



Department of  
Environmental  
Conservation

Office of  
General Services

Department  
of State



### JOINT APPLICATION FORM

For Permits for activities affecting streams, waterways, waterbodies, wetlands, coastal areas, sources of water, and endangered and threatened species.

**You must separately apply for and obtain Permits from each involved agency before starting work. Please read all instructions.**

<b>1. Applications To:</b>			
<b>&gt;NYS Department of Environmental Conservation</b>		<input type="checkbox"/> Check here to confirm you sent this form to NYSDEC.	
Check all permits that apply:	<input type="checkbox"/> Dams and Impoundment Structures	<input type="checkbox"/> Tidal Wetlands	<input type="checkbox"/> Water Withdrawal
<input type="checkbox"/> Stream Disturbance	<input type="checkbox"/> 401 Water Quality Certification	<input type="checkbox"/> Wild, Scenic and Recreational Rivers	<input type="checkbox"/> Long Island Well
<input type="checkbox"/> Excavation and Fill in Navigable Waters	<input type="checkbox"/> Freshwater Wetlands	<input type="checkbox"/> Coastal Erosion Management	<input type="checkbox"/> Incidental Take of Endangered / Threatened Species
<input type="checkbox"/> Docks, Moorings or Platforms			
<b>&gt;US Army Corps of Engineers</b>		<input checked="" type="checkbox"/> Check here to confirm you sent this form to USACE.	
Check all permits that apply:	<input checked="" type="checkbox"/> Section 404 Clean Water Act	<input type="checkbox"/> Section 10 Rivers and Harbors Act	
Is the project Federally funded?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
If yes, name of Federal Agency:	<input type="text"/>		
General Permit Type(s), if known:	<input type="text" value="NWP 14"/>	<input type="text" value="NWP 57"/>	
Preconstruction Notification:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>&gt;NYS Office of General Services</b>		<input type="checkbox"/> Check here to confirm you sent this form to NYSOGS.	
Check all permits that apply:	<input type="checkbox"/> State Owned Lands Under Water		
	<input type="checkbox"/> Utility Easement (pipelines, conduits, cables, etc.)		<input type="checkbox"/> Docks, Moorings or Platforms
<b>&gt;NYS Department of State</b>		<input type="checkbox"/> Check here to confirm you sent this form to NYSDOS.	
Check if this applies:	<input type="checkbox"/> Coastal Consistency Concurrence		

<b>2. Name of Applicant</b>		Taxpayer ID (if applicant is NOT an individual)	
<input type="text" value="Garnet Energy Center, LLC"/>		<input type="text" value="84-4185663"/>	
Mailing Address		Post Office / City	State Zip
<input type="text" value="700 Universe Blvd"/>		<input type="text" value="Juno Beach"/>	<input type="text" value="FL 33408"/>
Telephone	<input type="text" value="(561) 694-3442"/>	Email	<input type="text" value="ashley.regan@nexteraenergy.com"/>
Applicant Must be (check all that apply): <input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> Operator <input type="checkbox"/> Lessee			

<b>3. Name of Property Owner (if different than Applicant)</b>			
<input type="text" value="Multiple property owners."/>			
Mailing Address		Post Office / City	State Zip
<input type="text" value="List of owners to be provided upon request."/>		<input type="text"/>	<input type="text"/>
Telephone	<input type="text"/>	Email	<input type="text"/>

<b>For Agency Use Only</b>	Agency Application Number:	<input type="text"/>
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**JOINT APPLICATION FORM – Continued.** Submit this completed page as part of your Application.

<b>4. Name of Contact / Agent</b>			
Brad Schaeffer			
Mailing Address		Post Office / City	State Zip
301 Ellicott Street		Buffalo	NY 14203
Telephone	716-860-7495	Email	brad.schaeffer@tetrattech.com

<b>5. Project / Facility Name</b>		Property Tax Map Section / Block / Lot Number:	
Garnet Energy Center		NA	
Project Street Address, if applicable		Post Office / City	State Zip
NA		NA	NY NA
Provide directions and distances to roads, intersections, bridges and bodies of water			
See attached PCN			
<input checked="" type="checkbox"/> Town	<input type="checkbox"/> Village	<input type="checkbox"/> City	County
Conquest		Cayuga	Stream/Waterbody Name
		See attached PCN	
Project Location Coordinates: Enter Latitude and Longitude in degrees, minutes, seconds:			
Latitude:	43	8	8.97
	°	'	"
Longitude:	76	37	49.55
	°	'	"

