Article 10, potential open house, land acquisition, recent press and next update meeting.			
2019-05-13	Phone call	Grant Cushing, Brownfield Group, LLC Tim Horanburg, Supervisor, Town of Newfane	Introduction call and asking for a meeting to discuss potential project expansion into Town of Newfane.			
2019-05-15	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion about project status and set up in person meeting.			
2019-05-16	Meeting	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion about project update, site map review, soil quality, strategy for target landowners and Article 10 process.			
2019-05-20	Phone call	Grant Cushing, Brownfield Group, LLC Tim Horanburg, Supervisor, Town of Newfane	Discussion regarding project update and meeting date set-up.			
2019-05-20	E-Mail	Grant Cushing, Brownfield Group, LLC Tim Horanburg, Supervisor, Town of Newfane	Discussion regarding meeting date and project update,			
2019-05-22	Meeting	Grant Cushing, Brownfield Group, LLC Tim Horanburg, Supervisor, Town of Newfane	Solar project presentation.			

## Ridge View Solar

### PIP Tracking Log – Record of Activities Updated Through September 06, 2019

Date of Activity	Location of Activity	Activity Attendees	Purpose of Activity	Follow-up Action Items	Comments	Future Outreach
		Bill Clark, Town Planner, Town of Newfane Jim Sanson, Town Attorney, Town of Newfane				
2019-05-22	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion regarding acknowledgement letter for the NYSERDA application.			
2019-05-28	Letter	Ross Annable, Supervisor, Town of Hartland	Town of Hartland acknowledging well informed about proposed Ridge View Solar project.			
2019-05-29	E-Mail	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion about Article 10 protocols, decommissioning, land-owner concerns and recent press articles about other projects.			
2019-06-03	Meeting	Grant Cushing, Brownfield Group, LLC Tim Horanburg, Supervisor, Town of Newfane Bill Clark, Town Planner Town of Newfane	Project update and picking up the acknowledgement letter for NYSERDA submission.			
2019-06-04	E-Mail	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	E-mail an example of land lease and discussed a follow-up meeting to review project status.			
2019-06-11	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion about Morris Ridge Project.			
2019-06-18	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion about project update and next steps including an open house in August.			

## Ridge View Solar

### PIP Tracking Log – Record of Activities Updated Through September 06, 2019

Date of Activity	Location of Activity	Activity Attendees	Purpose of Activity	Follow-up Action Items	Comments	Future Outreach
2019-06-19	E-Mail	Grant Cushing, Brownfield Group, LLC Tim Horanburg, Supervisor, Town of Newfane	Discussion about the initial NYSERDA application, property status and set up a meeting for a project update.			
2010-06-20	Meeting	Grant Cushing, Brownfield Group, LLC Kevin Campbell, Development Manager, EDF Renewables Ross Annable, Supervisor, Town of Hartland	Discussion about project and update land acquisition plans.			
2019-06-21	Meeting	Grant Cushing, Brownfield Group, LLC Kevin Campbell, Development Manager, EDF Renewables Tim Horanburg, Supervisor, Town of Newfane Bill Clark, Town Planner Town of Newfane	Discussion about project and update land acquisition plans.			
2019-06-27	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion about up-coming presentation to the Town board and local press.			
2019-06-27	Meeting	Grant Cushing, Brownfield Group, LLC Kevin Campbell, Development Manager, EDF Renewables Town Board, Town of Hartland	Project presentation and questions answered.			
2019-07-08	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion about property update and reaching-out to the Niagara County IDA for an introductory discussion.			
2019-07-03	Email	Kevin Campbell, Development Manager, EDF Renewables Marion Trieste, Trieste Associates	Reaching out to set up a meeting to discuss EDF Renewables plans to develop large scale solar projects in upstate New York.			



