BLISS WIND REPOWERING PROJECT

MATTER NO. 23-03030

16 NYCRR § 1100-2.3 Exhibit 2

Overview and Public Involvement

TABLE OF CONTENTS

LIST OF APPENDICES

ACRONYM LIST

ADLS	aircraft detection lighting system
AES	ACE Development Company, LLC
BMP	best management practice
CLCPA	Climate Leadership and Community Protection Act
CO_2	carbon dioxide
FTE	full time equivalent
kV	kilovolts
LOD	Limits of Disturbance
MET	meteorological evaluation tower
MSG	Mineral Soils Group
MW	megawatts
NCBP	Net Conservation Benefit Plan
NYCRR	New York Codes, Rules, and Regulations
NYSDEC	New York State Department of Environmental Conservation
O&M	operations and maintenance
OPRHP	New York State Office of Parks, Recreation and Historic Preservation
ORES	Office of Renewable Energy Siting and Electric Transmission
PILOT	Payment in Lieu of Taxes
SEP	State Energy Plan
SEQRA	State Environmental Quality Review Act
USC	Uniform Standards and Conditions
VIA	visual impact assessment
VSA	visual study area
VSR	visually sensitive resource

GLOSSARY TERMS

Key terms used frequently in this Application are defined below:

Applicant: Means Valcour Bliss NewCo, LLC.

Existing Facility: Refers to the existing 100.5-megawatt (MW) wind energy facility and its components located in the Town of Eagle, Wyoming County, New York, and commonly known as the Bliss Windpark.

Facility Site: Refers to those privately owned parcels under option to lease, purchase, create an easement, or other real property interests with the Applicant on which all Repowered Facility components will be sited, including roads, collector lines, and interconnection with the electrical grid.

Limits of Disturbance: Refers to the portion of the Facility Site that will necessarily be utilized to facilitate construction and operation of the Repowered Facility, including temporary workspaces.

Repowered Facility: Refers to the Bliss Wind Repowering Project, an approximately 110.5 MW wind energy generation facility located in the Town of Eagle, Wyoming County, New York, that will consist of new wind turbines, access roads, buried electric collection lines, collection substation facility improvements, temporary laydown and parking, permanent meteorological towers, and an aircraft detection lighting system tower. The Repowered Facility will reuse other existing aboveground components, including overhead collection lines, access roads, an operations and maintenance building, a 34.5-kilovolt (kV) to 115 kV collection substation; and a point of interconnection switchyard station owned by National Grid.

Study Area: Refers to the area evaluated for specific resource identification and/or resource impact assessment. The size of this area is appropriate for the target resource and takes into account the project setting, the significance of the resource or impact being identified or evaluated, and the specific survey distances included in 16 New York Codes, Rules, and Regulations Part 1100. Unless indicated otherwise in a specific exhibit, the Study Area represents the area within a 5-mile radius of the Facility Site.

16 NYCRR § 1100-2.3 Exhibit 2: Overview and Public Involvement

Information	Found in Section
Exhibit 2 shall contain:	
A brief description of the major components of the facility, including collection lines, transmission lines, interconnections, access roads and related facilities. A brief, clearly and concisely written overall analysis in plain language that assembles and presents relevant and material facts regarding the facility upon which the applicant proposes that the Office make its decision. The analysis shall be analytical and not encyclopedic and shall specifically address each required finding, determination and consideration the Office shall make or consider in its decision and explain why the applicant believes that the requested permit should be granted.	2.1 Appendix 2-A Figures
A brief description of applicant's local engagement and outreach efforts as required in sections 1100- 1.3(a) and (b) of this Part.	2.2.1 and 2.2.2 Appendix 2-B Appendix 2-C Appendix 2-D

2.0 EXHIBIT 2 – OVERVIEW AND PUBLIC INVOLVEMENT

2.1 PROJECT OVERVIEW (16 NYCRR § 1100-2.3 (a))

The Applicant, Valcour Bliss NewCo, LLC hereinafter, referred to as ("the Applicant") a wholly subsidiary of ACE Development Company , LLC (AES) is undertaking facility-wide, programmatic repowering of a portfolio of six operating wind projects in Clinton, Franklin, and Wyoming Counties, including the Bliss Windpark (Existing Facility) in Wyoming County. The repowering will extend the benefits for landowners, the towns, and school districts for up to 30 years. These repowered facilities embody AES's sustainability philosophy and contribute to the transition to clean energy with the use of more efficient technologies.

