



Cayuga Solar

Matter No. 23-03014

1100-2.3 Exhibit 2

Overview and Public Involvement

REDACTED

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EXHIBIT 2 OVERVIEW AND PUBLIC INVOLVEMENT

(a) Brief Description of the Proposed Facility

The proposed Cayuga Solar Project (Facility) is a 60-megawatt (MW) solar energy generating facility, located in the Town of Lansing, Tompkins County, New York. The regional Facility location is depicted in Figure 2-1. The Facility Site will be located on private lands that are primarily rural in nature and total approximately 687 acres, of which approximately 326 acres will be occupied by Facility infrastructure (Figure 2-2). Key terms used frequently in this Application to describe the Cayuga Solar Project are defined as follows:

- **Project** – Collectively refers to permitting, construction and operation of the Facility, as well as proposed environmental protection measures and other efforts proposed by the Applicant.
- **Facility Site** – The parcels or portions of parcels proposed to host the Facility components and/or associated facilities.
- **Facility** – Collectively refers to all proposed components, which include: photovoltaic (PV) arrays and their rack/support systems; direct current (DC) collection lines and communications cables connecting the arrays to inverters; the inverters with their support platforms, control electronics, and step-up transformers; buried alternating current (AC) medium voltage collection lines; security fencing and gates around each PV array; gravel access roads; temporary laydown areas; medium voltage to transmission voltage collection substation with associated equipment, and fenced areas; aboveground transmission voltage line to connect the collection substation to the point-of-interconnection (POI) at New York State Electric and Gas's (NYSEG's) existing Substation; an existing building to be used as the operation and maintenance building; and any other improvements subject to Office of Renewable Energy Siting and Electric Transmission (ORES) jurisdiction.

(1) Brief Overall Analysis

As required by Title 16 New York Codes, Rules and Regulations (16 NYCRR) Section 1100-2.3(a), this section includes an overall analysis of the relevant and material facts established in this Siting Permit Application; addresses each required finding, determination, and consideration that ORES shall evaluate in its decision; and provides basis for why the Siting Permit should be granted. Specifically, this section includes information and analyses from the supporting studies regarding the nature of the probable impacts of the construction and operation of the Facility on (i) ecology, ground and surface water, and wildlife and habitat, (ii) public health and safety, (iii) cultural, historic, and visual resources, (iv) transportation, utilities and other infrastructure, and (v) compliance with local laws and ordinances.

The parcels that are currently proposed to host the Facility (i.e., the Facility Site) represent multiple landowners who are willing and interested in participating in the Project, but only under specific circumstances that are compatible with landowner preferences. Parcels outside the Facility Site were not available for development; therefore, it was not possible to shift PV arrays or other Facility components to these areas, even if they would otherwise be suitable or allow for further avoidance or

minimization of impacts. Landowners agreeing to host PV arrays typically have very specific requirements regarding where the solar infrastructure can and cannot be located on their land.

Similarly, some landowners may be willing to host certain Facility components but not PV arrays. Additionally, even if landowners are amenable to a shift in Facility components, such a change is not always possible given the setbacks and local zoning requirements established by the host municipalities, which reduce flexibility for Facility design shifts. Nevertheless, during the iterative design process, the Applicant shifted Facility components to avoid sensitive resources documented within the Facility Site, including grassland habitat, wetlands and streams, and cultural and historic resources, to the extent practicable. Therefore, the PV array layout as presented in this Application is the culmination of an ongoing effort undertaken by the Applicant to avoid and minimize impacts to sensitive resources while preserving the capacity of the Facility to generate clean, renewable electricity.

New York State policy and laws advocate for and require the development of renewable energy projects in order to significantly increase generating capacity from renewable sources, meet clean energy goals, and combat climate change (CLCPA, 2020). As described in detail herein, the Facility has been designed to avoid and minimize impacts to sensitive resources, while also making a meaningful contribution (60 MW) to renewable energy generation in New York and furthering well-established policy and legislative goals.