## Ridge View Solar

### PIP Tracking Log – Record of Activities Updated Through September 06, 2019

Date of Activity	Location of Activity	Activity Attendees	Purpose of Activity	Follow-up Action Items	Comments	Future Outreach
		Abigail McHugh-Grifa, Rochester People's Climate Coalition				
2019-07-10	E-Mail	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion about reaching-out to the Niagara County IDA for an introductory discussion, open house and local publications.			
2019-07-11	Meeting	Grant Cushing, Brownfield Group, LLC Kevin Campbell, Development Manager, EDF Renewables Susan Langdon - Niagara County IDA Director and Amy Fisk, Niagara County Brownfield Development Corp	Introduction/Presentation Ridge View project and large-scale solar projects.			
2019-07-11	Meeting	Grant Cushing, Brownfield Group, LLC Kevin Campbell, Development Manager, EDF Renewables Town Board, Town of Hartland	Project update presentation and questions answered.			
2019-07-12	E-mail	Kevin Campbell, Development Manager, EDF Renewables Marion Trieste, Trieste Associates Abigail McHugh-Grifa, Rochester People's Climate Coalition	Upcoming meeting logistics			
2019-07-12	E-mail	Kevin Campbell, Development Manager, EDF Renewables Marion Trieste, Trieste Associates Neelly Kelly, Mothers Out Front	Set up meeting to discuss proposed solar energy developments in western NY.			

## Ridge View Solar

### PIP Tracking Log – Record of Activities Updated Through September 06, 2019

Date of Activity	Location of Activity	Activity Attendees	Purpose of Activity	Follow-up Action Items	Comments	Future Outreach
2019-07-26	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion about up-coming open house and logistics.			
2019-07-30	E-Mail	Grant Cushing, Brownfield Group, LLC Tim Horanburg, Supervisor, Town of Newfane	Discussion regarding update project status, NYSERDA bid qualification and open house plans.			
2019-07-30	E-Mail	Kevin Campbell, Development Manager, EDF Renewables Ross Annable, Supervisor, Town of Hartland	E-mail showing public meeting notice that would be sent to local newspaper.			
2019-08-02	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Follow-up open house			
2019-08-03	E-Mail	Kevin Campbell, Development Manager, EDF Renewables Neely Kelley, Mothers Out Front	Invitation to public meeting.			
2019-08-05	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Follow-up open house and meeting set up.			
2019-08-12	E-mail	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Discussion regarding schedule for the open house and press meeting.			
2019-08-13	E-mail	Kevin Campbell, Development Manager, EDF Renewables Mike Saviola, Environmental Analyst of the NYS Department of Agriculture and Market	Message about proposed New York solar projects and upcoming public meetings. Invitation to discuss projects.			

## Ridge View Solar

### PIP Tracking Log – Record of Activities Updated Through September 06, 2019

Date of Activity	Location of Activity	Activity Attendees	Purpose of Activity	Follow-up Action Items	Comments	Future Outreach
2019-08-14	Meeting	Team of 10 persons representing EDF Renewables including Grant Cushing, Brownfield Group, LLC Kevin Campbell, Development Manager, EDF Renewables and Taylor Foley, Environmental and Permitting Manager, EDF Renewables Approximately 60 persons from community	Public open house including 35 story boards to introduce EDF Renewables, Ridge View Solar Energy Center, permitting, project maps, intervenor funding, timeline, site design information, economic benefits, solar project equipment, biodiversity in project. Respond to questions and note comments/feedback from community.			
2019-08-14		Kevin Campbell, Development Manager, EDF Renewables Ross Annable, Supervisor, Town of Hartland	Delivered copy of presentation made during July 11 Town Board meeting. Discussed follow up meeting with all Town Boards to update project and answer questions			
2019-08-15	Meeting	Kevin Campbell, Development Manager, EDF Renewables Susan Langdon - Niagara County IDA Director and Amy Fisk, Niagara County Brownfield Development Corp	Project update including results from public meeting on August 14 <sup>th</sup> . Left a hard copy of presentation made on July 12 <sup>th</sup> .			
2019-08-15	E-Mail	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	E-mail to follow-up on meeting.			
2019-08-19	E—mail	Kevin Campbell, Development Manager, EDF Renewables Ross Annable, Supervisor, Town of Hartland	Follow- up from August 14 public meeting. Town of Hartland Solar Code and Article 10 permitting process.			
2019-08-27	E-mail	Grant Cushing, Brownfield Group, LLC Tim Horanburg, Supervisor, Town of Newfane	E-mail about scheduling an update meeting.			

