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## Written Comments from Office of Renewable Energy Siting and Transmission Website – Permit Application Master 23-03023

### Comment 1 – Janice Tefft

I am writing with respect to the plan by Fort Edward Solar to build a more than 1,828 acre solar Facility in Ft. Edward NY.

This project will cause great harm to grassland birds and endangered threatened raptors. It is the worst possible place for a solar facility. It's time to stop taking land away from Wildlife in general.

I enjoy going there, especially in the Winter, to see the Snowy Owls. It's an Audubon designated Important bird area.

The thought that this is even a possibly is so disturbing in so many ways.

All conserved land should be located in the important bird area, not some random place in NY. And, the developer should work with the Grassland Bird Trust which has worked for over 15 years to protect this area.

Thank you for consideration of my comments

Janice Tefft

### Response to Comment 1 –

The Applicant shares your commitment to environmental stewardship and has actively engaged with the appropriate regulatory agencies throughout the development of the project. Specifically, the Applicant has conducted consultations with the New York State Office of Renewable Energy Siting (ORES), the New York State Department of Environmental Conservation (DEC), the U.S. Fish and Wildlife Service (USFWS), and the U.S. Army Corps of Engineers (USACE). All documentation related to these consultations has been submitted and is publicly available within the official ORES docket for the Fort Edward Solar Project (Matter No. 23-03023).

The Applicant has been diligent in following the permitting process outlined by the State of New York, including comprehensive environmental assessments, coordination with regulatory agencies, and the development of mitigation strategies to address potential impacts to protected species and habitats. In support of this effort, the Applicant continues to work closely with qualified consultants to ensure thorough evaluation of all project components and the application of best practices.

The Applicant recognizes the ecological significance of the Fort Edward grasslands and understand the concerns regarding habitat loss and its potential effects on declining grassland bird populations. As such, the Applicant is committed to continue working with regulatory agencies, ORES, and stakeholders to develop mitigation measures that reflect the importance of this habitat.

### Comment 2 – Elizabeth Roos

I am writing with respect to the plan by Fort Edward Solar to build a more than 1,828-acre commercial solar facility site in Fort Edward, New York. My family has lived in the Fort Edward area for three generations, and I greatly enjoy walking in the Fort Edward Grasslands for its fantastic grassland habitat. I

support renewable energy, however the site selected is HIGHLY inappropriate due to its significance as habitat for rapidly vanishing grassland bird species. Grassland birds have declined by over 50% in North America since 1970, and are at risk of disappearing from New York State altogether in a few decades. This project will cause grave harm to grassland birds, especially endangered and threatened raptors such as the Snowy Owl, Short-eared Owl, and Northern Harrier, which depend on open habitat for hunting during harsh winter months. This site is in the worst possible place for a large commercial solar facility. It is one of the largest Grassland Bird Conservation Centers (GBCCs) in New York State, an Audubon-designated Important Bird Area, a Natural Heritage Raptor Winter Concentration Area, and surrounds a 478-acre NYS DEC Wildlife Management Area (WMA) which is maintained for grassland birds. This solar project is in complete opposition to a New York State policy in place since 2008 to protect grassland birds and their habitat. In light of this, the project developer should at a minimum be required to mitigate the damage to the birds by permanently conserving at least as much land as it is covering with solar panels: 527 acres. All of the conserved land should be located in this Important Bird Area, NOT somewhere else in New York State. The developer should work with the Grassland Bird Trust, which has worked for over 15 years to protect this Important Bird Area, and should collaborate with the Grassland Bird Trust to: (1) identify the land that should be permanently conserved; and (2) manage the land for these incredibly important and rapidly disappearing grassland birds.

#### Response to Comment 2 –

The Applicant shares your commitment to environmental stewardship and has demonstrated this through proactive engagement with key regulatory agencies, including the New York State Office of Renewable Energy Siting (ORES), the New York State Department of Environmental Conservation (DEC), the U.S. Fish and Wildlife Service (USFWS), and the U.S. Army Corps of Engineers (USACE). All documentation related to these consultations has been submitted and is publicly available within the official ORES docket for the Fort Edward Solar Project (Matter No. 23-03023).

Throughout the development of the Fort Edward Solar Project, the Applicant has diligently followed the permitting process outlined by the State of New York. This includes conducting comprehensive environmental assessments, coordinating closely with regulatory agencies, and developing mitigation strategies to address potential impacts to protected species and habitats. The Applicant continues to work with qualified consultants to ensure that all project components are thoroughly evaluated and that best practices are applied. These efforts are detailed in Exhibit 2: Overview and Public Involvement Revision 1, Exhibit 11: Terrestrial Ecology Revision 1, Exhibit 12: NYS Threatened and Endangered Species Revision 1, and Appendix 12-E: Net Conservation Benefit Plan Revision 1.

Recognizing the ecological significance of the Fort Edward grasslands, which are part of the Washington County Grasslands Important Bird Area, the Applicant has taken deliberate steps to avoid and minimize impacts to grassland birds and their habitats. In 2021 and 2022, the Applicant conducted Wintering Grassland Raptor and Breeding Bird Surveys across suitable habitats such as hayfields, pastures, and old fields within the Facility Site. These surveys informed the strategic redesign of the Facility layout in 2024, which significantly reduced impacts to sensitive habitats. As a result, the area of occupied habitat affected

by the project was reduced from 871.03 acres to 702.66 acres, and potential impacts to breeding occupied habitat were eliminated entirely.

To further minimize disturbance, the Applicant has committed to seasonal construction restrictions. Construction within wintering habitat will occur only between April 1 and November 14, while activities in areas that overlap breeding and wintering habitat will be limited to the periods between August 16 and November 14 and April 1 to 22. Environmental monitoring will be conducted prior to and during construction to detect the presence of NYS-listed grassland bird species. If nests are discovered, a 500-foot buffer will be established and maintained until clearance is granted by ORES. Additionally, any disturbed grassland vegetation will be restored using native seed mixes, unless the land is returned to agricultural use.

The Applicant continues to actively evaluate alternative siting configurations and mitigation strategies to ensure full compliance with all applicable regulations and to minimize impacts on agricultural and ecological resources. The Applicant remains open to ongoing dialogue with ASA and other stakeholders to identify viable opportunities for conservation partnerships that support the long-term sustainability of the region's agricultural landscape and grassland bird habitat. Although a specific conservation easement location has not yet been finalized, the Applicant is exploring other options that can deliver meaningful ecological benefits. These include the potential for co-managed conservation lands that support both grassland bird habitat and agricultural use, consistent with the goals of regional conservation and land use priorities.

Although adherence to the Best Management Practices (BMPs) outlined in the New York State Department of Environmental Conservation (NYSDEC) Strategy for Grassland Bird Habitat Management and Conservation (2022–2027) is not a formal requirement under the ORES regulations, the Applicant is committed to aligning its mitigation and habitat management efforts with this framework. By voluntarily incorporating and aligning with these BMPs into project planning and implementation, the Applicant aims to support the long-term viability of grassland bird populations and their habitats. This approach reflects the Applicant's dedication to environmental stewardship and reinforces its intent to minimize ecological impacts while advancing renewable energy development in a responsible and sustainable manner.

### Comment 3 – Madeline Gilbert

Do not allow Fort Edward Solar to put a solar energy facility where there are precious grassland birds. They must not be allowed to destroy the natural and rare habitat upon which these birds depend. I am a supporter of Grassland Conservancy which speaks for our birds.

### Response to Comment 3 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 4 – Stephen Davie

Unfortunately I can not attend the public meeting on Tuesday September 31. I am chairing another meeting at that time.

Development of solar energy is an environmentally friendly way to produce energy. When developing and siting solar fields all environmental groups that will be interrupted by the solar field should be at the table from day one. Solar fields need to be developed in ways to blend in with environmental programs like the Grass Land Birds and minimize the interruption to fly ways, nesting and food areas, etc.

Thank you for having the public involved.

Steve Davie

#### Response to Comment 4 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 5 – Joy Swensen

The acreage you are allowing the Grassland Bird Trust is insufficient to protect the fabulous hawks, owls, birds, animals and insects.. Please allow more acreage so this wonderful site can continue to exist!

#### Response to Comment 5 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 6 – Nadine Mayo

Boralex has a company statement that they have a formal environmental protection pillar - biodiversity. This states that they will reduce environmental impacts on habitats. They mention mitigation - they implement measures during construction and operation to contribute to nature preservation. They state they will address risks to wildlife. Boralex needs to follow their own mission statement.

#### Response to Comment 6 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 7 – Chellie Bowman

I am writing with respect to the plan by Fort Edward Solar to build a more than 1,828-acre commercial solar facility site in Fort Edward, New York.

I support renewable energy in New York State, but siting this facility in one of the most environmentally important sites for rapidly vanishing grassland birds is the wrong way to achieve this goal. Grassland birds have declined by over 50% in North America since 1970. These birds are at risk of disappearing from New York State altogether in a matter of a few decades.

¿ This project will cause grave harm to grassland birds, especially endangered and threatened raptors.

This site is in the worst possible place for a large commercial solar facility. This site:

- ¿ Is in one of the largest Grassland Bird Conservation Centers (¿GBCCs¿) in New York State

- ¿ Is in the Audubon-designated Important Bird Area

- ¿ Is in Natural Heritage Raptor Winter Concentration Area

- ¿ Surrounds a 478-acre NYS DEC Wildlife Management Area (¿WMA¿) which is maintained for grassland birds

This solar project is in complete opposition to a New York State policy in place since 2008 to protect grassland birds and their habitat. In light of this:

- ¿ The project developer should, at a minimum, be required to mitigate the damage to the birds by permanently conserving as much land as it is covering with solar panels: 527 acres.

- ¿ All of the conserved land should be located in this Important Bird Area, not somewhere else in New York State.

- ¿ The developer should work with the Grassland Bird Trust which has worked for over 15 years to protect this Important Bird Area. The developer should collaborate with the Grassland Bird Trust to: (1) identify the land that should be permanently conserved; and (2) manage the land for grassland birds.

Thank you for your consideration of these comments.

#### Response to Comment 7 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 8 – Geraldine Freedman

While solar is better than fossil-fuel, it takes away habitat that once lost is gone forever. This particular site is especially important for these types of birds, let alone the many humans who walk here, breathe the air and look to this extraordinary landscape for peace away from the increasing discommunication we as humans are having in our working lives. I've seen these solar displays and they are ugly. There needs an equal and respectful give and take between what the company wants to take and what it will leave alone. Less intrusion is always better than more.

#### Response to Comment 8 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 9 – Mel Mathers

I am writing with respect to the plan by Fort Edward Solar to build a more than 1,828-acre commercial solar facility site in Fort Edward, New York.

I'm all for renewable energy in New York State, but building this facility in an area that is known to be an important conservation site seems counter intuitive.

Given the great decline in grassland bird populations in the US, the protection of their habitats must be at the forefront of any development projects.

As important as green energy is, it should not come at the cost of the destruction of a delicate habitat.

Thank you.

#### Response to Comment 9 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 10 – Mark Di Ianni

We live in a time when special care for our environment is necessary to protect human health and happiness. Most knowledgeable people understand that Protection means safe water and air and a critical balance in nature, sometimes referred to as biological diversity. In this regard, I have been supportive of reducing our dependence on fossil fuels and increasing our use of solar and wind sources for energy. It is also clear that New York State supports the development of solar and wind energy sources. New York State has demonstrated their support in the protection of our environment and understands the importance of diversity in our plant and animal populations. Bird population has decreased 50% since 1970 primarily due to loss of habitat. New York State's DEC and other departments, and non-governmental organizations such as Audubon and Grasslands Bird Trust (GBT) have acknowledged the Important Bird Area (Washington County and surrounding) as a very high value conservation area for birds. In fact, DEC and GBT have worked diligently to acquire and preserve lands within the IBA. Boralex has proposed and now has acquired a license to place a solar farm of approximately 525 acres directly in the IBA. As part of my volunteer activities with GBT, I have had direct discussions with representatives of Boralex. Boralex stated that they understood that the IBA is a very important conservation area but decided to put their solar farm in the IBA for economic reasons: its flat, open terrain and its proximity to interconnection. It seems nonproductive to do something good for the environment (solar energy) at the expense of doing something harmful to the environment (lost of habitat). One reasonable solution would be for Boralex to acquire and preserve at least an additional 525 acres for the protection of the habitat for birds.

#### Response to Comment 10 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 11 – Ines E Angel

This project will be disruptive to the wildlife habitat and its inhabitants, especially during the preparation for and the installation of the solar panels. And there will be ongoing maintenance requirements which will also be intrusive. Please seriously reconsider the location of this project.

#### Response to Comment 11 –

The Applicant would like to thank you for your comment.



Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 12 – Sarah McNamara

PLEASE. Help conserve the grasslands for birds and stop or limit Boralex in Fort Edward! We owe it to the birds and our environment.PLEASE! L E

#### Response to Comment 12 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 13 – Karen L Tarvin

We should be able to co-exist with species of wildlife without reducing their habitat to increase companies profits and short term thinking! This area in Upstate NY was their's first, give them equal acreage as the solar project to allow the wildlife there to survive and thrive! Make the better choice, not only for today but for future generations to enjoy the wildlife in this area and at the same time to provide a cleaner greener energy source today and in the future! Thank you for reading my comment on this concern. KLTarvin

#### Response to Comment 13 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 14 – Mary (Beth) Moser-Duquette

We are losing more and more farmland by the day. We cannot afford to continue to do such destruction for the habitat of these birds, once their homes are taken we can't give them back. Obviously we oppose this solar conundrum

#### Response to Comment 14 –

The Applicant thanks you for comment.

The Applicant agrees that renewable energy must be pursued in a way that respects and supports biodiversity.

It is important to clarify that utility-scale solar development does not inherently result in the permanent loss of habitat for grassland birds. The Fort Edward Solar Project has been carefully sited to avoid the most sensitive areas and to minimize fragmentation of critical habitat. As outlined in Exhibits 11 – Terrestrial Ecology and 12 – NYS Threatened and Endangered Species, the Applicant conducted extensive ecological assessments and is working closely with the New York State Department of Environmental Conservation (NYSDEC) to implement a Net Conservation Benefit Plan.

This plan includes habitat buffers, seasonal construction restrictions, and the establishment of native, pollinator-friendly vegetation under and around the solar arrays. These measures are designed not only to mitigate potential impacts but also to enhance habitat quality for a range of species, including those that support the food web for grassland raptors.

The Applicant remains committed to long-term stewardship of the land, including monitoring and adaptive management to ensure that conservation goals are met. Solar development and habitat preservation are not mutually exclusive, and the Fort Edward Solar Project aims to demonstrate how clean energy and ecological responsibility can coexist.

#### Comment 15 – Doreen Forney

As a Member of the Grasslands Birds Trust I strongly oppose the siting of your solar energy facility in an area that is crucial for the habitat of grassland birds. I think when you are a Bobolink, but one of the birds that nests and raises its young in these grasslands, and travel each year thousands of miles to this nesting ground you deserve some respect and help in keeping your nesting area safe. We harm nature at our peril. Greed does not have a place in the grasslands. You can change course on this project, the Bobolinks can not. Please give your siting a re-think. Many thanks.

#### Response to Comment 15 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 16 – Regina Keenan

I write with respect to the plan by Fort Edward Solar to build a more than 1.828-acre commercial solar facility site in Fort Edward, New York.

I support renewable energy in New York State, (particularly in intelligent places close to where the energy is needed, like parking lots!!), but siting this facility in one of the most environmentally important sties for rapidly vanishing grassland birds is the a terrible way to achieve this goal.

The situation is desperate for grassland birds.

This project will cause permanent harm to grassland birds, especially endangered and threatened raptors. ¿ Grassland birds have declined by over 50% in North America since 1970 - in my lifetime! These birds are at risk of disappearing from New York State altogether in a few decades.

¿ This project will cause grave harm to grassland birds, especially endangered and threatened raptors. These birds provide important benefits to the ecosystem.

I thought this project was a bad joke when I first learned of it, in its destructive capability and absolutely worst siting possible in the region.

This site is in the worst possible place for a large commercial solar facility. This site:

¿ Is in one of the largest Grassland Bird Conservation Centers (¿GBCCs¿) in New York State

¿ Is in the Audubon-designated Important Bird Area

¿ Is in Natural Heritage Raptor Winter Concentration Area

¿ Surrounds a 478-acre NYS DEC Wildlife Management Area (¿WMA¿) which is maintained

for grassland birds

This solar project is in complete opposition to a New York State policy in place since 2008 to protect grassland birds and their habitat. Therefore:

¿ The project developer should, at a minimum, be required to mitigate the damage to the birds by permanently conserving as much land as it is covering with solar panels: 527 acres. They demonstrate they are not good neighbors that they have not. Fort Edward does not need these corporate bullies.

¿ All of the conserved land should be located in this Important Bird Area, not somewhere else in New York State.

¿ The developer should work with the Grassland Bird Trust which has worked for over 15 years to protect this Important Bird Area.

The developer should collaborate with the

Grassland Bird Trust to: (1) identify the land that should be permanently conserved; and (2) manage the land for grassland birds.

When I, as a birdwatcher, visit Grasslands Bird Trust, I always stop for something to eat - contributing to the economy in Fort Edward.

France now requires parking lots larger than 80 spaces to have covers with solar panels. It keeps your car cool, provides energy closer to urban areas where it is needed, and does not destroy critical bird habitat.

A win-win, let's see New York be smart like France with its solar energy.

Thank you for your consideration of these comments. Do the right thing for grassland birds and New York.

#### Response to Comment 16 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 17 – Becky Taylor

Surely there is a better location. The parking lot solution perviously suggested sounds great, still accomplishing the goal while offering shade for vehicles and not diminishing habitat. A Win win for sure. Please reconsider.

#### Response to Comment 17 –

The Applicant thanks you for your comment.

The Applicant considered alternative siting options, including previously developed lands, as outlined in Exhibit 3: Location of Facilities and Surrounding Land Use. Rooftop solar and brownfield development are important components of New York's broader clean energy strategy, but utility-scale solar projects require large, contiguous parcels of land with suitable topography, solar exposure, and proximity to electrical infrastructure. The Fort Edward site was selected based on landowner willingness, existing agricultural use, and access to interconnection, which minimizes the need for new infrastructure and reduces environmental disturbance. The project aims to preserve the agricultural character of the area while

providing landowners with a sustainable income stream that can help prevent conversion to residential or commercial development, which often results in permanent habitat loss.

#### Comment 18 – Ryan Goldberg

I am writing with respect to the plan by Fort Edward Solar to build a more than 1,828-acre commercial solar facility site in Fort Edward, New York.

I support renewable energy in New York State, but siting this facility in one of the most environmentally important sites for rapidly vanishing grassland birds is the wrong way to achieve this goal. Grasslands are an imperiled ecosystem as are the birds that depend on. Grassland birds have declined by over 50 percent in North America since 1970. These birds are at risk of disappearing from New York State altogether in a matter of a few decades. This project will cause grave harm to grassland birds, especially endangered and threatened raptors.

This site is in the worst possible place for a large commercial solar facility. The site:

- Is in one of the largest Grassland Bird Conservation Centers (GBCCs) in New York State

- Is in the Audubon-designated Important Bird Area

- Is in a Natural Heritage Raptor Winter Concentration Area

- Surrounds a 478-acre NYSDEC Wildlife Management Area (WMA) which is maintained for grassland birds

This solar project is in complete opposition to a New York State policy in place since 2008 to protect grassland birds and their habitat. In light of this:

- The project developer should, at a minimum, be required to mitigate the damage to the birds by permanently conserving as much land as it is covering with solar panels: 527 acres.

- All of the conserved land should be located in this Important Bird Area, not somewhere else in New York State.

- The developer should work with the Grassland Bird Trust, which has worked for over 15 years to protect this Important Bird Area. The developer should collaborate with the Grassland Bird Trust to: (1) identify the land that should be permanently conserved; and (2) manage the land for grassland birds.

Thank you for your consideration of these comments.

#### Response to Comment 18 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 19 – Ann Whalen

There are about 30.2 million acres in New York State. There are only 556,681 acres total among the 8 Grassland Bird Habitat Management and Conservation Areas. And yet Boralex has chosen 1828 acres within this tiny fraction of New York State that are targeted for grassland bird protection for its project. How can it be that in a state with over 30 million acres, the only good place for a 1828 acre solar project is right in the middle of one of these small and precious areas? It defies understanding that New York State has designated these small islands of rare grasslands for the benefit of endangered birds and yet this is

exactly where this project is being planned. Boralex should be required to preserve at least as much grassland as they are developing. Grassland is becoming more and more rare, losing another 1828 acres is devastating.

#### Response to Comment 19 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 20 – Mary Ward

I am writing in regard to the plan by Fort Edward Solar to build a massive solar facility in Fort Edward. I ask that you be more sensible about the impact of your projects on the wild life, natural habitat, land use for farming to name a few.

The acreage you intend to use in Fort Edward is not only one of the most important grassland bird conservation areas in NYS, it is also adjacent to really good farm needed for the production of food.

Please do not build there.

#### Response to Comment 20 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 21 – Donald Slick

I'm writing concerning the impact this project will have on Grassland Birds and other wildlife in the area where this project is proposed. I'm understanding that the more than 1800 acre project is far beyond the 527 acres to be occupied by solar panels and that to compensate the developer proposes to conserve less than the acreage occupied by these same solar panels. My comments are 1) That the developer conserve an area equal to or greater than the 527 acres occupied by the solar panels. The more the better. 2) That location of conserved area to be selected to compliment the existing conserved area for grassland birds and other wildlife. That is, not in some other random area or disjointed patchwork of areas that the developer might want to suggest is an offset just to meet the obligation. A good course of action would be to tell the developer that they must work with the knowledgeable local to the site (i.e. The Grassland Bird Trust and DEC wildlife specialists) in selecting the acreage to be conserved. Thank You for the opportunity to comment.

#### Response to Comment 21 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 22 – Kristin A. Crage

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 22–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 23 – Marc A Ward

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary

mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 23 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 24 – Harriet Cohen

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 24 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 25 – Scott Andrews

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New

York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Dr. Scott Andrews

#### Response to Comment 25 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 26 – Elaine Sloane

PLEASE PROTECT BIRDS AND THEIR HABITAT - THANK YOU!

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve



the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 26 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 27 – Peter Wood

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 27–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 28 – Cristina Economides

I urge Boralex to adopt stronger grassland conservation measures & ensuring that clean energy development moves forward without sacrificing New York's invaluable SENTIENT' bird populations.

Thanks for considering ethics above greed and abnormality in the XXI century! Cristina E. Zois, Greek Ambassador's wife

#### Response to Comment 28–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 29– Christopher Gagnon

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 29–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 30– Richard Stern

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations. Thank you.

#### Response to Comment 30–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 31– S Shafaee

Boralex pleade adopt stronger grassland conservation measures ĳ ensuring that clean energy development moves forward without sacrificing New York's invaluable bird populations

#### Response to Comment 31–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 32– Brenda Best

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these

alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 32 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 33 – Richard Rubin

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 33 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 34 – Ronald Dzurilla

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 34 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 35 – Elaine Livingston

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 35 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 36 – Kevin Kurtz

While renewable energy is critical to our future, this project would destroy habitat in one of New York's most valuable grassland communities, designated as an Important Bird Area and located adjacent to protected state land. Boralex must adopt stronger grassland conservation measures – ensuring that clean energy development moves forward without sacrificing New York's invaluable bird populations and ecosystems.

#### Response to Comment 36 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 37 – Elizabeth Long

It would be much preferred if this solar project were to be located in an already desecrated area – an existing parking lot, a derelict warehouse? The importance of maintaining biodiversity should not be underestimated. Thank you

#### Response to Comment 37 –

The Applicant thanks you for your comment.

The Applicant considered alternative siting options, including previously developed lands, as outlined in Exhibit 3: Location of Facilities and Surrounding Land Use. Rooftop solar and brownfield development are important components of New York's broader clean energy strategy, but utility-scale solar projects require large, contiguous parcels of land with suitable topography, solar exposure, and proximity to electrical infrastructure. The Fort Edward site was selected based on landowner willingness, existing agricultural use, and access to interconnection, which minimizes the need for new infrastructure and reduces environmental disturbance. The project aims to preserve the agricultural character of the area while providing landowners with a sustainable income stream that can help prevent conversion to residential or commercial development, which often results in permanent habitat loss.

#### Comment 38 – Susan K Willson

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted. Ideally, I urge you to reject the solar farm placement on this site in its entirety, and am absolutely surprised that the project has been approved. How can anyone feel good about such a loss for bird conservation, and the economic hit to birdwatching in this region?? A 0.2 acre mitigation per 1 acre use is insulting.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Sincerely,

Dr. Susan Willson

#### Response to Comment 38 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 39 – Lawrence L Master

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am a retired conservation biologist and zoologist as well as an activist for clean, renewable energy, having put solar panels on four of my houses, two of them net zero.

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 39 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 40 – Marcia A Migdal

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.



#### Response to Comment 40 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 41– Amanda Gilbert

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 41–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 42 – Jared Cornelia

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and

adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 42 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 43– Randy Brozen

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 43 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 44 – Beverly Simone

Dear Office of Renewable Energy Siting and Administrative Law Judges

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

I'm all for renewable/solar energy. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Sincerely,

Beverly Simone

#### Response to Comment 44 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 45 – Lisa Wood

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. In most circumstances, I would be in favor of launching a solar farm. However, considering the immense ecological value of the Fort Edward grassland site, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will

be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

In sum, I feel it is crucial to look at ALL development holistically so that we make prudent, data-based decisions in each case. This is one case where habitat is overwhelmingly more important than renewable energy.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 45 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 46– Mark Hollinrake

American Bird Conservancy

Short-eared Owl by RobDemPhoto/Shutterstock

Tell Developers to Conserve Bird Habitat in NY!

Comments due by Friday, October 3

Dear Mark,

New York's grassland birds urgently need your help. A proposed Fort Edward solar energy project in upstate New York poses significant risks to rapidly declining bird species – including the Short-eared Owl, Upland Sandpiper, and Northern Harrier.

While renewable energy is critical to our future, this project – developed by Boralex – would destroy habitat in one of New York's most valuable grassland communities, designated as an Important Bird Area and located adjacent to protected state land.

Grassland bird populations have already declined by 53% since 1970, making them the fastest-declining bird group in the northeastern U.S. Further habitat loss in New York will lead to further declines or abandonment by grassland species.

We need your voice to help convince Boralex and New York State to fully mitigate the impacts of this project. Recent changes to state law require Boralex to provide only 0.2 acres of replacement habitat for every acre they destroy. ABC advocates for a minimum 1:1 mitigation ratio to compensate for any bird habitat loss. Anything less may threaten the long-term survival of these species in New York.

Take Bold Action For Birds NOW:

Urge Boralex to adopt stronger grassland conservation measures – ensuring that clean energy development moves forward without sacrificing New York's invaluable bird populations. Learn how below!

To post a comment on New York's Department of Public Service:

Click the "Post Comments" button at the top of the "Matter Master: 23-03023" page, or go directly to the comment submission form.

Input name, address, and email.

Add your comment urging Boralex to adopt stronger grassland conservation measures in solar energy development. You can find suggested text for your comment below.

Post the comment. Comments are due by 5pm ET on Friday, October 3!

Share this email with someone in New York who also loves birds!

#### SUBMIT A COMMENT

Suggested Letter Text:

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 46–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 47– Elaine Abrams

Suggested Letter Text:

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 47–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 48– Betsy Cornwell

Solar arrays can be located anywhere from rooftops to mountains, from wet lands to deserts. The choice is usually dictated by what is the cheapest to install and maintain. But in the final analysis, what does that matter when the array will be producing money/savings for generations and paying for itself for as long as we want it to.

ON the other hand, once you destroy a grassland ecosystem it is pretty much gone forever, taking with it, all the life forms calling that habitat HOME. We have enough homeless people in this country, we should at least make the effort to provide homes for non humans!

Nature never repeats itself!

#### Response to Comment 48–

The Applicant thanks you for your comment.

The Applicant considered alternative siting options, including previously developed lands, as outlined in Exhibit 3: Location of Facilities and Surrounding Land Use. Rooftop solar and brownfield development are important components of New York's broader clean energy strategy, but utility-scale solar projects require large, contiguous parcels of land with suitable topography, solar exposure, and proximity to electrical infrastructure. The Fort Edward site was selected based on landowner willingness, existing agricultural use, and access to interconnection, which minimizes the need for new infrastructure and reduces environmental disturbance. The project aims to preserve the agricultural character of the area while providing landowners with a sustainable income stream that can help prevent conversion to residential or commercial development, which often results in permanent habitat loss.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket for additional supporting information

#### Comment 49 – Larry Federman

The Fort Edwards Grasslands complex is critical to the survival of several state and federally-listed species. At the very least, Borland should be required to provide at least 1:1 mitigation. This is the minimum that should be done, with the best scenario being not building the solar complex in this area.

I am in favor of renewable energy but only when sites in appropriate locations.

Thank you for the opportunity to comment.

Sincerely,

Larry Federman

President, Nkethern Catskill's Audubon Society

#### Response to Comment 49 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 50– Robert Ryan

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

#### Response to Comment 50 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 51 – Lisa Curtiss

I am concerned about the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland.

Since 1970, grassland bird populations have dropped by 53% nationwide, with even steeper declines here in the Northeast. Habitat loss is the main reason, so protecting large, intact grassland blocks is absolutely critical.

The Fort Edward grassland is one of these vital areas - these high-quality grasslands are home to some of New York's rarest and most vulnerable bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, and Bobolinks.

The project would be located in the heart of an Audubon Important Bird Area, a NY State Grassland Bird Conservation Center, a Natural Heritage Raptor Winter Concentration Area, and next to a state Wildlife Management Area. In other words, this is a uniquely important and sensitive habitat, and the potential impacts on declining bird populations could be severe.

There has to be a better place to site this solar project that wouldn't be at the cost of threatening vulnerable species and impacting New bio-diversity.

I fully support renewable energy, but given the exceptional ecological value of the Fort Edward grassland, I urge you to require strong habitat mitigation measures. At a minimum, any habitat loss should be offset at a 1:1 ratio to conserve an equivalent amount of grassland elsewhere.

Thank you for considering the importance of this area and for taking action to protect New York's declining bird species - they cannot fight for themselves.

#### Response to Comment 51–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 52– Jean K Pettibone

These grasslands are too valuable for our diminished bird populations to be used for this project. There must be some smaller areas that could be used for that.

#### Response to Comment 52 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 53– Kim Sullivan

American Bird Conservancy

Short-eared Owl by RobDemPhoto/Shutterstock

Tell Developers to Conserve Bird Habitat in NY!

Comments due by Friday, October 3

Dear KIM,

New York's grassland birds urgently need your help. A proposed Fort Edward solar energy project in upstate New York poses significant risks to rapidly declining bird species – including the Short-eared Owl, Upland Sandpiper, and Northern Harrier.

