



**Fort Covington Solar, LLC**

**Fort Covington Solar  
Matter Number: 23-00052**

**§900-2.16 Exhibit 15  
Agricultural Resources**

**Revised December 2024**

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## Acronym List

CDL	Cropland Data Layer
CCE	Cornell Cooperative Extension
GPS	Global Positioning Systems
LOD	limits of disturbance
MSG	Mineral soil group
NAACC	North Atlantic Aquatic Connectivity Collaborative
NASS	National Agricultural Statistics Service
NRCS	Natural Resources Conservation Service
NYS	New York State
NYSAGM	New York State Department of Agriculture and Markets
NYSAGM Guidelines	NYSAGM guidance document “Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands”, dated October 2019
NYSDOT	New York State Department of Transportation
NYSORPTS	New York State Office of Real Property Tax Services
SEIA	Solar Energy Industries Association
SWCD	Soil and Water Conservation District
TWG	Technical Working Group
USDA	United States Department of Agriculture
USGS	United States Geological Survey
WSS	Web Soil Survey

## Glossary of Terms

- Applicant:** Fort Covington Solar, LLC, a wholly owned subsidiary of Boralex US Development LLC, the entity seeking a siting permit for the Facility from the Office of Renewable Energy Siting (ORES) under Section 94-c of the New York State Executive Law.
- Facility:** Refers to the proposed 250-megawatt utility scale solar generating Facility. The proposed Facility components to be constructed for the generation, collection, and distribution of energy for the Fort Covington Solar Facility include solar panel modules, electrical collection system, collection substation, point of interconnection (POI) switchyard, access roads, laydown/staging areas, and other ancillary facilities.
- Facility Site:** A boundary area encompassing all Facility components and all participating parcels (58 total parcels) within the Town of Fort Covington, Franklin County, NY, totaling 5,362.9 acres (Figure 2-1).
- Study Area:** In accordance with the Section 94-c Regulations, the Study Area for the Facility includes a radius of 5 miles around the Facility Site boundary, unless otherwise noted for a specific resource study or Exhibit. The 5-mile Study Area encompasses 92,151.4 acres, inclusive of the 5,362.9-acre Facility Site.
- Limits of Disturbance (LOD):** The portion of the Facility Site where the potential for construction impacts and site disturbance occurs, totaling approximately 1,759.8 acres.
- Fenced Area:** Refers to entire area located within the Facility fencing, totaling approximately 1,507.4 acres.

## Exhibit 15: Agricultural Resources

This Exhibit provides information in accordance with the requirements of § 900-2.16 of the Section 94-c Regulations.

### 15(a) Assessment of Agricultural Resources

An assessment of agricultural resources within the 5-mile Study Area was conducted considering information regarding New York State (NYS)-certified agricultural districts, Real Property Agricultural Value Assessments, zoning districts, agricultural land uses compared to non-agricultural land uses, existing energy infrastructure and completed renewable energy facilities, and active agricultural businesses, facilities, and/or infrastructure.

#### (1) NYS-Certified Agricultural Districts

The Facility's 5-mile Study Area includes Franklin County and St. Lawrence County. Franklin County has one NYS Certified Agricultural District, Franklin County Agricultural District 1, that was created in September 1988 (New York State Department of Agriculture and Markets [NYSAGM] 2023a) and covers 11.3 percent (118,163 acres) of land within the county (NYSAGM 2023b). St. Lawrence County has two NYS Certified Agricultural Districts, St. Lawrence Agricultural District 1 & St. Lawrence Agricultural District 2, which were created in November 1976 and August 1974, respectively (NYSAGM 2023a), and cover 36.24 percent (654,353 acres) of land within the county (NYSAGM 2023b). Within the 5-Mile Study Area, 32,701.40 acres (35.49 percent) of land is within Franklin County Agricultural District 1 and 61.68 acres (0.07 percent) of land is within St. Lawrence County Agricultural District 2 (two parcels, SBL ID 12.003-1-19.11 & 12.003-1-19.2). Forty of the 58 parcels which comprise the Facility Site, totaling 4,038.18 acres (75.29 percent) of land, are designated as belonging to Franklin County Agricultural District 1. There are no tax parcels belonging to St. Lawrence County Agricultural District 2 within the Facility Site, as the Facility Site is located wholly within Franklin County. Tax parcels within the Facility Site that are designated as belonging to Franklin County Agricultural District 1 are inventoried below and can be viewed on Figure 15-1 and Figure 3-6: *Designated Areas within the Study Area* of Exhibit 3. *Location of Facilities and Surrounding Land Use* of this Application.