Development of any large-scale renewable energy project requires careful balancing of numerous factors, resources, and concerns—from the availability of private land and suitable access to the state's electric grid, to the presence of protected resources and matters of importance to the host community. The Applicant, developed the design for the Bliss Wind Repowering Project (Repowered Facility) over the course of several years, taking into account feedback provided by the landowners and the community during early-stage consultations, and surveys of sensitive resources to avoid and minimize impacts. The Repowered Facility will achieve a careful balance across a wide array of competing concerns. It will avoid, minimize, and mitigate any impacts, to the maximum extent practicable, through careful design, implementation of best management practices (BMPs), compliance with the Office of Renewable Energy Siting and Electric Transmission (ORES) Uniform Standards and Conditions (USCs), and commitment to proposed mitigation measures for protected species and wetland mitigation.

New York State recognized the pressing need for concrete action to combat climate change by adopting the New York State Climate Leadership and Community Protection Act (CLCPA), which acknowledges that decarbonization of New York's energy grid will require broad deployment of renewable energy across the entire state, through both large and small projects. It will not be possible to achieve the CLCPA's renewable energy mandates without utility-scale wind projects like the Repowered Facility. New York is facing a challenge in attempting to decarbonize the grid, and it will require unprecedented changes across the entire state to meet the goals of the CLCPA. However, this effort also represents a significant opportunity to drive private investment and job creation to allow some of the community's hard-working farmers and landowners to earn an income from lands leased to wind projects, and to generate annual payments to local schools and taxing jurisdictions.

The Existing Facility consists of 67 wind turbines, each with 1.5 megawatts (MW) of capacity and a total capacity of 100.5 MW. The Eagle Town Board approved the construction, operation, and decommissioning of the Existing Facility in 2006, following completion of State Environmental Quality Review Act (SEQRA) review under 6 New York Codes, Rules, and Regulations (NYCRR) 617.6. The Existing Facility was reviewed jointly with the existing Chateaugay and Wethersfield wind energy facilities in a single SEQRA review process, which included completion of a joint final

environmental impact statement and a joint findings statement for all three projects. The Applicant is in discussions with the Town of Eagle regarding the implementation of the decommissioning plan for the Existing Facility.

The Repowered Facility will reduce the total number of wind turbines at the Existing Facility by least 33 and will install up to 34 wind turbines that will generate up to approximately 110.5 MW of electrical energy. Each new turbine will have a generating capacity three to four times greater than the Existing Facility turbines. The Repowered Facility will continue to safely generate enough clean, renewable electricity to power more than 19,800 New York households. The Applicant expects to commence operation in 2028 and anticipates operating the Repowered Facility for up to 30 years.

The Repowered Facility will be located on the site of the Existing Facility, with some additional area added to the Facility Site as shown in Figure 2-1. The Repowered Facility will incorporate 49 of 53 parcels (92 percent) of the Existing Facility and an additional 1,742 acres of parcels that will host project components and additional area needed only for construction access. The Repowered Facility will utilize certain portions of the Existing Facility's components and add new components, as shown in Figure 2-2. The Repowered Facility will use existing overhead collection lines, access roads, operations and maintenance (O&M) building, 34.5-kilovolt (kV) to 115 kV collection substation, and point of interconnection switchyard station owned by National Grid. Reusing existing access roads and collector lines, even where upgrades are required, reduces overall impacts compared to new construction. The Repowered Facility components are described below.

Wind Turbines: The Repowered Facility will include up to 34 turbines from General Electric, Vestas, or Nordex, ranging from 4.5 to 6.1 MW each, depending on the turbine selected. The maximum height of the turbines will be 650 feet. The turbines will be anchored to spread footer concrete foundations approximately 12 to 14 feet deep and 71 to 76 feet in diameter, depending on the turbine selected. All wind turbine components (including towers, nacelles, and rotors) will be painted or finished using low-reflectivity, neutral white-color paint, and lighting consistent with consistent with Federal Aviation Administration rules established in Advisory Circular 70/7460-1M: Obstruction Marking and Lighting. Each wind turbine will also be equipped with a lightning protection system to protect against physical damage caused by lightning strikes.

Aircraft Detection Lighting System (ADLS) Tower: The Repowered Facility will include a 145-foot ADLS tower. The ADLS will turn on aviation warning lights when an aircraft is detected, which will remain on until the aircraft exits the ADLS coverage area. The ADLS will comply with laws requiring light mitigation and reduce the duration of nighttime lighting compared to the Existing Facility.

Access Roads: Access roads will be used during construction and operation for delivery of materials and for access by construction and operation personnel. The Existing Facility access

roads will be used or upgraded to the extent practicable, and new temporary access roads will be utilized during construction activities.

Electrical Collection System: The Repowered Facility will include installation of new 34.5 kV collection lines that collect power from the inverters in each wind turbine and will use the Existing Facility overhead collection lines to the maximum extent practical. The new electrical collection system will be direct-buried. Cabling for the data communication system will be installed in the same trenches as the underground collection system or attached to the existing overhead collection system.