(i) Ecology, Ground and Surface Water, Wildlife and Habitat

Plant Communities

As described in Exhibit 11, the Applicant defined the boundaries of plant communities within the Facility Site by utilizing data collected in the field during various ecological surveys (e.g., breeding bird survey, wintering raptor survey, wetland and stream delineations), in addition to recent aerial imagery from the NYS Digital Orthoimagery Program (from 2023). Plant communities found at the Facility Site are relatively common in New York State and based on consultation with the New York Natural Heritage Program (NHP), no rare plants or significant natural communities were identified within the Facility Site. The following plant communities were identified and classified using the definitions developed in Ecological Communities of New York State by Edinger et al. (2014):

- Row Cropland: 194 acres (26%) of Study Area
- Successional Old Field: 118 acres (16%) of Study Area
- Field Cropland: 91 acres (12%) of Study Area
- Developed/Disturbed: 78 acres (11%) of Study Area
- Appalachian Oak-Hickory Forest: 60 acres (8%) of Study Area
- Successional Northern Hardwoods: 55 acres (7%) of Study Area
- Successional Shrubland: 41 acres (6%) of Study Area
- Beech-Maple Mesic Forest: 33 acres (4%) of Study Area
- Landfill/dump: 20 acres (3%) of Study Area
- Paved Road: 17 acres (2%) of Study Area
- Successional Red Cedar Woodland: 17 acres (2%) of Study Area

- Emergent Wetland: 6 acres (1%) of Study Area
- Forested Wetland: 4 acres (1%) of Study Area
- Natural Streams: 3 acres (<1%) of Study Area
- Scrub-shrub Wetland: 2 acres (<1%) of Study Area.

Impacts to plant communities are considered in the context of three limits of disturbance: the limit of disturbance during construction, the limit of vegetation management, and the limit of impervious surface. The limit of disturbance during construction represents all areas that could be temporarily impacted during construction of the Facility. The limit of vegetation management encompasses all areas to be maintained for built facilities or as early successional habitats for the life of the Facility. The limit of impervious includes all areas that will host built components of the Facility and will be maintained in an unvegetated state for the life of the Facility.

The majority of impacts to plant communities will be in those areas currently defined as active agricultural areas (e.g., active row crops and active field crops), which comprise approximately 56% of all impacted areas. The primary agricultural crops within the limit of disturbance are row crops of corn and soybeans (approximately 139 acres) and field crops (approximately 20 acres). Croplands provide limited habitat for wildlife species, and it is anticipated that the diverse, dense vegetation expected under PV arrays and within the limit of vegetation management will improve habitat and provide a benefit to the common species utilizing this site as compared to the actively farmed areas which exist now. Tree clearing has been minimized to the extent practicable, considering the constraints within the Facility Site. Additional information regarding impacts to plant communities and the Applicant's planned avoidance and minimization strategies are presented in Exhibit 11 (Terrestrial Ecology).

Wetlands

As described in Exhibit 14 and Appendix 14-A (Wetland and Stream Delineation Report) Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (EDR) delineated wetlands within the Facility Site where access was available between June and August 2023 and November 2024. EDR delineated 86 wetlands within the Wetland Study Area, which total approximately 20.5 acres. EDR also performed an offsite wetlands analysis of those areas within 100 feet of the limit of construction activity where the Applicant did not have access, in addition to providing a functions and values assessment for each wetland identified (see Exhibit 14 and Appendix 14-C for more information on functions and values).

EDR coordinated with ORES to conduct a site visit to review the boundaries of delineated features in support of determining state jurisdictional status of the wetlands and streams within the Facility Site. This site visit occurred in October 2023. The original Wetland and Stream Delineation Report (WDR) was submitted to ORES in October 2023, and a revised WDR was submitted December 2024 following small changes to the design and layout of the Facility. As a result of this process and the associated consultations conducted in accordance with 16 NYCRR 1100-1.3(e), a final jurisdictional determination was issued by ORES on January 16, 2025, which determined no state-regulated wetlands are located within the Wetland Study Area (Appendix 14-B).