21.-1-4.100*	21.-2-4.100	22.-1-5.100*	22.-2-6	38.-1-6.400*
21.-1-6.100	21.-3-3.300	22.-2-14.100*	22.-2-7.100*	38.-2-15.100*
21.-2-1.200*	21.-3-9.100	22.-2-15.100	22.-2-7.200*	38.-2-15.200
21.-2-3*	22.-1-4.200*	22.-2-20.100	38.-1-3.100	38.-2-4*

38.-3-7.100*	39.-4-7.100*	52.-1-15*	52.-1-23*	66.-1-6.100
39.-4-10*	5.-1-3.100	52.-1-16.200*	53.-3-15*	66.-1-6.200
39.-4-11.300*	5.-1-31.400	52.-1-19*	6.-2-6.100*	66.-2-1.100
39.-4-2.100*	52.-1-10*	52.-1-20*	6.17-7-8.100	
*Indicates parcels that are receiving Real Property Agricultural Assessments as discussed below in Section 15(a)(2) and Appendix 15-1.				

The 563 tax parcels within the Study Area that are designated as an Agricultural District are inventoried below and illustrated on Figure 15-1 and Figure 3-6 within Exhibit 3. *Location of Facilities and Surrounding Land Use* of this Application. The italicized parcel IDs indicate the those that are within the Facility Site boundary:

<i>21.-1-4.100</i>	<i>21.-2-4.100</i>	<i>22.-1-5.100</i>	<i>22.-2-6</i>	<i>38.-1-6.400</i>
<i>21.-1-6.100</i>	<i>21.-3-3.300</i>	<i>22.-2-14.100</i>	<i>22.-2-7.100</i>	<i>38.-2-15.100</i>
<i>21.-2-1.200</i>	<i>21.-3-9.100</i>	<i>22.-2-15.100</i>	<i>22.-2-7.200</i>	<i>38.-2-15.200</i>
<i>21.-2-3</i>	<i>22.-1-4.200</i>	<i>22.-2-20.100</i>	<i>38.-1-3.100</i>	<i>38.-2-4</i>
<i>38.-3-7.100</i>	<i>39.-4-7.100</i>	<i>52.-1-15</i>	<i>52.-1-23</i>	<i>66.-1-6.100</i>
<i>39.-4-10</i>	<i>5.-1-3.100</i>	<i>52.-1-16.200</i>	<i>53.-3-15</i>	<i>66.-1-6.200</i>
<i>39.-4-11.300</i>	<i>5.-1-31.400</i>	<i>52.-1-19</i>	<i>6.-2-6.100</i>	<i>66.-2-1.100</i>
<i>39.-4-2.100</i>	<i>52.-1-10</i>	<i>52.-1-20</i>	<i>6.17-7-8.100</i>	<i>109.-2-2.200</i>
<i>107.-1-6</i>	<i>108.-3-5.200</i>	<i>108.-4-1.100</i>	<i>108.-4-6.100</i>	<i>109.-2-3.100</i>
<i>108.-3-1</i>	<i>108.-3-5.400</i>	<i>108.-4-1.110</i>	<i>108.-4-6.200</i>	<i>109.-2-3.300</i>
<i>108.-3-13.100</i>	<i>108.-3-8.200</i>	<i>108.-4-1.120</i>	<i>108.-5-1.200</i>	<i>109.-2-3.400</i>
<i>109.-3-1.200</i>	<i>109.-4-4</i>	<i>108.-4-1.600</i>	<i>108.-5-10</i>	<i>109.-2-4</i>
<i>109.-3-10.200</i>	<i>109.-5-1.200</i>	<i>108.-4-1.700</i>	<i>108.-5-2</i>	<i>109.-2-5.100</i>
<i>109.-3-2.100</i>	<i>109.-5-11.100</i>	<i>108.-4-1.800</i>	<i>108.-5-4.100</i>	<i>109.-2-5.200</i>
<i>109.-3-2.200</i>	<i>109.-5-7.100</i>	<i>108.-4-4.100</i>	<i>108.-5-4.200</i>	<i>109.-2-5.400</i>
<i>109.-3-2.300</i>	<i>122.-2-4</i>	<i>108.-4-4.400</i>	<i>108.-5-8.100</i>	<i>109.-2-6</i>
<i>109.-3-2.400</i>	<i>20.-1-10.100</i>	<i>20.-1-3.400</i>	<i>108.-5-8.200</i>	<i>109.-3-1.100</i>
<i>109.-3-3.600</i>	<i>20.-1-10.300</i>	<i>21.-1-2</i>	<i>109.-2-2.100</i>	<i>22.-1-5.200</i>
<i>109.-3-8.200</i>	<i>20.-1-10.400</i>	<i>21.-1-4.200</i>	<i>21.-2-4.100</i>	<i>22.-2-10.100</i>
<i>109.-4-1.100</i>	<i>20.-1-3.100</i>	<i>21.-1-4.300</i>	<i>21.-3-19</i>	<i>22.-2-13</i>
<i>109.-4-1.300</i>	<i>20.-1-3.300</i>	<i>21.-1-4.400</i>	<i>21.-3-20</i>	<i>22.-2-14.100</i>
<i>22.-2-23.300</i>	<i>23.-1-2</i>	<i>21.-1-6.100</i>	<i>21.-3-21</i>	<i>22.-2-15.100</i>
<i>22.-2-34</i>	<i>23.-1-3.300</i>	<i>21.-2-1.200</i>	<i>21.-3-22</i>	<i>22.-2-20.100</i>
<i>22.-2-35</i>	<i>23.-1-3.500</i>	<i>21.-2-2.200</i>	<i>21.-3-3.100</i>	<i>22.-2-20.500</i>
<i>22.-2-7.200</i>	<i>23.-1-5.200</i>	<i>21.-2-2.300</i>	<i>21.-3-3.300</i>	<i>22.-2-23.100</i>
<i>23.-1-1.100</i>	<i>23.-2-1</i>	<i>23.-2-26</i>	<i>21.-3-9.100</i>	<i>22.-2-23.200</i>
<i>23.-2-4</i>	<i>23.-2-2</i>	<i>23.-2-3</i>	<i>22.-1-4.200</i>	<i>37.-1-4.500</i>
<i>23.-3-10</i>	<i>23.-2-23.400</i>	<i>25.-6-5</i>	<i>36.-2-1</i>	<i>37.-2-1</i>
<i>23.-3-11</i>	<i>24.-1-8</i>	<i>25.-6-7</i>	<i>36.-2-2.400</i>	<i>37.-2-2</i>