Electrical Interconnection System: The Repowered Facility will use the Existing Facility's interconnection to the New York power grid via the existing switchyard station in the Town of Eagle, tapping into National Grid's Freedom Substation. The switchyard station transforms the power generated by the wind turbines to match the specification of the interconnection with the electrical grid.

Meteorological Evaluation Tower (MET): The Repowered Facility will install three permanent METs of up to 402 feet tall will monitor meteorological conditions at the Repowered Facility.

Temporary Laydown Areas and Parking: Construction materials will be transported to the Facility Site and stored at temporary laydown areas. The laydown areas will provide parking for construction, staging of Repowered Facility components, construction equipment, and construction materials. In addition, each new turbine will require a temporary work area for component deliveries and staging, a crane pad, and other construction-related needs.

Temporary Marshalling Yard: Repowered Facility components such as turbines and nacelles will be delivered to a centralized marshalling yard before being distributed to laydown areas.

O&M Building: The Existing Facility O&M building will provide on-site equipment storage and offices for administrative operations during the life of the Repowered Facility, located near the substation. The Existing Facility O&M building will not be modified.

2.1.1 Overall Analysis (16 NYCRR § 1100-2.3 (a))

Under 16 NYCRR § 1100-2.3(a), an Application for a Major Renewable Energy Facility Siting Permit must include the following:

> *A brief, clearly and concisely written overall analysis in plain language that assembles and presents relevant and material facts regarding the facility upon which the applicant proposes that the Office* [ORES] *make its decision. The analysis must be analytical and not encyclopedic and shall specifically address each required finding, determination, and consideration that the Office shall make or consider in its decision and explain why the applicant believes that the requested permit should be granted.*

Throughout this application, the Applicant has appropriately characterized the Repowered Facility setting and the reasonably probable environmental impacts from construction, operation, and decommissioning of the Repowered Facility and has demonstrated that it has avoided, minimized, and mitigated significant adverse environmental impacts to the maximum extent practicable and consistent with other wind projects permitted by ORES and by the New York State Board on Electric Generation Siting and the Environment. This application addresses the requirements of New York State Public Service Law Article VIII and 16 NYCRR Part 1100 with respect to the Repowered Facility. This application necessarily does not address the construction, operation and decommissioning of the Existing Facility nor the associated SEQRA reviews under 6 NYCRR § 617.6. In preparing this application, consistent with 16 NYCRRR Part 1100, the Applicant took into consideration factors that include, but are not limited to:

- Minimization of new disturbance to the Existing Facility footprint and minimization of new ground disturbance
- Changes in size of the new Repowered Facility components (e.g., changes in height)
- New information (e.g., previously unknown impacts on a threatened or endangered species)

Furthermore, as summarized below, the application provides sufficient information to enable ORES to reach its required findings and determinations on avoidance, minimization, and mitigation, and environmental and community benefits and find that the Repowered Project, together with any applicable uniform and site-specific standards and conditions, would comply with applicable laws and regulations, including substantive requirements of local law, except any substantive requirements of local law that ORES may elect not to apply to the Repowered Project, in whole or in part, that ORES finds to be unreasonably burdensome as applied to the Repowered Project in view of the CLCPA targets and the environmental benefits of the Repowered Project.

2.1.1.1 Summary of Avoidance, Minimization, and Mitigation

Through careful planning and design, the implementation of BMPs, and the nature of the technology proposed, the Applicant has demonstrated that potential significant adverse impacts will be avoided or minimized, to the maximum extent practicable, and proposes mitigation measures to offset the unavoidable impacts. Development of any large-scale renewable energy project requires a careful balancing of numerous factors, resources, and concerns—from the availability of private land and suitable access to the state's electric grid, to the presence of protected resources and matters of importance to the host community. The Repowered Facility will reuse the Existing Facility's electrical system, access roads, O&M building, and collection substation. The Facility Site will include 49 of 53 parcels of the Existing Facility. The Repowered Facility design strikes a careful balance across a wide array of competing concerns and limitations associated with the repowering of an existing, operational facility. As with any type of land development, the Repowered Facility will have some impacts. However, the impacts of the Repowered Facility have been avoided, minimized, and mitigated to the maximum extent

practicable through careful design, implementation of BMPs, compliance with applicable laws and ORES's USCs, and proposed mitigation measures. Specifically, as described below, the Repowered Facility will completely avoid impacts on streams and cultural resources, and will minimize, or mitigate to the maximum extent practicable, impacts on threatened and endangered species' occupied habitat, wetlands, agricultural resources, and other environmental and ecological resources.