To avoid impacts to state-regulated freshwater wetlands and regulated adjacent areas, the Applicant utilized data collected during wetland and stream delineations, and desktop approximations, to inform design and located Facility components outside of these features. Examination of the Facility Site in its entirety illustrates the design's avoidance around all state-regulated wetlands and streams, and most presumed federal-regulated wetlands and streams. Overall, the location of Facility components was constrained by these delineated features and their proximity to one another, as well as landowner development restrictions, and Article VIII required setbacks (see Figure 5-1 for development constraints). In areas where collection line crossings could not be avoided across wetlands, the Applicant will implement construction techniques such as horizontal directional drilling (HDD) to avoid direct impacts. The Applicant is seeking a waiver of § 270-35(R)(13)(A) of the Town of Lansing's local code as it relates to USACE wetlands. See Exhibit 24: Local Laws and Ordinances for additional information.

Surface Waters

Wetland and stream delineations were conducted at the Facility Site between June and August 2023, and November 2024. A total of 100 ephemeral, intermittent, and perennial streams, as well as one approximated stream, totaling approximately 53,194 linear feet were identified (see Exhibit 13 and Appendix 14-A). A copy of the original Wetland and Stream Delineation Report was submitted to ORES in October 2023. A final jurisdictional determination was issued by ORES on January 16, 2025.

According to the Surface Waters Jurisdictional Determination issued by ORES, three unnamed tributaries to Cayuga Lake are identified state protected streams. Streams 26-ST008, 26-ST009, and 26-ST010 are class C(T) perennial streams.

The Applicant has sited Facility components to avoid direct impacts to state-regulated surface waters through both design and construction techniques. Because direct impacts to state-regulated surface waters will be avoided, no mitigation for impacts to state-regulated streams is required per 16 NYCRR Section 1100-2.14(b)(7). In addition, the Applicant has sited components to avoid temporary and permanent impacts to state-regulated 50-foot stream buffers. The Applicant is seeking a waiver of § 270-35(R)(13)(C) of the Town of Lansing's local code as it relates to stream setbacks. See Exhibit 24: Local Laws and Ordinances for additional information.

Wildlife

The Applicant prepared a Wildlife Site Characterization (WSC) Report (Appendix 12-A) for the Project in accordance with the requirements of 16 NYCRR Section 1100-1.3(g)(1). Information reviewed in the WSC Report suggests that the Facility Site's wildlife community consists of common species that are typically found in agricultural and forest habitats. The WSC also identifies state-listed threatened, endangered, or special concern species documented in the vicinity of the Facility Site within the last five years. The WSC Report and associated shapefiles and mapping were provided to the ORES on October 20, 2023, in accordance with 16 NYCRR Section 1100-1.3(g)(2).

The Applicant prepared and submitted a memorandum regarding occupied habitat for state-listed threatened and endangered species to ORES and the NYSDEC on January 28, 2025 (Appendix 12-D).

The Applicant also participated in an initial meeting with ORES and the New York State Department of Environmental Conservation (NYSDEC) on February 19, 2025, in accordance with 16 NYCRR Section 1100-1.3(g)(2) of the Article VIII regulations, to discuss occupied habitat after submitting survey reports for the Spring Breeding Bird Survey (Appendix 12-C) and Winter Raptor Survey (Appendix 12-B). ORES provided the Determination of Occupied Habitat, Incidental Take, and Net Conservation Benefit (see Appendix 12-E) on March 3, 2025. During summer 2025, minor adjustments were made to the Facility layout, and a revised estimate of impact area and mitigation requirements was prepared.

As further explained in Exhibit 12, the Facility has been designed to avoid and minimize impacts to environmental resources to the extent practicable, while also making a meaningful contribution (60 MW) to renewable energy generation in New York and furthering well-established policy goals. However, habitat for threatened species has been determined to exist on site. The Applicant has developed a Net Conservation Benefit Plan (NCBP) for the Facility in accordance with the requirements of 16 NYCRR Section 1100-6.4(o), included as Appendix 12-F. As part of the NCBP, the Applicant is examining potential options for habitat protection and management to preserve and manage approximately 30 acres of open land for the life of the Facility (up to 30 years). Alternatively, the Applicant may instead elect to pay a mitigation fee into the Endangered and Threatened Species Mitigation Bank Fund.