23.-3-5	24.-2-1	25.-6-8	36.-2-5.100	37.-2-3.100
23.-3-6	24.-2-18	35.-1-3.100	36.-2-8.100	37.-2-3.200
23.-3-8	24.-2-2	35.-2-11.100	36.-3-1.100	37.-3-17.100
23.-4-2	24.-2-3	35.-2-4	36.-3-1.200	37.-3-23.100
24.-1-1	25.-5-2	35.-2-5.100	36.-3-1.300	37.-3-3
24.-1-14	25.-5-3	35.-2-5.200	36.-3-2	37.-3-5
24.-1-16	25.-5-6	35.-2-7.100	37.-1-1	38.-1-1.100
24.-1-4	25.-6-1.100	35.-2-7.300	37.-1-21	38.-1-1.200
24.-1-6	25.-6-2	36.-1-4	37.-1-22.100	38.-1-10.100
38.-1-11.100	25.-6-3	36.-1-6.100	37.-1-26.200	4.-1-3
38.-1-11.200	25.-6-4	38.-1-7	38.-3-7.300	4.-1-4
38.-1-11.300	38.-1-19.500	38.-1-8.100	38.-4-2	4.-2-1
38.-1-11.400	38.-1-20.100	38.-2-14	39.-2-16	40.-1-6.200
38.-1-14	38.-1-20.200	38.-2-15.100	39.-4-10	40.-1-6.500
38.-1-16.100	38.-1-21.100	38.-2-15.200	39.-4-11.100	40.-1-6.600
38.-1-18.100	38.-1-21.200	38.-2-15.300	39.-4-11.300	40.-1-9.200
38.-1-18.130	38.-1-5.200	38.-2-16	39.-4-13	40.-2-1
38.-1-18.140	38.-1-6.100	38.-2-4	39.-4-14	40.-2-2
38.-1-19.100	38.-1-6.300	38.-3-1	39.-4-2.100	40.-2-3.100
38.-1-19.300	38.-1-6.500	38.-3-6	39.-4-7.100	40.-2-4.200
38.-1-19.400	38.-1-6.600	38.-3-7.100	39.-4-9.100	40.-2-5.800
40.-3-15.300	49.-1-11.100	38.-3-7.200	4.-1-1	50.-2-2.200
40.-3-15.700	49.-1-11.200	49.-1-6	50.-1-17.100	50.-2-3.200
40.-3-29.300	49.-1-11.300	49.-1-7	50.-1-17.200	50.-2-4.100
40.-3-3.200	49.-1-12	5.-1-24	50.-1-2	50.-2-5
40.-3-4	49.-1-14.200	5.-1-3.100	50.-1-20.100	50.-2-6
40.-3-5.300	49.-1-17	5.-1-31.100	50.-1-20.200	51.-1-1.200
40.-3-7.200	49.-1-23	5.-1-31.200	50.-1-20.300	51.-1-10.100
41.-6-1	49.-1-25	5.-1-31.300	50.-1-21	51.-1-18
41.-7-1.100	49.-1-27	5.-1-31.400	50.-2-11.200	51.-1-6.400
41.-7-3	49.-1-28.100	5.-1-34.200	50.-2-12.200	51.-1-7.200
49.-1-1.100	49.-1-28.200	5.-1-37	50.-2-16	52.-1-10
49.-1-10.300	49.-1-5.100	50.-1-1	50.-2-17	52.-1-11.200
52.-1-12	52.-1-24.300	50.-1-14	50.-2-2.100	6.17-7-8.500
52.-1-13.200	52.-1-24.500	52.-1-9.100	55.-3-14.200	6.18-1-11
52.-1-14	52.-1-24.600	53.-1-15	55.-3-6.300	63.-1-5
52.-1-15	52.-1-4.100	53.-1-16	55.-6-7.100	63.-2-5
52.-1-16.100	52.-1-4.200	53.-1-2.300	55.-6-7.200	63.-2-6
52.-1-16.200	52.-1-5	53.-3-10	6.-1-20	63.-2-7.200
52.-1-18	52.-1-6.100	53.-3-15	6.-1-24	65.-2-18.100
52.-1-19	52.-1-6.200	53.-3-2	6.-2-6.100	66.-1-6.100
52.-1-20	52.-1-6.300	53.-3-5.100	6.10-1-4	66.-1-6.200
52.-1-21	52.-1-6.400	53.-3-5.200	6.14-2-10	66.-2-1.100