Streams and Wetlands

As described in Exhibit 13 Water Resources and Aquatic Ecology and Exhibit 14 Wetlands, the Applicant has designed the Repowered Facility to minimize and avoid impacts to the maximum extent practicable. Pursuant to 16 NYCRR § 1100-1.3(f) and as described in Exhibit 13 and Appendix 14-B of Exhibit 14, the Applicant conducted a surface water delineation to determine the boundaries of all federal, state, and locally regulated streams and adjacent areas within the Study Area . The delineation identified three stream segments classified by the New York State Department of Environmental Conservation (NYSDEC) as Class C and no aquatic invasive species in these waters. ORES has not yet issued a waterbodies jurisdictional determination; however, the wetland delineation report identified one potential state-jurisdictional waterbody within the Limit of Disturbance (LOD) (Appendix 13-B). The use of existing overhead collector lines that span this single waterbody will allow impacts to be completely avoided.

Pursuant to 16 NYCRR § 1100-1.3(e), the Applicant also conducted a wetland delineation to determine the boundaries of all federal, state, and locally regulated wetlands and adjacent areas within the Study Area (Exhibit 14 Wetlands, Appendix 14-B). ORES has not yet issued a wetlands jurisdictional determination; however the wetland delineation report identified two potential State-jurisdictional wetlands within the LOD. Through an iterative siting process, the Repowered Facility design minimizes wetland impacts by siting the Repowered Facility on the Existing Facility site and by reusing existing infrastructure. The design avoids impacts on all but 10.26 acres of wetlands that are anticipated to be state-regulated, which the Applicant anticipates would require 8.83 acres of mitigation at the ratios set forth in 16 NYCRR § 1100-2.15(g), Table 1 - Wetland Mitigation Requirements. The Preliminary Wetland Restoration and Mitigation Plan presents the options and approaches to achieve the necessary mitigation (Exhibit 14 Wetlands, Appendix 14-E).

Agricultural Resources

As described in Exhibit 15 Agricultural Resources, the Applicant designed the Repowered Facility to minimize and avoid, to the maximum extent practicable, impacts on prime agricultural soils, which are defined as Mineral Soils Groups (MSG) 1 through 4. Active agricultural land use—which includes all lands involved in the production of crops, livestock, and livestock products for three of the last five years—represents approximately 43,040 acres, or 39 percent of the Study Area, a radius of 5 miles around the Facility Site. Of this, only 2,617 acres, or 39 percent, of the active agricultural land in the Study Area falls within the Facility Site. Of the 2,617 acres, 74 acres will

be temporarily impacted by construction activities but will be allowed to return to active agricultural use once the Repowered Facility is operational The Facility Site contains 1,398 acres, or 21 percent, of MSGs 1 through 4, and the LOD contains 164 acres, or 27 percent. The Repowered Facility will not permanently impact any lands that are both actively farmed and contain MSGs 1 through 4. For the prime agricultural soils within the Facility Site that cannot be avoided or minimized, the Applicant will adhere to BMPs, including the New York State Department of Agriculture's 2018 Guidelines for Agricultural Mitigation for Wind Power Projects (Revision April 19, 2018), to the maximum extent practicable, during construction to further limit impacts. The Repowered Facility layout reflects consideration of existing, ongoing, and adjacent farming practices based on consultation with agricultural landowners during the Applicant's design process. In total, approximately 2 acres (or less than 1 percent) of active agriculture within the LOD will be permanently disturbed by Repowered Facility components.

The Repowered Facility's Agricultural Plan (Exhibit 15 Agricultural Resources, Appendix 15-D) that outlines the Applicant's commitment to constructing the Repowered Facility in accordance with the New York State Department of Agriculture and Markets Guidelines, 16 NYCRR § 1100-2.16(c), and 16 NYCRR §§ 1100-6.4(b)(4) and 6.4(s)(2), to ensure that soil health is maintained or improved throughout construction, operation, decommissioning, and restoration. Wind facilities are also a reversible land use, and at the end of the Repowered Facility's life, the land will be fully decommissioned and restored and will be available to return to agricultural use. The Repowered Facility's Drainage Remediation Plan (Exhibit 15 Agricultural Resources, Appendix 15-E) addresses potential inadvertent damage to surface and subsurface agricultural drainage features and proposed mitigation measures.