## Ridge View Solar

### PIP Tracking Log – Record of Activities Updated Through September 06, 2019

Date of Activity	Location of Activity	Activity Attendees	Purpose of Activity	Follow-up Action Items	Comments	Future Outreach
2019-08-29	Meeting	Grant Cushing, Brownfield Group, LLC Kevin Campbell, Development Tim Horanburg, Supervisor, Town of Newfane Bill Clark, Town Planner, Town of Newfane Jim Sanson, Town Attorney, Town of Newfane	Update on property status and discuss zoning code.			
2019-08-29	Meeting	Grant Cushing, Brownfield Group, LLC Kevin Campbell, Development Manager, EDF Renewables Various boards from Town of Hartland	Project introduction for Town members who did not participate in previous meetings. Responded to various questions and answers about project.			
2019-09-03	Phone call	Grant Cushing, Brownfield Group, LLC Ross Annable, Supervisor, Town of Hartland	Planning a follow up town hall style meeting to continue meeting with public to answer questions and share project details.			
2019-09-04	Letter	Tim Horanburg, Supervisor, Town of Newfane	Letter acknowledging that Town was informed of Ridge View solar project and that the Town is revising the zoning code with intent to attract solar development to the region while protecting local interests.			



## **Exhibit D**

General Guidance for Public Participation in the Article 10 Process

## **How Can I Participate in the Article 10 Process?**

Under Article 10 of the New York Public Service Law (“Article 10”), all major electric generating facilities of 25 megawatts in size or more (“Facility”) must be reviewed and approved by a multi-agency State body called the New York State Board on Electric Generation Siting and the Environment (“the Siting Board”). The Article 10 process is broken into several phases – each phase has multiple opportunities for stakeholder and public involvement.

Throughout the process, you can participate by:

- Joining the Party or Service List on the Siting Board’s project docket site, and/or monitoring the filings and announcements posted to that site. You will need the project case number to access these materials.
- Contacting the Applicant to request additional information, or to receive notices.
- Filing comments on the “Public Comments” tab on the project docket site.
- Visiting the Project Website
- Attending local Open House events, conferences, public statement hearings, or municipal meetings where Project representatives provide additional information.

### **Pre-Application Phase**

Early in project development, a prospective Article 10 Applicant must identify and engage with stakeholders with potential interests in the proposed Facility, as well as propose environmental and community studies that will look at the potential impacts of construction and operation of the Facility. This process begins with the Public Involvement Program (“PIP”) Plan and ends when an Article 10 Application is filed.

#### ***1. Public Involvement Program (“PIP”) Plan Stage***

In the PIP, an Applicant will identify stakeholders and outline its proposed strategies for stakeholder involvement. You can find additional information on the Applicant’s plans in the PIP, such as the “local document repositories” where important project documents will be made available, the online resources where project detail will be provided, the newspapers where the Applicant will publish notices, and the kinds of outreach you can expect to see in your community.

#### ***2. Preliminary Scoping Statement (“PSS”) Stage***

At least 5 months after the PIP is filed, the Applicant will file a PSS outlining the studies and information it proposes to provide in its Application. This starts a 21-day public comment period on the proposed studies and PSS. The Applicant then must respond to public comments within another 21 days.

- At least 3 days before the PSS is filed, notices will be published in local newspapers and on the project website, and will be served on individuals or groups identified in the regulations.
- You can request to be served with these notices by joining the Party or Service Lists on the Siting Board’s project docket site, or by contacting the Applicant.

- The PSS is distributed to the Party and Service Lists, placed in repositories, posted to project website and Siting Board docket site.
- Instructions for submitting comments on the PSS will be included in the notices.
- After the PSS is filed, and before an Application is submitted, the Applicant may hold another public meeting or open house.

### ***3. Preliminary Conference and Pre-Application Intervenor Funding***

Within 2 months of the PSS filing, a Preliminary Conference will be scheduled in the area where the Facility is proposed. This public session is used to review requests for intervenor funding and to start a settlement negotiations process called “stipulations.”

- Municipalities and qualified local groups can seek intervenor funding to assist them in reviewing and commenting on the PSS, and in participate in stipulations.
- Instructions for requesting intervenor funding, and qualification information, can be found on the Siting Board’s website.

### ***4. Stipulations***

Parties may decide to negotiate stipulations, or agreements, about what the Applicant will study and how it will study issues of concern—the scope and methodology of studies—before the Application is filed. This process can help limit issues in dispute amongst the parties, and avoid costly litigation on topics not of concern. The stipulations process is confidential, but stipulations cannot be signed by the parties until they are released for public review and comment.