While renewable energy is critical to our future, this project – developed by Boralex – would destroy habitat in one of New York's most valuable grassland communities, designated as an Important Bird Area and located adjacent to protected state land.

Grassland bird populations have already declined by 53% since 1970, making them the fastest-declining bird group in the northeastern U.S. Further habitat loss in New York will lead to further declines or abandonment by grassland species.

We need your voice to help convince Boralex and New York State to fully mitigate the impacts of this project. Recent changes to state law require Boralex to provide only 0.2 acres of replacement habitat for every acre they destroy. ABC advocates for a minimum 1:1 mitigation ratio to compensate for any bird habitat loss. Anything less may threaten the long-term survival of these species in New York.

Take Bold Action For Birds NOW:



Urge Boralex to adopt stronger grassland conservation measures & ensuring that clean energy development moves forward without sacrificing New York's invaluable bird populations. Learn how below!

To post a comment on New York's Department of Public Service:

To the Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area, therefore it poses disruptive life-threatening impact to multiple bird species there, which are already in decline.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat CRITICAL.

Considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species there. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 53 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 54 – Sharon Braunlin

Please reconsider how to move forward with grassland conservation measures in solar energy development by adopting more protection for grassland birds who have already declined in population.

Thank you for your consideration!

#### Response to Comment 54 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 55 – Margaret MacNeil

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New

York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 55 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 56– Adelia Harrison

Yes, we need renewable energy but it cannot come at the cost of wildlife and critical wildlife habitat. We CAN have both. The Fort Edward Solar Project MUST provide 1:1 habitat mitigation. There must be NO NET NEGATIVE IMPACT on wildlife and critical grassland bird habitat. This project threatens the Fort Edward grassland, a rare example in New York State, and indeed the country, of high quality grassland habitat. The Fort Edward grasslands are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more. The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area.

Across the country grassland birds are the fastest declining group of birds due to the loss of critical grasslands. I urge you to provide extraordinary habitat mitigation measures on a 1:1 ratio for any habitat loss to help conserve the bird species that will be affected

#### Response to Comment 56–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 57– Maia Donahue

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Kind regards,

Maia Donahue

#### Response to Comment 57–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 58 – Sabi Anirudh

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these

alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 58–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 59– Miriam Rakowski

If not for yourself, please save this natural habitat for your children and the future.

#### Response to Comment 59 –

The Applicant thanks you for your comment.

The Applicant considered alternative siting options, including previously developed lands, as outlined in Exhibit 3: Location of Facilities and Surrounding Land Use. Rooftop solar and brownfield development are important components of New York's broader clean energy strategy, but utility-scale solar projects require large, contiguous parcels of land with suitable topography, solar exposure, and proximity to electrical infrastructure. The Fort Edward site was selected based on landowner willingness, existing agricultural use, and access to interconnection, which minimizes the need for new infrastructure and reduces environmental disturbance. The project aims to preserve the agricultural character of the area while providing landowners with a sustainable income stream that can help prevent conversion to residential or commercial development, which often results in permanent habitat loss.

The Applicant remains committed to long-term stewardship of the land, including monitoring and adaptive management to ensure that conservation goals are met. Solar development and habitat preservation are not mutually exclusive, and the Fort Edward Solar Project aims to demonstrate how clean energy and ecological responsibility can coexist.

#### Comment 60 – Patrick Shure

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New

York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 60–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 61 – Alison Munday

Dear Office of Renewable Energy Siting and Administrative Law Judges,

Not on our watch!! What on God's green earth do you think your up to in the name of greening the planet???

I have severe concerns about the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

I'm in favor of alternative, greener power, but NEVER at the expense of decimating endangered creatures and habitat. Truly green ideas wouldn't reduce protections for birds and the immediate environs. This is a cynical business proposition. The proposed boondoggle, Fort Edward solar project, would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 61–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 62– Joseph McAuley

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 62 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 63 – Julia Farhat

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 63–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 64– Michelle Talich

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary

mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Sincerely,

Michelle Talich

#### Response to Comment 64–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 65 – Carole Fetterman

Birds are a precious part of nature. The balance is imperative. Figure out a better way of humans and nature to still function safely together. Leave their habitat alone!!

#### Response to Comment 65 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 66– Evelyn Wackett

PROTECT THE SHORT EARED OWL AND NORTHERN HARRIER HAWK!!

Development at Fort Edward and at the WNY STAMP project in Genesee County directly affects these precious bird species!

I'm a wildlife rehabber and have been blessed with working with the owl specifically and they are very beautiful and need our protection. The reduction of 50% of the species is more than likely directly related to the habitat loss of these developments.

#### Response to Comment 66 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 67– Maureen Walsh

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and



adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 67–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 68 – Jan S Emerson

Please protect our grasslands and bird habitats. My energy source is solar. I want renewable energy sources to grow, but we are defeating the goal if we destroy wild areas and bird and wildlife habitats to do it. We are smart enough to protect our birds and their habitats and develop more renewable energy. If we can go to the moon, we can figure this out.

Thank you,

Jan Emerson

NY, NY

#### Response to Comment 68–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 69 – Alice LeBlanc

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and

adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 69–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 70 – Virginia Bottorff

I happen to love birds deeply and want their population to flourish, not be destroyed by half-thought-out proposals! We, in NYS take our environment and its sanctity seriously and we want the state to flourish with wildlife galore, as that is the only way to stave our demise by our own short-sightedness, our demise and theirs! Please be sure to read the comment below and take bold action to make sure these birds are protected/defended to the nth degree! Virginia Bottorff

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Please serve New York residents by doing what's right and that's what's is stated above. Thank you for doing the right thing. Virginia Bottorff

#### Response to Comment 70–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 71– Helena Tapper

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Your Sincerely,  
Helena Tapper

#### Response to Comment 71–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 72 – Linda M Brunner

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am a voter and concerned resident of NY State and this matters a great deal to me. You may not be aware that an important habit area is extra effective when it adjoins another important habitat. The large area protects birds from predators much more effectively. Therefore I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and

adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Sincerely,

Linda M Brunner

NY State Lifelong resident

#### Response to Comment 72–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 73– Carol Page

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 73 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 74 – Sheean Haley

Dear Office of Renewable Energy Siting and Administrative Law Judges,

Finding our way in a climate changed world requires that we consider not only the need for new energy sources, but also that we strive to do as little harm to those that are struggling along with us as possible.

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 74 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 75– Maryanne Juresich

Please consider the plight of native birds when completing your project. Thank you for your attention

#### Response to Comment 75–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 76– Amanda Smock

I'm very concerned about the proposed Fort Edward solar project and the serious threat it poses to the Fort Edward grasslands. This area is home to some of New York's rarest and most at-risk birds—like Short-eared Owls, Upland Sandpipers, and Bobolinks—and plays a key role in their survival.

The project would be built in the middle of an Audubon Important Bird Area and near other protected lands, putting this fragile habitat at real risk. Grassland birds have already declined by over 50% since 1970, mostly due to habitat loss.

While I support renewable energy, this specific location is too important to lose. I urge you to include strong habitat protections and ensure any land lost is fully offset—at least one-to-one—to protect what's left of this rare ecosystem.

Thanks for your attention to this important issue.

#### Response to Comment 76–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 77 – Sean W Aggen

A proposed Fort Edward solar energy project in upstate New York poses significant risks to rapidly declining bird species – including the Short-eared Owl, Upland Sandpiper, and Northern Harrier.

While renewable energy is critical to our future, this project – developed by Boralex – would destroy habitat in one of New York's most valuable grassland communities, designated as an Important Bird Area and located adjacent to protected state land.

Grassland bird populations have already declined by 53% since 1970, making them the fastest-declining bird group in the northeastern U.S. Further habitat loss in New York will lead to further declines or abandonment by grassland species.

Recent changes to state law require Boralex to provide only 0.2 acres of replacement habitat for every acre they destroy. ABC advocates for a minimum 1:1 mitigation ratio to compensate for any bird habitat loss. Anything less may threaten the long-term survival of these species in New York.

#### Response to Comment 77 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 78 – Robert Fulginti

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New

York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 78–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 79 – Rachel Clayton

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I support your building more renewable energy in New York, BUT I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary

mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Sincerely,

Rachel Clayton

#### Response to Comment 79 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 80– Jonathan Strong

To: Office of Renewable Energy Siting and Administrative Law Judges -

I have sincere concern about the proposed Ft. Edward solar project, which threatens vital grassland. The grasslands in Ft. Edward are high-quality and home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more. Accordingly, they are a critical habitat component for New York State's birdlife and should not be molested.

The proposed Ft. Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area further demonstrating the destructive impact the project would have on needed habitat for many species of rare birds.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

While renewable energy is important for our collective future, there are other important competing priorities. Considering the immense ecological value of the Ft. Edward grassland, I believe the project should be abandoned. At a minimum, I urge you to provide robust habitat mitigation measures to help conserve the many bird species that the project would affect. Any industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Ft. Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 80–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.



#### Comment 81 – Barbara Vitale

I'm very concerned about the impact this project is going to have on the environment, more precisely bird populations in the area. I am urging more environmental issues be studied before going ahead with this project.

#### Response to Comment 81 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 82– Joseph McAuley

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 82–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 83 – Janet Arce

Dear Office of Renewable Energy Siting and Administrative Law Judges, I am writing to express my deep concern regarding the proposal for the Fort Edward solar project which threatens the vital Fort Edward grassland. These high quality grasslands are a critical component of NYS's bird life and are home to some

of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and many more.

This proposed project is situated in the heart of an Audubon Important Bird Area, NYS Grassland Bird Conservation Center, Natural Heritage Raptor Winter Conservation Area, and adjacent to a State Wildlife Management Area. In short, this project poses uncertainty but potentially severe impacts to this priceless habitat on already declining species.

Since 1970 grassland habitats have experienced a 53% decline in abundance nationwide. In the Northeast, they are declining faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitats a critical consideration priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserve as much habitat as is being impacted.

Thank you for considering this request to preserve New York State's declining bird populations.

#### Response to Comment 83 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 84 – Aurs Lippincott

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 84–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 85 – Janet M Burrows

As a retired NYS Science Teacher, member and bird counter of Audobon for about 50 years in NY, saving grasslands for these specialized species is PARAMOUNT. Numbers have plummeted. Habitat vanishing. This is a no brainer. Thank You.

#### Response to Comment 85 –

The Applicant would like to thank you for your comment.

The Applicant recognizes that we are living in a time of significant ecological change, and that the preservation of biodiversity, including the protection of grassland ecosystems, is essential. The Applicant has undertaken comprehensive environmental assessments, as detailed in Exhibits 11 – Terrestrial Ecology and 12 – NYS Threatened and Endangered Species. These studies have informed the project's design and mitigation strategies to minimize impacts on wildlife and their habitats. These strategies include: seasonal construction restrictions to protect breeding and foraging periods, habitat buffers and preservation of open space, and establishment of native pollinator-friendly vegetation to support biodiversity. The Applicant is committed to ensuring that these measures are implemented effectively and monitored over time to support long-term ecological health.

The Applicant considered alternative siting options, including previously developed lands, as outlined in Exhibit 3: Location of Facilities and Surrounding Land Use. Rooftop solar and brownfield development are important components of New York's broader clean energy strategy, but utility-scale solar projects require large, contiguous parcels of land with suitable topography, solar exposure, and proximity to electrical infrastructure. The Fort Edward site was selected based on landowner willingness, existing agricultural use, and access to interconnection, which minimizes the need for new infrastructure and reduces environmental disturbance. The project aims to preserve the agricultural character of the area while providing landowners with a sustainable income stream that can help prevent conversion to residential or commercial development, which often results in permanent habitat loss.

#### Comment 86 – Jack Polonka

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New

York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 86 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 87 – Steven Lefkow

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 87 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 88 – Kenneth Rosenblad

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am former resident of Vermont who traveled through Fort Edward many times, and I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 88 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 89– George Speros

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 89–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 90 – Dylan Keenan

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 90 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 91 – Tom Stephenson

I am concerned about the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland.

Since 1970, grassland bird populations have dropped by 53% nationwide, with even steeper declines here in the Northeast. Habitat loss is the main reason, so protecting large, intact grassland blocks is absolutely critical.

The Fort Edward grassland is one of this vital areas - these high-quality grasslands are home to some of New York's rarest and most vulnerable bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, and Bobolinks.

The project would be located in the heart of an Audubon Important Bird Area, a NY State Grassland Bird Conservation Center, a Natural Heritage Raptor Winter Concentration Area, and next to a state Wildlife Management Area. In other words, this is a uniquely important and sensitive habitat, and the potential impacts on declining bird populations could be severe.

There has to be a better place to site this solar project that wouldn't be at the cost of threatening vulnerable species and impacting bio-diversity.

I fully support renewable energy, but given the exceptional ecological value of the Fort Edward grassland, I urge you to require strong habitat mitigation measures. At a minimum, any habitat loss should be offset at a 1:1 ratio to conserve an equivalent amount of grassland elsewhere.

Thank you for considering the importance of this area and for taking action to protect New York's declining bird species - they cannot fight for themselves.

#### Response to Comment 91 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 92 – Susan Castelli-Hill

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 92 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 93 – Laura Hahn

please ensure that the fort edward grasslands rare bird species are adequately protected for the duration of this project. it is essential to protect threatened wildlife to maintain ecosystems that we all depend on.

#### Response to Comment 93 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 94– Mark Buxbaum

Renewable energy projects are laudable and should be pursued. However, grassland habitats are among the most threatened in the United States, and in the Northeast. Accordingly, please require Boralex to examine providing a 1:1 habitat mitigation ratio for this delicate grassland habitat that will be lost. Thank you!

#### Response to Comment 94 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 95– Matthew Miller

Urge Boralex to adopt stronger grassland conservation measures & ensuring that clean energy development moves forward without sacrificing New York's invaluable bird populations. Learn how below!



#### Response to Comment 95 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 96 – Linda Cronin

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 96 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 97 – Bill Todman

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

P.S. We'd love to know if you submitted a comment! Please use the button below to let us know you took bold action for birds and then please forward this email to someone in New York who will join you in taking bold action for birds!

#### Response to Comment 97 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 98 – Laura Goggin

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 98 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 99 – Cory Hall

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 99–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 100 – Carine Mitchell

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 100 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 101 – Debbie Wall

Since we've put a man on the moon, the human population has more than doubled while that of the wild animal nations has more than halved. We are in the midst of the Sixth Mass Extinction and losing species at an unprecedented rate. The survivors, and the places they call home, are in need of full protection so they can live and raise their families in peace. Clean energy is not truly "clean" if it means denying other species their right to live on this planet. Please adopt robust grassland conservation measures in any clean energy development.

#### Response to Comment 101 –

The Applicant would like to thank you for your comment.

The Applicant recognizes that we are living in a time of significant ecological change, and that the preservation of biodiversity, including the protection of grassland ecosystems, is essential. The Applicant has undertaken comprehensive environmental assessments, as detailed in Exhibits 11 – Terrestrial Ecology and 12 – NYS Threatened and Endangered Species. These studies have informed the project's design and mitigation strategies to minimize impacts on wildlife and their habitats. These strategies include seasonal construction restrictions to protect breeding and foraging periods, habitat buffers and preservation of open space, and establishment of native pollinator-friendly vegetation to support biodiversity. The Applicant is committed to ensuring that these measures are implemented effectively and monitored over time to support long-term ecological health.

#### Comment 102 – Linda Delfs

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

How important is this location to the ordinary NYS resident? When northern winter conditions drive snowy owls south, this is where they land. People come out in large numbers just to view them. They realize how important this location is to the survival of these owls.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 102–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 103– Michael Brandes

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 103 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 104 – Rachel Youens

Dear Office of Renewable Energy Siting and Administrative Law Judges,

We do need solar energy, and panels and windmill. But it is important that that energy not be produced through the destruction of other kinds of diversity that contribute to our planet's health and beauty.

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Sincerely,

Rachel Youens

#### Response to Comment 104–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 105 – Matthew Boguske

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, the New York State Grassland Bird Conservation Center, the Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

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Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 105 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 106 – Donna Profeta

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 106–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 107– April Pufahl

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 107 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 108– Pamela Brocious

Suggested Letter Text:



Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.\

#### Response to Comment 108–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 109– Carol Drozdyk

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

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Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve

the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 109 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 110– Jia-En Ho

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Jia-En

#### Response to Comment 110–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 111– Beth Darlington

3 of 65

New York: Protect Fort Edward Grassland for Birds

External

Inbox

American Bird Conservancy Unsubscribe

11:35 AM (9 hours ago)

to me

American Bird Conservancy

Short-eared Owl by RobDemPhoto/Shutterstock

Tell Developers to Conserve Bird Habitat in NY!

Comments due by Friday, October 3

Dear Beth,

New York's grassland birds urgently need your help. A proposed Fort Edward solar energy project in upstate New York poses significant risks to rapidly declining bird species including the Short-eared Owl, Upland Sandpiper, and Northern Harrier.

While renewable energy is critical to our future, this project developed by Boralex would destroy habitat in one of New York's most valuable grassland communities, designated as an Important Bird Area and located adjacent to protected state land.

Grassland bird populations have already declined by 53% since 1970, making them the fastest-declining bird group in the northeastern U.S. Further habitat loss in New York will lead to further declines or abandonment by grassland species.

We need your voice to help convince Boralex and New York State to fully mitigate the impacts of this project. Recent changes to state law require Boralex to provide only 0.2 acres of replacement habitat for every acre they destroy. ABC advocates for a minimum 1:1 mitigation ratio to compensate for any bird habitat loss. Anything less may threaten the long-term survival of these species in New York.

Take Bold Action For Birds NOW:

Urge Boralex to adopt stronger grassland conservation measures ensuring that clean energy development moves forward without sacrificing New York's invaluable bird populations. Learn how below!

To post a comment on New York's Department of Public Service:

Click the "Post Comments" button at the top of the "Matter Master: 23-03023" page, or go directly to the comment submission form.

Input name, address, and email.

Add your comment urging Boralex to adopt stronger grassland conservation measures in solar energy development. You can find suggested text for your comment below.

Post the comment. Comments are due by 5pm ET on Friday, October 3!

Share this email with someone in New York who also loves birds!

**SUBMIT A COMMENT**

Suggested Letter Text:

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New

York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

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Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecology

#### Response to Comment 111–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 112– Diane Solomon

Please consider using another safer location or several smaller safe locations. Thank you

#### Response to Comment 112–

The Applicant recognizes the importance of exploring alternative siting options, such as rooftops, landfills, and previously disturbed lands, and continue to evaluate these opportunities where feasible. The Applicant considered alternative siting options, including previously developed lands, as outlined in Exhibit 3: Location of Facilities and Surrounding Land Use. Rooftop solar and brownfield development are important components of New York's broader clean energy strategy, but utility-scale solar projects require large, contiguous parcels of land with suitable topography, solar exposure, and proximity to electrical infrastructure. The Fort Edward site was selected based on landowner willingness, existing agricultural use, and access to interconnection, which minimizes the need for new infrastructure and reduces environmental disturbance. The project aims to preserve the agricultural character of the area while providing landowners with a sustainable income stream that can help prevent conversion to residential or commercial development, which often results in permanent habitat loss.

Kindly refer to the Applicant's response to Comment #4 of the DMM docket for additional supporting information

#### Comment 113– Keitha Farney

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more. I have been a birder for many years and it brings me great joy and makes my life better. Many people share my concerns.

#### Response to Comment 113 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 114 – Nancy Bruno

As a resident of New York, specifically Greene County, I've witnessed hundreds of acres of farmland grassland and forest converted to fields of solar panels, to the detriment of the species that were displaced. I support alternative energy projects but there needs to be a balance of land set aside and thoughtfully maintained for the preservation of dwindling species that your project will inevitably impact. There are bird species that are teetering on the brink of extirpation and yet setting aside a sizeable amount of acreage to preserve these displaced species may help instead of hinder their survival. I urge you to create such a refuge for these species with the help of environmental scientists. Your project can be an example of the long term benefits of alternative energy to people as well as to the preservation of the environment.

#### Response to Comment 114–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 115 – Kim Tsirigotis

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these

alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

P.S. ☞ We'd love to know if you submitted a comment! Please use the button below to let us know you took bold action for birds ☞ and then please forward this email to someone in New York who will join you in taking bold action for birds!

### Response to Comment 115–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

### Comment 116– Sheila Yoensky

Good morning,

I am writing with respect to the plan by Fort Edward Solar to build a more than 1,828-acre commercial solar facility site in Fort Edward, New York.

I support renewable energy in New York State, but siting this facility in one of the most environmentally important sites for rapidly vanishing grassland birds is the wrong way to achieve this goal. This site of the project will cause grave harm to grassland birds, especially endangered and threatened raptors.

This site is in the worst possible place for a large commercial solar facility. This site:

- ☞ Is in one of the largest Grassland Bird Conservation Centers (☞GBCCs☞) in New York State

- ☞ Is in the Audubon-designated Important Bird Area

- ☞ Is in Natural Heritage Raptor Winter Concentration Area

- ☞ Surrounds a 478-acre NYS DEC Wildlife Management Area (☞WMA☞) which is maintained for grassland birds

This solar project is in complete opposition to a New York State policy in place since 2008 to protect grassland birds and their habitat. In light of this:

- ☞ The project developer should, at a minimum, be required to mitigate the damage to the birds by permanently conserving as much land as it is covering with solar panels: 527 acres.

- ☞ All of the conserved land should be located in this Important Bird Area, not somewhere else in New York State.

- ☞ The developer should work with the Grassland Bird Trust which has worked for over 15 years to protect this Important Bird Area. The developer should collaborate with the Grassland Bird Trust to: (1) identify the land that should be permanently conserved; and

(2) manage the land for grassland birds.

Thank you for your consideration of these comments.

Sheila Yoensky

#### Response to Comment 116 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 117– Terry Furnal

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 117 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 118– Thomas Salo

Dear Office of Renewable Energy Siting and Administrative Law Judges,

As someone who has spent time viewing rare birds in the Fort Edwards grasslands, I want to express my deep concern regarding the proposed Fort Edward solar project. The project threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home

to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 118–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 119– Amber Murphy

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.



Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 119–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 120 – Lorraine Beals

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

FIND somewhere else, like vacant buildings, parking lots instead. We need our wildlife!!

Thank you,

Lorraine Beals

#### Response to Comment 120 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 121– Sonia Romero Villanueva

Solicitud de FORT EDWARD SOLAR, LLC para un permiso de ubicación de una importante instalación de energía renovable de conformidad con el Artículo VIII de la Ley de Servicio Público del Estado de Nueva

York para desarrollar, diseñar, construir, operar, mantener y desmantelar una instalación de energía solar de 100 megavatios (MW) ubicada en la ciudad de FORT EDWARD, CONDADO DE WASHINGTON.

#### Response to Comment 121–

The Applicant would like to thank you for your comment.

#### Comment 122 – Jeff Bohan

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 122–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 123– Serena K

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and

adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 123–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 124 – Elyn Stubblefield

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Elyn Stubblefield

#### Response to Comment 124 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 125– Ilya Speranza

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 125–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 126– David McNally

Boralex to adopt stronger grassland conservation measures & ensuring that clean energy development moves forward without sacrificing New York's invaluable bird populations. Learn how below!

#### Response to Comment 126–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 127 – Ann Kistler

Do not start this solar farm, because of the grassland birds. Solar is important, but we need to be thoughtful about where we put up the solar structures. Ann Kistler

#### Response to Comment 127–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 128– Margaret Vernon

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 128 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 129– Marianne Mukai

To the Renewable Energy Siting and Administrative Law Judges,

I am very concerned about the proposed Fort Edward solar project, which will greatly affect the vital Fort Edward grassland. These high-quality grasslands are a critical part of New York State's ecosystem for birds and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks to name a few.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. Clearly, the project poses uncertain but potentially severe impacts to this priceless habitat and to the already-declining species which live there or who must pass through during their annual migrations.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these precipitous declines, making it a real priority to protect of large areas of remaining grassland habitat, in particular the areas impacted by this proposed project.

Renewable energy is critical for our collective future, and I support its continued development. However, considering the immense ecological value of the Fort Edward grassland, I respectfully urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this precious grassland habitat demands extraordinary mitigation efforts. Experts recommend that you observe a 1:1 ratio for any habitat loss, conserving as much habitat equal to the area being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 129–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 130– Tricia Rizzi

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am very concerned regarding the proposed Fort Edward solar project that will threaten the Fort Edward Grassland. They are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 130–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 131– Astrid Jarvis

I attend webinars from American Bird Conservancy and receive their updates. I understand from their recent news that there is a proposal for Fort Edward Solar Project. This proposed Fort Edward Solar project will harm the already declining rare bird population in New York State, endangering habitat and aid in further decline of grassland bird population. I ask that you consider habitat mitigation measures to help promote bird conservation and reduce habitat loss. Thank you for considering this action to preserve New York State's declining bird population. As an enthusiast and advocate for environmental preservation, I take this opportunity myself to sending this message to you today to consider importance of conserving rare bird populations. Thank you.

#### Response to Comment 131–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 132– Ellen Pemrick

I am writing to express my deep concern about the plan to develop an 1,828-acre commercial solar facility site in Fort Edward. The project threatens vital grassland bird habitat that is home to some of the state's rarest bird species, such as Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, and Bobolinks.

The site is in the worst possible place for a large-scale solar facility. It is in an Audubon-designated Important Bird Area, in a Natural Heritage Raptor Winter Concentration Area, and in one of the largest Grassland Bird Conservation Centers in New York State. It is also adjacent to a NYS DEC Wildlife Management Area maintained specifically for grassland birds.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

In light of the ecological significance of the Fort Edward grassland, the project developer should be required to mitigate the impact on grassland birds by permanently conserving at least as much land as it is covering with solar panels. All of the conserved land should be located in this Important Bird Area, not elsewhere in New York State. I also encourage the developer to collaborate with the Grassland Bird Trust, which has worked for over 15 years to protect this Important Bird Area.

Thank you for consideration of these comments.

### Response to Comment 132–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

### Comment 133 – Yee Chow

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

### Response to Comment 133 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

### Comment 134 – Evan Lawrence

I am very concerned by Fort Edward Solar's plan to build a commercial solar facility in the Washington County Grassland. Boralex, the sponsoring company, prides itself on its environmental sensitivity. I am truly perplexed by why Boralex thinks putting hundreds of acres of solar panels in the middle of a critical bird area is a good idea.

Numbers of grassland birds such as short-eared owls, marsh hawks, bobolinks, and Eastern meadowlarks have declined more than 50% in North America since 1970, largely due to loss of habitat. Researchers say grassland birds may disappear from New York State in a few decades. Although some small birds can adapt to life among solar panels, the grassland's threatened and endangered hawks and owls cannot.



The Washington County Grassland is one of the largest Grassland Bird Conservation Centers in New York State. The Fort Edward Solar site is in an Important Bird Area designated by National Audubon, and is in a Natural Heritage Raptor Winter Concentration Area due to the open-land hawks and owls that hunt there in the winter. The solar project would surround a 478-acre area that the NYS Department of Environmental Conservation maintains for grassland birds.

The project is contrary to a 2008 state policy that protects grassland birds and their habitats. If the project proceeds, the developer at a minimum should be required to permanently conserve as much land as it is covering with solar panels, 527 acres. All the conserved land should be in the Washington County Grassland, not elsewhere in the state. The developer should work with the Grassland Bird Trust to identify land that should be permanently conserved, and to manage the land for grassland birds.

I am not opposed to solar energy per se. I subscribe to a community solar project through Nexamp. I am excited by the developing field of agrivoltaics, which combines solar installations with farming. However, damaging an existing critical habitat to install solar panels makes no sense at all. I am opposed to this project and, if it goes forward, want the developer to be required to make the maximum mitigation.

Thank you for your consideration.

#### Response to Comment 134 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 135 – Ron Renoni

Hello NYSDEC Administration Law Judge:

I am writing to you with my concerns about the Fort Edward Solar project. I am Chairperson of the Grassland Bird Trust Stewardship Committee. In 2018 the Grassland Bird Trust (GBT) was invited by the applicant, Boralex Energy Company, to advise them on a locations of their proposed solar generation facility that would have lesser impact on wildlife. We have met with them several times in good faith since 2018.

Using detailed maps we recommended the acreages and properties that we felt would be most harmful to grassland birds if the project was sited on these properties. Many of these properties were adjacent the the Washington County Grassland WMA's. We wanted Boralex to avoid these properties. The research is clear regarding the benefit to grassland bird breeding and wintering survival with they have larger acreage to hunt or breed. It appears they have not avoided these important areas.

We repeatedly emphasized the wildlife impacts of developing the land adjacent to the NYSDER Washington County WMAs. We highly recommend that ORES require Boralex find other properties to locate their project on. We encouraged the applicant to even select properties outside the Wash. Co IBA to place their project on. We know from our numerous Winter Bird surveys that the winter raptors avoid the solar panels on the acreage covered by solar panels.

The other comment and request I have is to have Boralex increase the mitigation acres for this project and to make it much higher then the minimum requirements. It seems like a justifiable trade off if they develop the site in the Wash Co. IBA then they should replace the with more suitable habitat that equals 1 acre for every acre of "Take". And this mitigation acreage be in the NYS Grassland focus area of Washington County.

#### Response to Comment 135 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 136 – Lisa King

I have solar. I know we are in need of answers. BUT NOT AT TO LOSE OF LIFE THAT WE WILL NEVER GET BACK!! YOU CANNOT SOLVE ONE PROBLEM BY MAKING A NEW ONE THAT ONLY MAKES A GREAT BIG SLIPPERY SLOPED HOLE. STOP! THINK! MEASURE LOTS OF TIMES SO YOU DONT MAKE A CUT THAT GLUE CANNOT MEND!!

#### Response to Comment 136 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 137 – Naomi Meyer

Dear NYS Administrative Law Judge:

I have lived in Washington County over 40 years. There many sources of developmental pressure on agricultural acres here in our county. I agree that the NYS CLCPA goals are worthwhile and needed.

But to allow Boralex to develop a large solar facility in the Wash Co. IBA or to take farmland seems like like poor judgement. These acres identified as the Important Bird Area are a unique grassland habitat.

Grassland birds populations are dropping across NYS, and we have here a special habitat that helps them survive. If ORES allows this project to move forward then I highly recommend that

Boralex be required to greatly increase the mitigation acreage for this project. It appears from the documents here that ORES is only asking for the .4 for breeding or .2 for winter acreage ratios for replacement acres. That does not seem right considering the acreage will be taken in the Wash Co. IBA. Which is also in the NYS Grassland Focus Area. If ORES allows the developer to select acres outside Washington County, or allows them to pay more into the mitigation bank then does not seem like a fair deal for the people and wildlife here.