Cultural Resources

As described in Exhibit 9 Cultural Resources and pursuant to 16 NYCRR § 1100-1.3(h), the Applicant conducted a series of investigations to evaluate the presence of archaeological resources in the Study Area. The Applicant conducted a Phase 1A archaeological survey in August and September 2024 (Appendix 9-B) and a Phase 1B archaeological survey in September and October 2024 (Appendix 9-C) for areas of specific ground disturbance for the construction of the Repowered Facility. On February 7, 2025, WSP responded to OPRHP comments on the Phase 1A. On March 12, 2025, the OPRHP provided additional comments on the Phase 1A. The Applicant anticipates that OPRHP will approve the Phase 1A and concur with the proposed workplan for the Phase 1B archaeological testing. WSP conducted the Phase IB archaeological survey between September 30 and October 11, 2024. The OPRHP is currently reviewing the Phase 1B Report. The Applicant anticipates that the OPRHP will concur with the finding that no further study is required.

The Applicant also conducted a historical architectural survey, through background research and a field inspection in January 2025. The architectural survey found 12 properties as listed, eligible, or recommended as eligible for listing in the State or National Register of Historic Places (Exhibit 9 Cultural Resources, Appendix 9-E). The Repowered Facility will not adversely affect these historic properties because it will not diminish the setting or aesthetics of the properties. The

OPRHP is reviewing the Historic Resources Report. The Applicant anticipates that the OPRHP will concur with the finding that no further study is required.

Terrestrial Resources

As described in Exhibit 11 Terrestrial Ecology, the Study Area does not contain unique or rare natural communities, based on the background data review, agency coordination, or on-site surveys. The design of the Repowered Facility minimizes impacts on vegetation through the reuse of a majority of the Existing Facility parcels and site, including built facilities such as the O&M building, interconnection substation, and collection substation. The Repowered Facility will be located primarily in forested areas previously disturbed for the Existing Facility. The siting of the Repowered Facility avoids 3,642 acres, or 92 percent, of forested communities within the Facility Site. Approximately 215 acres of tree clearing will be required for construction and operation of Repowered Facility components for efficiencies with construction and design.

Changes in vegetation could influence the behavior of wildlife species; however, because lands within the Facility Site have been subjected to ongoing forest harvesting, agricultural use, and the existing wind turbine operations, it is not anticipated that the Repowered Facility will materially affect wildlife utilizing habitats in the area. The Repowered Facility could result in the loss of approximately 20 birds per year more than the Existing Facility and a reduction of impacts on bats by 55 to 78 percent compared to the Existing Facility. The Applicant also considered the cumulative impacts of wind facilities in the vicinity of the Repowered Facility. The Repowered Facility could contribute approximately 221 birds per year, or approximately 14 percent of the estimated total annual mortality and approximately 148 to 370 bats per year, or approximately 7 to 11 percent per year of the total estimated annual mortality. These impacts from the Repowered Facility are not expected to have population-level effects for any single bird or bat species.

Threatened and Endangered Species

As described in Exhibit 12 NYS Threatened and Endangered Species, the Applicant prepared a Wildlife Site Characterization Report (Appendix 12-A) and completed winter grassland raptor surveys (Appendix 12-B), breeding bird surveys (Appendix 12-C), and bat mist net surveys (Appendix 12-D). Following consultation with NYSDEC, ORES issued a Determination of Occupied Habitat, Incidental Take, and Net Conservation Benefit on March 11, 2025 (Appendix 12-E). ORES found that occupied habitat occurs within the Facility Site and that the Repowered Facility has the potential for indirect take of one New York State listed threatened or endangered grassland bird species and take of one state-listed bat species. Thus, the preparation of a Net Conservation Benefit Plan (NCBP) is required for both species in accordance with 16 NYCRR § 1100-2.13(f). The NCBP demonstrates a net positive benefit to the affected species (Appendix 12-G). Pursuant to 16 NYCRR §§ 1100-1.3(g)(8) and 2.3(f), the permittee will submit a final NCBP as a pre-construction compliance filing. The Applicant anticipates conserving 14.51 acres, based on 1.70 acres of breeding habitat and 12.81 acres of wintering habitat, to provide a net conservation benefit for the state-listed grassland bird species, along with the conservation and

habitat improvement measures outlined in the NCBP. The Applicant will comply with limits for tree-clearing activities between November 1 and Mach 31 and curtailment of turbine operations to minimize potential impacts on the state-listed bat species.

Visual Resources

As described in Exhibit 8 Visual Impacts, the Applicant conducted a visual impact assessment (VIA) that examined a study area encompassing a 5-mile radius of the Repowered Facility. Viewshed mapping was developed to predict potential Repowered Facility visibility throughout the visual study area (VSA) with the maximum proposed wind turbine height of 650 feet.