In addition to the NCBP, the following efforts have been implemented to avoid and minimize impacts to state-listed grassland bird species to the extent practicable given myriad other siting constraints inherent in the development of a solar energy generation project:

- Facility components are proposed within portions of identified occupied habitat that are currently exposed to several forms of existing disturbance, including agricultural production.
- Many Facility components were intentionally placed in regularly disturbed areas primarily used for row crop (e.g., corn) production, which typically represent lower-quality habitat than grass-dominated areas.
- Facility electrical collection lines will be installed underground to minimize collision risk.
- Linear Facility components were co-located where possible to reduce impacts to grassland bird habitat.
- All temporarily disturbed grassland vegetation communities will be re-graded to pre-construction contours and reseeded with a native or naturalized grassland seed mix (unless returning to agricultural use or otherwise specified by the respective landowner).

See Exhibit 12 for more information regarding wildlife and wildlife habitat at the Facility Site.

(ii) Groundwater, Geology, and Public and Private Water Supply

Geology and Groundwater

On behalf of the Applicant, ANS Geo Inc. conducted a preliminary geotechnical investigation to obtain geotechnical data and provide geotechnical recommendations for the proposed structures within the

Facility Site. The results of the investigation are summarized in the Geotechnical Engineering Report (see Appendix 10-A).

As further described in Exhibit 10, the report included a summary of geotechnical borings throughout the Facility Site, identifying the groundwater level at varying depths ranging between 4 feet and 18.5 feet below grade, with an average of 12 feet below grade. Based on ANS's findings, the Facility Site is generally suitable for the proposed development, and soils in the Facility Site are generally suitable for the foundation systems.

As indicated by the Geotechnical Report (Appendix 10-A), groundwater levels at the Facility Site may fluctuate due to seasonal variation, the amount of rainfall, soil permeability, and other factors. Should shallow/perched groundwater be encountered, any construction impacts will be addressed through typical engineering measures and construction techniques, including dewatering, which will avoid and minimize the potential for groundwater to cause erosion and sedimentation. Any discharge from dewatering locations will take place in accordance with the Facility Stormwater Pollution Prevention Plan (SWPPP; Appendix 13-B). The determination of any long-term dewatering (if necessary) will be addressed during final geotechnical investigations to be conducted following issuance of the Siting Permit.

Public and Private Wells

As described in Exhibit 13, a Freedom of Information Law request letter was sent to the New York State Department of Health (NYSDOH), the Cayuga County Department of Health, and the Tompkins County Department of Health on March 29, 2024, and the NYSDEC on June 19, 2024. On July 1, 2024, the NYSDEC responded via email and indicated that no active groundwater supply wells are located within one mile of the Facility Site or within the Facility Site. On May 1, 2025, a representative from the NYSDOH responded via email and indicated there are no active groundwater supply wells within one mile of the Facility Site or within the Facility Site. The Tompkins County Department of Health responded via email on May 30, 2024, indicating that 15 private wells are located within one mile of the Facility Site, and the Cayuga County Department of Health responded via email on April 2 and April 12, 2024, indicating 54 private groundwater wells are located within one mile of the Facility Site.

In addition, the Applicant sent private well surveys to all residences and businesses within 1,000 feet of the Facility Site. Based on the responses received, a total of seven private wells within 1,000 feet of the Facility Site were identified (see Figure 13-1). There are no known active water supply wells within 100 feet of any collection lines or access roads, within 200 feet of PV arrays, or within 500 feet of HDD locations. Blasting activities are not anticipated for the construction of this Facility.

To further avoid impacts to surface waters within the Facility Site during construction and operation of the Facility, a Preliminary SWPPP is appended to this Application (Appendix 13-B). The Applicant will conduct the detailed engineering necessary to prepare a Final SWPPP, in accordance with the State Pollutant Discharge Elimination System General Permit, and which will be submitted as a compliance filing.