As residents and tax payers here in Washington County we are dependent on your agency to guide these projects away from sensitive ecologically important areas. We need your assistance to direct energy companies to do right by the wildlife habitat their projects have negative impacts on. There are many residents in in Washington County that don't understand why this project has been allowed to move forward considering the area Boralex wants to develop.

Please do the right thing and move the project or greatly increase the mitigation acres required.

#### Response to Comment 137 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 138 – Nadine Godwin

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am very concern regarding the proposed Fort Edward solar project, which unfortunately threatens the vital Fort Edward grassland. These high-quality grasslands are critical to New York State's birdlife; they are home to some of the state's rarest bird species, such as Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, plus others.

The proposed Fort Edward solar project would sit in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe threats to habitat that is vital to already-declining species.

Since 1970, grassland birds have experienced a 53% decline in numbers nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, a fact that makes it ever more critical to protect large blocks of remaining grassland habitat.

I agree, renewable energy is critical for our collective future. I support that. However, given the immense ecological value of the Fort Edward grassland, I urge you to develop and implement robust habitat mitigation measures to help us all conserve the bird species that will be affected. It should be clear that industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted. Please don't tolerate any reduction in the habitat available to these birds.

Thank you for recognizing the ecological significance of the Fort Edward grassland and for taking all necessary actions to preserve New York State's declining bird populations.

#### Response to Comment 138 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 139 – Michael Stubblefield

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 139 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 140 – Jennifer Marinilli

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 140 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 141– Kathleen Ann Guinness

To desecrate an established bird habitat, especially an endangered bird habitat, is not something

I can ignore and I speak for Rutland County Audubon as well as myself. We will grant you that solar panels are needed, but not in this area where meadowland birds are thriving. There are many other options for solar placement. Rooftops have become popular, for example.

In addition, your compensation plan is meager compared to the harm your panels will cause to birds which migrate thousands of miles to nest in Fort Edward. Mitigation, a last resort, should be equal in acreage to what you take away from the grasslands. Why is it not? You have had years to make this right.

I firmly disagree with your plan as does Rutland County Audubon. Leave the Grasslands and find somewhere else to locate your panels.

#### Response to Comment 141–

The Applicant would like to thank you for your comment.

The Applicant considered alternative siting options, including previously developed lands, as outlined in Exhibit 3: Location of Facilities and Surrounding Land Use. Rooftop solar and brownfield development are important components of New York's broader clean energy strategy, but utility-scale solar projects require large, contiguous parcels of land with suitable topography, solar exposure, and proximity to electrical infrastructure. The Fort Edward site was selected based on landowner willingness, existing agricultural use, and access to interconnection, which minimizes the need for new infrastructure and reduces environmental disturbance. The project aims to preserve the agricultural character of the area while providing landowners with a sustainable income stream that can help prevent conversion to residential or commercial development, which often results in permanent habitat loss.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket regarding avian concerns.

#### Comment 142 – Anita Haravon

I am concerned about the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland.

Since 1970, grassland bird populations have dropped by 53% nationwide, with even steeper declines here in the Northeast. Habitat loss is the main reason, so protecting large, intact grassland blocks is absolutely critical.

The Fort Edward grassland is one of these vital areas - these high-quality grasslands are home to some of New York's rarest and most vulnerable bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, and Bobolinks.

The project would be located in the heart of an Audubon Important Bird Area, a NY State Grassland Bird Conservation Center, a Natural Heritage Raptor Winter Concentration Area, and next to a state Wildlife Management Area. In other words, this is a uniquely important and sensitive habitat, and the potential impacts on declining bird populations could be severe.

There has to be a better place to site this solar project that wouldn't be at the cost of threatening vulnerable species and impacting bio-diversity.

I fully support renewable energy, but given the exceptional ecological value of the Fort Edward grassland, I urge you to require strong habitat mitigation measures. At a minimum, any habitat loss should be offset at a 1:1 ratio to conserve an equivalent amount of grassland elsewhere.

Thank you for considering the importance of this area and for taking action to protect New York's declining bird species - they cannot fight for themselves.

#### Response to Comment 142 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 143– Heidi Horak

Please consider the birds. Contiguous tracts of habitat are critical. Certainly there are more populated areas and roads that can be used for Solar. This will ruin a very critical habitat that cannot be recovered. Don't ruin something great because of a failure of imagination. It can be a WIN/WIN but this is not it.

#### Response to Comment 143 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 144 – Rhea Deblasio

Your project for solar energy is very important. Anything that lessens our dependence on fossil fuel is a step in the right direction. But, if the project puts already-endangered species at greater risk, it's not progress.

I'm requesting you reconfigure your plans for the Fort Edward solar project, so both the project and the birds succeed. I'm sure that Boralex can find another area to build the solar array. This way, the breeding habitat for the grassland birds will not be impacted.. It will be a win-win for everyone.

#### Response to Comment 144 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 145 – Amy Durland

RE: Application of Fort Edward Solar, LLC

Letter of Support for Grassland Bird Trust

Dear Office of Renewable Energy Siting, Administrative Law Judges, and Service List:

I write in support of Grassland Bird Trust, Inc. (GBT) in the above proceeding. While I recognize the importance of renewable energy to combat climate change, the proposed Fort Edward Solar project—a 1,000+ acre commercial facility—is unsuitably located and undermines New York State's long-standing environmental policy protecting grassland birds.

Grassland birds are the most rapidly declining group of birds in the U.S., with their populations cut in half since 1970. In New York State, only about 50 breeding pairs of Short-eared Owls remain. The applicant's draft Net Conservation Benefit Plan does not provide a true net benefit to these at-risk species.

In 2008, the NYS Department of Environmental Conservation identified grassland bird conservation as a priority and designated eight Grassland Bird Conservation Centers (GBCCs), totaling 660,000 acres, to prevent extirpation of these species. The project site lies within the Washington County GBCC (102,000 acres) providing significant protection for the state. It also falls within a 13,000-acre Important Bird Area designated by Audubon, is listed in the NYS Open Space Plan, recognized as a Raptor Winter Concentration Area, marked by NYSDEC as containing rare species, and directly surrounds the 478-acre Washington County Grassland Wildlife Management Area.

The biodiversity crisis is every bit as critical to the world's future as the climate crisis. New York cannot advance one priority by sacrificing the other and still consider itself an environmental leader. State officials must not promote the solar industry at the expense of biodiversity, and especially not in one of the most unique and valuable habitats for grassland birds in the Northeast.

For these reasons, I oppose the siting of the project in such a uniquely important area for grassland bird survival. I ask that you reject the application outright, or at the very least, require Boralex to develop a vastly improved and genuinely meaningful mitigation plan.

Respectfully submitted,  
Amy Durland

#### Response to Comment 145 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 146– Jeannine Laverty

I am horrified at the thought of the destruction of the crucial habitat that Grasslands Bird Trust, its supporters and the STATE OF NEW YORK have carefully preserved all these years. The proposed number of acres of mitigation is not only disrespectful and laughable, but a death sentence to these precious birds. How can the State consider cancelling one essential environmental good to propose a profit-making one that could be sited somewhere else without destruction?

There fore I completely agree with the statements below, and urge that they be adopted. Please make a more creative and helpful solution to this conflict.

This site is in the worst possible place for a large commercial solar facility. This site:

- Is in one of the largest Grassland Bird Conservation Centers (GBCCs) in New York State
- Is in the Audubon-designated Important Bird Area
- Is in Natural Heritage Raptor Winter Concentration Area
- Surrounds a 478-acre NYS DEC Wildlife Management Area (WMA) which is maintained for grassland birds

This solar project is in complete opposition to a New York State policy in place since 2008 to protect grassland birds and their habitat. In light of this:

- The project developer should, at a minimum, be required to mitigate the damage to the

birds by permanently conserving as much land as it is covering with solar panels: 527 acres.

¿ All of the conserved land should be located in this Important Bird Area, not somewhere else in New York State.

¿ The developer should work with the Grassland Bird Trust which has worked for over 15 years to protect this Important Bird Area. The developer should collaborate with the Grassland Bird Trust to: (1) identify the land that should be permanently conserved; and (2) manage the land for grassland birds

I beg your agreement to these requests that will benefit all living creatures in our beloved state.

Jeannine Laverty

#### Response to Comment 146–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 147– Teri Ptacek

I am board member of Grassland Bird Trust and am writing about the plan by Fort Edward Solar to build a 1,828+-acre commercial solar facility in the middle of the Washington County Grassland. Building it here in one of the most environmentally critical areas in New York State for rapidly declining grassland birds is not a good idea.

There are numerous reasons why locating the project here is wrong. The project would surround a 478-acre area that the NYS Department of Environmental Conservation maintains for grassland birds. It is in one of the largest Grassland Bird Conservation Centers in New York State. It is in an Important Bird Area designated by National Audubon and in a Natural Heritage Raptor Winter Concentration Area. And the project runs contrary to a 2008 state policy that protects grassland birds and their habitats.

If the project proceeds, the developer at a minimum should be required to mitigate the damage by permanently conserving the same amount of land as it is covering with solar panels, which is 527 acres. All of the 527 acres of conserved land should be located in the Important Bird Area, not elsewhere in the state. The developer should work with the Grassland Bird Trust to identify land that should be permanently conserved, and to manage the land for grassland birds.

While I support renewable energy, I am opposed to this project and, if it goes forward, want the developer to be required to mitigate the damage to the birds by permanently conserving 527 acres of habitat within the Fort Edward Important Bird Area.

Thank you for your consideration.

#### Response to Comment 147–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.



#### Comment 148– Jane Z Kana

While we need solar energy this project is WRONG FOR THE MIGRATING BIRDS!! I AM TOTALLY AGAINST IT!!

#### Response to Comment 148–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 149 – Timothy Fisher

Attached please find the letter from the Town of Fort Edward

#### Response to Comment 149 –

The Applicant would like to acknowledge and appreciate the letter submitted by Councilman Tim Fisher on behalf of the Town of Fort Edward. The Applicant recognizes the Town's responsibility to represent the interests of its residents and to ensure that any development aligns with the community's long-term goals, including the preservation of agricultural land, protection of environmental resources, and support for economic sustainability. Additionally, the Applicant looks forward to working closely with the Town to contribute to New York State's clean energy goals while supporting the local economy and ensuring that the project is developed in a manner that reflects the shared values of sustainability, stewardship, and economic resilience.

#### Comment 150– Renee Bouplon

See attached document for ASA comments.

#### Response to Comment 150 –

The Applicant acknowledges the Agricultural Stewardship Association's (ASA) comments related to the proposed mitigation parcel. The Applicant respects ASA's mission to protect valuable agricultural lands and appreciates the organization's role in preserving the rural and agricultural character of Washington County. While the Applicant is disappointed that an agreement could not yet be reached regarding the use of the Faillie properties at this time, the Applicant remains committed to working collaboratively with landowners, conservation organizations, and regulatory agencies to ensure that the project proceeds in a manner that is both environmentally responsible and respectful of local land use priorities.

While the Applicant respects ASA's outreach, the Applicant has addressed the limitations of the proposed mitigation parcel due to restrictive language in the existing conservation easement. The Applicant continues to evaluate alternative siting configurations and mitigation strategies to ensure compliance with all applicable regulations and to minimize impacts on agricultural and ecological resources. The Applicant remain open to ongoing dialogue with ASA and other stakeholders to identify opportunities for conservation partnerships and to support the long-term sustainability of the region's agricultural landscape.

The Applicant thanks the ASA for its engagement throughout this process and look forward to continued collaboration in the spirit of balancing clean energy development with land stewardship.

#### Comment 151 – Stewart Galloway

I am writing with respect to the plan by Fort Edward Solar to build a more than 1,828-acre commercial solar facility site in Fort Edward, New York.

I support renewable energy in New York State, but siting this facility in one of the most environmentally important sites for rapidly vanishing grassland birds is the wrong way to achieve this goal.

¿ Grassland birds have declined by over 50% in North America since 1970. These birds are at risk of disappearing from New York State altogether in a matter of a few decades.

¿ This project will cause grave harm to grassland birds, especially endangered and threatened raptors.

This site is in the worst possible place for a large commercial solar facility. This site:

¿ Is in one of the largest Grassland Bird Conservation Centers (¿GBCCs¿) in New York State

¿ Is in the Audubon-designated Important Bird Area

¿ Is in Natural Heritage Raptor Winter Concentration Area

¿ Surrounds a 478-acre NYS DEC Wildlife Management Area (¿WMA¿) which is maintained for grassland birds

This solar project is in complete opposition to a New York State policy in place since 2008 to protect grassland birds and their habitat. In light of this:

¿ The project developer should, at a minimum, be required to mitigate the damage to the birds by permanently conserving as much land as it is covering with solar panels: 527 acres.

¿ All of the conserved land should be located in this Important Bird Area, not somewhere else in New York State.

¿ The developer should work with the Grassland Bird Trust which has worked for over 15 years to protect this Important Bird Area. The developer should collaborate with the Grassland Bird Trust to: (1) identify the land that should be permanently conserved; and (2) manage the land for grassland birds.

Thank you for your consideration of these comments.

#### Response to Comment 151–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 152– Eve Wenger

I am board member of Grassland Bird Trust and am writing about the plan by Fort Edward Solar to build a 1,828+-acre commercial solar facility in the middle of the Washington County Grassland. While I support renewable energy, I am opposed to this project. Should it proceed, I would want the developer to be

required to mitigate the damage to the birds by permanently conserving 527 acres of habitat within the Fort Edward Important Bird Area.

Building it in one of the most environmentally critical areas in New York State for rapidly declining grassland birds is not a good idea. The project would surround a 478-acre area that the NYS Department of Environmental Conservation maintains for grassland birds and is one of the largest Grassland Bird Conservation Centers in New York State. It is in an Important Bird Area designated by National Audubon and in a Natural Heritage Raptor Winter Concentration Area. The project runs contrary to a 2008 state policy that protects grassland birds and their habitats.

At a minimum, the developer should be required to mitigate the damage by permanently conserving the same amount of land as it is covering with solar panels, which is 527 acres. All of the 527 acres of conserved land should be located in the Important Bird Area, not elsewhere in the state. The developer should work with the Grassland Bird Trust to identify land that should be permanently conserved, and to manage the land for grassland birds.

Thank you for the opportunity to comment.

#### Response to Comment 152 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 153– Adrienne Constant

I am writing with respect to the plan by Fort Edward Solar to build a more than 1,828-acre commercial solar facility site in Fort Edward, New York.

I fully support the Grassland Bird Trust!

I support renewable energy in New York State, but siting this facility in one of the most environmentally important sites for rapidly vanishing grassland birds is the wrong way to achieve this goal.

¿ Grassland birds have declined by over 50% in North America since 1970. These birds are at risk of disappearing from New York State altogether in a matter of a few decades.

¿ This project will cause grave harm to grassland birds, especially endangered and threatened raptors.

This site is in the worst possible place for a large commercial solar facility. This site:

¿ Is in one of the largest Grassland Bird Conservation Centers (¿GBCCs¿) in New York State

¿ Is in the Audubon-designated Important Bird Area

¿ Is in Natural Heritage Raptor Winter Concentration Area

¿ Surrounds a 478-acre NYS DEC Wildlife Management Area (¿WMA¿) which is maintained for grassland birds

This solar project is in complete opposition to a New York State policy in place since 2008 to protect grassland birds and their habitat. In light of this:

¿ The project developer should, at a minimum, be required to mitigate the damage to the birds by permanently conserving as much land as it is covering with solar panels: 527 acres.

¿ All of the conserved land should be located in this Important Bird Area, not somewhere else in New York State.

¿ The developer should work with the Grassland Bird Trust which has worked for over 15 years to protect this Important Bird Area. The developer should collaborate with the Grassland Bird Trust to: (1) identify the land that should be permanently conserved; and (2) manage the land for grassland birds.

Thank you for your consideration of these comments.

#### Response to Comment 153 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 154 – Elizabeth Bracken-Bodie

I'm writing to express my concerns over the placement of a solar facility in Fort Edwards Grasslands. Grassland birds have declined by more than 50% in North America and are in immediate danger of disappearing completely. This project is a direct threat to local birds. The project site:

¿ Is in one of the largest Grassland Bird Conservation Centers (¿GBCCs¿) in New York State

¿ Is in the Audubon-designated Important Bird Area

¿ Is in Natural Heritage Raptor Winter Concentration Area

¿ Surrounds a 478-acre NYS DEC Wildlife Management Area (¿WMA¿) which is maintained for grassland birds

I'm deeply disturbed and concerned that this project would be allowed to move forward given its recognition as an important conservation area. Grassland Bird Trust has worked for over 15 years to protect Grasslands in Washington County, I would prefer to see the developer work alongside local conservation groups rather than against them.

Thank you for your consideration to these comments,

Elizabeth Bracken-Bodie

#### Response to Comment 154 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 155 – Elizabeth Crawford

I am writing in regard to the solar energy project proposed to be built in the Important Bird Area in Fort Edward NY. I lived and farmed in Argyle and Fort Edward for 14 years until 2017. Even though I have moved out of state I have retained ties to the area and I support the Important Bird area.

I am concerned that this project is proposed for relatively undisturbed land which is surrounded by conserved land. When there is so much disturbed land available, including roofs, parking lots, road verges and medians, and so forth, it is unsuitable, even criminal, to spoil this land which is in the midst of a large

grassland bird area. Grassland is one of the most endangered ecosystems in the United States, and it is a triumph to have conserved so much of it in Fort Edward.

The disturbance of this project would extend to the surrounding land as well, with roads, transmission wires, and construction disturbance. This is a delicate ecosystem and to disturb so much of it is unconscionable.

I am also concerned for the viewshed of this project. This Important Bird Area is a hub for tourism in the area. The landscape as a whole would be greatly affected by the proposed project.

I encourage the Department of Public Service to reject the siting of this project. The developer can do much better.

Thank you for your attention to this.

Elizabeth Crawford

#### Response to Comment 155 –

The Applicant would like to thank you for your comment and for their continued engagement with the Fort Edward community, even after relocating out of state.

The Applicant acknowledges the importance of preserving ecologically sensitive areas, particularly those within or adjacent to designated conservation lands. As outlined in Exhibit 3 – Location of Facilities and Surrounding Land Use, the site selection process considered a range of factors, including proximity to existing transmission infrastructure, landowner willingness, and environmental constraints.

While the project is located near conserved lands, the Applicant has taken steps to avoid direct impacts to the most sensitive habitats. The project footprint was designed to minimize fragmentation and to maintain connectivity between key habitat areas. Additionally, the Applicant is committed to implementing best practices to reduce construction-related disturbance, including erosion control, dust suppression, and limited clearing.

The Applicant considered alternative siting options, including previously developed lands, as outlined in Exhibit 3: Location of Facilities and Surrounding Land Use. Rooftop solar and brownfield development are important components of New York's broader clean energy strategy, but utility-scale solar projects require large, contiguous parcels of land with suitable topography, solar exposure, and proximity to electrical infrastructure. The Fort Edward site was selected based on landowner willingness, existing agricultural use, and access to interconnection, which minimizes the need for new infrastructure and reduces environmental disturbance. The project aims to preserve the agricultural character of the area while providing landowners with a sustainable income stream that can help prevent conversion to residential or commercial development, which often results in permanent habitat loss.

The Applicant understands the concern regarding the potential impact of the project on the viewshed and the broader landscape character of the Important Bird Area. Exhibit 8 – Visual Impacts includes a comprehensive Visual Impact Assessment (VIA), which evaluates potential changes to scenic resources and proposes mitigation measures such as vegetative screening and strategic siting to reduce visual intrusion.

The Applicant also acknowledges the role of the Fort Edward Grasslands in supporting local tourism and ecotourism. The project has been designed to balance renewable energy development with the preservation of the area's natural and scenic values.

#### Comment 156– Gregory Wait

Please be considerate of the birds and the bird habitat regarding the destruction of their habitat. Personally, I find this act of taking critical habitat from birds very upsetting, as many do. Please listen to the experts. Leave the birds alone for once! Thank You, Greg

#### Response to Comment 156–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 157– Mary-Beth Wagner

I support community solar, but ARE YOU OUT OF YOUR MINDS? Mature grasslands are irreplaceable. You cannot "mitigate" it. This project is in opposition to an existing NY state policy which has been in place since 2008 to protect grassland birds and the habitat they require. The birds CANNOT move. This site is a NATIONAL Heritage Raptor Winter Conservation Area. Just because this site seems 'convenient' does NOT mean it is an acceptable location for a large solar tract!

Put solar onto brownfields first and commercial sites first. Having smaller sites which are more spread out is Homeland Security smarter: we are more resilient against sabotage and non-criminal outages, and it lessens the need for inefficient long distance energy transport. Community solar is smarter-not these mega fields. Community sites are also conveniently located near power lines to tie into.

If this project goes ahead, then this developer must work with the Grassland Bird Trust to 1) identify the land that must be permanently conserved and 2) manage the land for grassland birds.

Mitigated land MUST equal or surpass the amount of land that will be covered with solar panels. If 527 acres are covered in solar, then mitigate 527 acres.

All of the conserved (mitigated) land MUST be within this Important Bird Area, not somewhere else.

Look to brownfields first. WORK WITH GRASSLAND BIRD TRUST. Mitigate acre for acre. Mitigate within the LOCAL grassland area.

Thank you for hearing me. My husband Joe and I do not want the IBA used for mass solar because there are many other options!

#### Response to Comment 157–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #4 of the DMM docket for avian concerns.

The Applicant remains committed to long-term stewardship of the land, including monitoring and adaptive management to ensure that conservation goals are met. The Applicant has also developed a Net Conservation Benefit Plan approved by ORES to ensure that any adverse impacts are addressed, and that the Facility achieves a net conservation benefit overall. Also, solar development and habitat preservation are not mutually exclusive, and the Fort Edward Solar Project aims to demonstrate how clean energy and ecological responsibility can coexist.

#### Comment 158 – Anastasia Ukhtinskaya

I oppose the proposed Boralex 100MW solar facility in the Fort Edward Grasslands Important Bird Area. This project would destroy one of the most critical habitats for grassland birds in New York State. The Fort Edward Grasslands are home to threatened and declining species that depend on large, open spaces to survive.

Large-scale solar in this location is misguided. Solar has a place on rooftops, parking lots, and already disturbed lands – but not in critical habitats. Real climate solutions must protect ecosystems, not erase them.

Boralex's mitigation plan to conserve only a couple hundred acres is inadequate. At a minimum, at least as much land as would be covered by solar panels – 527 acres – should be permanently conserved. Anything less fails to protect the species that make this area unique.

I urge you to reject or significantly revise this proposal to ensure the Fort Edward Grasslands IBA remains protected for the birds and for future generations.

Respectfully,  
Anastasia

#### Response to Comment 158–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 159– Jamie Brown

Thank you for the opportunity to comment on this project. NY certainly needs to add more sources of renewable energy to meet its goals to reduce greenhouse gas emissions. However, it is also critically important that NY protects the last areas of grassland bird habitat. So much has been lost, and without it, these birds will simply disappear. This project will be constructed in one of the largest grassland bird centers in NY, near other protected grasslands. This may be a good location for solar panels to work efficiently and effectively. But that is a dollars and cents decision, and frankly, should not be able to compete with the irreplaceable nature of grasslands. I support renewable energy, but not siting projects such as this on some of the most sensitive and threatened land in NY. If the project must proceed, then the developer should be required to protect 527 acres (as much land as the solar panels will cover). These acres that the developer would protect as mitigation should be comparable grasslands, located in the IBA in Washington County. The developer should work closely with Grassland Bird Trust, an organization working to protect the grasslands located in the area where the project is proposed. The developer should be required to go beyond existing mitigation requirements to protect adjacent/nearby grasslands. Working

to mitigate grasslands is not intended to be punitive to the developer; rather, by going above required mitigation requirements, the developer will be a partner in conservation, and the "green" energy can be more in line with actually offering environmental benefits to the people of NY.

#### Response to Comment 159 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 160 – Sean Moran

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 160–

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 161 – Harrison Watkins

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 161–

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.



#### Comment 162– Ashely Bridge

Boralex should conserve as much land as the Grassland Bird Trust is requesting. The grassland birds are very important to our local and far reaching ecology. Boralex should consult with bird specialists and design the solar site for bird safety's. The rows between the panels should be wide enough for raptors to hunt in and the solar panel hight should also be set for bird safety. Please do every thing the grassland bird trust is asking for.

#### Response to Comment 162 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 163 – James Feerick

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 163– James Feerick

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 164– Layne Calabro

I oppose the plan by Fort Edward Solar to build a more than 1,828-acre commercial solar facility site in Fort Edward using the Grassland Bird Trust.

The Grassland Bird Trust is a most environmentally important site for rapidly vanishing grassland birds and is the wrong way to achieve renewable energy in NY state.

I am for renewable energy but there are other location to consider for this project.

¿ Grassland birds have declined by over 50% in North America since 1970. These birds are at risk of disappearing from New York State altogether in a matter of a few decades.

¿ This project will cause grave harm to grassland birds, especially endangered and threatened raptors.

#### Response to Comment 164–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

### Comment 165 – Tom Ranney

On September 24, 2025 Governor Kathy Hochul announced “the next steps for her landmark \$1 billion Sustainable Future Program to accelerate “ [the] transition to a cleaner, greener future.”

Renewable forms of generation of electrical power are being promoted by the State of New York as a means to protect and conserve all of our natural resources.

A renewable energy project that occupies and obstructs green space which currently sequesters carbon and produces food for both humans and wildlife and serves as critical habitat for us and for threatened birds and other wildlife is not aligned with the general purpose and intent of the efforts of the State of New York to combat climate change.

The only practical approach to mitigating the environmental degradation that will follow the approval of the Boralex project is to ensure that at least an equal amount of immediately-surrounding acreage of identical habitat type and quality is conserved into perpetuity.

A 527 acre set-aside would be a small and simple demonstration of genuine concern on the part of Boralex, Inc. for the negative environmental impacts that this project will have on these special lands.

Such a minor gesture by Boralex would reduce anticipated Corporate profits by a very marginal amount, while exponentially improving the public image of the Corporation.

This alone should incentivize Boralex to do the right thing, yet they resist.

Perhaps Boralex seeks to add all remaining acreage off this very critical grassland habitat to future phases of new construction.

To date, Boralex has proposed only a very insignificant and impractical form of mitigation in what appears to be a simple PR stunt.

Boralex has proposed that it would secure what amounts to a conflicting conservation easement on lands that are already under Agricultural Conservation Easement.

Boralex personnel should have been aware (before it was even proposed) that their own proposal for mitigation of habitat loss could not be implemented.

Please read the indication of this in the comment submitted by Renee Bouplon of ASA on 9-29-25 (see the Attachment in Comments no. 158) which very plainly detailed to Boralex more than one year ago the clear legal impediment to the habitat loss mitigation proposal that was proffered by Boralex.

Requiring that Boralex conserve 527 acres of this unique and special grassland habitat within very close proximity to this project is the very least that should be acceptable to the State of New York in its efforts to conserve and preserve the quality of life for the people of the State.

Consideration of all perspectives within these many comments is greatly appreciated.

Thomas K. Ranney

Fort Ann, NY

### Response to Comment 165 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

### Comment 166– Lynn Johnson

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 166 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 167– Marisa Hernandez

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary

mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 167–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 168 – Janet Zinn

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 168–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 169 – Kristen Krajewski

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 169–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 170 – Cyprian Gascoigne

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 170–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 171– Michelle Talich

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Sincerely,

Michelle Talich

#### Response to Comment 171–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 172 – Heydi Lopes

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations

#### Response to Comment 172–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 173– Emily Clark

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Sincerely,  
Emily Clark

#### Response to Comment 173 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 174 – Martha Walker

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 174 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 175– Arakal Cassella

This project only aims to protect the minimum required amount of land. If your kids did the minimum in school, or if your partner did the minimum in your relationship, and you knew they could do more, you would be disappointed.

All of these development actions have trickle down effects, ones that have been studied and proven more detrimental than not in the long run, and we shouldn't have to experience them first hand to realize a company that could have done better, simply didn't.



While renewable energies are a fantastic alternative, these outputs are often not as high yield to cost as many think, and the systems need replacement more often than people realize, and mitigating the impact of that attrition, and interference in nature, should be at the forefront.

I'm pro solar when and where it makes sense. This is not a when OR where that makes sense - especially when this is a proposition by a Canadian company has access to over 140 million acres of similar land in Canada they could be doing this on. Why are they here? Who cleans this all up when the panels are dead? What is the legacy for locals here? There isn't one. At worst, this project moves forward, and in that case, they should be made to conserve at LEAST an equal amount of habitat they are destroying.

Grasslands are not barren lands awaiting human intrusion.

#### Response to Comment 175–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 176– Sarah W Gallagher

We desperately want solar power... BUT solar power located in the friendliest to nature sites... NOT land that's home to already threatened species of birds!! WAKE UP Fort Edward Solar!! Most sincerely, Sarah Woodside Gallagher

#### Response to Comment 176–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 177 – Randa Fayez

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations

#### Response to Comment 177 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 178 – Nellie Torres

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 178–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 179 – Keith Swensen

As a board member of Grassland Bird Trust Inc. let me first make it clear that we are in support of renewable energy sources that are appropriately situated. A commercial solar facility in an area recognized by Audubon as having an Important Bird Area, by NYSDEC as one of the largest Grassland Bird Conservation

Centers in eastern New York, as well as being a National Heritage Raptor Winter Concentration Area would not be appropriately situated!

Grassland birds are the most threatened category of birds in North America and New York State. They need large open grassland areas. The loss of appropriate habitat is the largest factor in their decline. Putting solar panels on a large number of acres not only reduces the amount of appropriate habitat, but also leads to habitat fragmentation, another factor in the decline of grassland birds.

If this facility is approved, there must be sufficient mitigated acreage. The current New York State requirement for mitigation is not enough in this case. There should be as much acreage in mitigation as is taken by the solar panels.

The developer should be required to work closely with Grassland Bird Trust (GBT) to find this acreage within the Washington County Grassland Bird Conservation Center. Because GBT has been actively working in conjunction with NYSDEC as well as other conservation minded organizations for the last 15 years to conserve grassland bird habitat we are the organization best situated to find appropriate mitigation acreage.

Thank you for your consideration in this matter. It is much appreciated.

#### Response to Comment 179 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 180– Elena Rivera

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Sincerely,  
Elena Rivera

#### Response to Comment 180–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 181 – Lorraine Skibo

I am a strong supporter of renewable energy, and have solar panels on my roof, but siting extensive solar panels in highly valuable habitat for grassland birds is depriving not just the birds but the future of their beneficial partners, including people. Why are we seeking to cover more and more green space when there is plenty of gray space to use for solar, such as parking lots, building facades, rooftops and eventually roads? Fill those areas first so we can reach our 30 by 30 goal and satisfy both conservation and energy needs.

#### Response to Comment 181 –

The Applicant thanks you for providing your comment.