- If parties agree to stipulations, the Applicant will publish and circulate a notice at least three days before the stipulations are released, to alert interested persons.
- When the stipulations are filed, the public generally has 21-30 days to review and comment on the proposed stipulations.

### **Application and Hearings Phase**

Once the Application is filed, another phase of review, intervenor funding, stakeholder participation and engagement begins. This stage of review may involve adjudicatory hearings, legal briefs and other formal proceedings. This Phase concludes with a Recommended Decision from the Examiners assigned to hear the case, and with legal briefs from parties about that recommendation.

### ***5. Application Submission and Completeness***

The Applicant will file its Application, which will span many volumes, and which will be available online on the project website, Siting Board docket, and by electronic notification to the Party and Service Lists, as well as in paper form at local document repositories and certain agencies. State regulators review the Application and determine whether all necessary information is included, and if it can be considered “complete” and ready for

review. A completeness determination starts a 12-month clock on review and decision on the Application by the Siting Board.

- At least 3 days before the Application is filed, legal notices will be published in the newspaper and on websites, and circulated to parties and interested persons.
- You will have the opportunity to review the Application, continue to submit Public Comments, and monitor the proceeding.

#### ***6. Pre-Hearing Conference(s) and Intervenor Funding***

The Application Phase includes a second round of Intervenor Funding, and another conference to address intervenor funding requests, as well as consideration of formal “Party Status” for hearings. That conference, or other conferences, may include an identification of party disagreements or “issues” which must be addressed in litigation.

- Additional Intervenor Funding is available to qualified entities and groups to facilitate participation in the Application Phase.
- Notices of hearings and important deadlines will be posted to the Siting Board docket site, and circulated to the Party and Service Lists.

#### ***7. Public Statement Hearings***

Soon after a complete Application is received, the Siting Board will schedule a Public Statement Hearing in a host community where the Facility is proposed. The purpose of that hearing is to take public comments on the Facility. Notice of that hearing will be published and posted online.

#### ***8. Adjudicatory Hearings and Legal Briefing***

If there are issues that require litigation, adjudicatory hearings and legal briefing periods will be held. A Facility’s host municipalities are automatically considered a Party to this phase, and at least 50% of the intervenor funding made available for the Application and Hearings Phases is reserved for municipal parties, to defray the costs of that participation. This phase ends with a Recommended Decision, made by the Hearing Examiners based on the record of the proceedings, and submitted to the Siting Board for review.

- Members of the public can monitor the progress of the case through this period, and can request updates from their local municipal officials.

### **Certification Phase**

After the Recommended Decision is issued, the decision is in the hands of the Siting Board. Members of the Siting Board, including two local ad hoc members of the Board nominated by the host municipalities in the Pre-Application Phase and appointed by the Senate and Assembly. When the Siting Board is ready to decide, it will schedule a public session to announce its decision.



## **Compliance Phase**

If a Facility is issued an Article 10 certificate, there will generally be items and tasks which must be addressed prior to Facility construction, before the Facility begins operating, or at certain milestones after operations begin. You will be able to find information on these requirements in the Siting Board's decision, and proof of the Applicant's compliance with those requirements will be submitted to the Siting Board's docket page, the Party and Service Lists, and other repositories for important Facility information, such as the project website.

## **Construction and Operation Phase**

Most Facility Applications will need to include a Compliant Resolution Plan, construction-related plans, and other information for the public, communities and stakeholders should any issues arise while the Applicant is building or operating the Facility. In those plans, you will be able to find Applicant contact numbers, see proposed plans for dealing with construction-related traffic and machinery, review emergency response and impact mitigation plans, and understand how the Applicant plans to interact with the community over the life of the project.

## Instructions for Joining the Party or Service List in a Siting Board Proceeding

Go to the DPS Home Page ([www.dps.ny.gov](http://www.dps.ny.gov)), then click “Search” to search by project Case Number, or find the project name under the “Generation Siting” list on the DPS home page.