(2) Public Health and Safety

As the Public Service Commission (PSC) stated when it adopted the Clean Energy Standard (CES) in 2016, "one of the primary benefits" of the state's transition to renewables will be "a reduction in total emissions of air pollutants resulting from fossil fuel combustion. Increased use of renewable energy sources leads to improved air quality and societal benefits from reduced health impacts and increased employee productivity. For example, as air quality improves, state health care expenditures for treatment of asthma, acute bronchitis, and respiratory conditions may be reduced. Reduced exposure to fine particulates may avoid other health problems such as increased morbidity and exacerbation of respiratory and cardiovascular ailments." Per the PSC, inaction in addressing air pollution and climate change is not an option, for "it is certain... that the consequences of inaction on air pollution and climate change are not acceptable." As detailed in Exhibit 6, the Project is estimated to support near and long-term public health and safety through the offset of approximately 48,830 tons of carbon dioxide, a greenhouse gas that contributes to climate change, and reductions in pollutants such as mercury, sulfur dioxide and nitrogen oxides emitted from fossil fuel-fired power plants. Overall, the Facility will have numerous public health and safety benefits associated with reducing greenhouse gas emissions and providing the State and local community with socioeconomic benefits (See Exhibits 6, 17, and 18).

It is within this broader context that ORES must consider the limited potential public health impacts associated with construction and operation of a solar facility like the Cayuga Solar Project. Potential public health impacts associated with construction of this Facility are limited to typical risks associated with any commercial construction project, such as increased noise levels during construction, increased traffic, and the potential release of construction-related contaminants into the environment. These common risks are generally not associated with significant impacts to public health and safety and will be avoided, minimized, and mitigated by the Applicant's adherence to the Article VIII Uniform Standards and Conditions. Once constructed, the presence of electrical equipment both within the arrays and at the substation carries some risk of a shock or combustion hazard. These areas will have perimeter controls (i.e., security fencing, signage) as required by local law and the National Electrical Safety Code (NESC) to prevent potential injury.

As further described in Exhibit 6, proper siting of the Facility, implementation of a Site Security Plan (Appendix 6-A) and Safety Response Plan (Appendix 6-B), and adherence to health and safety standards all but eliminate the potential risks from these types of incidents. The Site Security Plan includes the following measures to be implemented during Facility operation: access controls, electronic security and surveillance facilities, security lighting, and a cyber security program. The Applicant's Safety Response Plan includes information regarding contingencies constituting an emergency, identifies measures for emergency response, evacuation, community notification, and onsite equipment locations; and includes information regarding training drills with local responders (see Appendix 6-B).

(3) Cultural, Historic, and Visual Resources

(i) Cultural and Historic Resources

i. Archaeological Resources

As described in Exhibit 9, a Phase IA Archaeological Survey (Appendix 9-B) was developed and submitted to the Office of Parks, Recreation, and Historic Preservation (OPRHP), which serves as the State Historic Preservation Office (SHPO) on March 19, 2024, for review and comment. The Phase IA report defines the Facility's Area of Potential Effect (APE) for Direct Effects to archaeological resources and identifies if any previously documented archaeological resources occur within the APE for Direct Effects. To identify potential archaeological sites within the Facility Site, the Applicant completed a Phase IB Archaeological Survey (Appendix 9-C) in accordance with the approved methodology outlined in the Phase IA Archaeological Survey. The archaeological survey was conducted in a series of site visits and mobilizations between February and December 2024. The Phase IB archaeological survey identified **BEGIN CONFIDENTIAL INFORMATION** < [REDACTED]

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CONFIDENTIAL INFORMATION

In an effort to avoid impacts to archaeological sites, the Applicant moved, modified, or eliminated Facility components. The Facility layout currently avoids significant ground disturbance to **BEGIN CONFIDENTIAL INFORMATION** < [REDACTED] >END CONFIDENTIAL INFORMATION Short term Avoidance and Protection Plans were completed for the **BEGIN CONFIDENTIAL INFORMATION** < [REDACTED] >END CONFIDENTIAL INFORMATION and were submitted to OPRHP either in the Phase IB Archaeological Survey report (submitted on April 2, 2025), or under separate file submitted on June 21, 2025 (Appendix 9-A). The OPRHP supports the avoidance procedures and identified no further archaeological concerns.