The Applicant has carefully considered alternative siting options, including previously developed lands such as rooftops, brownfields, landfills, and other disturbed areas, as outlined in Exhibit 3 – Location of Facilities and Surrounding Land Use. These alternatives are important components of New York State's broader clean energy strategy and continue to be evaluated where feasible.

However, utility-scale solar projects like the Fort Edward Solar Facility require large, contiguous parcels of land with suitable topography, solar exposure, and proximity to existing electrical infrastructure. These technical and logistical requirements often limit the viability of more constrained or fragmented sites such as rooftops or brownfields.

The Fort Edward site was selected based on a combination of factors, including landowner willingness, existing agricultural use, and direct access to nearby interconnection. This siting approach minimizes the need for new infrastructure, reduces environmental disturbance, and helps preserve the agricultural character of the area. By providing landowners with a stable, long-term income stream, the project also offers an alternative to more intensive development pressures, such as residential or commercial expansion, which can result in permanent habitat loss.

The Applicant remains committed to responsible land use planning and continues to explore opportunities to integrate renewable energy development with environmental stewardship and community benefit.

#### Comment 182– Eileen Cunningham

I am writing to comment on the plan by Fort Edward Solar to build a more than 1,828-acre commercial solar facility site in Fort Edward, New York.

I am a vigorous supporter of renewable energy, but putting this facility in one of the most environmentally important sites for threatened and endangered grassland birds is the wrong way to advance the use of solar energy.

Grassland birds have declined by over 50% in North America since 1970. This project will further that decline because this location is in:

- ¿ One of the largest Grassland Bird Conservation Centers (¿GBCCs¿) in New York State

- ¿ An Audubon-designated Important Bird Area

- ¿ A Natural Heritage Raptor Winter Concentration Area

It also surrounds a 478-acre NYS DEC Wildlife Management Area (¿WMA¿) which is maintained for grassland birds.

This solar project contradicts the New York State policy in place since 2008 implemented to protect grassland birds and their habitat. Accordingly, the project developer should be required to minimize the damage to the birds by following these guidelines:

- ¿ Permanently conserving as much land as it is covering with solar panels which is 527 acres.

- ¿ All of the conserved land should be located in this Important Bird Area, not somewhere else in New York State.

- ¿ The developer should work with the Grassland Bird Trust who has the expertise to facilitate minimizing the damage to grassland birds by identifying and managing the land that should be conserved and managed.

Thank you for your consideration of these comments.

#### Response to Comment 182–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 183 – Barbara A Guilder

I attended the Public Hearing on Sept, 30, 2025, at the Durkeetown Baptist Church. I am a supporter of the Grassland Bird Trust. I also think solar power is a good alternative to fossil fuels, and I understand that farmers are struggling against so many changes from rising costs, increasing regulations, and erratic weather.

One comment really caught my attention at the public hearing. It was when the speaker detailed all the meetings and all the cooperation of the Boralax personnel with the Grassland Bird people during the initial planning stages, but then totally disregarded all the concerns and recommendations of the Bird supporters in the final plan. This, to me, speaks volumes about the reliability of this large corporation to uphold any of the promises that it gives to residents and government entities.

Big business is concerned with big money. Government should be concerned with protecting citizens from predatory behavior, be it from individual local robbery to the creeping, eroding, invasive degradation by rich and powerful organizations.

To disregard the important concerns of citizens so early in the process should be an obvious warning.

Environmental and economic concerns both can be met with honest communication and innovative solutions. Our society has made many mistakes in the past. We must be cautious. It is imperative that these big projects that will last for so many years first and foremost do not contribute to more harm.

Thank you,

Barb

#### Response to Comment 183 –

The Applicant thanks you for participating in both the in-person Public Comment Hearing and providing your comments to the DMM.

The Applicant acknowledges the importance of building and maintaining trust with the community and stakeholders, including conservation organizations such as the Grassland Bird Trust. As outlined in Exhibit 2: Overview and Public Involvement, the Applicant has engaged in extensive outreach throughout the planning process, including meetings with residents, environmental groups, and public agencies.

The Applicant regrets any perception that stakeholder input was disregarded. While not all recommendations could be incorporated in full due to technical, regulatory, or land availability constraints, the Applicant has made meaningful adjustments to the project design in response to feedback. These include increased setbacks, visual screening, and habitat mitigation measures.

The Applicant shares the concern for protecting the unique ecological value of the Fort Edward grasslands. As detailed in Exhibits 11: Terrestrial Ecology and Exhibit 12: NYS Threatened and Endangered Species, the Applicant conducted comprehensive ecological assessments and is working closely with the New York State Department of Environmental Conservation (NYSDEC) to implement mitigation strategies that address potential impacts on sensitive species and habitats. These strategies include seasonal construction restrictions to protect breeding and foraging periods, habitat buffers and preservation of open space, and establishment of native pollinator-friendly vegetation to support biodiversity. The Applicant is committed to ensuring that these measures are implemented effectively and monitored over time to support long-term ecological health.

The Applicant understands the importance of balancing environmental protection with the need for clean, renewable energy and economic opportunity. The Fort Edward Solar Project is designed to contribute to New York State's clean energy goals while providing local benefits, including lease payments to landowners, job creation, and increased municipal revenues through a Payment in Lieu of Taxes (PILOT) agreement and Host Community Benefit Program (Exhibit 18: Socioeconomic Effects). The Applicant agrees that environmental and economic concerns can and should be addressed through honest communication and innovative solutions.

#### Comment 184 – Antoinette Jackson

The Grassland Bird Trust had an incredibly positive impact on the preservation of birds & wildlife. I am a proponent of solar farms, however, it cannot be done at the cost that this project will destroy. Boralex must preserve the amount of acreage to GBT that they plan to occupy - on the same site.

#### Response to Comment 184–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 185 – Chelsea Florio

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Conservation could not be more important right now, so we must protect our most vulnerable habitats and species before we lose them entirely.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Sincerely,

Chelsea Florio

#### Response to Comment 185 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 186 – Deborah Kaufmann

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

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Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 186 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 187 – Samantha Carouso Peck, Ph.D.

Your Honors,

I was the first speaker to give a comment at the Public Hearing last night, and I thank you for taking the time to hear everyone who expressed their concerns both for and against this solar project. After hearing all comments, I was concerned by some of the misinformation expressed by our community - who are understandably stressed by rising property taxes and the very real concern that they will no longer be able to profitably sustain their farms - stating that a) conserved land does not pay taxes, b) that mitigation land may be seized from private landowners without compensation, c) that the presence of common ground species such as deer, rabbits, and turkeys under solar panels indicates that solar panels do not impact birds of prey, d) that no one actually comes to the Washington County Important Bird Area to look at birds, and e) that the Grassland Bird Trust is seeking to halt or move this project. These are simply not the case. We sincerely believe that our interests and those of local farmers and taxpayers can be synergistic, and that even more money can be channeled into the local community and its landowners, not merely via ecotourism, but directly from Boralex, if they choose to do the responsible thing and buy even more local land for the purpose of conservation, or enter into conservation easement agreements with local landowners that will allow them to keep their land as well as farm it in a bird-friendly manner. I was heartened by the fact that the overwhelming message among the speakers at the Hearing last night ultimately became: Compromise is possible. This project can proceed while also mitigating the damage it will cause. We hope that ORES will carefully consider the unique and irreplaceable nature of the critical habitat upon which this project will be constructed, and reevaluate required mitigation acreage accordingly. We thank you sincerely for your time and consideration.



- Dr. Samantha Carouso Peck

#### Response to Comment 187 –

The Applicant thanks you for participating in both the in-person Public Comment Hearing and providing your comments to the DMM.

The Applicant shares the concern regarding the spread of misinformation and values the opportunity to clarify several key points:

**Conserved Land and Taxes:** Lands under conservation easements or mitigation agreements are not automatically exempt from property taxes. Tax status is determined by local and state regulations, and the Applicant is committed to working with local authorities to ensure transparency and fairness in all land use agreements.

**Mitigation Land Acquisition:** The Applicant does not and will not pursue the acquisition of mitigation land through eminent domain or any form of involuntary seizure. All land used for mitigation purposes will be acquired through voluntary agreements with willing landowners.

**Wildlife Presence and Habitat Impact:** While the presence of generalist species such as deer, rabbits, and turkeys may persist in and around solar arrays, this does not negate the potential impacts on more sensitive species, including grassland-dependent birds of prey. The Applicant has conducted extensive ecological assessments (Exhibits 11: Terrestrial Ecology and Exhibit 12: NYS Threatened and Endangered Species) and is working closely with the New York State Department of Environmental Conservation (NYSDEC) to ensure that mitigation strategies are informed by the best available science.

**Birdwatching and Ecotourism:** The Fort Edward Grasslands are a recognized destination for birdwatchers and wildlife enthusiasts. The Applicant acknowledges the cultural and economic value of this activity and is committed to minimizing impacts on the Important Bird Area (IBA) through thoughtful siting and mitigation.

**Grassland Bird Trust Position:** The Applicant respects the role of the Grassland Bird Trust and other conservation organizations in advocating for the protection of critical habitats. The Applicant remains open to collaboration and dialogue to identify opportunities for enhanced conservation outcomes.

#### Comment 188 – Gilda Libero

As a resident of this area who strongly believes in Solar and Geo-Thermal Energy ( I have Solar Panels on my Roof and Also have Geo thermal heating and cooling for my house) I am strongly AGAINST the proposed site for this project. The Grasslands are an important habitat and the fact that the company refuses to adopt any environmental recommendation's is disconcerting. These solar instillations should not encroach and remove good arable land, but should be placed on rooftops, private and public, over parking lots, and perhaps brown sites might hold the best areas for these installations.....of course nothing is as easy as

raping virgin land in the name of corporate profits, because developing the sites I suggested would be more costly in the short run, and sadly the easy way out is the mantra of corporate greed. In the long run what will this bring to the residents to Washington county? Cheaper electric costs? Cheaper property taxes? Judging by what usually happens that will be a big no to either and the cost will be destruction of something that will never be able to be restored. NO TO THIS TRAVESTY

#### Response to Comment 188 –

The Applicant would like to thank you for your comment.

The Applicant understands the importance of preserving arable land and minimizing impacts on ecologically sensitive areas. The site selection process for the Fort Edward Solar Project involved a comprehensive evaluation of multiple factors, including proximity to existing electrical infrastructure, land availability, environmental constraints, and landowner interest. These criteria are detailed in Exhibit 3: Location of Facilities and Surrounding Land Use and Exhibit 4: Real Property.

While the Applicant acknowledges the potential of alternative siting options such as rooftops, parking lots, and brownfields, these locations often present significant logistical, regulatory, and economic challenges that limit their feasibility for projects of this scale. Nonetheless, the Applicant supports a diversified approach to renewable energy deployment and recognizes the value of distributed generation.

The Applicant takes seriously the responsibility to protect the unique ecological character of the Fort Edward grasslands. As outlined in Exhibit 11: Terrestrial Ecology and Exhibit 12: NYS Threatened and Endangered Species, extensive field studies were conducted to assess potential impacts on wildlife, including species of concern such as the Short-eared Owl.

The Applicant is working closely with the New York State Department of Environmental Conservation (NYSDEC) and other stakeholders to implement mitigation measures that minimize habitat disruption. These include seasonal construction restrictions, habitat buffers, and the establishment of native pollinator-friendly vegetation. The Applicant is also open to further collaboration with conservation organizations to refine these measures and ensure long-term ecological stewardship.

The Applicant understands the desire for tangible local benefits and recognizes the importance of ensuring that renewable energy development contributes positively to host communities. As described in Exhibit 18: Socioeconomic Effects, the project is expected to generate significant economic benefits for Washington County, including construction jobs, lease payments to participating landowners, and increased local tax revenues through a Payment in Lieu of Taxes (PILOT) agreement and Host Community Benefit Program.

While utility-scale solar projects do not directly control retail electricity rates or property taxes, they contribute to a more resilient and diversified energy grid, which can help stabilize long-term energy costs and reduce reliance on fossil fuels.

#### Comment 189– Tina Marie Alleva

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to share our deep concern about the proposed Fort Edward solar project and its impact on one of New York's most important grassland habitats.

The Fort Edward grasslands are a rare ecological treasure, providing essential habitat for some of the state's most vulnerable bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, and Bobolinks. This area is recognized as an Audubon Important Bird Area, a New York State Grassland Bird Conservation Center, a Natural Heritage Raptor Winter Concentration Area, and sits next to a state Wildlife Management Area. In other words: this isn't just any open field—it is a vital ecosystem that supports already-declining species.

Since 1970, grassland birds have declined by more than 50% across the U.S., with those in the Northeast vanishing faster than any other bird group. The main driver of these alarming declines is habitat loss. Protecting the remaining large, high-quality grassland areas—like Fort Edward—is crucial if these species are to have a future here.

We recognize that renewable energy development is essential for addressing climate change. But the urgency of the climate crisis cannot come at the expense of New York's irreplaceable grassland birds and habitats. If this project moves forward, we urge you to require strong, science-based mitigation measures. At a minimum, we ask that any habitat loss be offset with a 1:1 ratio of conserved land, ensuring that for every acre developed, an acre of grassland is permanently protected.

New York has an opportunity to lead by showing that renewable energy and biodiversity conservation can—and must—go hand in hand. The Fort Edward grassland is too important to sacrifice without extraordinary care and protection.

Thank you for your consideration and for safeguarding New York's natural heritage.

#### Response to Comment 189–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 190 – Onalee Lippman

Thank you for taking the time to consider the people, birds and animals that will be impacted by the proposed Fort Edward solar project by Boralex. I am very glad I attended the September 30, 2025, public hearing on this matter at the Durkeetown Baptist Church. I was able to better understand the point of view of the local farmers who are embracing this project in their desperation to hold onto their generational family farms.

My heart goes out to them, but I fear they do not realize that, if this solar project is allowed to move forward, in a decade or so they will be stuck with acres of moot solar panels that cannot be recycled or dismantled in a cost-effective manner as better energy producing technologies like nuclear or something we cannot yet imagine becomes available. They are pinched by extremely high taxes triggered by other corporations who have used them like General Electric fleeing Fort Edward after poisoning the Hudson River that runs through the area, and the Wheelabrator waste burn plant rendering Fort Edward unable to attract young, tax paying homeowners. They are hardworking people who are hanging on to the word of

yet another corporation. We know Boralex can afford to be much more generous to the landholders and preserve far more of this critical habitat in a designated Audubon Important Bird Area and New York State Grassland Bird Conservation Center. Just the fact that they are only offering to preserve the bare minimum of land required by law, tells us how they intend to operate going forward. They say they will plant some pollinators, but they do not promise to water the new plantings in our 90+ degree summers.

Renewable energy is critical for our collective future. However, considering the immense and unique ecological value of the Fort Edward grassland, I urge you to require that Boralex provide extraordinary mitigation efforts on at least an acre-for-acre basis if this industrial habitat stealing project is allowed to move forward in this delicate ecosystem. Boralex could install this project on closed landfills, along the I-87 median or on factory rooftops, but they chose the one place on the east coast of North America where the Short-eared Owl can hunt because it's convenient to their U.S.A. corporate headquarters in Hudson Falls and the open land that requires minimal prep before installation – i.e. more money for Boralex, less quality of life for all the residents of this area whether they be wearing clothing, feathers or fur.

I have had the privilege of watching how the Short-eared Owl hunts over this land, flying low and slow. The experience makes it obvious that they will not be able to see mice and voles under solar panels. It is so wrong to install this solar project in this particular area. It's the height of human folly and corporate greed.

However, you have the decision making power to mitigate the worst of Boralex's damaging impact on this priceless grassland in upstate New York. I implore you to use your power to require that Boralex greatly increase the number of acres it is required to preserve as open space and that they must (1) work with the experts at the Grassland Bird Trust and NYSDEC who are best able to inform what acreage in this area will have the least impact on the creatures that rely on these open grasslands. If you allow this project to install in this area at all, please require that Boralex (2) replace the native flora and fauna that they damage with native pollinator plants and grasses that they must maintain for several years until the new plantings are established.

Thank you in advance for considering the ecological significance of the Fort Edward grassland and New York's declining bird populations in your decision making process for this solar project.

### Response to Comment 190 –

The Applicant thanks you for participating in both the in-person Public Comment Hearing and providing your comments to the DMM.

The Applicant recognizes the difficult economic realities facing many local farmers and landowners. As noted in Exhibit 15: Agricultural Resources, the project has been designed to allow participating landowners to retain ownership of their land while generating stable income through lease agreements. This can provide critical financial support to help preserve family farms that might otherwise be lost to development or abandonment.

The Applicant also understands the concern that solar development may represent a short-term solution with long-term consequences. To address this, a comprehensive Decommissioning and Site Restoration Plan (Exhibit 23: Site Restoration and Decommissioning) has been submitted, which includes financial

assurances to ensure that all project components will be responsibly removed and the land restored at the end of the project's operational life.

The Applicant considered alternative siting options, including previously developed lands, as outlined in Exhibit 3: Location of Facilities and Surrounding Land Use. Rooftop solar and brownfield development are important components of New York's broader clean energy strategy, but utility-scale solar projects require large, contiguous parcels of land with suitable topography, solar exposure, and proximity to electrical infrastructure. The Fort Edward site was selected based on landowner willingness, existing agricultural use, and access to interconnection, which minimizes the need for new infrastructure and reduces environmental disturbance. The project aims to preserve the agricultural character of the area while providing landowners with a sustainable income stream that can help prevent conversion to residential or commercial development, which often results in permanent habitat loss.

While no energy solution is impact-free, the Fort Edward Solar Project is designed to contribute to New York's clean energy goals, reduce greenhouse gas emissions, and support long-term environmental resilience, as outlined in Exhibit 17: Consistency with Energy Planning Objectives.

#### Comment 191 – Onalee Lippman

Thank you for taking the time to consider the people, birds and animals that will be impacted by the proposed Fort Edward solar project by Boralex. Since this area is a designated NYS Grassland Bird Conservation Center and Audubon Important Bird Area, it makes zero quality of life sense to install this industrial project in this particular location. If corporate greed must prevail in the name of renewal energy, please use your immense decision-making power to mitigate the worst of Boralex's damaging impact on this priceless grassland in upstate New York. I implore you to use your power to require that Boralex greatly increase the number of acres it is required to preserve as open space and that they must (1) work with the experts at the Grassland Bird Trust and NYSDEC who are best able to inform what acreage in this area will have the least impact on the creatures that rely on these open grasslands, and (2) replace the native flora and fauna that they damage with native pollinator plants and grasses that they must maintain for several years until the new plantings are established.

Boralex could install this project on closed landfills, along the I-87 median or on factory rooftops, but they chose the one place on the east coast of North America where the Short-eared Owl can hunt because it's convenient to their U.S.A. corporate headquarters in Hudson Falls and the open land that requires minimal prep before installation – i.e. more money for Boralex, less quality of life for all the residents of this area whether they be wearing clothing, feathers or fur.

I am very glad I attended the September 30, 2025, public hearing on this matter at the Durkeetown Baptist Church. I was able to better understand the point of view of the local farmers who are embracing this project in their desperation to hold onto their generational family farms. They are bearing the burden of very high taxes due to other corporations who have left Fort Edward after making big promises. If this project is installed, they will be left with abandoned solar panels that are impossible to recycling in a cost-effective way while more priceless habitat is turned into human wasteland. The prospect of a little money now to pay the taxes on previous corporate greed is intoxicating.

Thank you in advance for considering the ecological significance of the Fort Edward grassland and New York's declining bird populations in your decision making process for this solar project.

#### Response to Comment 191 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket. Additionally, the Applicant has developed an approved Decommissioning and Restoration Plan that ensures Facility components are removed, and the land is restored accordingly.

#### Comment 192 – Gary Gutterman

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 192 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 193 – Lee Davis

I am writing to urge the PSC to acknowledge and adhere to pre-existing New York State policy that protects grassland birds and their disappearing habitat. Indeed, this site surrounds NYS DEC's pre-existing Wildlife Management Area (WMA) which was established and is maintained specifically as part of this policy.

It is important to protect as much of grassland bird habitat as possible since grasslands are disappearing at a rate faster than any other geographic feature and grassland birds are disappearing at an alarming rate for this reason. Grassland birds require more than just any "open space". The subject site, together with the DEC WMA and the Grassland Bird Trust ("GBT") properties contain the unique landscape features and plants critical to the birds' nesting and food requirements. That is why this area has been designated as an Audubon "Important Bird Area" and is part of a "National Heritage Raptor Winter Concentration Area." Solar plants disrupt and obliterate the unique features necessary for grassland birds.

New York State has an established, pre-existing policy to protect grassland birds and has backed this policy by establishing a WMA contiguous to the subject property. Destroying critical, vanishing grassland bird habitat is in contravention to this declared policy. For these reasons, the application should be denied and the project relocated to a site more suitable for industrial development. If the PSC does issue the applicant a permit, said permit should contain sufficient offsetting conditions to permanently provide meaningful grassland bird habitat. The amount of acreage conserved should be equal to or greater than the amount of critical habitat being destroyed by the solar plant. This acreage should also be located within the immediate area of the existing DEC and GBT properties. The GBT should be involved in both selecting the offsetting property and managing that property thereafter.

Respectfully,

Lee Davis

#### Response to Comment 193 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 194– Todd Scheuermann

I write to comment on the proposed Fort Edward Solar Project by Boralex.

The proposed facility would be located in an area inappropriate for a large scale solar farm.

The Audubon Society has designated the area as an Important Bird Area, and the State of New York has designated the area as a Grassland Bird Conservation Center to protect endangered and at-risk grassland birds, which have declined by more than 50 percent since 1970.

The Boralex proposal will surround 478 acres of lands already acquired by the Department of Environmental Conservation to begin to protect this habitat that is highly favorable for grassland species that require the habitat found in Fort Edward for summer nesting and winter roosting. The proposed solar facility would impact 527 acres.

Should this facility be allowed to proceed, it is imperative that Boralex be required to take meaningful action to respect the unique location and respect the State of New York's designation of the area as a conservation priority.

At minimum, Boralex should be required to fund the conservation of acreage equivalent to the acreage impacted; that is, 527 acres. Such conserved lands should also be in the immediate project area, not elsewhere in the State, to support the State's effort to establish a Conservation Center in Fort Edward.



Finally, Boralex should be encouraged to work closely with the Grassland Bird Trust, which has developed extensive knowledge of the Fort Edward Grasslands during its' 15 year effort to protect the Important Bird Area.

Thank you for the opportunity to comment.

#### Response to Comment 194 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 195– Jennifer Inman

Dear Office of Renewable Energy Siting and Administrative Law Judges,

Thank you for the opportunity share my thoughts on the Fort Edward Solar project. While I acknowledge the critical importance of renewable energy, I have deep concerns about the proposed location for this 1,800+ acre commercial solar facility. The issue is the impact on the local grassland bird population. These superior grasslands are home to some of New York State's rarest bird species, including Short-eared Owls, Northern Harriers, Eastern Meadowlarks and Bobolinks, making them a critical part of the state's bird habitat.

Grassland birds are seriously endangered in New York and their numbers have dropped by over 50% since 1970. This site is super important for them; it's a Grassland Bird Conservation Center, an Audubon Important Bird Area, and a Natural Heritage Raptor Winter Concentration Area, plus it's right next to a NYS DEC Wildlife Management Area. This project just doesn't align with the 2008 NYS policy to protect these birds.

To make things right, the developer must permanently set aside enough land to compensate for the expected habitat loss (about 527 mostly contiguous acres) within this Important Bird Area, not in some other less beneficial location. It is also crucial for them to partner closely with the Grassland Bird Trust to develop a plan to manage that land specifically for these birds.

There are many dimensions to sustainability and environmental stewardship. It's not a simple matter. I urge you to take the necessary steps to ensure a great outcome for clean energy and for our precious wildlife.

#### Response to Comment 195 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 196 – Ryan Treves

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.



The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 196 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 197 – Rosemary Pusateri

I am in favor of solar energy but strongly believe this project is in complete opposition to a New York State policy in place since 2008 to

protect grassland birds and their habitat. In light of this:

¿ The project developer should, at a minimum, be required to mitigate the damage to the birds by permanently conserving as much land as it is covering with solar panels: 527 acres.

¿ All of the conserved land should be located in this Important Bird Area, not somewhere else in New York State. The developer should collaborate with the Grassland Bird Trust to: (1) identify the land that should be permanently conserved; and (2) manage the land for grassland birds.

Thank you for your consideration of these comments.

#### Response to Comment 197 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 198 – John Catherine

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New

York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Your considerations are appreciated.

#### Response to Comment 198 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 199 – DiBernardo

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am a huge advocate of renewable energy. However, I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary

mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Respectfully,

Francine DiBernardo

#### Response to Comment 199–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 200 – Madeline Dreimiller

I am writing with respect to the plan by Fort Edward Solar to build a more than 1,828-acre commercial solar facility site in Fort Edward, New York.

I support renewable energy in New York State, but siting this facility in one of the most environmentally important sites for rapidly vanishing grassland birds is the wrong way to achieve this goal.

• Grassland birds have declined by over 50% in North America since 1970. These birds are at risk of disappearing from New York State altogether in a matter of a few decades.

• This project will cause grave harm to grassland birds, especially endangered and threatened raptors.

This site is in the worst possible place for a large commercial solar facility. This site:

• Is in one of the largest Grassland Bird Conservation Centers (•GBCCs•) in New York State

• Is in the Audubon-designated Important Bird Area

• Is in Natural Heritage Raptor Winter Concentration Area

• Surrounds a 478-acre NYS DEC Wildlife Management Area (•WMA•) which is maintained for grassland birds

This solar project is in complete opposition to a New York State policy in place since 2008 to protect grassland birds and their habitat. In light of this:

• The project developer should, at a minimum, be required to mitigate the damage to the birds by permanently conserving as much land as it is covering with solar panels: 527 acres.

• All of the conserved land should be located in this Important Bird Area, not somewhere else in New York State.

• The developer should work with the Grassland Bird Trust which has worked for over 15 years to protect this Important Bird Area. The developer should collaborate with the Grassland Bird Trust to: (1) identify the land that should be permanently conserved; and (2) manage the land for grassland birds.

Thank you for your consideration of these comments.

#### Response to Comment 200 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 201 – Amanda Bielskas

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 201 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 202 – Lynn Yellen

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

My family visited Fort Edward to bird not to long ago. In addition to being located in an Audubon Important Bird Area (IBA), it was lovely. We scoped out some sandpipers and meadowlarks.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and

adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 202–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 203– Paul Hawk

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 203 –

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 204 – Amy Fahey

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local

towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 204–

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 205 – William Person

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 205 –

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 206 – Travis Phillips

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 206–

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 207– Johnathon Mumblo

The impact of this project on Property Values, Well water quality and availability is a concern that I do not believe has been properly addressed. I request a full evaluation of all aspect be done and reviewed by all affected parties.

#### Response to Comment 207 –

The Applicant would like to thank you for your comment.

While property values are not directly regulated under the Article VIII permitting process, the Applicant has addressed this topic in Exhibit 18 – Socioeconomic Effects. The exhibit references independent studies and peer-reviewed literature that have consistently found no statistically significant evidence that proximity to utility-scale solar facilities negatively impacts residential property values when projects are properly sited and screened. The Applicant has incorporated vegetative buffers and setbacks to minimize visual impacts, which are among the primary concerns associated with property valuation. These measures are detailed in Exhibit 8 – Visual Impacts, Revision 1.

The Applicant recognizes the importance of protecting groundwater resources, particularly for residents who rely on private wells. As outlined in Exhibit 13 – Water Resources and Aquatic Ecology, the project has been designed to avoid impacts to groundwater quality and quantity. The construction and operation of the facility will not involve activities that pose a significant risk to well water, such as deep excavation or the use of hazardous materials. Additionally, the Stormwater Pollution Prevention Plan (SWPPP) (Appendix 13-C) includes best management practices to prevent contamination of surface and groundwater during construction and operation. The Applicant will comply with all applicable state and federal water quality standards and will coordinate with the New York State Department of Environmental Conservation (NYSDEC) to ensure ongoing protection of water resources.

#### Comment 208– Linda Anderson

I urge officials to SERIOUSLY consider the Grassland Trust's position and ensure that the bulk of grasslands can be preserved for the endangered and threatened birds that need this landscape.

There are many more sitings for solar panels than there are locations of grasslands for a diminishing bird population.

Think of habitat as a china plate. Once that plate breaks it's function ceases to exist. Scatter solar panels willy nilly and the birds can not function. They can not survive with the degradation of their habitat.

As was pointed out at the hearing, Boralex should be at the table with Grassland Bird Trust. It's crazy, and negligent, to not invite the very people who have the understanding and expertise of the area. Also Boralex has chosen to ignore the advise of GT and has chosen to place their panels in the MOST sensitive areas for the birds. Boralex has proven their bad faith.

PLEASE protect this area...for the birds and for generations to come. Once it's gone...its gone.

Thank you for your time and consideration.

Linda Anderson

#### Response to Comment 208–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 209– Buffalo Hird

I strongly support this project. You can see from the 100s of pages of application work and careful site map that there was (probably an overly thorough) amount of care to make sure this project did not touch even 1% of the wildlife area nearby. Instead it is just converting some agricultural private farm land into solar farm (ha) land. I think this is an amazing project that will reduce our fossil fuel dependence with minimal impact to a sensitive bird area.

As a birder myself i want to remind whoever may read this that there are externalities to everything and that the current fossil fuel + sprawling suburban configuration of this land is contributing to the global killing of billions of birds every year. Pollution as well as outdoor cats are by far the biggest danger to our sensitive species and just because CO2, natural gas, and car exhaust is invisible doesn't mean it isn't having a very visible and catastrophic impact to our ecosystems

#### Response to Comment 209 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 210– Lawrence Williams

As a former power generation engineer and as a NY state resident, I am strongly opposed to large solar farms, especially when it destroys farm land and the natural environment. My experience is that no matter what power companies do, the government will interfere at some point. This rush to promote and build solar farms is based more upon a fake climate control situation and the chance for a few people to make some money and probably provide some kick backs to government officials that will promote this for their personal gain. The actual gain to provide more power to the grid is negligible compared to steam power using clean methods of coal or natural gas. I saw coal fired plants cleaned up with the use of scrubbers, etc. in the 1970's but still people and governments are opposed to it. I will agree that natural gas is much cleaner. My preference from my engineering knowledge would be to have nuclear powered plants and natural gas plants. It takes too many solar panels to even provide a fraction of what they can do. Solar panels to achieve the same results requires too much loss of farm land. I get that some farm land owners want to make a quick buck for retirement after decades of struggling to make a living in farming, but they are selling out their communities and future farmers for personal gain. I foresee that there will be a time in the near future when solar and wind power, as well as some more conventional means of producing power, will likely become obsolete as Tesla energy (or similar) patents are released. If and when that occurs where are all the obsolete solar panels and wind blades going to be piled? In the meantime, none of this solar fiasco seems to be providing any financial relief for the power users. I believe solar is sensible for providing limited power to homes and some businesses but see it as not practical for the NYS grid. This project should at a minimum be delayed another year and preferably be canceled.