**Department of Public Service**

Electric Natural Gas Steam Telecommunications Water **Search** Login

Location Translate

**GOVERNOR CUOMO ANNOUNCES ESTABLISHMENT OF NEW YORK'S FIRST CLEAN ENERGY STANDARD**

**Reforming the Energy Vision REV**

**What's Trending...**

**Electric**

- March 2018 Winter Storms Investigation
- Distributed Energy Resource Regulation and Oversight (DER)
- Federal Income Tax Reduction Proceeding
- Offshore Wind Energy
- O&R Electric Rate Case
- National Grid Electric Rate Case
- Central Hudson Electric Rate Case
- Indian Point Closure Task Force
- Subway Power Outage and Con Edison Restoration Investigation
- Reforming the Energy Vision (REV)
- Value of Distributed Energy Resources (VDER)
- PSC Examines ESCOs
- CES/Large Scale Renewables
- Distributed Generation/Interconnections
- Power to Choose - Energy Competition
- RO&E and NYSEG March 2017 Windstorm Outage & Restoration Investigation
- More Electric...

**Natural Gas**

- Federal Income Tax Reduction Proceeding
- O&R Gas Rate Case
- National Grid Gas Rate Case
- Central Hudson Gas Rate Case
- NYSEG Gas Compressor Pilot Project
- Power to Choose - Energy Competition
- Retail Energy Market
- RFP for Management Audits of NYSEG and RG&E
- NYS Pipeline Safety Program
- More Natural Gas...

**Generation Siting**

- Ale-Catt Wind
- Baron Winds
- Bluestone Wind
- Bull Run Wind
- Canisteo Wind
- Cassadaga Wind
- Deer River Wind
- Eight Point Wind
- Galloo Island Wind
- Hecate Solar
- Heritage Wind
- Lighthouse Wind
- Mad River Wind
- Mohawk Solar
- North Ridge Wind
- Northern Tier Wind
- More Generation Siting**

**Telecommunications**

- Federal Income Tax Reduction Proceeding
- Verizon Service Quality Improvement Plan Investigation
- TWC/Charter Merger
- Charter Buildout
- Charter NYC Franchise
- Study of the State of Telecommunications in NYS
- 518 Area Code Proceeding
- Dismantling Non-Basic Retail Telecommunications Services
- New Company Certification Process and Report Filing Requirements
- Universal Service Fund
- Verizon's Wireless Service Proposal
- More Telecommunications...

**Water**

- Federal Income Tax Reduction Proceeding
- Qualified NY Manufacturer Rating Impact
- Bristol Water Rate Complaint
- Suez Water New York, Inc. Rates for Water Service
- Regulated Water Utility Listing
- United Water's Development of a New Long-Term Water Supply Source
- United Water New York Inc.
- NY American Water Company, Inc.
- More Water...

**Steam**

- Federal Income Tax Reduction Proceeding
- Consolidated Edison Steam Planting Proceeding
- More Steam...

**Department of Public Service**

**Index**

- A-Z Index
- Search
- Site Map
- Register to Vote

**Most Popular Pages**

- About the PSC
- Agendas and Calendars
- Commission Documents
- File a Complaint & Dispute Resolution
- Filing Guidelines
- Press Releases
- Public Notices
- Session Webcast Schedule

**Featured Pages**

- DPS - Long Island Home Page
- AskPSC.com (consumer information)
- File a Complaint
- Freedom of Information Law (FOIL)
- Power to Choose - Energy Competition
- Clean Energy Initiative
- Energy Star
- Siting Board Home Page

**Website / Help**

- Accessibility
- Career Opportunities
- Contact Us
- Help
- Privacy Policy
- Text Only Page
- Web Contact
- Website Disclaimer

Links to Article 10 project dockets are also available through the Siting Board’s website (<http://www.dps.ny.gov/SitingBoard/>), by clicking “Projects under Review,” and identifying the project from the list provided.

The screenshot shows the website of the Board on Electric Generation Siting and the Environment. The left sidebar contains a list of links, with "Projects Under Review" circled in green. The main content area is titled "Projects Under Review" and lists several steps: Step 1: Public Involvement Program Submittals, Step 2: Preliminary Scoping Statement Submittals, Step 3: Applications Submitted, Step 4: Deemed Compliant, Step 5: Applications Approved, Certified Projects, and Projects Withdrawn from Article 10 Review.

Either method will bring up the project’s docket or “DMM” page. In the top right hand corner of the DMM page, there are buttons titled “Subscribe to Service List” or “Request for Party Status.” Click one.

The screenshot shows the "Request for Party Status" button circled in red in the top right corner of the page. Below the button, there is a table with columns for "Item No.", "Date Filed", "Document Type", "Document Title", "Filing On Behalf Of", "Item No.", "File Name", and "File Size". The table lists various documents related to the "Matter Number: 18-00390/18-F-0087" and "Case Number: 18-F-0087".