<b>6. Project Description:</b> Provide the following information about your project. Continue each response and provide any additional information on other pages. <b><u>Attach plans on separate pages.</u></b>	
a. Purpose of the proposed project:	
Garnet intends to construct, own, operate, and maintain a 200 MW solar facility located on over 2,288 acres of land and is contracted to sell Renewable Energy Credits generated by the Project to NYSERDA. The Facility was issued an Order granting a Certificate of Environmental Compatibility and Public Need on October 28, 2022 (Case Number 20-F-0043). See attached PCN (Sections 1.0 and 2.0)	
b. Description of current site conditions:	
The site, including WOTUS, are described within the Wetland and Stream Report dated January 2022, the USACE November 2021 PJD, December 2021 AJD, and July 2022 AJD. See attached PCN (Section 3.0)	
c. Proposed site changes:	
The Project is proposing a total of 0.07 acre of permanent impact (i.e., loss of wetland due to fill), 0.18 acre of temporary impact (i.e., restoration back to same wetland class after construction), and 0.28 acre of conversion impact (i.e., restoration to a different wetland classification). At 6 stream crossing areas a total of 460 linear feet of stream will be impacted. See attached PCN Sections 2.0, 4.0, and 6.0	
d. Type of structures and fill materials to be installed, and quantity of materials to be used (e.g., square feet of coverage, cubic yards of fill material, structures below ordinary/mean high water, etc.):	
Six (6) access roads and three (3) utility line installations. See attached PCN Section 6.0 for impact calculations.	
e. Area of excavation or dredging, volume of material to be removed, location of dredged material placement:	
Not applicable.	
f. Is tree cutting or clearing proposed? <input checked="" type="checkbox"/> Yes If Yes, explain below. <input type="checkbox"/> No	
Timing of the proposed cutting or clearing (month/year): Oct1-Mar31 see attached PCN(Section 3.2)	
Number of trees to be cut: <input type="text"/> Acreage of trees to be cleared: 115ac/0.208PFO	

**JOINT APPLICATION FORM – Continued.** Submit this completed page as part of your Application.

## g. Work methods and type of equipment to be used:

See attached PCN (Section 4).

## h. Describe the planned sequence of activities:

Garnet intends to conduct limited preconstruction activities, including site survey and stakeout of project workspaces and hand cutting trees (leaving in place) from approximately Jan 2, 2024 through Mar 31, 2024. Garnet will resume preconstruction activities and commence construction on or about May 15, 2024, and complete construction and site restoration activities on or about Nov 30, 2025. See PCN (Section 2.4, 4 and Attachment B: Site Plans)

## i. Pollution control methods and other actions proposed to mitigate environmental impacts:

Garnet has committed to environmental protections and additional measures during both the construction and operations and maintenance phases of the Facility as described further within the application. See attached PCN(Section 7.0 and Attachment B: Site Plans)

## j. Erosion and silt control methods that will be used to prevent water quality impacts:

The Project has prepared a Stormwater Pollution Prevention Plan and will obtain acknowledgment from NYS DEC of Notice of Intent under SPDES General Permit for Stormwater Discharge from Construction Activity Permit No. GP-0-20-001. See attached PCN (Section 7.0 and Attachment B: Site Plans)

## k. Alternatives considered to avoid regulated areas. If no feasible alternatives exist, explain how the project will minimize impacts:

Significant time and effort was put forth to analyze numerous factors to develop the Facility layout that minimizes impacts to WOTUS to the maximum extent practicable. See attached PCN (Section 5.0).

l. Proposed use:  Private  Public  Commercial

m. Proposed Start Date:  Estimated Completion Date:

n. Has work begun on project?  Yes If Yes, explain below.  No

No land disturbance has been started.

o. Will project occupy Federal, State, or Municipal Land?  Yes If Yes, explain below.  No

## p. List any previous DEC, USACE, OGS or DOS Permit / Application numbers for activities at this location:

Certificate of Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law, received October 28, 2022.

## q. Will this project require additional Federal, State, or Local authorizations, including zoning changes?

Yes If Yes, list below.  No

Section 401 Water Quality Certification.

Project received Certificate for Environmental Compatibility and Public Need Pursuant to Article 10 of the Public Service Law on October 28, 2022.

**JOINT APPLICATION FORM – Continued.** Submit this completed page as part of your Application.

**7. Signatures.**

Applicant and Owner (If different) must sign the application.

Append additional pages of this Signature section if there are multiple Applicants, Owners or Contact/Agents.

I hereby affirm that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief.

Permission to Inspect - I hereby consent to Agency inspection of the project site and adjacent property areas. Agency staff may enter the property without notice between 7:00 am and 7:00 pm, Monday - Friday. Inspection may occur without the owner, applicant or agent present. If the property is posted with "keep out" signs or fenced with an unlocked gate, Agency staff may still enter the property. Agency staff may take measurements, analyze site physical characteristics, take soil and vegetation samples, sketch and photograph the site. I understand that failure to give this consent may result in denial of the permit(s) sought by this application.

False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the NYS Penal Law. Further, the applicant accepts full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agrees to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from said project. In addition, Federal Law, 18 U.S.C., Section 1001 provides for a fine of not more than \$10,000 or imprisonment for not more than 5 years, or both where an applicant knowingly and willingly falsifies, conceals, or covers up a material fact; or knowingly makes or uses a false, fictitious or fraudulent statement.

**Signature of Applicant**

*Ashley Regan*  
429035707106450...

Date

Sep 8, 2023

Applicant Must be (check all that apply):  Owner  Operator  Lessee

Printed Name

Ashley Regan

Title

Senior Project Manager

**Signature of Owner (if different than Applicant)**

N/A

Date

N/A

Printed Name

N/A

Title

N/A

**Signature of Contact / Agent**

*Brad Schaeffer*  
3056BDBD82D642C...

Date

Sep 8, 2023

Printed Name

Brad Schaeffer

Title

Senior Project Manager/Biologist

**For Agency Use Only**

**DETERMINATION OF NO PERMIT REQUIRED**

Agency Application Number

[Blank]

[Blank] (Agency Name) has determined that No Permit is required from this Agency for the project described in this application.

Agency Representative:

Printed Name

[Blank]

Title

[Blank]

Signature

[Blank]

Date

[Blank]