#### Response to Comment 210–

The Applicant acknowledges and appreciates the perspective shared by the commenter, particularly given their professional background in power generation and their long-standing residency in New York State. The Applicant understands the importance of preserving farmland and rural character. The project has been carefully sited to minimize impacts on prime agricultural soils and to avoid areas of high ecological sensitivity. As detailed in Exhibit 15: Agricultural Resources and Exhibit 11: Terrestrial Ecology, the project footprint was designed in consultation with the New York State Department of Agriculture and Markets and includes measures to allow for future agricultural use post-decommissioning.

While the commenter expresses skepticism about the contribution of solar energy to the grid, Exhibit 2: Overview and Public Involvement demonstrate that the Fort Edward Solar Project will provide up to 100 megawatts of clean, renewable energy—enough to power approximately 20,000 homes annually. This aligns with New York State’s Climate Leadership and Community Protection Act (CLCPA) goals and contributes to grid diversification and resilience. The Applicant notes the commenter’s preference for nuclear and natural gas generation. However, the Fort Edward Solar Project is part of a broader statewide strategy to reduce greenhouse gas emissions and transition to renewable energy sources. While traditional generation methods remain part of the energy mix, solar energy offers a low-impact, emissions-free alternative that complements other sources.

The Applicant is committed to transparency and compliance with all regulatory requirements under the Office of Renewable Energy Siting (ORES). The permitting process is rigorous, publicly accessible, and includes multiple opportunities for public input. Exhibit 2, Revision 1: Overview and Public Involvement outlines the Applicant’s engagement with local stakeholders and efforts to ensure community awareness and participation. The current application reflects years of planning, stakeholder engagement, and compliance with state regulations designed to ensure responsible development.

#### Comment 211– David Bayne

I have been interested in birds all my life and have participated in bird studies in Oregon, Georgia and California. The Grassland Bird Trust is important to my area and New York State, because the grasslands are unique. As a result there are birds to be found there that I and many of my friends have never seen before. In particular the short-eared owls. The Boralex panels block the owls and the harriers etc access to the prey that they need, but we humans also need the solar panels for electricity. Boralex should be required to supply an acre of grassland for each acre of solar panels. For 530 acres of their panels, they should provide the owls and the harriers 530 acres of continuous grasslands for their survival. Boralex should be required to pay fair market price to local farmers for this land creating a win-win solution. This seems fair and reasonable to the land owners, the electricity consumers and to the birds that enrich our lives. Boralex I'm sure realizes that their future profits depend on investments made now. They can afford it. Please make them do the fair exchange.

I attended the recent public hearing and I applaud New York State for listening to the citizens and providing a free and open forum for all to express their views. I was amazed at what some of the people had to say especially the younger people. I'm sure you recognize the importance of citizen feedback and that only

the "ugly" government can gather everybody's reaction. You are doing a good job for us as citizens -- now please extend that courtesy to others.

Protect our owls! Protect our birds! Protect our planet!

#### Response to Comment 211–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 212– Regina Keenan

I have already submitted comments, but after attending the hearing I wish to amend them. I ask for at least a 1:1 mitigation ratio, and for Grassland Birds Trust to be involved as an interested party to the permit process.

The Grassland Bird Trust has been managing the area for fifteen years to encourage its use by threatened grassland birds.

Boralex chose to develop this specific site fully knowing this. The project is of a significant size, which means great impact.

Boralex ignored the input that it sought from Grassland Bird Trust biologists, and selected for development the most critical areas that are adjacent to other managed habitat beneficial to the birds. Birds need contiguous land.

Both these actions indicate disregard for both the threatened birds, and for New York state's resources. The current permit with a minimum one-fifth mitigation ratio ignores New York and reflects one priority: Boralex profit.

We need solar energy. But the specific siting of this solar project is disastrous, as the threat to this bird population is very real. Boralex's choice and actions undermine New York's commitment to its environmental future.

Given the wildlife under threat in this particular project, the minimum mitigation ratio is totally insufficient to offset the grave harm done. There must be at least a 1:1 mitigation ratio. This requirement would also benefit the local farmers and community.

These birds, and the many benefits they provide to New York's ecology, have declined greatly from habitat loss. The birds have no voice.

The latter part of my public health career involved community outreach about PCB contamination in Hudson River fish. Fort Edwards's GE plant was the source. GE is long gone from the area. After an extremely expensive remediation, forty miles away in Troy, striped bass are still not safe for consumption. Ecological disasters can rarely be undone, so prevention is the reasonable course.

Through requiring at least a 1:1 mitigation ratio, the Department of Public Service can act in the interests of wildlife and all New Yorkers to reduce the impact of this badly sited project.

Grassland Bird Trust must be allowed input as an interested party to ensure New York State natural resources are represented.

I implore the Department of Public Service to act in New York State's, and not solely the Boralex corporation's interest.

I appreciate your time in consideration of my comments.

#### Response to Comment 212–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 213– Nicholas Barton

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 213 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 214 – Sarah Cripps DVM

Boralex needs to place their solar project anywhere but in the middle of a grasslands wildlife management area.

My suggestion is to place such a project over inactive landfill sites, of which there are hundreds in NY state. The astounding and utter disregard for wildlife by this project is baffling. Please order this company to secure an alternative site for their project. Also concerning is their goal of 25-30 years of time for this project because after that amount of time, the panels will no longer be productive. Is there a plan for these end of life panels in 25-30 years? Will they be abandoned at the site?

Alarming, the US Department of Energy's quarterly solar report states that by 2030, the United States is expected to have as much as one million total tons of solar panel waste.

By 2050, the US is expected to have the second largest number of end-of-life panels in the world, with as many as 10 million total tons of panels. The technology for repair, recycle, reduce, and re-use of these panels is not yet developed. Again--not where the grasslands birds dwell. Please help preserve the wildlife and our planet. Future generations will thank you.

#### Response to Comment 214–

The Applicant would like to thank you for your comment.

The Applicant understands the importance of preserving arable land and minimizing impacts on ecologically sensitive areas. The site selection process for the Fort Edward Solar Project involved a comprehensive evaluation of multiple factors, including proximity to existing electrical infrastructure, land availability, environmental constraints, and landowner interest. These criteria are detailed in Exhibit 3: Location of Facilities and Surrounding Land Use and Exhibit 4 : Real Property.

While the Applicant acknowledges the potential of alternative siting options such as rooftops, parking lots, and brownfields, these locations often present significant logistical, regulatory, and economic challenges that limit their feasibility for projects of this scale. Nonetheless, the Applicant supports a diversified approach to renewable energy deployment and recognizes the value of distributed generation.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket for avian concerns.

#### Comment 215 – Cooper Sidoti

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 215–

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 216– Matthew Roos

I am writing to provide a comment for the proposed plan to build a commercial solar facility in Fort Edward, New York. I am a frequent visitor to the Washington County Grasslands for wildlife viewing, and my family has lived in and around Fort Edward for three generations.

Grassland bird populations have declined by 50% in North America since 1970 primarily due to loss of habitat. The Washington County Grasslands are one of the last remaining refuges in New York for multiple at-risk grassland bird species, including short-eared owls (State-listed Endangered) and Northern harriers (State-listed Threatened), which are likely to be extirpated if the small amount of remaining grassland habitat is destroyed or degraded. The proposed project will destroy or greatly degrade the habitat within its boundaries, and heavily impact the NYSDEC-protected Wildlife Management Area that it completely surrounds by fragmenting or eliminating the neighboring grasslands.

The proposed mitigation does not adequately account for the impact to ecological resources that the project is causing. The 527 acres of solar panels would be placed in the core of an Audubon Important Bird Area that is critical for imperiled grassland birds and would result in a complete loss of that habitat area. In addition, the fragmentation and movement barriers caused by the construction of roadways and fencing across the rest of the 1,828 acre project will degrade the quality of usable habitat and increase the likelihood that migrating grassland birds will not return.

Renewable energy in New York State will be critical for minimizing climate change and preparing our infrastructure for the future, but the proposed solar project represents a very poor implementation of that necessity. Placing such a large solar facility without sufficient mitigation in a location that has been identified as a rare and important wildlife habitat by numerous government agencies and NGOs would be a deeply irresponsible action.

At minimum, impact mitigation for the project should conserve an equivalent area of habitat to that which would be destroyed by solar panel coverage (527 acres). The conserved land should be within the Washington County Grasslands Important Bird Area, as the use of a non-local mitigation bank would not protect the local ecological resources that would be destroyed by the proposed project. The area to be protected should be identified and managed in partnership with the local organizations that work to conserve the existing protected land, such as the Grassland Bird Trust.

Thank you for your consideration of this comment.

#### Response to Comment 216 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 217– Andrew Mason

NY State Department of Public Service

Oct. 1, 2025

I am writing on behalf of our organization regarding application of Fort Edward Solar, LLC for a Major Renewable Energy Facility Siting Permit. The NY State Ornithological Assoc. is the umbrella group for over 30 bird clubs and Audubon Chapters in the state, plus over 400 individual members.

This proposed project will negatively impact perhaps the most at risk group of birds in NY State and regionally. Grassland bird species have suffered significant and ongoing population declines, primarily due to loss of habitat. The Fort Edward area is one of the few remaining areas in New York providing the large scale grassland habitat that at risk species such as Henslow's Sparrow, Short-eared Owl, Northern Harrier and Eastern Meadowlark require to survive.

The importance of these grasslands have been recognized by designations from the NY State Department of Environmental Conservation, the National Audubon Soc., and the NY State Natural Heritage Program. The close proximity of this 500 plus acre project will remove important buffer and potential feeding and wintering habitat for these at risk birds and is contrary to state policy to maintain areas critical to protect them.

Any efforts for mitigation of the loss of this large area is not ideal, but should at a minimum be on a one-to-one basis and should protect lands within the designated Important Bird Area in order to maximize the benefit to grassland birds. Using remote lands for such mitigation is unacceptable.

We urge that any permit for this project include full and adequate consideration of its impact on grassland birds, and that any mitigation requirement provide full acreage with suitable habitat to the existing protected areas at this location.

Sincerely,

Andrew Mason

Conservation Chair

NY State Ornithological Assoc., Inc.

#### Response to Comment 217 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 218– Russell Comeau

RE: Matter 23-03023 FORT EDWARDS SOLAR, LLC application

Dear Office of Renewable Energy Siting and Administrative Law Judges,

On behalf of the South Shore Audubon Society of Freeport, NY, I am writing to express deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and these already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Sincerely,

Russ Comeau

President, South Shore Audubon Society

PO BOX 31 | Freeport, NY 11520

PS: South Shore Audubon is an environmental conservation organization, a nonprofit, all-volunteer chapter of the National Audubon Society, and a member of the Audubon Council of New York State. SSAS's territory covers central and southern Nassau County. The mission of the SSAS is to promote environmental education; conduct research pertaining to local bird populations, wildlife, and habitat; and to preserve and restore our environment, through responsible activism, for the benefit of both people and wildlife.

#### Response to Comment 218–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 219– Gary Flansburg

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 219–

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 220 – Carol Quantock

Allowing the Boralex Solar Project to continue as planned will destroy habitat for the grassland birds and the food upon which they subsist during the year. These birds include Northern Harriers, Short-eared Owls, Eastern Bluebirds, Snow Buntings, Horned Larks, Eastern Meadowlarks, Bobolinks, and others. All of these

birds are experiencing loss of habitat in their respective migration areas, and to decrease the Fort Edward Grasslands to only two hundred acres will only accelerate the rate of decline for these species, most of which have declined by over 50%.

Please ensure that Boralex work with the Grassland Bird Trust to conserve an area of at least 527 acres within the Important Bird Area of the Fort Edward Grasslands to mitigate the damage that will be done to these birds and their habitat.

#### Response to Comment 220 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 221– Christine Roos

I am against the proposed plan to build a commercial solar facility in Fort Edward, New York. I grew up in the Fort Edward area and have visited the Washington County Grasslands with my children many times for wildlife viewing each winter. I am in favor of renewable energy but it should not come at the cost of local sensitive bird species.

Grassland birds are the most threatened category of birds in the United States due to decrease in habitat from land development. They have declined by 50% since 1970 in North America. In New York, the Washington County Grasslands represents one of the very few locations that still retains suitable grassland habitat as an Audubon Important Bird Area.

It is completely irresponsible to select this location to construct a solar facility because grassland birds require expansive, unbroken territory, and the proposed plan will consume too many acres and fragment that territory, greatly decreasing the likelihood that grassland birds such as Short-eared Owls (Endangered in NY), Northern Harriers (Threatened in NY) will ever return.

The proposed mitigation is not proportional to the negative ecological impact the project will cause. 527 acres of solar panels will fragment and cause a complete loss of the habitat for imperiled grassland birds. At the very least, the project's impact mitigation should conserve the same amount of habitat that would be destroyed (527 acres). This land must be within the Washington County Grasslands Important Bird Area, otherwise it will not be conserving the species it has impacted. The area to be protected should be researched and managed in partnership with local conservation organizations such as the Grassland Bird Trust.

Thank you.

#### Response to Comment 221–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 222 – Dave Topino

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these



create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 222–

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 223– Michelle Geiger

I advocate for a minimum 1:1 mitigation ratio to compensate for any bird habitat loss. Boralex must adopt stronger grassland conservation measures – ensuring that clean energy development moves forward without sacrificing New York's invaluable bird populations.

#### Response to Comment 223–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 224 – Anne Dillenbeck

To the NYS Office of Renewable Energy Siting, and Judges Dawn MacKillop-Soller and Henry Joseph, I am writing as a concerned citizen, a birder, and an environmentalist. I am also a member of the Environmental Conservation Committee of Clifton Park, where I live, and we have dealt with the community and environmental impacts of solar development being sited where it is not wanted or desired by the residents of our town. Nobody wants this kind of development on pristine land that has wildlife value, neither where I live, nor an hour north where rare grassland birds make their home. New York State must rethink its strategy of siting this type of project on our rural land. There is a backlash happening and these types of projects are losing political support across the spectrum of voters.

With respect to the plan by Fort Edward Solar to build a more than 1,828-acre commercial solar facility site in Fort Edward, New York. I support renewable energy in New York State. I own a PV system at my own home. But siting this facility in one of the most environmentally important sites for rapidly vanishing grassland birds is the wrong way to achieve the renewable energy goals of NYS. We cannot attempt to achieve our economic and energy goals at the expense of the natural world around us. Our well-being and that of the wild world are inseparable. Grassland birds have declined by over 50% in North America since 1970. These birds are at risk of disappearing from New York State altogether in a matter of a few decades. This project will cause grave harm to grassland birds, especially endangered and threatened raptors.

This site is in the worst possible place for a large commercial solar facility. This site:

- Is in one of the largest Grassland Bird Conservation Centers (GBCCs) in New York State

¿ Is in the Audubon-designated Important Bird Area  
¿ Is in Natural Heritage Raptor Winter Concentration Area  
¿ SURRUNDs a 478-acre NYS DEC Wildlife Management Area (¿WMA¿) which is maintained for grassland birds  
¿ This solar project is in complete opposition to a New York State policy in place since 2008 to protect grassland birds and their habitat.  
Considering these facts:  
¿ The project developer should, at a minimum, be required to mitigate the damage to the birds by permanently conserving as much land as it is covering with solar panels: 527 acres.  
¿ All of the conserved land should be located in this Important Bird Area, not somewhere else in New York State.  
¿ The developer should work WITH the Grassland Bird Trust which has worked for over 15 years to protect this Important Bird Area and (1) identify the land that should be permanently conserved; and (2) manage the land for grassland birds.  
Thank you for your consideration of these comments.  
Anne Dillenbeck

#### Response to Comment 224 –

The Applicant would like to thank you for your comment.  
Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 225– Carli Courville

I have always enjoyed visiting these grasslands and seeing it as a sanctuary for endangered birds. Renewable energy is important, but not at the cost of losing already rapidly declining habitat. Please consider moving the solar panels to a different location like a dump or tops of buildings, upping the acreage that is being given back to the wildlife, and/or allowing the grassland bird trust to weigh in on the plans and come up with something that works for everyone. Adding those panels in the middle of a niche habitat will cause fragmentation. Birds will no longer be able to hunt or nest there. The birds that return to that area every year would stop coming back and it would change the ecosystem entirely. This would lead to imbalances between predator and prey relationships, as well as further endanger almost extinct species, like the short eared owl. Please reconsider this permit.

#### Response to Comment 225–

The Applicant would like to thank you for your comment.

The Applicant understands the importance of preserving arable land and minimizing impacts on ecologically sensitive areas. The site selection process for the Fort Edward Solar Project involved a comprehensive evaluation of multiple factors, including proximity to existing electrical infrastructure, land availability, environmental constraints, and landowner interest. These criteria are detailed in Exhibit 3: Location of Facilities and Surrounding Land Use and Exhibit 4: Real Property.

While the Applicant acknowledges the potential of alternative siting options such as rooftops, parking lots, and brownfields, these locations often present significant logistical, regulatory, and economic challenges that limit their feasibility for projects of this scale. Nonetheless, the Applicant supports a diversified approach to renewable energy deployment and recognizes the value of distributed generation.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket for avian concerns.

#### Comment 226– Elizabeth Quandt

I am writing to express my concerns with Fort Edward Solar's plan to install a more than 1,828 acre solar facility in Fort Edward, NY. While I support the growth of renewable energy, I am deeply concerned with the solar company's plan to build on land owned and stewarded by the Grassland Bird Trust. This project poses a significant threat to a dwindling habitat and the species of bird that rely upon it. The adoption of renewable energy should not be to the detriment of crucial ecosystems.

This project is currently planned to run right through the heart of an Audubon designated Important Bird Area. As someone who has visited Fort Edward often and experienced the beauty of the land, and the birds that rely upon it, I am greatly disheartened to see that it is not being taken into more consideration. The developer of this project should work closely with the Grassland Bird Trust to formulate plans for this project that allows the land to remain protected, and at minimum be required to mitigate the damage by conserving as much land as it is using for solar panels.

It would be a devastating loss if this plan is approved as it currently stands. I urge you to reconsider this plan and require Fort Edward Solar to reapproach this project in a way that mitigates the harm caused to the land and wildlife.

Thank you.

#### Response to Comment 226–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 227 – Linda Pistolessi

I am opposed to the proposed Fort Edward Solar project. We need to stop thinking of grasslands as something we need to turn into a profit. Grassland birds are and have been declining for years due to habitat loss. Natural grasslands were converted to farms, then the farmland to housing developments. The site of this proposed project is a large area of continuous grasslands that supports several threatened bird species and is designated an Important Bird Area (IBA). I urge the rejection of the siting permit. I support renewables but not at the cost of wild spaces for wildlife.

#### Response to Comment 227–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 228– Brenda Long

I am Brenda Long, a 30 year resident of Blackhouse Road, Fort Edward. I am expressing my support for the Fort Edward Solar Project. I do understand the concerns of all parties with growing concern with the project. I signed up early on in 2019. But I did it with the approach that my husband and I were coming to a place in our lives that we realized we had to discontinue the areas of farming we have done for the past 25 years. We own 101 acres and we have always maintained a portion of our land as wild grassland and forest area. As well as the fields dedicated to hay and a portion for grazing. Our commitment to the solar project is only 18 of our 101 acres. We did that to continue to maintain our wild grass area, our springs, pond and woodland and still keep a portion for haying and grazing. I can not speak for other land owners. But I have also looked at this from a balanced viewpoint. Having a concern for the highly taxed and continually overloaded grid. I feel solar is only an option to help the overloaded grid, not a stand alone solution. Boralex has been considerate of my concerns and they are a company who has been in the area for a number of years with their Hydro dam in Hudson Falls/SGF river area. As well as other areas. I feel confident in their business practices. The birds will still come by God's design, and we trust in that, in our land I see many of them but I protect them by respecting them and not allowing the people to treat my land as a viewing park. The owls were coming for a number of years and I was documenting their presence back in 1998. But when it became public knowledge the bird watchers came in droves and violated the privacy of our land. This did not set right with us.

The owls are still here, the birds still come and any reduction in numbers has nothing to do with whether there are solar panels or not. But with other problems with our environment.

Brenda Lee Long

Windy Ridge

#### Response to Comment 228 –

The Applicant is grateful for the trust and acknowledgment of their efforts to listen and respond to landowner concerns. The Applicant remains committed to working collaboratively with landowners, community members, and regulatory agencies to ensure this project is developed responsibly and respectfully.

The Applicant additionally appreciates the commentor's balanced approach to both environmental conservation and renewable energy development.

#### Comment 229– Anthony Crisorio

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 229–

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 230– Gary Ero

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 230–

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 231– Ellen Fishman

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 231–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 232– Lewis Grove

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area (IBA), NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

ABC has long supported photovoltaic solar energy projects as a source of clean, local energy to help communities transition into a clean energy future. Of the more than 8,000 such projects in America, this is one of the most harmful to birds and one of only a few over which ABC has ever expressed concerns. We urge ORES and the developer firstly not to place panels in or among the IBA whatsoever. Any impacted acreage in these areas should be mitigated at the 1:1 ratio at least; we strongly encourage 10:1 for species as sensitive as those involved. We further urge all parties to work closely with local grassland bird experts from the Grassland Bird Trust on any and all mitigation.

A solar project in this area, done with sufficient mitigation, could be an example of utility solar energy development done correctly while sufficiently balancing biodiversity conservation. Without sufficient mitigation, it will be an example of solar energy development done poorly and a reason for future caution of solar energy projects among bird conservationists.

Thank you for your concern on this matter,

Lewis

### Response to Comment 232–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

### Comment 233 – Terry Griffin

Dear Office of Renewable Energy Siting and Administrative Law Judges,

As Board Chair of Grassland Bird Trust, I urge you to recognize that the Fort Edward grasslands are an exceptional ecological resource that warrants more than a standard, “business-as-usual” mitigation approach. The site selected for the Fort Edward Solar (FES) Project sits in the center of a uniquely sensitive habitat, acknowledged by multiple authoritative sources, including:

• NYSDEC: Washington County Grassland Bird Conservation Center (GBCC)

• Audubon: Fort Edward Grassland Important Bird Area (IBA)

• New York Natural Heritage Program (NYNHP): Raptor Winter Concentration Area

• NYSDEC Environmental Resource Mapper: Area designated for the presence of “Rare Plants or Animals”

Additionally, the project site surrounds the NYSDEC Washington County Grasslands Wildlife Management Area (WMA), an anchor field in the GBCC

I fully support New York State’s ambitious transition to renewable energy. Climate change is a serious threat to birds and their habitats, and renewable energy is a vital part of the solution. However, it is deeply concerning that a site of such ecological importance was chosen for this project. Proceeding without thoughtful mitigation—without striving to “have it all”—is a missed opportunity and a disservice to the area’s biodiversity.

There is a clear and achievable path forward: permanently protect a significant block of grassland habitat within the Fort Edward IBA that matches the acreage impacted by the FES Project, i.e., 567 acres. This would ensure that habitat loss is offset in a meaningful and lasting way. The cost of permanently protecting 567 acres of valuable grassland habitat is modest compared to the ecological value at stake.

Fort Edward is fortunate to host one of the last remaining grassland ecosystems in the state—habitat that grassland birds rely on for both breeding and overwintering. Undermining its viability would be catastrophic for these species.

Thank you for considering a solution that reflects the ecological significance of this site and the urgency of protecting it.

Respectfully,

Terry Griffin

Grassland Bird Trust, Chair

### Response to Comment 233 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

### Comment 234 – Wallace Paprocki

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I realize that what Boralex is doing is beneficial to the natural environment but so also is Grasslands Bird Trust and the sanctuary the organization has provided for the birds in Fort Edward. Please search for compromises which will allow the survival and success of both enterprises.

Sincerely,

Wallace Paprocki

#### Response to Comment 234 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 235 – Katherine Roome

Dear Office of Renewable Energy Siting and Administrative Law Judges:

I am writing on behalf of the Grassland Bird Trust, Inc. (GBT) in the capacity of a Board member and co-author of the Aviation Impact and Mitigation Assessment in this proceeding.

The site selected for the Fort Edward Solar (FES) Project (the Project) is in the DEC designated Washington County Grassland Bird Conservation Center (GBCC), one of the largest remaining grasslands in New York State, and the largest in Eastern New York. This is the closest grassland to the over 20 million people in the New York State metropolitan area apart from much smaller grasslands in the Shawangunk Grassland National Wildlife Refuge in Ulster County.

The site of the Project is located in a uniquely sensitive habitat, acknowledged by multiple authoritative sources:

- Audubon: 13,000-acre Fort Edward Grassland Important Bird Area (IBA)

- New York Natural Heritage Program: Raptor Winter Concentration Area

- NYSDEC Environmental Resource Mapper: Area designated for the presence of Rare Plants or Animals

- NYSDEC: Washington County GBCC

Additionally, the NYSDEC Washington County Grasslands Wildlife Management Area (WMA), the anchor field for the GBCC, is surrounded by the Project.

In addition to the over 500 acres of critical grassland that will be covered with solar panels as a result of the Project, there will be 1,300 acres within the Project site (the Facility Site) that will be used for temporary and permanent elements of the Project, including roads, collector systems and temporary equipment laydowns.

The proposed Net Conservation Benefit Plan (NCBP) submitted by FES is now moot since FES will not be able to use the proposed mitigation land because of two conservation easements held by the Agricultural Stewardship Association (ASA) on that land. (As an aside, it would have been prudent for FES to make a greater effort to communicate with ASA well before the Public Comment Hearing - as was repeatedly suggested by GBT for well over a year prior to the Public Comment Hearing.

As an environmental organization, GBT fully supports New York State's transition to renewable energy. However, FES's proposal to mitigate the damage that will be caused by the Project with the legal minimum of 218 acres is completely inadequate given the environmental significance of the Facility Site.



Accordingly, FES must permanently protect an amount of grassland habitat within the Fort Edward IBA that, at a minimum, matches the acreage covered with solar panels by the FES Project. That is 567 acres. To achieve this goal, GBT is requesting the appointment of a Settlement Administrative Law Judge so that GBT can provide input into a relevant and appropriate NCBP.

GBT is simply seeking a site-specific permit condition to address the unique conditions at issue. Otherwise, ORES and FES will be the only ones in the room developing a new NCBP. In that case, the new NCBP will not be informed by GBT's expertise and 15 years of experience protecting the Washington County IBA. To exclude GBT from this process would clearly thwart a New York State strategy established in 2008 by the New York State Department of Environmental Conservation to protect rapidly vanishing grassland birds and their habitat.

Thank you for your consideration of these comments.

Respectfully,

Katherine Roome, Attorney at Law (Ret.)

Grassland Bird Trust Board Member

#### **Response to Comment 235 –**

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### **Comment 236 – Chris Koenig**

Please see attached our comment letter on this matter. Thank you.

#### **Response to Comment 236 –**

The Applicant has addressed C.T. Male Associates comments within a subsection of Comment 236 to coincide with the comment number left within C.T. Male Associates received comment letter.

#### **Comment 236-2**

The site plans show a limit of disturbance of 527 acres. The Applicant shall provide plans to control or sequence ground disturbance as the project construction progresses. See SWPPP comments.

#### **Response to 236-2**

The Applicant would like to thank C.T. Male Associates for their thorough review and thoughtful comments regarding the Fort Edward Solar Project. The Applicant appreciate the time and effort dedicated to evaluating the application and providing detailed feedback.

#### **Comment 236-3**

The site plans show grading of about 43 acres for array areas and the substation yard, and grading for access roads. Some sloped areas are proposed to be flattened to accommodate panel arrays. Grading is proposed in delineated wetlands to build panel arrays and access roads. The site plans state there will be a net cut of 11,378 cubic yards. Where is this soil being spoiled?

#### *Response to 236-3*

The Applicant, as detailed in Appendix 13-C Stormwater Pollution Prevent Plan and per the Uniform Standard Conditions set forth in the Draft Siting Permit, has identified methods for proper soil stabilizing methods in wetlands and uplands. The Applicant's EPC Contractor will follow the pre- and post-construction guidelines set forth by New York Agriculture and Markets, New York Department of Conservation, and ORES.

#### *Comment 236-4*

Given the level of disturbance, the Applicant shall demonstrate how they are protecting water quality in the Town, how potential adverse impacts such as erosion and sedimentation will be monitored, reported, and remediated during construction and during operations, and how the construction will be managed over time to reduce the risk of water quality impairment in the Town.

#### *Response to 236-4*

The Applicant has addressed impacts to stormwater in their SWPPP at Appendix 13-C of the Application and Exhibit 13: Water Resources and Aquatic Ecology as part of their application. The standards and best management procedures include, but are not limited to: stabilized construction access, construction road stabilization, protecting vegetation during construction, a temporary construction area, seeding, dust control, silt fence, compost filter sock, soil stabilization, culverts, rock outlet protection, land grading, mulching, topsoiling, erosion control blanket, seeding, level spreaders/energy dissipaters, and a sediment trap/basin, as outlined in Exhibit 5: Design Drawings.

Erosion and sediment control measures shall be inspected to ensure proper performance and winter stabilization function. Repairs should be made as necessary to prevent erosion and sedimentation during thawing or rain events.

#### *Comment 236-5a*

What is the percentage of the total array area that is sited in wetlands?

#### *Response to 236-5a*

The Applicant, per Exhibit 14: Wetlands, has identified NYS mapped wetlands and applied a 100-foot buffer to avoid these sensitive areas. Following field work to delineate potential unmapped wetlands, the Applicant submitted a wetland report to ORES and NYSDEC and received a jurisdictional determination. This determination informed the Applicant's refined design of the solar facility, which carefully avoided Class 2 wetlands. The current Limit of Disturbance (LOD, which represents the land required to facilitate construction and operation, including temporary workspaces) is 527 acres, 229 acres of which are unmapped state-regulated wetlands. The Facility underwent a redesign in Fall 2024, and reduced impacts to wetlands by 144 acres (from 373 to 229 acres), resulting in the total percentage of wetland impacts within the facility site to be 12.5 percent. All impacts will be mitigated by following the conditions of the Draft Permit and the USCs established by ORES.

*Comment 236-5b*

What is the total wetland disturbance and total wetland fill that is proposed?

*Response to 236-5b*

The Applicant, per Exhibit 14: Wetlands, has identified NYS mapped wetlands and applied a 100-foot buffer to avoid these sensitive areas. Following field work to delineate potential unmapped wetlands, the Applicant submitted a wetland report to ORES and NYSDEC and received a jurisdictional determination. This determination informed the Applicant's refined design of the solar facility, which carefully avoided Class 2 wetlands. The current Limit of Disturbance (LOD, which represents the land required to facilitate construction and operation, including temporary workspaces) is 527 acres, 229 acres of which are unmapped state-regulated wetlands. The Facility underwent a redesign in Fall 2024, and reduced impacts to wetlands by 144 acres (from 373 to 229 acres). All impacts will be mitigated by following the conditions of the Draft Permit and the USCs established by ORES.