Item No.	Date Filed	Document Type	Document Title	Filing On Behalf Of	Item No.	File Name	File Size
1	4/13/2018	Letters	Letter from Secretary Business to Supervisor Name regarding ad hoc nominations	New York State Board on Electric Generation Siting and the Environment	2	18-F-0087 Town of Coxsackie.pdf	747.48 KB
2	4/13/2018	Letters	Letter from Secretary Business to County Administrator Graham regarding ad hoc nominations	New York State Board on Electric Generation Siting and the Environment	3	18-F-0087 Greene County.pdf	730 KB
3	4/13/2018	Letters	Letter from Secretary Business to Supervisor Ryder regarding ad hoc nominations	New York State Board on Electric Generation Siting and the Environment	4	18-F-0087 Athens Town Supervisor.pdf	765.91 KB
4	4/13/2018	Plans and Proposals	First Mine Solar PDP Figures 1-4	First Mine Solar LLC	5	First Mine Solar PDP Figures 1-4.pdf	1.09 MB
5	4/13/2018	Plans and Proposals	Cover Letter	First Mine Solar LLC	6	Cover Letter Filing First Mine Figures 1-4.pdf	251.26 KB
6	4/16/2018	Correspondence	First Mine Solar LLC's Final PDP and Response to Comments	First Mine Solar LLC	7	First Mine Solar Responses to DRS PDP Comments.pdf	478.71 KB
7	4/16/2018	Correspondence	Final First Mine Solar PDP	First Mine Solar LLC	8	Final First Mine Solar PDP.pdf	1.1 MB
8	3/7/2018	Letters	DPS Staff PDP Recommendations	New York State Department of Public Service	9	Case 18-F-0087 - First Mine Solar Facility - DPS Comments_3-9-18 (1).pdf	290.68 KB
9	2/7/2018	Petitions	First Mine Solar PDP Plan	First Mine Solar LLC	10	First Mine Solar PDP Plan.pdf	337.19 KB
10	2/7/2018	Petitions	First Mine Solar PDP Figures 1-4	First Mine Solar LLC	11	First Mine Solar PDP Figures 1-4.pdf	1.09 MB
11	2/7/2018	Petitions	Cover Letter	First Mine Solar LLC	12	First Mine Solar PDP Cover Letter.pdf	47.39 KB

Clicking the “Subscribe to Service List” or “Request for Party Status” buttons opens a page outlining the differences between joining the Party List, subscribing to the Service List, or participation via Web Monitoring. Select the preferred method of participation by clicking one of the buttons, or by downloading a form for submission to the Secretary.