If unanticipated archaeological resources are encountered during construction, the Facility's Unanticipated Discovery Plan (Appendix 9-E) will include provisions for work stoppage upon the discovery of possible archaeological resources or human remains.

ii. Historic Resources

In accordance with the requirements of 16 NYCRR Section 1100-2.10(b), the Applicant has engaged in ongoing consultation with the ORPHP and has completed historic resources studies for the Facility. The Historic Resources Survey (Appendix 9-D) evaluates the Facility's potential effects on historic resources listed or eligible for listing in the S/NRHP located within the APE for Indirect Effects, including potential visual and auditory impacts of the Facility. A total of 72 resources were evaluated as part of the Historic Resources Survey.

The Facility will have no physical or direct effects on aboveground historic resources. The viewshed conducted after the field survey suggested that some properties within the zone of visual impact will have no views of the Facility and 25 percent or less of the solar panels would be visible in views for most of the recommended S/NRHP-eligible or undetermined properties. The visual impacts to historic resources associated with the proposed substation and POI are not considered to be intrusive or incompatible with the industrial nature of the existing landscape. The Historic Resources Survey Report was submitted to ORPHP on May 1, 2025. OPRHP provided a response on May 29, 2025 requesting an additional visual assessment, for which a response was provided on August 18, 2025. OPRHP responded September 17, 2025, requesting an additional visual assessment, for which a response was provided September 23, 2025 (Appendix 9-A).

Effects to historic properties could also consist of auditory effects; however, solar facilities produce minimal sound beyond the boundaries of the Facility. Any possible concerns about the sound emissions from a solar project are largely confined to the step-up transformer in the new substation, electrical inverters and transformers within the various solar panel fields, equipment associated with the energy storage facility, and temporary activities during construction. A detailed discussion of potential noise impacts of the Facility is provided in Exhibit 7 of this Application. Exhibit 7 prepared for the Facility concluded that modeled sound levels within the immediate vicinity are at or below local noise limits, as well as the noise limits established in the Article VIII regulations. Therefore, no auditory effects are anticipated to occur as a result of the Facility, and no auditory effects will occur to any historic resources.

The Applicant anticipates ongoing consultation with OPRHP (and other applicable consulting parties) regarding avoidance, minimization, and/or potential mitigation for visual and auditory impacts of the Facility on aboveground historic resources. In accordance with 16 NYCRR Section 1100-10.2(g) of the Article VIII regulations, the Applicant will complete a Cultural Resources Avoidance Minimization and Mitigation Plan (CRAMMP) as part of the Pre-Construction Compliance Filings.

iii. Visual Effects

EDR prepared a Visual Impact Assessment (VIA) (Appendix 8-A) that describes the extent and significance of Facility visibility. The VIA includes an identification of visually sensitive resources, viewshed mapping, results of field review, visual simulations (photographic overlays), and proposed visual impact mitigation. The viewshed analysis based on existing topography, vegetation, and structures indicates that PV panel arrays will be screened from approximately 76.9% of the Visual Study Area, with the greatest potential visibility of Facility components occurring within 0.5 miles of the Facility Site along agricultural fields, rural residential areas, roadway corridors, and on the western portion of Cayuga Lake. Field review confirmed contiguous of potential PV panel visibility in agricultural areas, where little to no roadside vegetation or buildings serve to screen views. Visibility and visual impact will be variable. The greatest perceived visual effect is anticipated in the near-foreground distance zone where a broad expanse of PV panels will be visible and/or the PV arrays are largely unscreened. Conversely, impact is reduced when the Facility is viewed from viewpoints

located at greater distances, in settings with existing utility infrastructure in place, and/or where partially screened by existing vegetation.

In addition, a Visual Impacts Minimization and Mitigation Plan (VIMMP) is included with this Application as Appendix 8-B. The VIMMP includes, among other information, a Landscape Mitigation Planting Plan to soften views of the Facility from specific viewpoints (including historic sites) and a Solar Glare Analysis Report. Specific avoidance and minimization measures described in the VIMMP include the following:

- Facility component visibility is limited to approximately 23% of the 2-mile radius study area. The Applicant sited the proposed Facility in a mix of agricultural and forested rural land to avoid or minimize visual impacts to population centers and visually sensitive resources.
- The Applicant has developed a comprehensive Landscape Mitigation Planting Plan (Attachment 1 to the VIMMP) that uses eight different planting schemes (modules) that will be applied as appropriate, to minimize and mitigate the Facility's visual effect on the surrounding landscape.
- Permanent light sources to be installed at the collection substation will utilize full cut-off light fixtures with no drop-down optical elements. In addition, lighting will be kept to the minimum intensity required to ensure safety and security.
- The proposed collection system will be buried underground thereby reducing potential visual impacts that would result from overhead collection lines and associated pole structures.
- The Applicant has proposed to use single-axis tracker for PV array racking for a majority of the Facility Site, which has a lower profile than other potential configurations and reduces potential glare impacts.
- Because the Facility proposes to use primarily single-axis trackers and the PV modules will have anti-reflective coatings, solar glare exposure that could result in complaints, impede traffic movements or create safety hazards are not anticipated.

(4) Transportation, Utilities, and Other Infrastructure

(i) Transportation

Virtually all of the traffic-related impacts associated with the Facility will occur during the site preparation and construction phase when there will be a temporary increase in vehicle traffic on area roadways. Once the Facility is commissioned and construction activities are concluded, traffic associated with Facility operation will be negligible and limited to occasional trips associated with routine maintenance activities (see Exhibit 16 for additional information on transportation).

(ii) Utilities and Other Infrastructure

The Applicant will construct the Facility to avoid interference with existing above ground and buried utility systems through consultation with the owning utilities and by following the One Call process with UDig NY. Charter Communications maintains coaxial cable and Verizon maintains underground fiber lines along public road and utility rights-of-way throughout the 1-mile Study Area. As detailed in Exhibit 20, it is not anticipated that the Facility will require new off-site telecommunication interconnections as the area is generally served by existing cellular and broadband services. In addition, the Applicant commissioned Aletair, LLC to conduct a Magnetometer Survey to isolate any magnetic anomalies associated with possible unmarked cased wells and non-invasively assess whether any NYSDEC-regulated wells are present within 500 feet of the proposed Facility Site and the results are presented in Exhibit 3 and Appendix 3-A.

The Applicant will construct the Facility to avoid interference with existing above ground systems within the Facility Site by installing collection lines underground. The Applicant will also become a member of Dig Safely New York and contact all landowners within the zone of safe siting clearance, consistent with 16 NYCRR 1100-6.4(f) and (g) requirements to further minimize potential impacts to underground facilities during construction. Impacts to existing utilities and infrastructure are not anticipated as a result of construction and operation of the proposed Facility.

(5) Compliance with Local Laws and Regulations

The Facility has been designed to comply with federal and federally delegated permits consistent with 16 NYCRR Section 1100-2.25. Consistency with the local laws and ordinances has been achieved to the maximum extent practicable as outlined in Exhibit 24 (Local Laws and Ordinances). However, the Applicant is requesting a waiver of certain sections of local laws.

(b) Brief Description of the Local Engagement and Outreach Efforts

The siting review for Cayuga Solar proceeded under the Article VIII process. Early outreach and coordination with the landowners began in mid-2020, and outreach with the local community began summer 2024. The goals of the initial public outreach efforts were to 1) establish community awareness of the Project, 2) provide an opportunity for local municipalities and constituents to participate in the Project review process, and 3) allow local stakeholders to supply valuable development feedback.

The Applicant has consulted with local governmental officials regarding the Project since summer 2024, with more specific consultations regarding local agreements and regulations taking place in the summer and fall of 2024. The Applicant presented at a town board meeting to provide an introduction to and information regarding the Project on September 18, 2024. The Applicant also participated in a virtual meeting with town officials, including the Code Enforcement Officer, on September 26, 2024. Appendix 2-A provides information on these municipal meetings and documentation on additional correspondence with municipal leaders.