*Comment 236-5c*

The Applicant shall demonstrate how siting large arrays and other project components in wetlands (including forested wetlands) is done so in a way that is protective to water quality and the environment of the Town.

*Response to 236-5c*

The Applicant demonstrates protection to water quality and the environment of the Town by aligning with ORES standards and complying with applicable policies. The Facility design avoids impacts to Class I and Class 2 state-regulated wetlands, with no tidal wetlands present in the Study Area. Extensive design changes have minimized impacts to unmapped wetlands, and the majority of the Facility is sited on active agricultural land and early successional palustrine emergent wetlands, which have lower ecological functions compared to more sensitive delineated wetlands. Access roads utilize existing roads and farm lanes to minimize new disturbances, and areas of disturbance are confined to the smallest practicable area. Impacts to wetlands are minimized as described in Exhibit 14: Wetlands, and unavoidable impacts are mitigated through restoration and enhancement efforts outlined in the Wetland Restoration and Mitigation Plan in Appendix 14-E. These strategies collectively aim to protect water quality and the environment while accommodating the Facility's infrastructure needs.

*Comment 236-6*

The site plan shows multiple stream crossings with access roads and electrical conduit, as well as natural streams flowing through some of the arrays beneath the panels. The Applicant shall demonstrate how the stream crossings will be minimally impactful to water quality of the Town and meet agency permitting requirements.

#### *Response to 236-6*

The Applicant, per Exhibit 13: Water Resources and Aquatic Ecology, has minimized impacts to aquatic resources through implementing dam and pump and trenchless stream crossings. This is addressed in the SWPPP for Facility construction, included as Revised Appendix 13-C. Following the best management practices outlined in the SWPPP will serve to further reduce direct and indirect impacts to surface waters crossed by the Facility.

Additionally, the Applicant will provide an Inadvertent Return Plan for the two trenchless crossings of a state regulated creek as a compliance filing to ORES prior to construction commencement in accordance with 16 NYCRR § 1100-10.2(f)(5) and § 1100-6.4(p)(10).

#### *Comment 236-7*

ORES has discretion to allow wetland impacts to State-jurisdictional wetlands from large-scale solar farms through 94-C regulations, which the Applicant seems to have gained in draft form. It's likely that the Applicant will also need to obtain Section 404 permits from the U.S. Army Corps of Engineers (USACE) as the project appears to have a Federal nexus. Prior to construction, the Applicant shall provide the Section 404 permits for impacts to Waters of the United States (jurisdictional streams and wetlands). Or the Applicant shall provide an Approved Jurisdictional Determination or No Permit Letter demonstrating that a Section 404 permit is not required.

#### *Response to 236-7*

The Applicant completed wetland field delineations during May 2021, October 2021, November 2021, December 2021, June 2022, and July 2022, and supplemental delineations from November 10 through November 20, 2023, and March 19 through March 20, 2024. The Survey Area included portions of all parcels associated with the Facility Site. Thus, the Facility Site, which is a subset of the project area under initial consideration, has been delineated with an additional 100-foot buffer to meet the ORES requirements for the Study Area (see Revised Figure 14-1). As correctly outlined by the commenter, hydrologic connections between drainage features and wetland and/or stream features are subject to jurisdictional determination by the USACE.

The Applicant has consistently evaluated the Facility layout to minimize impacts to wetlands from Facility components, including access roads and collection lines. The Facility Site, which is a subset of the project area under initial consideration, has been delineated with an additional 100-foot buffer to meet the ORES requirements for the Study Area (see Revised Figure 14-1).

#### *Comment 236-8*

Some panel arrays are shown to encroach into the Federal Emergency Management Agency (FEMA) 100-year floodplain around Dead Creek (Zone A floodplain). The effective FEMA maps are from 1982. Prior to construction, the Applicant shall submit a site-specific flood study and map Base Flood Elevations (BFEs) so the Town can determine if the project meets local flood damage prevention regulations and floodplain

development guidance from the New York State Department of Environmental Conservation (NYSDEC). A Town-issued floodplain development permit will be required in accordance with the Town code.

#### *Response to 236-8*

The Applicant appreciates your engagement and will continue to ensure that all permitting activities align with the applicable requirements of the Town Code. The requirement of a development permit is procedural and superseded by the Article VIII regulations. The Applicant has noted compliance of the substantive provisions of the Flood Damage Prevention Chapter discussed in Exhibit 24: Local Laws and Ordinances, Revision 1.

The Applicant has addressed the flood damage prevention law in Exhibit 24: Local Laws and Ordinances, Revision 1. Although only 11 acres, or 2 percent, of the LOD is in a special flood hazard area (SFHA), there are no Facility components sited within the flood zone. SFHAs are defined by FEMA as an area that will be inundated by the 100-year flood (i.e., a flood that has a 1% chance of being equaled or exceeded in any given year).

#### *Comment 236-9*

The project occupies land close to protected grassland bird habitat and NYSDEC Wildlife Management Area, with similar cover types on the project site. The Applicant shall demonstrate a net conservation benefit to protected or rare species found at the site in accordance with State and Federal regulations. Most of the documents available on this matter are heavily redacted. We defer further comments on impacts to protected birds and their habitats to the Grassland Bird Trust, which is party to this Application, or others with expertise in this matter.

#### *Response to 236-9*

The Applicant remains committed to working closely with state and federal agencies, including the New York State Office of Renewable Energy Siting (ORES), to ensure full compliance with applicable environmental regulations. As part of this commitment, the Applicant will continue to collaborate with ORES officials and other relevant stakeholders to develop a reasonable and effective Net Conservation Benefit Plan (NCBP) that addresses potential impacts to protected and rare species. The proposed NCBP is included as part of the Application as Appendix 12-E.

#### *Comment 236-10*

The project entails 43± acres of tree clearing. Will tree clearing be done in the winter to mitigate potential interactions with protected bat species listed at the site (by USFWS and NYSDEC)?

#### *Response to 236-10*

Per Exhibit 2: Overview and Public Involvement, the Applicant anticipates approximately 22.62 acres of tree clearing will be required to support the construction and operation of Facility components, optimizing construction and design efficiencies.

Although no protected bat species have been identified within the Facility Site, the Applicant will adhere to best management practices for tree clearing in proximity to known maternity roosts or hibernaculum sites. In alignment with environmental protection measures outlined in Exhibit 12: NYS Threatened or Endangered Species, tree clearing within 2.5 miles of such sites would be conducted during the winter hibernation season (November 1 to March 31), except for hazard tree removal necessary to protect human life or property.

Outside of this window (April 1 to October 31), clearing will be limited to trees less than or equal to four (4) inches in diameter at breast height (DBH) or those located above 300 meters in elevation. Furthermore, the Applicant will ensure that forest habitat is not reduced below 35 percent of the land cover within 2.5 miles of any maternity roost or hibernaculum site.

#### *Comment 236-11*

The project is sited in a NYS Agricultural District. How much productive farmland in the Town will be taken out of production by the project? How will impacts to productive farmland be minimized by the site design?

#### *Response to 236-11*

The Applicant notes that within revised Exhibit 15: Agricultural Resources demonstrates that the Facility Site contains 433 acres of Mineral Soils Group (MSG) 4, 0.07 acres of MSG 2 and no presence of MSG 1 and 3 (see Revised Table 15-9-2). Direct impacts from LOD on MSG1-4 is 117 acres. Desktop analysis and planning aided in reducing potential impacts to these resources during the siting and design phases. For example, where existing roadways or driveways are available, the Applicant has incorporated those into the design to limit the number of new access roads which would otherwise disturb additional agricultural soils.

The Applicant has also worked with the landowners to protect agricultural land at the original siting stage in the land option agreements. As outlined in Exhibit 2 – Revision 1: Overview and Public Involvement, approximately 452 acres of agricultural land is protected through the delineation of “exclusion zones” on participating properties; these zones exclude the development of panel array areas so that the land can continued to be used for agricultural use within the Facility Site (see Exhibit 3, Revised Figure 3-1). Within the lands of both actively farmed and containing MSG 2 and 4, permanent impacts of 25.7 acres within the LOD represent 28 percent of the 92.6 acres of active agricultural land within MSG 1 through 4 in the LOD. Since the original Article VIII application, the Applicant has reduced the impacts to active agriculture and MSG 1 through 4 soils by 42% and 25%. Additionally, the Applicant has drafted an Agricultural Plan (Appendix 15-D, Revision 2) to encourage the continued use of agricultural production on the Facility Site.

#### *Comment 236-12*

How will the site be restored to allow for agricultural use in the future and what is the mechanism for ensuring restoration will occur?

#### *Response to 236-12*

Restoration of agricultural land will be performed in accordance with landowner agreements and New York State Department of Agriculture and Markets (NYSDAM) guidelines. Where requested by landowners, the Applicant will leave in place any property improvements, post decommissioning, associated with the Project, including access roads. The Applicant will remove aboveground and underground components to 48 inches below grade in agricultural lands, or 36 inches in non-agricultural lands and will comply with the NYSDAM Guidelines. Decommissioning will include implementation of erosion and sediment control plans, dust control, noise mitigation requirements, traffic management plans, and spill prevention control and containment plans to ensure that environmental impacts are minimized. Former agricultural lands will be returned to their former state where suitable conditions exist.

Decommissioning and restoration activities will be performed as per the requirements of applicable regulations and laws in effect at the time of decommissioning. Routine monitoring will occur at the site to ensure that native vegetation, habitats, and pre-development land is re-established to pre-construction conditions in the areas disturbed during decommissioning. Additional information related to the Decommissioning and Restoration process is located at Appendix 23-A: Decommissioning and Restoration Plan, Revision 1.

#### *Comment 236-13*

Our observation based on area reconnaissance and Applicant submissions is that the project will be visible from publicly accessible vantage points in the Town on CR-46, Cary Road, and Black House Road. We believe the visibility will be largely unmitigated due to the higher elevations of these roads with direct viewsheds down into the project. Notably, the views from the top of Cary Road and CR-46 looking west will be significantly impacted based on our area reconnaissance and photo simulations submitted by the Applicant. We recommend substantial landscaping be provided for all impacted viewsheds where it would be effective at screening.

#### *Response to 236-13*

The Applicant has outlined in Exhibit 8: Visual Impacts, Revision 1, that approximately 2,960 feet of Facility screening will be created in total. Landscape mitigation will provide screening from adjacent residences and through travelers and tourists at VP 22 (CR 46 [Durkeetown Road], 950 feet east of Dead Creek in the Town of Fort Edward). In addition, vegetative screening is proposed along portions of US Route 4, CR 46, and Cary Road. The landscape mitigation plan consists of a double row of mixed deciduous and coniferous trees and shrubs along the Facility property line paralleling this segment of CR 46 to filter views and reduce visual contrast.

#### *Comment 236-14*

Visibility from Route 4 and the Hudson River could be less apparent or more intermittent due to the highway and river being at a lower elevation.

#### *Response to 236-14*

The Applicant appreciates your comment regarding potential visibility from these vantage points. Per the Applicant's submission of Exhibit 8, the Hudson River is generally only visible from areas immediately adjacent to the water's edge due to often dense shoreline vegetation.

Viewshed analysis indicates solar arrays will not be visible from areas in or around the Village of Fort Edward. Similarly, the Facility will not be visible from Old Champlain Canal. One array area may be partially visible from vantage points on the Hudson River south of where Black House Road intersects US Route 4; however, visibility of the low-profile solar panels above intervening scrub vegetation will be difficult to discern from on river, or riverbank vantage points at the distances involved. Revised Appendix 8-A includes the photographic simulations that were created to show the anticipated appearance of the Facility upon completion from a series of representative key observation points (KOPs). Along with the solar module arrays, the location and appearance of proposed inverters, access roads, interconnection facilities, and tree clearings were incorporated into the model and are shown in the simulations where they will be visible.

#### *Comment 236-15*

The visual studies submitted did not appear to model the tall substation infrastructure in the landscape nor show its nighttime lighting effects. How will this be visible?

#### *Response to 236-15*

The Applicant has provided visual studies for the substation within Exhibit 8 - Revision 1: Visual Impacts, Revised Appendix 8-A as well as facility lighting plan within the Revised Appendix 8-D that is consistent with 16 NYCRR § 1100-2.9(d). Although the viewshed analysis indicates the collection substation structure may be visible above intervening vegetation from isolated locations within the VSA, such views are expected to be limited to the taller components of the structure, including the narrow lightning masts and support framework. In all cases where the collection substation is visible, it will be viewed with the context of the existing 90 foot tall National Grid 115 kV Line 15 monopole transmission towers. Locating the collection substation directly adjacent to the existing transmission line reduces the need for any additional overhead electrical infrastructure. Additionally, this location is far back from the public road and any homes or other farming operations. Given the need for the collection substation to be in proximity to the existing regional transmission lines and other terrain and environmental considerations, options to relocate the collection substation to a less visible location are limited.

The Applicant notes that the substation will have dusk to dawn lighting. Lighting associated with the collection substation will be directed toward the ground to minimize off-site light spillage. Four lighting fixtures will be placed at approximately 30 feet in height on four of the lightning masts. Two lights will be located on the control cabinet at 9 feet in height. These heights are the lowest practicable to allow for safety of authorized individuals in the area and security of the substation. Additionally, all lighting will be operated manually or placed on an auto-off switch to further minimize the impacts of off-site light pollution.



*Comment 236-16*

The glare study indicates potential for yellow glare at residence “OP-21” which appears to be 120 Black House Road, as well as from Cary Road and CR-46. Yellow glare is defined as “potential for after image”. What are the effects of this?

*Response to 236-16*

The Applicant provided visual studies within Exhibit 8, Revision 1: Visual Impacts which outline the findings for OP-21. The analysis identified the potential for moderate (yellow) glare, “glare with a low potential for temporary after-image,” at one residence (OP 21) from array Area 3 and on motorists along a portion of Highway 4, Black House Road, Cary Road, and CR 46 during certain times of the day and year.

The total annual amount of moderate (yellow) glare predicted for the proposed Facility is 878 minutes which is 0.003 percent of sunlight in a standard, non-leap year. The moderate (yellow) glare from the proposed solar energy system is similar to glare experience from other features such as water bodies, snowbanks, glass façade or metal buildings, and similar features and is minimal in nature. Therefore, the potential glare predicted and impact on the residences were denoted as negligible.

No glint or glare impacts were predicted for the remaining 43 non-participating residences.

*Comment 236-17*

The Applicant submitted a Transportation Plan, which shall be approved by local authorities and adhered to. Rules prohibiting parking or long-term idling on Town or County roads should be enforced. The Applicant will be responsible for road repairs needed based on use.

*Response to 236-17*

The Applicant appreciates your engagement and will continue to ensure that all permitting activities align with the applicable requirements of the Town, County, and New York State.

*Comment 236-18*

We noted that the sight distance at the westernmost proposed driveway off CR-46 was short due to blind hill and should be evaluated for safety. This entrance appears to be a main construction access with a material laydown yard.

*Response to 236-18*

The Applicant appreciates your engagement and will continue to ensure that all permitting activities align with the applicable requirements of the Town, County, and New York State.

*Comment 236-19*

It would benefit the Fire Department and other first responders if the arrays and entrances were named or numbered, so it could be more easily communicated where to go in the event of an emergency.

*Response to 236-19*

The Applicant has provided their Safety Response Plan within Exhibit 6, Revision 1, that includes description of all on-site equipment and systems to be provided to prevent or handle fire emergencies and hazardous substance incidents in compliance with the fire code section of the New York State Uniform Fire Prevention and Building Code adopted pursuant to Article 18 of the Executive Law.

Additionally, the Site Security Plan has been provided to the Town of Fort Edward, Fort Edward Fire Department, Washington County Director of Public Safety, and Washington County Fire Coordinator for review and feedback. To date, no feedback has been received, but consultation is ongoing. The Applicant will take into account this suggestion.

*Comment 236-20*

The Fort Edward Fire Department shall review and approve the plans for fire access and safety prior to construction.

*Response to 236-20*

Kindly refer to the Applicant's response for comment 19.

*Comment 236-21*

The Applicant shall provide a pre-construction meeting with the Fire Department to review project plans and logistics for the construction project and provide on-site training and walk through prior to commercial operation. Additional training may be warranted.

*Response to 236-21*

The Safety Response Plan (SRP) presently focuses on Facility construction and will be updated and provided to the first responders upon completion of construction (within 90 days of first commercial operation). The SRP lists on-site equipment and systems planned for use during Facility construction to aid in the prevention and response to fire and hazardous substance incidents.

The Applicant will continue to engage the Town of Fort Edward, Fort Edward Fire Department, Washington County Director of Public Safety, and Washington County Fire Coordinator for review and feedback to align on standards for a safe Facility.

*Comment 236-22*

The Applicant has provided a decommissioning plan and estimate. Both should be updated prior to construction and re-reviewed and approved by the Town through a decommissioning agreement. The Town should hold financial surety to decommission the project in the event of abandonment. Access

agreements should be provided for all involved landowners that run for the life of the project. We recommend that the decommissioning surety be posted by the Applicant prior to construction.

#### *Response to 236-22*

As outlined in Section 23.3 and the Revised Decommissioning and Restoration Plan (Appendix 23-A), the Applicant anticipates that the estimated salvage value of the Project will be less than the gross decommissioning cost plus a fifteen (15) percent contingency. Accordingly, the Applicant will provide financial security to the Town in the form of a Letter of Credit (LoC) or another financial assurance mechanism approved by ORES, covering the full amount of the Net Decommissioning and Site Restoration Cost Estimate (i.e., decommissioning cost plus contingency minus salvage value). This financial security will be established prior to the commencement of construction and will be re-evaluated at least every five (5) years to reflect current market conditions and salvage value assumptions. Exhibit 23, Revision 1: Site Restoration and Decommissioning includes additional details regarding the decommissioning agreement and may be referenced for further information.

The Applicant recommends consulting Exhibit 4, Revision 1: Real Property for any additional information regarding participating landowner agreements.

#### *Comment 236-23*

The Applicant shall be responsible for maintaining meadow cover beneath the arrays and the landscape screening. A maintenance agreement and landscape survival bond might be warranted to further support survival of the plants and visual mitigation.

#### *Response to 236-24*

The Applicant will restore agricultural land in accordance with landowner agreements and NYSDAM Guidelines, leaving in place any requested property improvements following decommissioning. Visual mitigation measures, including vegetation maintained under solar panels, will be preserved as required. Landscaping efforts include screen planting plans, which will be inspected by a qualified professional for two years post-installation, with any failed or unhealthy plantings replaced. Additionally, mitigation-in-place will be implemented for 172.45 acres of state-regulated wetlands located beneath solar panels; these areas will be restored to original grades and permanently re-vegetated with native species and appropriate erosion controls.

#### *Comment 236-24*

The Applicant shall demonstrate or explain how the Town will benefit from hosting a large, State-permitted solar project where the power produced is not used locally. The Town may want to explore a host community agreement with the Applicant.

#### *Response to 236-24*

Although electricity generated by the Fort Edward Solar Project will be delivered to the regional transmission system and distributed across New York's electrical grid, the Applicant's contribution

supports statewide efforts to enhance grid reliability and reduce carbon emissions. While the power may not be consumed exclusively within the Town of Fort Edward, the community will receive direct and measurable benefits. Through the state-mandated Host Community Benefit Program, as indicated in Exhibit 24, the Applicant will provide annual payments—typically \$500 per megawatt for ten years—distributed as utility bill credits to local residents. In addition, the Town may negotiate a Host Community Agreement with the Applicant to secure customized benefits such as infrastructure improvements, educational support, job creation, and environmental enhancements. The Applicant will also enter into a Payment-in-Lieu-of-Taxes (PILOT) agreement, ensuring stable municipal revenue without increasing the tax burden on residents. Further support will be provided through the Boralex Beyond Renewables Fund, which invests in STEM education and workforce development, with a focus on disadvantaged communities. The Project is expected to create approximately 150 construction jobs and several permanent positions, while also generating indirect economic benefits for local businesses and services.

#### *Comment 236-25*

The project must comply with the current NYSDEC Stormwater Permit for Construction Activity (GP-0-25-001), as the existing SWPPP still references the outdated GP-0-20-001 and requires updating to reflect the new regulatory requirements.

#### *Response to 236-25*

Per the Pre-Construction Compliance Filings (16 NYCRR § 1100-10.2) and the Applicant will revise the SWPPP to reflect the latest regulatory requirements for inclusion in the pre-construction compliance filings. As the Applicant further refines the Facility and prepares for construction, the revised SWPPP will also be submitted to the NYSDEC, along with the required Notice of Intent.

#### *Comment 236-26*

The site will be required to comply with the latest New York State Stormwater Management Design Manual dated July 31, 2024, as the current SWPPP still references the outdated version and must be updated accordingly.

#### *Response to 236-26*

Per the Pre-Construction Compliance Filings (16 NYCRR § 1100-10.2) and the Applicant will revise the SWPPP to reflect the latest regulatory requirements for inclusion in the pre-construction compliance filings. As the Applicant further refines the Facility and prepares for construction, the revised SWPPP will also be submitted to the NYSDEC, along with the required Notice of Intent.

#### *Comment 236-27*

Any solar arrays proposed on areas with slopes greater than 8% will require the installation of engineered practices such as level spreaders or gravel diaphragms, in accordance with the latest NYSDEC solar stormwater guidance issued October 23, 2024. These measures are necessary to reestablish sheet flow and prevent erosive conditions, ensuring compliance with water quality and runoff reduction requirements.

#### *Response to 236-27*

Per the Pre-Construction Compliance Filings (16 NYCRR § 1100-10.2) and the Applicant will revise the SWPPP to reflect the latest regulatory requirements for inclusion in the pre-construction compliance filings. As the Applicant further refines the Facility and prepares for construction, the revised SWPPP will also be submitted to the NYSDEC, along with the required Notice of Intent.

#### *Comment 236-28*

Reviewing the plans and SWPPP, both documents acknowledge that post-construction stormwater management practices will be required; however, neither identifies the proposed location of these practices. Additionally, stormwater design details and sizing calculations have not been provided. As the design progresses, it is essential that the location, sizing, and supporting design calculations for the post-construction practices be included to ensure compliance with the July 31, 2024 New York State Stormwater Management Design Manual and to facilitate a thorough review by the Town as regulated MS4.

#### *Response to 236-28*

Per the Pre-Construction Compliance Filings (16 NYCRR § 1100-10.2) and the Applicant will revise the SWPPP to reflect the latest regulatory requirements for inclusion in the pre-construction compliance filings. As the Applicant further refines the Facility and prepares for construction, the revised SWPPP will also be submitted to the NYSDEC, along with the required Notice of Intent.

#### *Comment 236-29*

Any traditional impervious surfaces proposed on the site, including, but not limited to, equipment pads and impervious areas associated with the substations, will require appropriate post-construction stormwater treatment practices in accordance with the New York State Stormwater Management Design Manual dated July 31, 2024. These surfaces contribute to increased runoff and pollutant loading and must be addressed through properly designed and sized water quality treatment measures to ensure compliance with NYSDEC requirements and maintain long-term site hydrology.

#### *Response to 236-29*

The Applicant appreciates your engagement and will continue to ensure that all permitting activities align with the applicable requirements of the Town, County, and New York State.

#### *Comment 236-30*

The large site is expected to require an extended construction period; therefore, any compacted construction roads must be decompacted prior to final stabilization in accordance with NYSDEC requirements. The limited-use pervious access road is not permitted for use as a construction road and must remain undisturbed to preserve its pervious function. If the construction road and the limited-use pervious access road occupy the same location, decompaction will be required prior to installation of the limited-use pervious access road to ensure compliance with infiltration standards.

#### *Response to 236-30*

The Applicant, per their SWPP within Exhibit 13, has outlined their Stage 3: Site Restoration Plan. This section address that site soils are to be prepared as needed (i.e.. restoration of original grade, de-compaction, soil amendments, etc.), provide seed and mulching all disturbed areas, and restore disturbed soils per NYSDEC standards and specifications.

#### *Comment 236-31*

The large site is anticipated to require a waiver for disturbing more than five acres at one time, which must be reviewed and approved by the Town in its capacity as the regulated MS4. This waiver request must include justification for the disturbance, a phasing plan, and documentation of enhanced erosion and sediment control measures in accordance with NYSDEC requirements.

#### *Response to 236-31*

The Applicant appreciates your engagement and will continue to ensure that all permitting activities align with the applicable requirements of the Town, County, and New York State.

#### *Comment 236-32*

The Town and Town Designated Engineer will need to review and approve the final plans and SWPPP through their duties as a regulated MS4, and sign the MS4 SWPPP Acceptance Form prior to the Applicant submitting the eNOI for SPDES permit coverage.

#### *Response to 236-32*

The Applicant appreciates your engagement and will continue to ensure that all permitting activities align with the applicable requirements of the Town, County, and New York State.

#### *Comment 237 – Anne Frey*

I believe solar energy is an important source of electrical power, but there are better sites for this project. This project will cause grave harm to grassland birds, especially endangered and threatened raptors. This site is in the worst possible place for a large commercial solar facility.

This solar project is in complete opposition to a New York State policy in place since 2008 to protect grassland birds and their habitat.

There are closed dumps and landowners willing to sell to buyers such as Boralex/Fort Edward Solar.

I ask: why choose this preserved land? Thinking of the birds which need large open spaces not only to live, but to regain population, I feel this site is badly chosen for a solar project.

If they will be allowed to use this preserved land for the project, they should be required to buy and save more land to mitigate the damage

to the birds and permanently conserve an equal amount of land as they would be covering with solar panels: 527acres.

To landowners who feel the potential taxes which would be earned by having Boralex/Fort Edward Solar Project own land for their project,

I say: Wouldn't it be great to have them buy twice as much land - half being for the preservation of the bird habitat?

Thank you for your consideration of these comments.

Anne Frey

#### Response to Comment 237 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 238 – Justin Frankl

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 238 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 239 – Christopher Cripps DVM

Once farmland or bird land are destroyed, it does not come back. It seems this is making a mess for someone to clean up once these panels are no longer productive, and they could be sited more appropriately in other places.

#### Response to Comment 239 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 240 – Jennifer Valentine

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 240 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 241– Michael Madden

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these



alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 241–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 242 – John Trotter

Dear Office of Renewable Energy Siting and Administrative Law Judges,

We desperately need renewable energy. But there are good places for siting these projects and bad places. I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 242 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 243– Richard Glasby

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 243 –

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 244 – Aaron Manuel

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 244 –

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 245 – Roberta Kravette

I am writing with respect to the plan by Fort Edward Solar to build a more than 1,828-acre commercial solar facility site in Fort Edward, New York.

I support renewable energy in New York State, but siting this facility in one of the most environmentally important sites for rapidly vanishing grassland birds is the wrong way to achieve this goal.

¿ Grassland birds have declined by over 50% in North America since 1970. These birds are at risk of disappearing from New York State altogether in a matter of a few decades.

¿ This project will cause grave harm to grassland birds, especially endangered and threatened raptors.

This site is in the worst possible place for a large commercial solar facility. This site:

¿ Is in one of the largest Grassland Bird Conservation Centers (¿GBCCs¿) in New York State

¿ Is in the Audubon-designated Important Bird Area  
¿ Is in Natural Heritage Raptor Winter Concentration Area  
¿ Surrounds a 478-acre NYS DEC Wildlife Management Area (¿WMA¿) which is maintained for grassland birds

This solar project is in complete opposition to a New York State policy in place since 2008 to protect grassland birds and their habitat. In light of this:

¿ The project developer should, at a minimum, be required to mitigate the damage to the birds by permanently conserving as much land as it is covering with solar panels: 527 acres.

¿ All of the conserved land should be located in this Important Bird Area, not somewhere else in New York State.

¿ The developer should work with the Grassland Bird Trust which has worked for over 15 years to protect this Important Bird Area. The developer should collaborate with the Grassland Bird Trust to: (1) identify the land that should be permanently conserved; and (2) manage the land for grassland birds.

Thank you for your consideration of these comments.

#### Response to Comment 245 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 246– Alex Summers

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 246–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 247– Sarah Goewy

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

Sincerely,

Sarah Goewey

#### Response to Comment 247–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 248– Jodi Reith

I am writing as a resident living near the proposed Fort Edward Solar Project by Boralex, a 100-megawatt photovoltaic energy generation facility spanning approximately 530 acres in the Town of Fort Edward.

While I support renewable energy development in principle, I have serious concerns about the scale, location, and long-term impacts of this particular project on the community and environment.

As currently proposed, the project would permanently alter the landscape, viewsheds, and rural identity of Fort Edward. The conversion of hundreds of acres of open land into fenced industrial solar fields, substations, and access roads represents a major transformation of land use.

The primary concerns I and other nearby residents share include:

Visual and aesthetic impact on surrounding homes and rural views.

Noise from inverters and transformers operating continuously.

Construction impacts such as truck traffic, dust, and vibration.

Environmental disruption to wildlife, soil health, and stormwater runoff.

Potential EMF exposure from the 115kV interconnection and associated electrical equipment.

Property value loss due to industrial encroachment and diminished quality of life.

Unclear decommissioning responsibility after the 30-35 year operational life.

This project, initiated in 2019, is now advancing toward final approval under Article VIII of the Public Service Law, yet many local residents have only recently become aware of its scope. While the state may oversee permitting, the impacts are entirely local, and thus the voices of Fort Edward residents must remain central in this process.

I respectfully request that ORES and the Town of Fort Edward require:

A comprehensive environmental and health impact assessment, including EMF and property value studies.

Enhanced setbacks and vegetative screening for all residential boundaries.

A detailed decommissioning and financial security plan ensuring the full restoration of the land.

Transparent, ongoing community engagement and notification throughout all project phases.

Renewable energy can be a benefit to New York State—but only when implemented responsibly, equitably, and with respect for existing residents and landscapes. The Fort Edward Solar project, in its current form, demands far greater scrutiny and modification to align with those principles.

Thank you for considering these concerns and for ensuring that this project truly serves both the state's energy goals and the wellbeing of Fort Edward's citizens.

#### Response to Comment 248—

The Applicant recognizes the importance of balancing New York State's renewable energy goals with the values and wellbeing of the Town of Fort Edward and its residents. The Fort Edward Solar Project is designed to contribute meaningfully to New York's clean energy future while minimizing local impacts and ensuring responsible land stewardship.

The Applicant has conducted a comprehensive Visual Impact Assessment, included in Exhibit 8: Visual Impacts, Revision 1. This assessment evaluates potential changes to the landscape and viewsheds, includes photographic simulations from representative viewpoints, and proposes mitigation measures such as vegetative screening and increased setbacks to reduce visual impacts on nearby residences.