PARTIES	SERVICE LIST	WEB MONITORING
<p>Generally, parties commit to contribute to the development of a complete record in a proceeding by conducting discovery, submitting testimony, briefs, or other formal written comments, and/or participating in evidentiary hearings, procedural conferences and other formal events conducted in the case. (Non-parties participate in PSC proceedings by filing informal comments, such as letters, in contrast to the formal comments filed by parties in response to Commission notices.)</p> <p>For some PSC proceedings, including rate cases, a person need not be a party to petition for rehearing of the Commission's final decision; however, in some other proceedings, only those who were parties in the case may petition for rehearing. The right to challenge a PSC decision in New York State Court may also be limited to those who were parties to the PSC proceeding.</p> <p>Under Commission rules, 16 NYCRR 4.3, you must seek permission to intervene as a party from the Administrative Law Judge (ALJ), if one is assigned to the case, or from the Secretary if there is no ALJ assigned. The standard for allowing intervention is whether your participation is likely to contribute to the development of a complete record or is otherwise fair and in the public interest; whether other parties are unfairly prejudiced is also considered.</p> <p>If you are a registered user of the NYS Public Service Commission's Document and Matter Management (DMM) System, you may submit your request for party status by clicking on the button below. Registration saves time and allows you to see and manage all of your service and party list subscriptions.</p> <p>When you submit the request for party status here, you will be provisionally added to the party list, subject to the right of other parties to object and subject to the final determination of the ALJ or Secretary. You will be required to mail your request to anyone on the party list who cannot receive e-mail service.</p> <p>If you do not wish to register on the NYS Public Service Commission's DMM System, you can download the Request for Party Status form using the hyperlink below. Please follow the instructions on the form.</p> <p><a href="#">Download Party Status Request Form</a></p> <p><a href="#">Request For Party Status</a></p>	<p>Interested persons who wish to monitor the proceedings of a particular case can do so without the formal commitment to become party in the proceeding. The persons who subscribe to the service list of a case will receive an e-mail with a direct link to the documents issued by the Commission, such as orders, notices, and rulings. Persons unable or unwilling to receive such electronic notification will receive hard copies of Commission-issued documents by regular mail.</p> <p>If you are a registered user of the NYS Public Service Commission's Document and Matter Management (DMM) System, you may submit your service list subscription by clicking on the button below. Registration saves time and allows you to see and manage all of your service and party list subscriptions.</p> <p>Currently, another significant advantage of on-line registration is that registered users who subscribe to a service list for a case have the option to receive an e-mail with a direct link to all documents filed by the parties to the case, such as testimony, briefs, correspondence and formal comments, as well as the Commission-issued orders, notices and rulings. Those who submit their service list request by other means, such as submission of the form provided here, can only receive links to Commission-issued documents.</p> <p>If you do not wish to register on the NYS Public Service Commission's DMM System, you can download the Request for Service List form using the hyperlink below. Please follow the instructions on the form.</p> <p><a href="#">Download Service List Request Form</a></p> <p><a href="#">Subscribe To Service List</a></p>	<p>Interested persons who choose not to sign up to receive e-mail notifications, can view our web site at their convenience to check on the status of a case. All documents filed by parties, correspondence, hearing transcripts, and documents issued by the Commission in a given case are posted on the website for that case. In addition, all comments submitted by the general public are posted under the 'public comments' tab for the same case.</p> <p>No registration is required.</p> <p>For more information on Web Monitoring <a href="#">click here</a>.</p>

The DMM system will provide automated notifications when filings are made in a proceeding to members of both the Party List and Service List. Individuals can select the option to receive only filings made by the Siting Board, or all filings made by any party in the proceeding.

There are two methods to become a Party: (1) Download the form available at the link provided, fill it out in hard copy, and submit to the PSC to be added manually by their staff, or (2) click the button to “Request Party Status” and create a ny.gov ID. This takes you to another page, to sign up for a NY.gov ID if you do not have one, or to log in if you do.

If you experience problems, you can contact the DPS helpline for the DMM system by calling (518) 474-7080. Additional assistance and troubleshooting information is available on the DPS website at:  
<http://www3.dps.ny.gov/W/PSCWeb.nsf/All/B3AC0E39E2A9368B852578D20056F353?OpenDocument>

# Monitoring Siting Board Proceedings

## INFORMATION FOR THOSE INTERESTED IN PARTICIPATING IN OR MONITORING SITING BOARD PROCEEDINGS

There are several options available for those who wish to participate in or monitor the proceedings of a particular case. Please read the details of each and decide which is the best option for you.

PARTIES	SERVICE LIST	WEB ACCESS
<p>Generally, parties commit to contribute to the development of a complete record in a proceeding by conducting discovery, submitting testimony, briefs, or other formal written comments, and/or participating in evidentiary hearings, procedural conferences and other formal events conducted in the case. (Non-parties participate in Siting Board Proceedings by filing informal comments, such as letters, in contrast to the formal comments filed by parties in response to Commission notices.) Once a party, a person or organization may be compelled to respond to discovery requests and to perform other actions.</p> <p>For Siting Board Proceedings, only those who were parties in the case may petition for rehearing. The right to challenge a Siting Board decision in New York State Court is limited to those who were parties to</p>	<p>Interested persons who wish to monitor the proceedings of a particular case can do so by subscribing to the service list for the case. Subscribers will receive an e-mail with a direct link to the documents issued by the Siting Board, such as orders, notices, and rulings. Persons unable or unwilling to receive such electronic notification will receive hard copies of Siting Board-issued documents by regular mail.</p> <p>If you are a registered user of the NYS Public Service Commission's Document and Matter Management (DMM) System, you may submit your service list subscription by clicking on the button below. Registration saves time and allows you to see and manage all of your service and party list subscriptions.</p> <p>A significant advantage of on-line registration is that registered users who subscribe to a service list for</p>	<p>Interested persons can view the Siting Board web site at their convenience to check on the status of a case. All documents filed by parties, correspondence, hearing transcripts, and documents issued by the Siting Board in a given case are posted on the website for that case. In addition, all comments submitted by the members of the public are posted under the 'Public Comments' tab.</p>



the Siting Board proceeding and petitioned for rehearing of the Siting Board decision.