52.-1-22	52.-1-6.500	53.-3-5.300	6.17-7-8.100	66.-2-1.200
52.-1-23	52.-1-7.200	54.-5-6.200	6.17-7-8.300	66.-2-14
66.-2-15	67.-2-5	54.-6-5.200	6.17-7-8.400	7.-2-12
66.-2-4	67.-2-6.100	68.-2-8.110	69.-5-28.100	7.-2-13
66.-2-5	67.-2-8	68.-3-20.100	69.-5-28.200	7.-2-14
66.-2-6	68.-1-1	68.-3-20.200	69.-5-28.300	7.-2-2.100
66.-2-8	68.-1-10.100	68.-3-20.500	7.-1-1.300	7.-2-2.300
66.-2-9.100	68.-1-11.100	68.-3-20.600	7.-1-1.400	7.-2-3
66.-2-9.200	68.-2-10	68.-4-4.300	7.-2-10	7.-2-4
7.-2-5	78.-5-2.100	68.-4-9	7.-2-11	81.-4-5.100
7.-2-6	78.-5-2.110	8.-1-2	81.-4-13.200	81.-4-5.200
7.-2-8	78.-5-2.700	8.-1-3	81.-4-13.300	82.-1-2
7.-2-9	78.-5-2.800	80.-1-11	81.-4-15.200	82.-2-1
7.-3-2	78.-5-2.900	80.-1-16.100	81.-4-15.300	82.-2-2
7.-3-3	79.-2-14	80.-1-16.700	81.-4-15.400	82.-3-1
7.-4-4.100	79.-2-2.400	80.-1-16.800	81.-4-19.100	82.-3-2.200
7.-4-4.200	79.-2-4	80.-2-1	81.-4-19.400	82.-3-3
7.-4-4.300	8.-1-10.100	80.-2-6	81.-4-19.500	82.-4-11.100
7.-4-4.400	8.-1-10.200	81.-1-3	81.-4-19.600	82.-4-12.100
78.-1-6.100	8.-1-12.100	81.-4-11.100	81.-4-20.200	82.-4-12.300
78.-1-6.400	8.-1-14	81.-4-11.200	81.-4-20.400	82.-4-15.100
82.-4-15.200	82.-4-7.100	81.-4-13.100	81.-4-21	93.-2-8
82.-4-19.100	82.-4-7.200	9.-2-2.100	92.-2-4.100	94.-2-1.100
82.-4-19.200	82.-4-8	9.-2-4.100	92.-2-4.300	94.-2-12.100
82.-4-19.300	82.-4-9.100	9.-2-4.200	92.-2-4.400	94.-2-2.100
82.-4-2.100	82.-5-1.100	9.-2-4.300	93.-1-10.100	94.-2-3.100
82.-4-2.200	82.-5-10.100	9.-2-7	93.-1-10.400	94.-3-3.300
82.-4-20	82.-5-5.200	9.-2-8	93.-1-11.200	94.-3-4
82.-4-4.100	82.-5-6.100	9.-2-9.100	93.-1-12	94.-3-5.200
82.-4-4.200	83.-1-2.400	9.-2-9.200	93.-1-24.100	94.-3-6.100
82.-4-5	83.-1-30.100	9.-2-9.300	93.-1-25	94.-3-6.200
82.-4-6.100	83.-1-30.700	92.-2-16.100	93.-1-6.100	94.-3-6.300
82.-4-6.500	83.-1-35	92.-2-16.200	93.-1-6.200	94.-3-8.200
95.-1-14.200	95.-2-1.100	92.-2-16.300	93.-2-5.700	96.-2-1.200
95.-1-14.400	95.-2-1.200	95.-2-13.300	95.-3-1.600	96.-2-1.300
95.-1-14.600	95.-2-1.300	95.-2-13.400	95.-3-2.100	96.-2-1.400
95.-1-14.700	95.-2-10.100	95.-2-13.500	95.-3-3	96.-2-11
95.-1-5.300	95.-2-10.200	95.-2-13.600	95.-3-4	96.-2-2
95.-1-5.400	95.-2-10.300	95.-2-14	95.-4-1	96.-2-3.100
95.-1-5.800	95.-2-11.100	95.-2-15	95.-4-2	96.-2-5.100
95.-1-7.100	95.-2-11.200	95.-2-3.100	95.-4-3.100	96.-2-5.200
95.-1-7.200	95.-2-12.100	95.-2-3.200	95.-4-3.200	96.-2-7
95.-1-7.300	95.-2-12.200	95.-2-6	96.-1-1.100	96.-2-8.100