To address concerns about operational noise, the Applicant submitted Exhibit 7: Noise and Vibration, Revision 1, which includes a detailed Noise Impact Study. This study models sound levels from inverters and transformers and demonstrates that projected noise levels will remain within applicable state and local thresholds. Noise mitigation strategies are also proposed where necessary.

Construction-related impacts are addressed in Exhibit 6: Public Health, Safety, and Security and Exhibit 16: Effect on Transportation. These documents outline the Applicant's plans for traffic management, dust suppression, and vibration control during construction. The Applicant is committed to minimizing disruptions to local residents and roadways throughout the construction phase.

The Applicant has conducted extensive environmental studies, including: Exhibit 11: Terrestrial Ecology, Exhibit 12: NYS Threatened and Endangered Species, and Exhibit 13 – Water Resources and Aquatic Ecology. These exhibits assess potential impacts on local ecosystems and propose mitigation measures to protect wildlife and habitats. Additionally, the Stormwater Pollution Prevention Plan (SWPPP) (Appendix 13-C) outlines best management practices to control erosion and manage stormwater runoff during and after construction.

Exhibit 16: Electric and Magnetic Fields includes modeling of EMF levels associated with the 115kV interconnection facilities. The analysis confirms that EMF levels at the edge of the right-of-way will remain well below the limits established by the New York State Public Service Commission, ensuring public safety. While property values are not directly regulated under Article 10, the Applicant addresses potential socioeconomic impacts in Exhibit 18: Socioeconomic Effects. The exhibit references independent studies indicating that well-sited and screened solar projects do not have a statistically significant negative impact on adjacent property values.

The Applicant has prepared a detailed Decommissioning and Site Restoration Plan, included in Exhibit 23. This plan outlines the process for removing all project components and restoring the land to its pre-construction condition at the end of the project's operational life. The plan includes financial assurances to ensure that decommissioning obligations are met, regardless of project ownership at that time.

The Applicant has engaged in ongoing public outreach, as documented in Exhibit 2: Overview and Public Involvement. This includes public meetings, mailings, and stakeholder consultations. The Applicant remains committed to transparent communication and continued engagement with the community throughout all phases of the project.

#### Comment 249 – Patrick Murphy

I am a proud member of Laborer's Local 190 whose jurisdiction includes the Town of Fort Edward in Washington County, and I am writing in support of Boralex's Fort Edward Solar Project. Projects like these create good green union jobs that pay family-sustaining wages. The Fort Edward Solar Project will create approximately 150 construction jobs and produce enough energy to power tens of thousands of homes. Projects like these help me go to work in my own backyard and contribute meaningful revenue to local towns and school districts. My brothers and sisters in the Laborers and I are proud to support Boralex's Fort Edward project and look forward to building it.

#### Response to Comment 249 –

The Applicant thanks you for your support of the Fort Edward Solar Project and for sharing your perspective as a proud member of Laborers' Local 190. The Applicant greatly values the contributions of skilled union labor and recognizes the importance of creating good, green jobs that provide family-sustaining wages and meaningful opportunities within the local community.

#### Comment 250– Ann Putnam & Others

(Was sent via snail mail. The envelope included 2.5 pages of 38 signatures, the comment letter sent out from GBT and a list of three handwritten questions from the Orange County Audubon Society Meeting. Those three questions are outlined below.)

1. Why use grasslands and not rooftops of already developed land?
2. Why is so much land being taken away from nature?
3. Grasslands are already a carbon sink - why disturb in the name of "renewables"?

#### Response to Comment 250 –

The Applicant would like to thank you for your comment.

The Applicant considered alternative siting options, including previously developed lands, as outlined in Exhibit 3: Location of Facilities and Surrounding Land Use. Rooftop solar and brownfield development are important components of New York's broader clean energy strategy, but utility-scale solar projects require large, contiguous parcels of land with suitable topography, solar exposure, and proximity to electrical infrastructure. The Fort Edward site was selected based on landowner willingness, existing agricultural use, and access to interconnection, which minimizes the need for new infrastructure and reduces environmental disturbance. The project aims to preserve the agricultural character of the area while providing landowners with a sustainable income stream that can help prevent conversion to residential or commercial development, which often results in permanent habitat loss.

While no energy solution is impact-free, the Fort Edward Solar Project is designed to contribute to New York's clean energy goals, reduce greenhouse gas emissions, and support long-term environmental resilience, as outlined in Exhibit 17: Consistency with Energy Planning Objectives.

#### Comment 251 – Alexandria Caruso

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.



Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations. Thank you.

#### Response to Comment 251–

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 252– Tracey Hitchen Boyd

I am writing as a resident of Washington County, NY, and a citizen concerned about the environmental impact of development in sensitive areas.

I have watched Washington County and New York State struggle for decades with how to balance economic development and quality of life in this rural area.

In too many cases, we've made rash decisions for modest, short term benefits that have scarred our beautiful countryside and endangered both people and the environment.

The jobs associated with this project are temporary and unlikely to make a significant difference to the ability of residents in the area to maintain their standard of living. So often, this type of development leads to a pattern of economic instability and grasping for undesirable but desperately needed fixes for people seeking employment in the area. This is a most beautiful part of the world, and I would suggest that people who have been privileged to live here or visit here do not want to see it spoiled.

This project, initiated in 2019, is now advancing toward final approval under Article VIII of the Public Service Law, yet many local residents have only recently become aware of its scope. While the state may oversee permitting, the impacts are entirely local, and thus the voices of Washington County residents must remain central in this process. Furthermore, ORES has neither not had a visible public presence such that impacted parties could understand how to participate in decision-making, nor has it had a sufficient longstanding process by which public input could be solicited.

I respectfully echo the call by many concerned residents, requesting that ORES and the Town of Fort Edward require:

A comprehensive environmental and health impact assessment, including EMF and property value studies.  
Enhanced setbacks and vegetative screening for all residential boundaries.

A detailed decommissioning and financial security plan ensuring the full restoration of the land.

Transparent, ongoing community engagement and notification throughout all project phases.

Renewable energy can be a benefit to New York State but only when implemented responsibly, equitably, and with respect for existing residents and landscapes. The Fort Edward Solar project, in its current form, demands far greater scrutiny and modification to align with those principles.

Thank you for considering these concerns and for ensuring that this project truly serves both the state's energy goals, and the wellbeing of our citizens and the environment.



#### Response to Comment 252 –

The Applicant would like to thank you for your comment. The Applicant recognizes the importance of balancing economic development with environmental protection and community well-being.

The Applicant acknowledges the concern that many residents have only recently become aware of the project's scope. Since the project's initiation in 2019, the Applicant has engaged in a range of public outreach efforts, including open houses, mailings, stakeholder meetings, and participation in public hearings. These efforts are documented in Exhibit 2: Overview and Public Involvement. The Applicant remains committed to ongoing, transparent communication with the community and supports continued opportunities for public input throughout the permitting and development process.

The Applicant has conducted extensive environmental studies, including assessments of wildlife, water resources, and land use, as detailed in Exhibits 11: Terrestrial Ecology, 12: NYS Threatened and Endangered Species, and 13: Water Resources and Aquatic Ecology. These studies have informed the project's design and mitigation strategies to minimize environmental impacts.

While EMF exposure and property value impacts are not directly regulated under Article VIII, the Applicant has addressed these topics in Exhibit 16: Electric and Magnetic Fields and Exhibit 18: Socioeconomic Effects, respectively. EMF levels are projected to remain well below state and federal safety thresholds, and existing research indicates that properly sited solar projects do not significantly impact nearby property values.

The Applicant has prepared a detailed Decommissioning and Site Restoration Plan, included as an appendix with Exhibit 23. This plan outlines the process for removing all project components and restoring the land to its pre-construction condition at the end of the project's operational life. The plan includes financial assurances to ensure that decommissioning obligations are met, regardless of project ownership at that time.

#### Comment 253 – Isabel Sadumi

RE: Application of Fort Edward Solar, LLC for a Major Renewable Energy Facility Siting Permit Pursuant to Section 94-c of the New York State Executive Law & Matter Master 23-03023

Dear Office of Renewable Energy Siting and Honorable Administrative Law Judges,

I write as a NY tax payer deeply concerned about the potential ecological consequences of the proposed Fort Edward Solar Project, a 100-megawatt industrial-scale facility sited in one of the most ecologically sensitive areas of New York State: the Fort Edward grasslands in Washington County.

This region is not simply open land, it is a unique and irreplaceable habitat recognized at every level of conservation significance. The project area lies within a designated Audubon Important Bird Area (IBA), a New York State Grassland Bird Conservation Area, a Natural Heritage Program Raptor Winter

Concentration Area, and borders a state Wildlife Management Area. The concentration of these overlapping designations reflects the ecological value and vulnerability of this landscape.

These high-quality grasslands support some of New York's rarest and most imperiled avian species, including but not limited to: Short-eared Owls (*Asio flammeus*, NYS Endangered), Upland Sandpipers (*Bartramia longicauda*, NYS Threatened), Northern Harriers (*Circus hudsonius*, NYS Threatened), and Sedge Wrens (*Cistothorus platensis*, NYS Threatened). Populations of Bobolinks, Eastern Meadowlarks, and other obligate grassland birds also depend on this area for breeding and foraging.

Grassland birds are experiencing catastrophic population declines, over 50% since 1970, largely due to habitat loss. This trend is especially pronounced in the Northeast, where such contiguous, functioning grassland ecosystems are increasingly rare. The Fort Edward grasslands represent one of the last remaining strongholds for these species in New York.

While the need to transition rapidly to renewable energy is urgent and undeniable, that transition must not come at the cost of our most sensitive and biodiverse habitats. The siting of renewable infrastructure must be strategic and science-based, not opportunistic. In this case, the ecological cost is simply too high. Accordingly, I urge the Office of Renewable Energy Siting to take the following actions:

**Require Full Habitat Impact Mitigation:** Any loss or degradation of grassland habitat must be offset at a minimum of a 1:1 ratio. This should include the permanent conservation and management of an equivalent or greater acreage of high-quality grassland habitat elsewhere within the region, subject to ecological equivalency standards.

**Mandate Avoidance and Minimization Measures:** The developer must be required to avoid siting infrastructure within core habitat areas where at-risk species have been documented and minimize disruption during critical breeding and overwintering periods.

**Defer Project Approval Pending Independent Ecological Review:** An independent, third-party ecological assessment should be conducted to evaluate the full scope of potential direct, indirect, and cumulative impacts on the Fort Edward grasslands and its wildlife.

Failure to adequately address these concerns risks a precedent in which NY's most ecologically sensitive areas are treated as expendable in the race toward clean energy development. Such an outcome is not only contrary to the state's renewable energy goals—it is contrary to its longstanding commitments under the Environmental Conservation Law, the State Wildlife Action Plan, and the Climate Leadership and Community Protection Act, all of which recognize the need to integrate biodiversity protection into climate mitigation efforts.

I urge you to uphold the letter of NY's environmental laws by protecting the Fort Edward grasslands—a landscape of statewide ecological significance—and ensuring that any renewable energy development is held to the highest standards of environmental accountability.

### Response to Comment 253 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 254 – Emily Comfort

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 254 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 255 – Paige Bugar

Page 1 – *transcribed from postcard*:

Paige Buzard

PO BOX 988

Smithtown NY 11787

Office of Renewable Energy Siting (ORES)

I am writing after becoming aware of the Fort Edward Solar Project in [Washington] County, NY.

I used to live, work & recreate in the area and am deeply appalled at your decision to divide multiple state-recognized environmental protection areas including a NYS DEC Grassland Wildlife Management Area, an Audubon Important Bird Area, a NY Natural Heritage Program Raptor Winter Concentration Area, the Washington County Grassland Bird Conservation Center, and land under private conservation easement.

Approving an industrial solar facility on such ecologically significant land is unacceptable. Your agency was created to streamline renewable development—not step on conservation law, public trust, and basic

environmental ethics. I urge ORES to deny the Boralex solar project. If solar corporations cannot build responsibly, they should not be granted state permits.

DO BETTER.

Paige Buzard

Page 2 - *transcribed from postcard*:

DON'T TREAD ON PUBLIC LANDS

#### Response to Comment 255 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

#### Comment 256 – Kellen Wolfe

Dear Office of Renewable Energy Siting and Administrative Law Judges,

I am writing to express my deep concern regarding the proposed Fort Edward solar project, which threatens the vital Fort Edward grassland. These high-quality grasslands are a critical component of New York State's birdlife and are home to some of the state's rarest bird species, including Short-eared Owls, Upland Sandpipers, Eastern Meadowlarks, Northern Harriers, Sedge Wrens, Bobolinks, and more.

The proposed Fort Edward solar project would be situated in the heart of an Audubon Important Bird Area, NY State Grassland Bird Conservation Center, Natural Heritage Raptor Winter Concentration Area, and adjacent to a state Wildlife Management Area. In short, the project poses uncertain but potentially severe impacts to this priceless habitat and already-declining species.

Since 1970, grassland birds have experienced a 53% decline in abundance nationwide. In the Northeast, they are disappearing faster than any other group of birds. Habitat loss is the primary driver of these alarming declines, making the protection of large blocks of remaining grassland habitat a critical conservation priority.

Renewable energy is critical for our collective future. However, considering the immense ecological value of the Fort Edward grassland, I urge you to provide robust habitat mitigation measures to help conserve the bird species that will be affected. Industrial use of this rare grassland habitat demands extraordinary mitigation efforts. I ask that you observe a 1:1 ratio for any habitat loss, conserving as much habitat as is being impacted.

Thank you for considering the ecological significance of the Fort Edward grassland and for taking action to preserve New York State's declining bird populations.

#### Response to Comment 256 –

The Applicant would like to thank you for your comment.

Kindly refer to the Applicant's response to Comment #2 of the DMM docket.

## Responses to Oral Comments

On September 30, 2025 the Office of Renewable Energy Siting and Transmission (ORES) held a public comment hearing at Durkeetown Baptist Church, located at 2 Durkeetown Road, Fort Edward, NY 12828 pursuant to 16 NYCRR part 1100 to hear and receive comments from the public on the Fort Edward Solar Project application for a permit pursuant to Article VIII of the New York Public Service Law to construct and operate a 100 megawatt (MW) solar energy facility located in the Town Fort Edward, Washington County. Fort Edward Solar LLC (the Applicant) is supportive of the public participation process and has prepared the following responses to both the comments provided during the public comment hearing and those filed on the ORES Document Management and Matter ("DMM") website.

The Applicant reviewed all comments provided and has provided responses to each below. In some cases, comments with common themes were addressed in a single response, or responses direct the reader to other responses within this document. In most cases, responses rely on information previously provided within the application. In those instances, reference is made to the applicable exhibit, appendix, and/or report should further information be of interest to the reader.

### Oral Comment 1 – Samantha Peck

I am a Cornell University educated Ph.D. Ornithologist, and tonight I'm speaking on behalf of the Grassland Bird Trust. We, the Grassland Bird Trust, support and recognize the importance of renewable solar energy to address the terrible crisis that is climate change. However, the choice to build on hundreds of acres within the heart of the Washington County important bird area will be a disastrous one for the continued survival of the threatened species who live there. Bird populations have decreased by two point nine billion in the last fifty years, but grassland birds are by far the most rapidly declining group in the U.S. Their numbers have decreased by fifty percent in that time period. For example, short-eared owls used to be the most numerous owls in New York State. However, today, due to habitat loss, it's estimated that only fifty breeding pairs of short-eared owls exist in the state. And the grasslands upon which this solar project is proposed are among the very last available wintering habitat for this species and the last breeding habitat for many other grassland bird species. The proposed solar project site is an area of recognized critical ecological importance for grassland birds. It's located in a D. E. C. - designated grassland bird conservation center, an Audubon Society designated important bird area, and a National Heritage Program winter raptor conservation center. It's identified as an area containing rare plants and animals by the New York D.E.C., and it surrounds a D.E.C. grassland wildlife management area. Construction in the middle of a critical conservation center is normally strongly discouraged by the state, as it directly contradicts longstanding New York policy. Solar field construction has been demonstrated by multiple studies to have substantial negative impacts on birds. Solar panels are actually recommended to be built on grasslands that are adjacent to airports specifically because studies have shown that they reduce use of those grasslands by large birds like raptors, which are hazardous to aircraft. It's not simply that the proposed project will impact a proposed one thousand eight hundred and twenty-eight acres of critical habitat. It will also impact all of the neighboring almost five hundred-acre wildlife management area that the D.E. C. manages, which it boxes in on three sides, preventing further conservation area expansion and rendering the managed area far less valuable for wildlife because most grassland species require vast, unbroken, unfragmented areas in order to breed and hunt. We are not asking for this project to be halted. We are

not asking for it to be moved. But the draft permit does not include a single site-specific condition addressing the major unique damage this project is going to propose to grassland birds. We are merely asking that Boralex permanently conserve an amount of grassland habitat equal to that which they are going to be blanketing in solar panels, five hundred and twenty-seven acres. Any less than that does not provide a net conservation benefit as intended. Recently proposed state's legislation recommends that in a bird conservation center, such as this one, three acres of grassland should be conserved per acre taken. Effective mitigation ensures the value of what is being provided is equal to or exceeds the value of what is being taken, which in this case is critical habitat. So we simply request that mitigation acreage be increased in order to give these animals, which are our unique and declining natural heritage, somewhere to go in the future as their habitat continues to be destroyed. Thank you very much, Your Honors

#### Response to Comment 1 –

The Applicant acknowledges the ecological significance of the Fort Edward grasslands and understand the concerns regarding habitat loss and its potential effects on declining grassland bird populations. As such, the Applicant is committed to continue working with regulatory agencies, ORES, and stakeholders to develop mitigation measures that reflect the importance of this habitat.

The Applicant has addressed potential impacts to grassland bird species in several key documents included in the Fort Edward Solar LLC application.

In Exhibit 11: Terrestrial Ecology and Wetlands and Appendix 11-A: Grassland Habitat Management Plan, the Applicant provides detailed survey results and outlines mitigation strategies for grassland birds, including state-listed species such as the short-eared owl. These documents describe seasonal construction restrictions, habitat preservation measures, and ongoing coordination with the New York State Department of Environmental Conservation (NYSDEC) to minimize impacts on sensitive species and habitats.

Exhibit 12: NYS Threatened or Endangered Species and Appendix 12-D: Revised Pre-Application Consultation present findings from wildlife site characterizations, confirming that the project area overlaps with occupied breeding and wintering habitats for grassland birds. Based on these findings, the Applicant has received site-specific recommendations from NYSDEC and the Office of Renewable Energy Siting (ORES) to avoid placing facility components within critical habitat zones.

Additionally, Exhibit 3: Location of Facilities and Surrounding Land Use discusses the project's proximity to designated conservation areas, including a DEC Wildlife Management Area and Audubon-designated Important Bird Areas. The Applicant has considered land use compatibility and community character in its siting decisions and acknowledges the importance of maintaining both visual and ecological buffers between the facility and adjacent sensitive areas.

## Comment 2 – Catherine Roome

I am on the board of the Grassland Bird Trust, and you've just heard about the unique nature of the grasslands that lie just outside of this building. And as you know, and as you've stated, the solar -- the solar facility will cover over five hundred acres of critical grassland with solar panels. In addition, the five hundred acres of solar panels will -- will be surrounded by thirteen hundred more acres of roads, collector systems, and temporary equipment laydowns. Some of that is permanent, some of that is temporary. To make up for the damage this will cause the grassland birds, Boralex submitted a plan describing how they will mitigate the damage that will be caused to the birds. The Boralex plan was to buy land right across the road from here from a Mr. Mark Faille, and to conserve two hundred acres of Mr. Faille's land to meet the minimum mitigation required under the regulations. That's the minimum, it's about two hundred and eighteen acres. However, Mr. Faille's land is under a conservation easement that is held by the Agricultural Stewardship Association, and many of you in this room are probably familiar with the Agricultural Stewardship Association. Yesterday, the Agricultural Stewardship Association advised ORES that using the Faille land violates the conservation easements that A.S.A. holds on the land. So, as of yesterday, the plan is effectively meaningless because the mitigation land cannot -- that they had proposed -- that Boralex had proposed to use, cannot be used. As my colleague said, the Grassland Bird Trust is not trying to stop this project. We are pretty much a lot of environmentalists in this room, we believe in renewables. But the fact that the plan is now meaningless raises a major issue. The Grassland Bird Trust will be filing an issue statement, which is like a brief, requesting party status. We are not seeking a hearing. We just want a seat at the table to help develop a new plan to mitigate the damage that the project will cause to the grasslands. To do that, we are requesting a settlement administrative law judge to be appointed so that the Grassland Bird Trust can be at the table to help write a new mitigation plan. Therefore, we are respectfully seeking a site-specific permit condition to address the unique conditions here. Otherwise, ORES and Boralex will be the only ones in the room writing the new plan, and G. B.T.'s expertise and experience will be no part of the record and no part of the plan. The Grassland Bird Trust has been working for fifteen years to protect these grasslands -- grasslands outside of this building. These are one of the largest grasslands still remaining in New York State. If these grasslands are not adequately protected, grassland birds will disappear from these grasslands within a few decades. They will no longer be in New York State. All of us, ORES, Boralex, the Grassland Bird Trust, and most of all, these beautiful birds will be best served if the Grassland Bird Trust is allowed to provide input on the new plan. Thank you very much

## Response to Comment 2 –

The Applicant recognizes the ecological significance of the Fort Edward grasslands and understand the concerns regarding habitat loss and its potential effects on declining grassland bird populations. As such, the Applicant is committed to continue working with regulatory agencies, ORES, and stakeholders to develop mitigation measures that reflect the importance of this habitat.

The Applicant's Net Conservation Benefit Plan, outlined in Appendix 12-E, includes a proposal to conserve approximately 216 acres of grassland habitat to offset impacts to state-listed species. While the original plan identified land owned by Mr. Mark Faille, recent feedback from the Agricultural Stewardship Association (ASA) indicates that conservation easement restrictions may prevent its use for mitigation. The



Applicant is actively evaluating alternative mitigation sites to ensure compliance with regulatory requirements.

The Applicant is open to collaborating with the Grassland Bird Trust and other qualified stakeholders to refine mitigation strategies and identify suitable conservation lands. The current plan is designed to meet the standards set forth by 16 NYCRR § 1100-2.13(f) and reflects guidance from NYSDEC and ORES.

### Comment 3 – Walter Long, III

I am a local farmer. Part of this stuff is on my land. This is going to infect -- or affect my retirement. I'm also a hunter and a sportsman and everything. I've lived out here for thirty years. I've seen farms go away, and now they're big bird trust areas. And all these bird trust areas, they don't do nothing. They don't pay property taxes and put into the thing. And the property taxes that they're not paying, has caused my property taxes to go sky high. And also, everywhere you look, your electronic use is getting higher and higher and more and more. Everybody wants you to have all electric houses. Everybody wants to have all electric cars. You got computers. You got cell phones. You got T. V.s. And all you women around here that got fancy hairdos and everything, you like to blow dry that hair, don't you? That takes electricity too. So next time you want to think about raising a fuss by some bird who's still got lots and lots of land, because they live all over the place. Think about that. Because if you put a squash on this right here, you might not have any electricity to run all them things you like so much. Thank you very much.

### Response to Comment 3 –

Thank you for your comment and for sharing your perspective as a local landowner, farmer, and sportsman. The Applicant sincerely appreciates your participation in this process and your decades-long connection to the land and community. Your support for renewable energy and acknowledgment of the growing demand for electricity underscores the importance of responsibly expanding clean energy infrastructure.

The Applicant is committed to working with landowners like you to ensure that the project is developed in a way that respects local values, supports long-term sustainability, and contributes to the local economy.

### Comment 4 – Terry Griffin

I'm also with the Grassland Bird Trust, I'm on the -- on the board also. We -- I think you know that we own seventy-eight acres not far from here, and we do pay taxes on that land. I also want to just point out that I am personally a very strong supporter of renewable energy. I know that we need it, and it's very important to -- to all of us to have that and have plans in place for that. However, as my colleagues have stated, the problem with this project is really that it is in the heart of the Fort Edward grassland important bird area and is taking significant critical habitat from the grassland birds, threatened and endangered grassland birds. The solution is very simple. Conserve as much land as is being taken from the birds. Permanently conserve as much land, which is about five hundred and sixty-seven acres. Permanently conserve that for the grassland birds. Thank you



#### Response to Comment 4 –

The Applicant thanks you for your comment and for your ongoing commitment to grassland bird conservation and renewable energy development.

The Applicant recognizes the ecological significance of the Fort Edward grasslands and understand the concerns regarding habitat loss and its potential effects on declining grassland bird populations. As such, the Applicant is committed to continue working with regulatory agencies, ORES, and stakeholders to develop mitigation measures that reflect the importance of this habitat and comply with the standards set forth by 16 NYCRR § 1100-2.13(F).

#### Comment 5 – Lewis Grove

I am the Director of Wind and Energy Policy at the American Bird Conservancy. A.B.C. is about thirty years old, and we conserve bird habitats across the Western Hemisphere throughout the Americas. We have members throughout the state of New York who recreate on these grasslands and care about the birds that thrive there already. Our energy program is about twenty years old. Historically, we focus on wind energy projects and conflicts with -- with raptors and other things. Solar is not something we generally get involved in. There's -- there's about seven or eight thousand solar projects in America utility scale. As far as I can tell, A. B.C., we've only ever been involved in a few ever. That's how important this -- the issue is here, the birds that are threatened in this spot. You've heard a good summary of that from the folks at the Grassland Bird Trust. I won't rehash the statistics around -- around the birds, but this is just an incredibly fragile and important location for these birds. You know, I.B.A.s cover about point five percent of New York State, these important bird areas that are recognized. Impacting them with solar energy is -- is just an unnecessary arrangement. You know, we think that solar energy is a tremendously important part of a wildlife and biodiversity friendly future. We applaud New York State for their kind of leadership and blazing a pathway to balance renewable energy, rapidly building out with biodiversity conservation. But we are -- we're concerned that this is going to be an example of a bad project. We don't want to look back in a number of years and see this as an exemplar of a -- the kind of solar project we don't want to have. So, you know, the failure here, owls disappearing from this spot, would be -- would be a failure of that process as we see it. So our ask is really pretty simple. It's right along lines with the -- with the Grassland Bird Trust. We think that any mitigation for the birds here should include both the local experts that have been working on these places for so long and know them so well, and also should be equivalent to the acreage that is being affected by the panels. It's just that precious an area and if these birds go away, they're -- they're not going to come back as -- as Doug -- as Kathy said. So thank you so much

#### Response to Comment 5 –

The Applicant appreciates your organization's long-standing leadership in bird conservation and your recognition of the importance of renewable energy in achieving biodiversity and climate goals.

The Applicant acknowledges that the proposed project is located within the Fort Edward Grasslands Important Bird Area (IBA) and adjacent to a DEC-designated Wildlife Management Area. These designations are documented within the Applicant's application in Exhibit 3: Location of Facilities and

Surrounding Land Use and Exhibit 11: Terrestrial Ecology and Exhibit 12: NYS Threatened or Endangered Species.

Exhibit 3 denotes that the project is sited on privately owned agricultural land that has historically been used for hay and row crop production. The landowners voluntarily entered into lease agreements with the Applicant, and the site was selected based on its proximity to existing electrical infrastructure, including the interconnection point, which minimizes the need for extensive new development and reduces environmental disturbance. Exhibit 3 also notes that the project area is largely free of wetlands and forested areas, which helps avoid impacts to sensitive ecosystems and simplifies permitting. While the site is adjacent to designated conservation areas, the Applicant has committed to maintaining buffers and minimizing visual and ecological impacts through thoughtful design and siting.

Exhibit 11: Terrestrial Ecology and 12: NYS Threatened or Endangered Species includes detailed habitat assessments and wildlife surveys. The Applicant acknowledges the presence of grassland bird species and has proposed mitigation measures to reduce impacts, including seasonal construction restrictions, habitat management practices, and permanent conservation of suitable grassland acreage. The ecological data collected helped inform the layout of the facility to avoid the most sensitive areas and to incorporate habitat preservation strategies. The Applicant is working with NYSDEC and ORES to ensure that the project complies with state regulations and provides a net conservation benefit.

#### Comment 6 – Ron Renoni

I'm the stewardship committee chairperson for the Grassland Bird Trust and have a wildlife biology background and science teaching background in biology. And I've worked in the grasslands for twelve years, working with the D.E.C. doing wildlife surveys for winter raptor birds. And I've had a lot of experience watching the winter habitat here and summer habitat since we maintained property here in the grasslands. I'd also like to thank the landowners that are here and the landowners that have worked with us and were landowners that have worked with Boralex to build, you know, not only the project, but build the conservation because a lot of these landowners have been approached for the conservation aspect that the project will be spread to not only where the panels are, but where the conservation mitigation acres will be. So again, I applaud the landowners for being willing to work with Boralex or the conservancy to, I mean, the land trust to do that. In 2018, we were invited by Boralex to work with them and give them an opinion about where the siting of the panel should be based on our experience where the best habitat was. And so I was at those meetings. I've been at many of the meetings with Boralex and different staff of the Boralex people, and they've been very forthright in sharing maps with us and sharing information with us. And it's been a very interesting and educational relationship to work with this big energy company that's not international. And what those meetings were about was actually going over the maps and showing them the exact habitat we -- we felt had the most valuable bird habitat in the I.B.A. itself, identified as the important bare area, and especially the areas around the D.E. C. wildlife management areas, which are just down the road here on Black House Road and -- and Plum Road. And then what surprised us is that when they published the maps of where the panels would be, they put them right in

those critical areas. And so, we kind of did a double take and, again, emphasized commenting, because I did the maps, commenting on the maps, circling the areas, saying, please move the panels from these areas because this is the area that's the most critical spot. You've got, you know, fragmented area, which is really hard on survival of a lot of the species, but land that's adjacent to the wildlife management areas provide the best habitat because the wildlife management areas already have habitat and the birds they know research-wise do better when they have more habitat that they can access at once. Right down here on Cary Road, which is a phenomenal, beautiful, you know, farms and they back up to the back end of the wildlife management areas, and that's where big sections of the panels will be, right on the back edge of the wildlife management areas. And that Cary Road area will be just much different with all the panels on them. So the other point that -- and many of my colleagues have made, the other point we've had is since the ORES regulations for management versus Article Ten and the three acres for breeding habitat, now ORES regulations is point four acres for mitigation. We've encouraged Boralex over and over and over again to go way beyond the minimum since you're in this critical bird area. And again, that would involve more landowners and -- and farms that are willing to have their land be conservation value land, which we find is a fantastic -- a fantastic -- sorry

#### Response to Comment 6 –

The Applicant thanks you for your comment and for your ongoing commitment to grassland bird conservation and renewable energy development.