The Applicant has also hosted a public information meeting on October 2, 2024, in accordance with 16 NYCRR Section 1100-1.3(a) and (b). This meeting was held more than 60 days prior to the Applicant's anticipated application filing date. Presentation materials from these meetings are provided in Appendix 2-A. Also, in accordance with the regulations, notification of the meetings was posted in the following local papers: Ithaca Journal, Freeville Shopper, and FingerLakes1.com, two weeks prior to the event. Notice of the public meeting was also mailed to residents located within 1 mile of the Facility Site, ORES, and applicable members of the state legislature in accordance with 16 NYCRR Section 1100-1.3(b). The Applicant presented information on topics of interest, such as a description of the Project, details on the Article VIII process (including the process for obtaining intervenor funds), and how to contact Cayuga Solar to obtain additional information. The attendees were also able to ask questions from relevant subject matter experts and representatives of the Project at the meeting.

Additionally, local land use consultation letters were sent to towns and villages within 5 miles of the proposed Facility in January 2025 to identify recently approved and proposed land use developments. Responses were received from the towns of Lansing, Ledyard, and Ovid and the villages of Interlaken and Trumansburg (Appendix 2-A). In addition to local consultation efforts, the Applicant has consulted with state agencies on numerous occasions during the pre-application process, including, but not limited to: ORES, NYSDEC, NYSDOH, and NYSOPRHP.

The Applicant reached out to the host communities to consult on how the Facility complies with local laws (Appendix 2-A). In addition, the Applicant has coordinated directly with the host community's Town Board and Code Enforcement Officer for optimal Project siting (see Exhibits 3 and 24). Other key items or concerns raised during these outreach efforts are summarized as follows:

- Potential impacts to wildlife and the environment – As described in Exhibits 11 and 12, the Applicant has prepared a number of avian and ecological studies. The Applicant has continued coordination with the appropriate agencies to address wildlife concerns through studies, avoidance, and mitigation efforts. The Applicant has also coordinated with the Town of Lansing to maintain wildlife corridors along two perennial streams in the northwestern and eastern portions of the Facility Site.
- Potential impacts to water resources and wetlands – As described in Exhibits 13 and 14, the Applicant has continued consultation with ORES and the NYSDEC and performed studies and outreach to identify water resources and wetlands and to address any concerns.
- Visual impacts – The Applicant conducted multiple outreach efforts to the local community and other visual stakeholders to identify viewsheds of concern and provide the information needed to assess the potential visual impact of the Facility (see Exhibit 8).
- Agricultural impacts – As described in Exhibit 15, the Applicant prepared an Agricultural Plan consistent with New York State Department of Agriculture and Markets' *Guidelines for Solar Energy Project – Construction Mitigation for Agricultural Lands* to avoid, minimize and mitigate impacts to active agricultural lands.
- Noise impacts – The Applicant completed a Noise Impacts Study and is committed to meeting noise standards and design goals regulated under Article VIII (see Exhibit 7).
- Public health and safety concerns – As described in Exhibit 6, solar energy facilities do not generally pose many risks to human health and safety. The Applicant is committed to implementing site

security measures such as fencing and setbacks, staff training, and health and safety procedures as well as working closely with local emergency responders.

- Project decommissioning – As described in Exhibit 23, the Applicant is committed to decommissioning and restoring the Facility in a safe and environmentally responsible manner, and the Applicant has put financial security in place to ensure the host community and landowners will bear no responsibility for Facility decommissioning or the associate restoration.

In addition, the Applicant has a Project-specific webpage (<https://www.aes.com/new-york/project/cayuga-solar>), a toll-free number (1-866-757-7697) and an email address (cayugasolar@aes.com) for stakeholders and other interested parties to communicate questions or comments.

Lastly, the Applicant has complied with the ORES 60-day and 3-day notice requirements set forth in 16 NYCRR Sections 1100-1.3(d) and 1100-1.6(c). Specifically, the Applicant reached out to the following local newspapers to publish the 60-day notice of intent to file an application with ORES to permit the Facility: the *Ithaca Journal* and the *Freeville Shopper*. The Applicant reached out to the following local newspapers to publish a 3-day notice of intent: *Ithaca Journal* and *FingerLakes1.com*. The notices were published between May 14 and October 6. Copies of these notices and proof of service and publication have been filed with ORES on the Permit Application Master 23-03014.

REFERENCES

Climate Leadership and Community Protection Act (CLCPA). 2020. *Climate Act Fact Sheet*. Available at: <https://climate.ny.gov/> (Accessed September 2025).

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