The VIA determined that less than 15 percent of the VSA may have visibility of one or more of the Repowered Facility's wind turbines above intervening vegetation. To minimize the visual impacts of the Repowered Facility, the Applicant will place new collection lines underground. Based on viewshed analysis and field observation, the Repowered Facility will be fully screened by intervening landforms or vegetation from 71 of the 105 identified visually sensitive resources (VSRs). The Repowered Facility may be visible to some degree from 35 identified VSRs. The Applicant consulted with OPRHP, ORES, and the Town of Eagle about visual resources of concern within the VSA. ORES responded on February 20, 2025, stating that ORES has no comments. The Town of Eagle provided a suggestion to include the Lyonsburg and Eagle cemeteries in the VSR analysis, which the Applicant added as a locally identified resource and an NRHP-Eligible site, respectively (see Appendix 8-A Visual Impact Assessment). Visibility of the Repowered Facility is not a new visual impact but rather an increase in the visible height of wind turbines as compared to the Existing Facility. This noticeable height increase may be offset by the reduction in the number of wind turbines from the Existing Facility's 67, smaller wind turbines to the Repowered Facility's up to 34, taller wind turbines. Given the existing developed context of the Facility Site, the existing character of the landscape will be retained and the wind turbines and new access roads will not substantially affect the existing visual character and quality of the landscape.

The Shadow Flicker Analysis conducted for the Repowered Facility concluded that no non-participating residence receptors would be above the 30-hour-per-year limit for shadow flicker when mitigation is proposed. Without mitigation, 25 non-participating residences would be above the 30-hour limit without mitigation (Appendix 8-B). To ensure that no sensitive receptors experience over 30 hours of shadow flicker per year, mitigation options such as blocking or shielding measures (e.g., the installation of hedges or barrier walls) may be used at the one non-participating residence that could experience over 30 hours of shadow flicker. Alternatively, wind turbines that would produce shadow flicker on the non-participating residence would be equipped with monitoring equipment that signals turbines to shut down under conditions when the 30-hour annual limit has been reached.

Other Resources

As described in Exhibit 7 Noise and Vibration, no non-participating or participating sound-sensitive receptors were over the maximum noise limits in 16 NYCRR § 1100-6.5(a) with mitigation. The Repowered Facility complies with local noise regulations, and noise abatement measures will be implemented during construction and operation. The Repowered Facility will reuse existing infrastructure such as electrical interconnections, the O&M building, and the existing substation. The noise impacts of existing infrastructure would remain unchanged, and no receptors are over the maximum sound levels for non-participating residences from the collector substation. The Repowered Facility equipment meets the requirements of 16 NYCRR § 1100-2.8, to protect neighboring residences and other sensitive receptors. The Applicant will also employ measures to minimize temporary noise during construction of the Repowered Facility, such as limiting construction activities to normal working hours, utilizing construction equipment fitted with exhaust systems and mufflers as available, and configuring construction in a manner that keeps loud equipment and activities as far as feasible from noise-sensitive locations.

The Repowered Facility will not have a significant adverse impact on existing utility infrastructure, such as major electric and gas transmission lines, telecommunications resources, or water or sewer services, as discussed in Exhibit 3 Location of Facilities and Surrounding Land Use, Exhibit 16 Effect on Transportation, Exhibit 18 Socioeconomic Effects, Exhibit 20 Effect on Communications, and Exhibit 22 Electric and Magnetic Fields.

Exhibit 16 Effect on Transportation explains that construction will necessarily result in some traffic impacts. However, given the capacity and existing traffic volumes on nearby public roads, construction will not adversely affect local traffic. Most traffic generated during construction will primarily consist of worker passenger vehicles. Oversized vehicles for the main power transformers could result in minor temporary traffic delays; however, the Applicant will coordinate with local officials to avoid impacts on traffic flow. The Applicant anticipates entering into a road use agreement with the Town of Eagle and/or Wyoming County to address potential impacts on town and county roads.

Exhibit 18 Socioeconomic Effects describes consultation with local municipalities and agencies, which determined that construction and operation will place little, if any, demand on municipal services and will have no impact on municipal expenses.

Exhibit 20 Effect on Communications describes how the Applicant will continue to transmit operational data to National Grid via the existing interconnections and through the Repowered Facility's use of existing electrical interconnection. Exhibit 20 further describes proposed measures to minimize impacts to any nearby underground cable and telecommunication lines. The Applicant will coordinate with Dig Safely New York prior to commencing any construction activities to identify any additional underground cable or fiber-optic major transmission telecommunications lines. As described in Exhibit 22 Electric or Magnetic Fields, the Repowered Facility will utilize the existing electrical interconnections, without physical modifications or

upgrades. Therefore, an electric and magnetic (EMF) field test study pursuant to 16 NYCRR § 1100-2.23 is not applicable.