A Siting Board case does not have formal “parties” until an application is filed. However, it would be convenient and useful if persons, groups and other entities interested in participating in the stipulations process or applying for intervenor funding during pre-application phases place themselves on the party list for tracking purposes. A request for party status during the pre-application phase does not preclude a reevaluation of party status at the time of the filing of the application. Those who are interested in being added to the party list during pre-application phases or participating as a party after an application is filed must submit the following form: The form is available [here](#). Once an application has been submitted, under Commission rules, 16 NYCRR 4.3, you may also be required to seek permission to intervene as a party from the Administrative Law Judge (ALJ), if one is assigned to the case, or from the Secretary if there is no ALJ assigned.

If you are a registered user of the NYS Public Service Commission’s Document

a case have the option to receive an e-mail with a direct link to all documents filed by the parties to the case, such as testimony, briefs, correspondence and formal comments, as well as the Siting Board-issued orders, notices and rulings. Those who submit their service list request by other means, such as submission of the form provided here, can only receive links to Siting Board-issued documents.

<p>and Matter Management (DMM) System, you may submit your request for party status by clicking on the button below. Registration saves time and allows you to see and manage all of your service and party list subscriptions.</p> <p>When you submit the request for party status here, you will be provisionally added to the party list, subject to the right of other parties to object and subject to the final determination of the ALJ or Secretary. You will be required to mail your request to anyone on the party list who cannot receive e-mail service.</p>		
<p><a href="#">Registering with the PSC's Document Management System</a> (DMM) and using a web form to request party status is the <b>preferred method</b> of becoming a party in a case.</p>	<p><a href="#">Registering with the PSC's Document Management System</a> (DMM) and using a web page to manage your Service List subscriptions is the <b>preferred method</b> of subscribing to the Service List in a case.</p>	<p>No registration is required.</p> <p>Search for a case and find out more about <a href="#">Web Monitoring</a>.</p>
<p>If you do not wish to use the preferred method of registering on the NYS Public Service Commission's DMM System, you can <a href="#">download the Request for Party Status</a> form. Please follow the instructions on the form.</p>	<p>If you do not wish to use the preferred method of registering on the NYS Public Service Commission's DMM System, you may download the "Service List and Mail Service List Request Form" provided <a href="#">here</a> and send the completed form by e-mail to the Secretary at <a href="mailto:secretary@dps.ny.gov">secretary@dps.ny.gov</a>. If you are unable to e-mail the Secretary, you may mail</p>	

	<p>your request to Secretary Department of Public Service Three Empire State Plaza Albany, NY 12223-1350.</p>	
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## **Exhibit E**

### Anticipated Project and Public Participation Schedule

Ridge View Solar Anticipated Project and Public Participation Schedule

	2019				2020				2021				2022				2023				2024			
	Winter	Spring	Summer	Fall	Winter	Spring	Summer	Fall	Winter	Spring	Summer	Fall	Winter	Spring	Summer	Fall	Winter	Spring	Summer	Fall	Winter	Spring	Summer	Fall
Initial PIP Filed																								
Final PIP Filed and Posted to Applicant Website																								
Public Meetings																								
Conduct Project Studies and Reports																								
Submit Preliminary Scoping Statement (PSS); agency public review of PSS; Applicant response to PSS comments																								
Submit Stipulations Document to Parties																								
Public Meetings																								
Prepare and Submit Article 10 Application																								
Article10 Application Initial Review for Compliance																								
Article 10 Supplement, and Compliance Determination																								
Article 10 Public Statement Hearing, Procedural Conference, Issues Resolution, Testimony, Hearings, Recommended Decision, etc.																								
Article 10 Order Granting Certificate																								
Article 10 Compliance Filings																								
Project Construction																								
Start of Operation																								
Applicant will Update Project Website with Relevant Project Materials																								
Applicant Available to Respond to Individual Comments and Inquiries																								

Notes:  
Red denotes steps where public participation is encouraged.  
The Applicant will hold additional meetings with individual stakeholders as required throughout the Project lifecycle.