

Hoffman Falls Wind Project

Matter No. 23-00038

900-2.5 Exhibit 4

Real Property

Revision 1

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EXHIBIT 4 REAL PROPERTY

(a) Real Property Map of Generating Site

A tax parcel map of the Facility Site has been prepared for this Application (Figure 4-1), which depicts the following:

- Tax parcel boundaries, owner, and ID numbers for all parcels within and directly adjacent to the Facility Site.
- Public and private roads planned for use as access to the Facility Site.
- Zoning designations for the Facility Site and adjoining parcels.

The data for this map was obtained from the Madison County Department of Real Property Tax Services (parcels), along with data from the NYS GIS Clearinghouse, United States Census Bureau, and Environmental Systems Research Institute (ESRI) as needed. These data were also used to identify owners of record of all parcels included within the Facility Site and for all adjacent properties.

Utility crossings required for the Facility include underground and overhead fiber optic lines, transmission and distribution lines, and state and municipal roads (Figure 20-1). The Applicant has extensive experience consulting with utility operators and the agreements required for utility crossings. Based on the Applicant's experience, the timeframes and level of detail required for obtaining crossing agreements, the Applicant anticipates beginning discussions with these operators after the Section 94-c Siting Permit is issued and will secure all required crossing agreements prior to crossing. See Exhibit 24 for additional information regarding municipal road crossings.

One parcel within the Facility Site is enrolled in the 480-a Forest Tax Law Program (480-a program) administered by the NYSDEC (Parcel ID# 79.-1-3). Appendix 4-A (480-a Forest Tax Law Program Forest Management Plans) provides further information regarding the amended forest management plan for Parcel ID# 79.-1-3. As shown in Appendix 4-A and Figure 4-2, 50 acres within Parcel ID# 79.-1-3 are enrolled in 480-a. Installation of the Facility's collection substation will result in 0.2 acres of tree clearing in areas currently enrolled in the 480-a program. The Applicant will work with the landowner to identify additional eligible lands to ensure the parcel remains in the 480-a program or is made whole from a tax perspective.

As detailed throughout this Section 94-c Application, the Applicant was required to carefully consider numerous overlapping constraints in siting the Facility's collection substation. These constraints include landowner exclusion areas, adjacent state-regulated Class II wetlands, topography, and transmission and public road rights-of-way. Avoidance of the impacts detailed above are not possible; therefore, it is anticipated that the Applicant will work with the landowner to ensure Parcel ID# 79.-1-3 remains eligible to participate in the 480-a program or will ensure the landowner is made whole from a tax perspective.

(b) Property Map of Proposed Interconnection Facilities

Using the data referenced above, a map showing all proposed transmission lines and interconnection facilities and associated access drives and temporary laydown areas was prepared (Figure 4-1). All proposed infrastructure will be located on land controlled by the Applicant. Therefore, no off-property access is anticipated to be necessary.

(c) Demonstration that the Applicant Has Obtained, or Can Obtain, Title or Lease Interest in Facility Site

The Applicant has secured from the landowners of record all required real property rights for the Facility either by acquisition or utilizing the following types of long-term agreement: (i) Wind Energy Lease; (ii) Easement Agreement; (iii) Option to Purchase, and (iv) Good Neighbor Agreement. All agreements and easements have terms that last through the projected lifespan of the Facility. See Appendix 4-B for a list of all tax parcels that comprise the Facility Site and all other participating or potentially participating parcels; Appendix 4-B includes information on the parcel owner, lease type, agreement status, and IDs of any sensitive receptors located within participating or potentially participating parcels. Information of the real property status of potentially participating parcels that fall within the setback distances described in §900-2.6 of the 94-c regulations is provided in Appendix 4-C. See Exhibit 24 for additional information regarding real property rights for municipal roads.

The Applicant is not a transportation corporation and does not have—nor does it intend to obtain—power to condemn property via eminent domain. Landowner-imposed development restrictions are in force across approximately 244 acres within the Facility Site and include two primary types of restrictions: Exclusion Areas. Exclusion Areas cannot be infringed by specific Facility components or disturbance per landowner agreement. Table 4-1 and the Design Drawings (Appendix 5-A) identify all parcels with landowner-imposed development restrictions.

Table 4-1. Landowner-Imposed Development Restrictions within the Facility Site

Parcel ID	Acres
88.-1-33.11	4.6
88.-1-34	16.3
88.-1-22	74.1
87.-2-67.61, 88.-2-12.1, 87.-2-67.5	36.0
97.-2-2.1	110.3

(d) Demonstration that the Applicant Has Obtained Property Rights to Interconnection Site

The Applicant has obtained access rights to and development rights for all parcels needed for Facility interconnection and utility infrastructure (i.e., POI switchyard and transmission line).

(e) Improvement District Extensions

Based on discussions with local municipal representatives, the Facility will not require any improvement district extensions. Therefore, a demonstration that the Applicant can obtain such extensions is not necessary.