2.1.1.2 Facility Environmental Benefits and Contribution to CLCPA Targets

New York State policy and laws require the development of renewable energy projects to significantly increase generating capacity from renewable sources, reduce carbon emissions from the energy sector, and combat climate change. As described in this application, the Applicant designed the Repowered Facility to avoid and minimize impacts on sensitive resources, while also making a meaningful contribution (maintain the existing 100.5 MW and adding up to 10 MW) to renewable energy generation in New York and furthering well-established policy and legislative goals, including the CLCPA.

The Repowered Facility will aid the state in advancing the CLCPA goals, which include achieving renewable energy generation of 70 percent by 2030 and 100 percent carbon-free electricity by 2040. According to the U.S. Energy Information Administration's New York State carbon dioxide (CO_2) displacement rate, the Repowered Facility is estimated to displace approximately 214,600 metric tons of CO_2 from the state grid. Such reductions in CO_2 and other emissions associated with energy generation will minimize the public health and environmental impacts related to climate change (see Exhibit 6 Public Health and Safety). The Repowered Facility is also consistent with the State Energy Plan (SEP) as it contributes to the SEP's emphasis on the need for large-scale renewables. The SEP states that private-sector investments, such as the Applicant's investment in the Repowered Facility, will contribute to building a dynamic and competitive energy market, which will ultimately reduce energy costs for consumers. The Repowered Facility, as a repowered wind project, will help New York work toward a more diverse, sustainable, modern, and resilient energy system that is not dependent on a single fuel source, thereby aligning with the SEP's vision of modernizing grid infrastructure with resources that are not dependent on fuels sourced and delivered from other parts of the country or the world. The Repowered Facility will contribute to establishing a more resilient system that can recover more quickly from significant disruptions to the grid, such as large storms or other events.

2.1.1.3 Community Benefits of the Facility

As described in Exhibit 18 Socioeconomic Effects, the Repowered Facility will continue to provide positive impacts on public welfare through employment opportunities for local residents to benefit from the clean energy transition. During construction, the Repowered Facility is estimated to generate a peak employment of 78 employees, with an average full time equivalent (FTE) Employment of 58 employees. Annual payroll during construction is estimated at $7.2M. Once operational, the Repowered Facility is estimated to support six FTEs with an annual payroll of $300,000. The operation and maintenance of the Repowered Facility will not increase the number of full-time employees compared to the Existing Facility.

The Applicant is committed to maintaining economic benefits within the host community through the generation of substantial tax revenues for the local taxing jurisdictions (county, town, and

school districts) anticipated to take the form of a Payment in Lieu of Taxes (PILOT) agreement, local and regional spending, and a host community agreement.

The Applicant has collaborated with stakeholders in Wyoming County since 2022 through the Applicant's Social Impact Program. The program focuses on increasing access to safe, efficient, and affordable energy and basic services, fostering inclusive economic growth and education, enhancing community resilience, and promoting environmental sustainability. Initiatives include donations to local nonprofits, supporting costly equipment needs for local fire departments and emergency responders, and donations to local school districts. The Applicant will also participate in the Renewable Energy Facility Host Community Benefit Program (PSC 20-E-0249) by paying an annual fee of $1,000 per MW or $110,500 for the first 10 years of operation.

2.1.1.4 Local Laws and Ordinances

The Applicant is an established and experienced renewable energy developer and owner operator (see Exhibit 1 General Overview) and prides itself on emphasizing strong stakeholder engagement efforts in the communities where it develops and operates renewable energy facilities, which include the Repowered Facility host communities. The Applicant has endeavored to develop the Repowered Facility in a manner that is respectful and responsive to the local community. The Applicant has engaged with all Repowered Facility stakeholders, including the host municipality and community members (see Section 2.2, below). The Applicant has also endeavored to respond to the primary concerns of stakeholders by amending the Repowered Facility design to respect these local interests. The Applicant will comply with all substantive provisions of the Town of Eagle's Wind Energy Conversion Facilities Siting Law, with the exception of one provision for which the Applicant has requested a waiver from ORES, as described in Exhibit 24 Local Laws and Ordinances, Section 24.3.

2.2 PUBLIC INVOLVEMENT SUMMARY (16 NYCRR § 1100-2.3 (b))

2.2.1 Consultation with Local Agencies

As required by 16 NYCRR § 1100-1.3(a), the Applicant engaged with the Chief Executive Officer of the municipalities where the Repowered Facility will be located (the Town of Eagle and Wyoming County) no less than 60 days prior to filing this application.

On December 10, 2024, the Applicant met with the Town of Eagle to discuss a range of issues, including identifying substantive local laws and ordinances relevant to the Repowered Facility. On behalf of the Applicant, Young/Sommer LLC sent letters to the Town of Eagle's Supervisor, Michael Roche, listing applicable substantive requirements and local laws, with a response to each law indicating efforts made to comply with the laws (see Exhibit 24 Local Laws and Ordinances, Appendix 24-B).