The Applicant acknowledges that the proposed project is located within the Fort Edward Grasslands Important Bird Area (IBA) and adjacent to a DEC-designated Wildlife Management Area. These designations are documented within the Applicant's application in Exhibit 3: Location of Facilities and Surrounding Land Use and Exhibit 11: Terrestrial Ecology and Exhibit 12: NYS Threatened or Endangered Species.

Exhibit 3 denotes that the project is sited on privately owned agricultural land that has historically been used for hay and row crop production. The landowners voluntarily entered into lease agreements with the Applicant, and the site was selected based on its proximity to existing electrical infrastructure, including the interconnection point, which minimizes the need for extensive new development and reduces environmental disturbance. Exhibit 3 also notes that the project area is largely free of wetlands and forested areas, which helps avoid impacts to sensitive ecosystems and simplifies permitting. While the site is adjacent to designated conservation areas, the Applicant has committed to maintaining buffers and minimizing visual and ecological impacts through thoughtful design and siting.

Exhibit 11 and 12 of the Fort Edward Application includes detailed habitat assessments and wildlife surveys. The Applicant acknowledges the presence of grassland bird species and has proposed mitigation measures to reduce impacts, including seasonal construction restrictions, habitat management practices, and permanent conservation of suitable grassland acreage. The ecological data collected helped inform the layout of the facility to avoid the most sensitive areas and to incorporate habitat preservation

strategies. The Applicant is working with NYSDEC and ORES to ensure that the project complies with state regulations and provides a net conservation benefit.

#### Comment 7 – John DeGregory

I worked in the Naval Nuclear Program for thirty-nine years. Nuclear power is the safest energy that you could ever have, other than everybody's scared of it, right? So this energy, the renewable energy, is a perfect alternative. I've heard people talk up here about their concerns about the birds and, you know, just the habitat. I understand that. I own a piece of property that is included in this, so I support it. But I also support some type of agreement or compromise or discussion about some happy medium. It doesn't have to be one way or the other. It has to be something that is agreeable to everybody, right? And it's concerning that we're here at a turning point where it should be some kind of done deal, that we just go forward with this renewable energy, and we're still at this point where we're discussing something that really is important to everybody, right? But it's important to the landowners as well. We pay taxes. National Grid wants to just blow our energy up, right? And we have an opportunity to support ourselves in Fort Edward with -- with renewable energy that can support everybody in the community. So everybody needs to get on the same page, and let's get this done

#### Response to Comment 7 –

The Applicant appreciates your perspective as a landowner and your recognition of the need for balanced development that benefits both the environment and the local community.

The Applicant recognizes the importance of finding a “happy medium” and is open to working with conservation groups, landowners, and regulators to refine mitigation strategies as discussed in the Application. While the Applicant must meet regulatory requirements, as outlined within their application, it also values input from those who live and work in the area and is committed to a solution that reflects shared priorities.

#### Comment 8 – Tonya Tozzi

I'm going to speak in favor of the solar farm, I'm a landowner. This project, for one, allows the farmers to keep the working part of their farm so that they can continue to own and keep the farms and their families for generations to come. It also keeps a major portion of what we work as our farms, so we can continue to keep it a farm. I don't know if anybody has driven around Black House Road lately, but there's houses, houses, houses, houses going in. And that kind of, in my opinion, shuts down the birds' habitat. So I know everyone's asking for this area to be conserved for birds, but if all the land becomes housing, how is it going to be conserved for anything? It's going to be houses. So I do believe this keeps the farms farms for a longer period of time, like thirty years, thirty-plus years. Also, the project will provide bigger tax revenue for the town of Fort Edward. The school, last -- a couple years ago, was almost shut down completely because it did not have enough revenue. A lot of people were fighting for that school to stay open, and luckily it did. But we don't know for how long that'll be able to stay open for the kids of Fort Edward. So that will bring more tax -- much bigger tax revenue from the solar project as well. So that benefits our schools and our town. The solar company, from what I gather, has also allocated a large track, about two

hundred and seventy acres, towards the bird sanctuary. I think you guys want more. But these are private landowners, and I don't really believe that anybody should be coming in and saying that a private landowner should have to hand over property to anyone. I mean, if anybody wants to dig in their pockets and purchase the property, then we can all dig and purchase. But I don't really see anybody coming and knocking on our doors and saying, hey, we want to purchase two, five hundred-and-something acres of all y'all's land and turn it into a bird sanctuary. But we have Boralex, who is going to help us keep these farms and help these people who have probably been here for generations continue to farm their properties. And so I think that that's all I really have to say. I'd like to be able to continue to be a farmer. I have raised bees. They agreed to like help plant pollinating stuff for the bees to help it continue to support that. And I think they're very workable, and they want to work with the community. So that's all I have to say. Thank you

#### Response to Comment 8 –

The Applicant continues to be grateful for the support from the commentor and appreciates the on-going cooperation, advocacy, and support.

The Applicant has committed to contributing to the local economy through host community agreements and payments in lieu of taxes (PILOT), as described in Exhibit 18: Socioeconomic Effects. These contributions are expected to generate significant new revenue for the Town of Fort Edward the local school district, and the fire department, all helping to support essential services and educational resources for future generations.

As outlined in Exhibit 3: Location of Facilities and Surrounding Land Use, the project is sited on privately owned agricultural land, much of which will remain in active use. The solar lease agreements provide landowners with a stable income stream, helping to maintain family farms and prevent conversion of open space into residential development. This approach supports long-term land stewardship and helps preserve the rural character of the area.

The Applicant is committed to working with landowners like you to ensure that the project is developed in a way that respects local values, supports long-term sustainability, and contributes to the local economy.

#### Comment 9 – June D. Woods

When I filled out the application, I didn't realize I was going to be a speaker, but as long as I'm here. I'm June Woods, J-U-N-E, W-O-O-D-S. I'm a retired operating nurse out of Glens Falls Hospital. I live in Glens Falls, so I don't have any real personal stake here, except that I do think conservation is important. I also know that this company is Canadian, and I don't think that America right now is really on good terms with Canada in general. So I don't want to alienate the company that's also -- because I'm also in support of alternative energy sources. I am very much in support of that. I just want to make sure that everybody knows that people outside this area are also looking at this thing, and want very much for a good outcome for everybody concerned. Thank you

### Response to Comment 9 –

The Applicant thanks the commenter for taking the time to submit their comments.

Within the Fort Edward Solar LLC application, the Applicant demonstrates a clear commitment to responsible development and meaningful public engagement. Exhibit 2: Overview and Public Involvement highlights the Applicant's outreach to stakeholders both within and beyond the immediate project area, actively encouraging input from the broader community. Exhibit 1: General Requirements confirms that, although the Applicant is a Canadian-owned company, it operates in full compliance with New York State laws and regulatory oversight. Additionally, Exhibit 10: Consistency with Energy Planning Objectives outlines how the project aligns with New York's clean energy goals and contributes to broader efforts in environmental sustainability and energy resilience.

### Comment 10 – Barbara Trypaluk

I live in Saratoga Springs. And I came out tonight because I'm concerned about the Boralex solar farm planned for prime grassland habitat -- grassland bird habitat. Me and my family love observing the short-eared owls and the occasional snowy owls and northern harriers that call this area home in most of the -- most of the seasons of the year. It's a magical place when the birds start rocketing above the open areas. It's my hope that Boralex will set aside twice as much property as they have promised to. Some of these birds, especially the short-eared owls, are in steep decline in our state and in other states as well. Without conservation, these birds will not be returning to this area. And that will be a tragedy. They are beautiful and they were long -- they were here long before homo sapiens appeared on the scene. Thank you

### Response to Comment 10 –

The Applicant thanks you for your comment and for your ongoing commitment to grassland bird conservation and renewable energy development.

The Applicant recognizes the ecological significance of the Fort Edward grasslands and understand the concerns regarding habitat loss and its potential effects on declining grassland bird populations. As such, the Applicant is committed to continue working with regulatory agencies, ORES, and stakeholders to develop mitigation measures that reflect the importance of this habitat and comply with the standards set forth by 16 NYCRR § 1100-2.13(F).

### Comment 11 – Joseph Wagner

I'm from Glens Falls. I don't have any skin in the game out here except a very strong opinion about this. I've lived around the country and I've watched them build solar panels and I've watched the birds and the wildlife just gradually disappear. We need solar panels. That man that talked about nuclear, I'm in agreement with you. Have been for like since the eight -- seventies. But Boralex needs to set aside, whether they purchase it or not or whether they get it, other land and put -- and possibly put the panels there because this -- as you lose your birds, you lose your wildlife. And I think the world bird population is down ninety percent in the past hundred years. That's a bellwether. We're in seriously bad trouble. The planet is dying. And this is a science fiction movie and we're living in it. It really is. The other thing that's slightly

left field, but that's generally how I operate. Who's holding up the permitting of all the solar panels that could be going on all these closed dumps? Good God, there's thousands and thousands of acres. I mean, I drive by them all the time and I go -- I ride my bicycle down to five combines and look at these mountains and I realized they're unused. And for God's sakes, the very least they could do is not cut the lawn constantly and let the birds live there, which would help supplement what's going on here. I'm pro solar, but -- and -- and conserve and all that other stuff is great, but people, it just doesn't apply because people keep using more and more and more. We need solar, but we don't need it right there. I wish this project went back to the drawing board. And you've got scientists and engineers and highly educated people in the Grassland Bird Trust. They've offered their help. They should be used. That's what I have to say. I'm sorry this is happening

#### Response to Comment 11 –

The Applicant thanks the commentor for providing their comment.

The Applicant recognizes the ecological significance of the Fort Edward grasslands and understand the concerns regarding habitat loss and its potential effects on declining grassland bird populations. Within Exhibit 12: NYS Threatened or Endangered Species, the Applicant outlines the project's approach to minimizing impacts on bird populations and other wildlife. The Applicant has conducted field surveys and habitat assessments, and committed to mitigation measures such as avoiding construction during sensitive breeding seasons, preserving and enhancing vegetative buffers and implementing a Grassland Habitat Management Plan to support species of conservation concern as outlined in Exhibit 11: Terrestrial Ecology, Exhibit 12: NYS Threatened or Endangered Species and the Applicant's Net Conservation Benefit Plan, included in Appendix 12-F.

With regards to the commenter's statement inquiring about the utilization of alternative sites (e.g. landfills) the Applicant has provided comment within their Application in Exhibit 3: Location of Facilities and Surrounding Land Use, specifically Section 3.16 on Repurposed Sites reviews alternative sites. The Applicant evaluated alternative locations, including brownfields and landfills, but these were considered unsuitable due to lacked sufficient acreage, grid interconnection capacity, and environmental constraints.

#### Comment 12 – Dudley

I don't know where to start. I only got three minutes. Could you hear me now? Everybody -- probably half the people know me. I've lived here all my life. I live on St. James Road. I know half the people, a lot of people, I don't know, but I have a solar farm behind my house. They say it's an eyesore. I wake up every day. I have looked over it and all that looks like is a building with no sides. There's no glare. And I know it's putting energy into our power lines. And the deer population is still there. The turkeys are there. The bunny rabbits are there. The birds are there. There's no harmful, you know, but it's -- just remember back in the cowboys and Indians, they started out with a telegraph and people, whoa, now we got wires coming up and they got electricity and no telephone, you know, they made telephones. It's -- everything's in the progress of energy. Years ago, everybody had a house with only a couple of fuse boxes. Now you got a panel with two hundred and fifty amps, washer, dryers and all that. How many people have a cell phone?



I don't have a land phone no more. I went to technology. If somebody blasts all the satellites out, I ain't got a land phone no more. So solar, I have -- and it's right be -- I live next to the bird watchers on St. James Road. So I have no idea what -- what's wrong with the future. I'll be dead. I'm seventy-one years old. But the future, just look what they did in the cowboys and Indians. Then we came up with the last end of, what, a hundred years? Technology, it's only getting bigger and bigger. I don't know what the future is going to be, but it's off the sun. So, okay, guys

#### Response to Comment 12 –

The Applicant thanks you for sharing your experience and perspective as a lifelong resident of the area. As noted in Exhibit 3: Location of Facilities and Surrounding Land Use, the Applicant has carefully considered land use compatibility and community character in siting the Fort Edward Solar Project. The goal is to integrate clean energy infrastructure in a way that respects the surrounding landscape and minimizes disruption to residents and wildlife.

Additionally, Exhibit 11: Terrestrial Ecology, Exhibit 12: NYS Threatened or Endangered Species and the Applicant's Net Conservation Benefit Plan, included in Appendix 12-F documents field surveys and habitat assessments that confirm the presence of species such as deer, turkeys, and grassland birds. The Applicant has proposed mitigation measures to preserve habitat and reduce ecological impacts, including seasonal construction restrictions and habitat management strategies.

#### Comment 13 – Arkal Cassella

I'm a naturalist out of Glens Falls, obviously a birder. I am -- I'm -- I'm just going to read this. This project only aims to protect the bare minimum required amount of land. If your kids came home or your partner came home after a day of doing the bare minimum, I think you'd be a little disappointed knowing that they could do better. All of these actions have reactions. They've been proven. They're trickle down effects. You know, we see pollinator collapse. We're dealing with all of that already. And this -- this is just another part of that. We shouldn't have to experience it firsthand to know that somebody could have done more than the bare minimum. And, you know, I hear landowners saying like, oh, well, if they want to buy the land, buy the land. Cool, let Boralex buy the land. Add it to the refuge that, you know, we -- we need. Solar is great. Solar has a nutrition rate. It needs to be replaced more than a lot of people realize. And I mean, that's going to have an impact as well. It's not as high yield as a lot of people think. And where is that energy going? Is that getting to stay all local? I mean, a harrier can't swoop through a solar panel to catch a vole. Like, yes, there are going to be birds still. Turkeys aren't hunting from the sky. And I just, like, I'm pro solar. I -- I'm not pro this area. And at bare minimum, I just want more than bare minimum to protect these species. And I just -- I just don't think that -- people need to stop seeing grasslands as just barren lands waiting for human intrusion. That's all.

#### Response to Comment 13 –

The Applicant thanks the commentor for providing their comment.



The Applicant acknowledges the ecological sensitivity of the project area and the presence of state-listed grassland bird species, including the Short-eared Owl and Northern Harrier. Exhibits 11 and 12 of the Fort Edward Application includes detailed habitat assessments and wildlife surveys. The Applicant acknowledges the presence of grassland bird species and has proposed mitigation measures to reduce impacts, including seasonal construction restrictions, habitat management practices, and permanent conservation of suitable grassland acreage. The ecological data collected helped inform the layout of the facility to avoid the most sensitive areas and to incorporate habitat preservation strategies. The Applicant is working with NYSDEC and ORES to ensure that the project complies with state regulations and provides a net conservation benefit.

Additionally, Exhibit 3 denotes that the project is sited on privately owned agricultural land that has historically been used for hay and row crop production. The landowners voluntarily entered into lease agreements with the Applicant, and the site was selected based on its proximity to existing electrical infrastructure, including the interconnection point, which minimizes the need for extensive new development and reduces environmental disturbance. Exhibit 3 also notes that the project area is largely free of wetlands and forested areas, which helps avoid impacts to sensitive ecosystems and simplifies permitting. While the site is adjacent to designated conservation areas, the Applicant has committed to maintaining buffers and minimizing visual and ecological impacts through thoughtful design and siting.

#### Comment 14 – Tenly Ruket

I live in Fort Edward. I'm a homeowner and part of this project, which I'm absolutely for the solar project. My grandparents actually came over here from England thinking the streets were paved with gold. They acquired the property. And ever since then, it's been private property. So it's only for us to view the animals and every -- the deer and everything that come across our property, but nobody's there to look at the birds. And to Tanya's point, if it is our private property, then no one's going to be there looking at the birds as well. And I wouldn't go to somebody else's house to go onto their property to look at birds. I have driven often past St. James Road, and there is that bird grasslands over there. I have stopped frequently. I haven't seen any birds out there. I have seen it used a lot as like a park and drive. So vehicles are parked and left there, and there's nobody out there looking at the birds. They must have taken off another vehicle. But I don't see many people out there often, on St. James Road. So like I said, I'm totally for the solar, and thank you for my comments

#### Response to Comment 14 –

The Applicant continues to be grateful for the support from the commentor and the addition of their comment.

The commentor's observations about wildlife continuing to thrive near existing solar infrastructure are consistent with findings in Exhibits 11 and 12 of the Fort Edward Application includes detailed habitat assessments and wildlife surveys. which documents habitat assessments and confirms the presence of species such as deer, turkeys, and other wildlife in and around the project area. The Applicant has

proposed mitigation measures to preserve habitat and minimize ecological impacts, including seasonal construction restrictions and habitat management strategies.

Additionally, Exhibit 3: Location of Facilities and Surrounding Land Use outlines the thoughtful siting of the project on privately owned agricultural land, selected for its compatibility with existing land uses and proximity to electrical infrastructure. The Applicant recognizes and respects the rights of landowners and has worked collaboratively with them throughout the development process, as detailed in Exhibit 2: Overview and Public Involvement.

#### Comment 15 – Cynthia Parillo

I just want everyone in the room to know I am not affiliated with Boralex. I'm not affiliated with Grassland Bird Trust, or Betterbee, or any of the other speakers in this room. I'm here because I'm a farmer. And I am from Rensselaer County, an additional county in New York State. I am so gratified to find an entire room of farmers and others who are so in support of solar projects. This is very rewarding to me because in my little neck of the woods, there's a lot of opposition to the solar going in. And so I'm really gratified that this is happening. Except for the reason that we're here. And that is, is that this area was designated an important bird area and protected by DEC long before Boralex had interest in it. And they were aware of the situation when they began the project. And that over the time that they've been planning it, and I wish them all the success, absolutely, they have not paid attention to this very particular situation. And I think that it's really time that they recognize that this is a situation that requires that attention that they have not paid to it. I'm very proud to be a New Yorker. I'm proud to pay the taxes that I pay on my hundred and fifty acres. And we'll see how the future shakes out for all of this. I'm encouraged by this level of community involvement in America. It's a very good thing. But I hope that Boralex reconsiders their position in this project as they move forward. Thank you

#### Response to Comment 15 –

The Applicant thanks the commentor for providing their comment.

The Applicant acknowledges that the proposed project is located within the Fort Edward Grasslands Important Bird Area (IBA) and adjacent to a DEC-designated Wildlife Management Area. These designations are documented within the Applicant's application in Exhibit 3: Location of Facilities and Surrounding Land Use and Exhibit 11: Terrestrial Ecology and Exhibit 12: NYS Threatened or Endangered Species.

Exhibit 3 denotes that the project is sited on privately owned agricultural land that has historically been used for hay and row crop production. The landowners voluntarily entered into lease agreements with the Applicant, and the site was selected based on its proximity to existing electrical infrastructure, including the interconnection point, which minimizes the need for extensive new development and reduces environmental disturbance. Exhibit 3 also notes that the project area is largely free of wetlands and forested areas, which helps avoid impacts to sensitive ecosystems. While the site is adjacent to designated

conservation areas, the Applicant has committed to maintaining buffers and minimizing visual and ecological impacts through thoughtful design and siting.

Exhibit 11 and 12 includes detailed habitat assessments and wildlife surveys. The Applicant acknowledges the presence of grassland bird species and has proposed mitigation measures to reduce impacts, including seasonal construction restrictions, habitat management practices, and permanent conservation of suitable grassland acreage. The ecological data collected helped inform the layout of the facility to avoid the most sensitive areas and to incorporate habitat preservation strategies. The Applicant is working with NYSDEC and ORES to ensure that the project complies with state regulations and provides a net conservation benefit.

#### Comment 16 – Adrienne Morris

I have to just say, like, I really do appreciate all the farmers and their plight, really, because with the taxes of New York, you know, and that sort of thing. But I'm a little nervous. But anyway. While I do appreciate - the plight of farmers and the state of the taxes, I also just want people to notice what even just happened in this meeting, which was that Boralex comes in as supposedly a good faith player and talks to all the bird people and, you know, promises them the world. And in the end, they weren't listening. And I think we have to remember this area's history of large corporations with no accountability that get subsidies from the government and they're making tons of money off of this stuff. And they're telling farmers, oh, I'm going to help you with your bee population and I'm going to help you with this and I'm going to plant some little plants for you. And in ten to fifteen years, when all the private equity companies move on to something else, these companies will be bankrupt. Our place will look like garbage. And your legacy as farmers will be destroyed, because the future generations will come and we'll see what these things are. They're not solar farms. They're solar factories. And if you had any other kind of factory coming into this area, I don't know if you'd like it so much, especially because they won't be accountable. So it's, you know, everyone is kind of fighting about the birds. And I love birds, too. It's -- it's -- it's about being scammed by green energy that isn't really green. They say green and they say farms to make us all feel good about land grabs. And our government, the reason why the taxes are going up is because our governments are corrupt and they're giving all this money to these solar farms. So just -- everyone just be very careful and realize that you -- all the promises might not come true for you. And you'll be -- you'll be left with this -- this technology on your property that your future generations won't be able to sell. They won't be able to -- because we'll -- because who's taking all those solar panels off the property? So just be very careful.

#### Response to Comment 16 –

The Applicant thanks you for your comment and for sharing your concerns about long-term accountability, land use, and the future of renewable energy development. The Applicant remains committed to engaging in good faith and working toward solutions that reflect community values and regulatory standards.

As outlined in Exhibit 1: General Requirements, the Fort Edward Solar Project is subject to rigorous oversight under New York State law and the Office of Renewable Energy Siting (ORES). The project must comply with detailed permit conditions, including decommissioning requirements, financial assurance

mechanisms, and environmental monitoring. Within Exhibit 23, Revision 1: Site restoration and Decommissioning, the Applicant has outlined how the facility will be responsibly removed at the end of its operational life, with full restoration of the land to its original condition or another agreed-upon use. The Applicant is required to post financial security to ensure that decommissioning is completed, even in the event of unforeseen circumstances.

The Applicant acknowledges that the proposed project is located within the Fort Edward Grasslands Important Bird Area (IBA) and adjacent to a DEC-designated Wildlife Management Area. These designations are documented within the Applicant's application in Exhibit 3: Location of Facilities and Surrounding Land Use and Exhibit 11: Terrestrial Ecology and Exhibit 12: NYS Threatened or Endangered Species. The Applicant acknowledges the presence of grassland bird species and has proposed mitigation measures to reduce impacts, including seasonal construction restrictions, habitat management practices, and permanent conservation of suitable grassland acreage. The ecological data collected helped inform the layout of the facility to avoid the most sensitive areas and to incorporate habitat preservation strategies. The Applicant is working with NYSDEC and ORES to ensure that the project complies with state regulations and provides a net conservation benefit.

#### Comment 17 – Alex Fasulo

I'd like to start off by speaking to the landowners here. Same thing as what Adrienne said. I have massive respect for farmers. I'm a new farmer. There's not a lot of us. I just decided to become one at thirty-one years old. You don't hear that happening a lot. And I own land in Schuylerville, so I'm not a resident of Fort Edward. But this concerns me as a young person. So I want to speak to the farmers first about -- I understand the raised taxes, how expensive the state is. The state is a very difficult state. You can sell your land. You can sell the developmental rights of your land to an agricultural or conservation easement. They will pay you cash for the value of your land, and you will still be in ownership of it. So instead of taking the check from Boralex, instead of taking the check from a corporation out of Quebec that should be developing the land up in Canada -- I looked it up today. There's a hundred and forty-three million acres of land in Canada that could be used for these solar farms. So you have to ask yourself, why are they in New York State? What goodies are they getting here? But that money that you need to keep your farm in operation, I understand, farms -- we are losing farms every day. We're losing two thousand farms a day in our country right now. It's a dire situation. We have a food autonomy crisis looming on the horizon if we keep giving over our land like this to these corporations. And that is what Boralex is, it's a corporation. They want to try and say, yeah, it's green energy. They want to try and make it sound all good. It's a corporation. They are coming in and pillaging our land. They are taking your land from you. You're not going to get it back. Now, I have people who have told me, since these panels cannot be recycled, they abandon them a lot of times if that's not written into the clause here. Now, in my town, the town of Saratoga, we did just pass legislation that makes it incredibly difficult for a company to come in and do this to the environment. And I just want to say to everyone in Fort Edward, you don't have to just sit here and take it. We did something about it in the town of Saratoga. The legislation was passed, and companies are not allowed to come in and snatch up this much acreage now, especially in an area with endangered animals and grasslands, and do what they are about to do to this town. So my final thing that I'm saying

here as a young person, for all of the people that are -- need to take this money, I understand, and a lot of people have said, well, I'm seventy-one, I'm eighty, it doesn't matter to me. Well, I'm thirty-two. And the people after us, think of your kids and think of your grandkids. Think of what you are doing to this country, to this land, to the animals. Our environment is dying. You have to spend one hour outside right now to see the environment, and the planet is dying. And think about what type of world and community are you leaving the people after you. There used to be something called integrity in this country. The Amish still have it, and we don't. So that's all I have to say about that. And you can get the money you need by selling it for an easement. You don't have to hand your land over to these corporations

#### Response to Comment 17 –

The Applicant thanks the commentor for their comment and understands the importance of transparency and long-term responsibility.

Within the Fort Edward Solar LLC application, the Applicant demonstrates a clear commitment to responsible development and meaningful public engagement. Exhibit 2: Overview and Public Involvement highlights the Applicant's outreach to stakeholders both within and beyond the immediate project area, actively encouraging input from the broader community. Exhibit 1: General Requirements confirms that, although the Applicant is a Canadian-owned company, it operates in full compliance with New York State laws and regulatory oversight. Additionally, Exhibit 10: Consistency with Energy Planning Objectives outlines how the project aligns with New York's clean energy goals and contributes to broader efforts in environmental sustainability and energy resilience.

Outlined in Exhibit 1: General Requirements, the Fort Edward Solar Project is subject to rigorous oversight under New York State law and the Office of Renewable Energy Siting (ORES). The project must comply with detailed permit conditions, including decommissioning requirements, financial assurance mechanisms, and environmental monitoring. Within Exhibit 23, Revision 1: Site restoration and Decommissioning, the Applicant has outlined how the facility will be responsibly removed at the end of its operational life, with full restoration of the land to its original condition or another agreed-upon use. The Applicant is required to post financial security to ensure that decommissioning is completed, even in the event of unforeseen circumstances.

The Applicant is committed to working collaboratively with the Town and its consultants throughout the review process. To date, the Fort Edward Solar Project has been designed in alignment with all current New York State regulations, including, but not limited to those administered by the Office of Renewable Energy Siting (ORES), the New York State Department of Environmental Conservation (NYSDEC). Additionally, The Applicant continues to consult with NYSDEC and ORES to assess and mitigate environmental impacts, as documented in Exhibit 11: Terrestrial Ecology and Exhibit 12: NYS Threatened or Endangered Species.

#### Comment 18 – Lorraine Merghart-Ballard

So I figured I wasn't -- didn't have any remarks planned, but since I came up and have been listening and wanted to just make a few points. So I am a supporter of solar energy. I don't know if I'm a supporter of solar panels, simply because I think we haven't really spoke about the technology here. And from what they are doing in other places, there are a lot of alternatives to using good farmland that is maybe, you know, that farmland versus you can put them on buildings, you can put them on roofs, you can put them on dumps, which is something that we did suggest to Boralex for a different project. Saratoga is an example where in Wilton, the panels are on the old dump. So that's an alternative. I also wanted to make the point that -- someone made the point that there's no money involved when you put solar panels here and just use it for grassland bird trust. Well, I think both D.E.C. and some other organizations would argue with that, because if you think about the tourism dollars, the fees, the hunting that is involved, and how important that is to New York State in terms of permits and the amount of people that come here for different -- whether it's turkey hunting, deer hunting, pheasant hunting, that is an important source of income. So if you start taking away the land that is necessary for that type of activity, then you lose money. And what else did I want to say? I think Ron Renoni was someone here that spoke earlier. And I used to -- or I'm involved with Bat and Kill Conservancy. And they used to have eagle watches when I first started supporting them. And we don't have eagle watches anymore. Because the eagles have come back, because they are -- they are successful. And they're successful because D.D.T. and people started for different reasons. But that's a source of income or a source of tourism dollars that people enjoy, the birds. The other thing that I wanted to mention was -- what? Technology? The farmland. So I think this is -- and somebody mentioned it, solar farms. They're not solar farms. They are solar. It's an industry. It's an industry that has been mentioned that if we think about G.E. or we think about the paper mills, and we are still dealing with places that have been abandoned and that are not paying taxes. And we can't even find out who owns them. And I know there are bonds that are supposed to be held for -- for this type of mitigation or when they -- when they stop being productive. But technology moves really quickly. And batteries, we all have old panels. We have batteries that are no longer useful using. And where does that go? So that's not necessarily a great way of -- a great source of solar or source of energy. And finally, what else did I want? Somebody mentioned that that energy is staying in here. Well, it's being sold to National Grid. There's not a point of use technology. So it's no different than National Grid still controls it. And it's, you know, Boralex is selling it to them. If they were selling it directly to all of us, like individually at a point of use, that would be a different situation. But I don't think that's happening. So I am in support of solar. I think we have to think about the technology and how that is changing. I do think at the very least, if this project goes forward, they should totally provide. And they will be buying the land from the neighbors that say they're not going to take anybody's private land, whether it's Boralex or a conservation organization. And it should be at least as much, if not more, than the impact that they are doing. So that's all I have to say.

#### Response to Comment 18 –

The Applicant appreciates you sharing your thoughtful comments and questions regarding the proposed solar project.

The Applicant has provided, within their submission, a required decommissioning and restoration plan. This plan outlines the conditions triggering decommissioning, the removal of all equipment, site restoration, proper waste management, financial assurance through bonds or escrow, a detailed cost estimate, notification procedures, and compliance with local and state regulations.

During decommissioning, the Project components will be dismantled and removed using conventional construction equipment and will be recycled, disposed of, or salvaged safely. The Applicant will pursue recycling or reuse of decommissioned equipment to the extent practicable, as required by law. If the Project is unexpectedly abandoned in the early years of its life, the PV modules could reasonably be expected to be re-used; however, the Revised Decommissioning Plan assumes that the modules will be dismantled, and materials such as copper, aluminum, glass, and silver salvaged.

The Applicant is committed to working collaboratively with the Town and its consultants throughout the review process. To date, the Fort Edward Solar Project has been designed in alignment with all current New York State regulations, including those administered by the Office of Renewable Energy Siting (ORES), the New York State Department of Environmental Conservation (NYSDEC), and other applicable agencies. The Applicant recognizes the importance of exploring alternative siting options, such as rooftops, landfills, and previously disturbed lands, and continue to evaluate these opportunities where feasible. However, the Applicant has sited the Facility based on the availability of suitable land in proximity to existing electrical infrastructure that can support interconnection to the grid. The concerns raised about the use of productive farmland, impacts to tourism and hunting, and the long-term management of solar technology—including panel and battery disposal—are important and will continue to be considered and align with Town, County and New York State standards.