During the December 10, 2024, meeting with Town representatives, the Applicant introduced the Repowered Facility and provided an overview of the information set forth in 16 NYCRR § 1100-1.3(a), including, but not limited to, (1) a description of the Repowered Facility and associated

maps illustrating project components and regulatory boundaries; (2) a summary of the Repowered Facility's timeline, including construction, and decommissioning of the Existing Facility; (3) a presentation of visual simulations and a map of the Repowered Facility's limits of construction disturbance; (4) a review of substantive local laws; and (5) the status of various local agency consultations (such as land use, visual impact assessment, cultural resources, transportation, and socioeconomics). The Applicant also reviewed topics of potential concern to municipalities, including traffic, visual, sound, and natural resources. Additionally, the Applicant provided the anticipated application date and information regarding the future availability of local agency account funds and ensured that members had access to the Applicant's Project Manager, Briggs Neal, via phone, email, and the project website.

On December 19, 2024, the Applicant sent a letter to the Town Supervisor regarding visual impacts consultation as part of compliance with 16 NYCRR §§ 1100-1.3(a) and 1100-2.9(b)(4). The request for consultation included a visually sensitive resource list, a preliminary viewshed map, and a photo log. Appendix 2-B provides a copy of the request for visual consultation. In response to the outreach, the Town of Eagle Supervisor provided comments on January 4, 2025, with the suggestion that the Lyonsburg and Eagle Cemeteries be included in the VSR analysis. No requests were made for additional visual simulation locations.

2.2.2 Meeting with Community Members

As required by 16 NYCRR § 1100-1.3(b), the Applicant held a meeting with community members no less than 60 days before the submission of this Application. The purpose of the meeting was to educate the public about the Repowered Facility, including the anticipated application date and future availability of local agency account funds.

To provide notice of the December 2024 meeting, the Applicant mailed letters advertising the meeting to recipients required under 16 NYCRR § 1100-1.6(c), including residents within a 5-mile radius of the Facility Site on November 22, 2024. On November 21, 2024, letters were mailed to elected officials and ORES. Additionally, the Applicant advertised the meeting in advance via publication on the project website on November 21, 2024, and in the Herald Courier on November 28, 2024; the Daily News (Batavia) on November 16, 2024; and the Warsaw Penny Saver on November 24, 2024.

The Applicant conducted a community meeting regarding the Repowered Facility on December 10, 2024, from 5:00 p.m. to 7:00 p.m. at the Rita George Recreation Hall in Bliss, New York, to provide the public with information about the Repowered Facility. At the meeting, Applicant representatives provided an overview of the Repowered Facility, including information about the Article VIII permitting process and ability to secure funds from the local agency account to defray costs of participating in the permitting process; maps showing Repowered Facility location and infrastructure components; information about environmental studies to date; and information about anticipated community benefits resulting from the Repowered Facility. Additionally, the Applicant provided information related to topics that frequently receive questions, including local

partnerships and information about decommissioning of the Existing Facility and Repowered Facility.

The Applicant's representatives answered questions throughout the community meeting. The community meeting included at least 96 participants. Copies of the meeting boards were posted on the Applicant's website for continued accessibility and availability. Appendix 2-C provides copies of the community meeting boards, postcard, and newspaper advertisements.

2.2.3 Notice of Intent to File and Notice of Application (16 NYCRR § 1100-1.3(d) and § 1100-1.6(c))

The Applicant filed and served the 60-Day Notice of Intent to File an Application for the Repowered Facility, in accordance with 16 NYCRR § 1100-1.3(d) and § 1100-1.6(c), as evidenced by affidavits of serviced filed by the Applicant on December 30, 2024, in the ORES docket for this matter.

The Applicant filed and served its three-day Notice of Intent to File an Application at least three days prior to the filing of this application, in accordance with 16 NYCRR § 1100-1.6(c).

2.2.4 Ongoing Public Engagement

The Applicant maintains a project website (https://www.aes.com/new-york/project/bliss-wind) to serve as a consistent public repository of information related to the Repowered Facility and to provide information about how to engage in the Article VIII permitting process. Contact information is provided so that stakeholders can easily reach the project representatives by phone or email for additional project information. Details about the project, including previous ORES determinations, local partnerships, and information advertising community meetings are available on the website. The Applicant will also provide notice on its website about commencement of construction dates, as required in 16 NYCRR § 1100-6.2 Notifications.

The Applicant will continue to engage and interface with local agencies and the public following submittal of the Application. The Applicant will also continue to engage local members of the public through its Social Impact Program.