95.-1-8.100	95.-2-13.100	95.-2-7	96.-1-2.200	96.-3-1
95.-1-8.200	95.-2-13.200	95.-2-9	96.-1-3.100	96.-3-2.100
96.-3-2.200	96.-3-3.100	95.-3-1.100	96.-2-1.100	96.-3-8.100
96.-3-9	96.-5-1.200	96.-3-3.200	96.-3-7.200	12.003-1-19.2
12.003-1-19.11				

**(2) Real Property Agricultural Value Assessment**

The NYSAGM, in conjunction with the New York State Department of Taxation and Finance, administers the agricultural assessment program, which allows landowners to receive a reduction in property tax bills for land in agricultural production based on the agricultural assessment values determined through the New York State Land Classification System (NYSAGM, 2021). The Applicant consulted with the Franklin County Real Property Tax Service on February 21, 2024, to obtain data on the Real Property Agricultural Assessments for the following municipalities within the 5-mile Study Area: Towns of Fort Covington, Constable, Westville, Malone, Bangor, Moira, and Bombay. Additionally, the Applicant consulted with the Town Assessor of the Town of Brasher on May 21, 2024, to obtain data on the Real Property Agricultural Assessment within the Town of Brasher, which is the only Study Area municipality that is within St. Lawrence County. Records received by the Applicant have been included as Appendix 15-1 of this Exhibit. The parcels that are highlighted in Appendix 15-1 are representative of Facility Site parcels that receive real property agricultural assessment.

**(3) Zoning Districts or Overlay Zones**

The proposed Facility is located within the Town of Fort Covington, Franklin County, New York. The 5-mile Study Area consists of several townships, including the Towns of Fort Covington, Constable, Westville, Malone, Bangor, Moira, Bombay, and Brasher. Existing and proposed zoning districts within the Study Area and the associated permitted and prohibited uses have been discussed in Exhibit 3 and are illustrated in Figure 3-5. *Zoning Districts and Publicly Proposed Land Uses within the Study Area* of this Application. At the time of filing of this Application, the only Town with an available zoning code online was Malone, NY. No Facility Site parcels are located within the Town of Malone. Through consultation with the Town of Westville Code Officer, the Applicant understands that the Town of Westville does not have an adopted zoning code or map and that the entire town is zoned as commercial residential. Additionally, the only town within

the 5-Mile Study Area that has an adopted solar energy law is the Town of Moira. See Exhibit 3, Section 3(g) for more information.

#### **(4) Agricultural Land Uses Compared to Non-agricultural Land Uses**

According to the 2023 United States Department of Agriculture (USDA) National Agricultural Statistics Service (NASS) Cropland Data Layer (CDL), non-agricultural land cover is more common within the Study Area compared to agricultural land cover (USDA, 2023). Approximately 71,807 acres of land cover, or 78 percent of the Study Area, consists of non-agricultural land cover (i.e., woody wetlands, deciduous forest, grassland/pasture, evergreen forest, developed/open space, developed/low intensity, mixed forest, developed/med intensity, herbaceous wetlands, open water, shrubland, developed/high intensity, and barren), whereas approximately 20,345 acres of land cover (22 percent) of the Study Area, consists of agricultural land cover (i.e., other hay/non-alfalfa, corn, alfalfa, fallow/idle cropland, soybeans, clover/wildflowers, oats, rye, winter wheat, sorghum, sod/grass seed, blueberries, barley, dry beans, buckwheat, potatoes, apples, peas, spring wheat, squash, pumpkins, and triticale). The NASS data within the Study Area is illustrated on Figure 15-2.

An analysis of agricultural land cover compared to non-agricultural land cover within the Facility Site yielded similar results, indicating that, according to NASS CDL (2023), the Facility Site comprises approximately 2,918 acres of non-agricultural land cover (54 percent of the Facility Site) and 2,445 acres of agricultural land cover (46 percent of the Facility Site). Data on agricultural land cover from the New York State Office of Real Property Tax Services (NYSORPTS) (2023) differs from the NASS CDL (2023) data as shown in Section (8) below. The Applicant attributes the difference between the two data sources to be in the methodology that both the NYSORPTS and NASS CDL use to classify the data. The NYSORPTS's methodology is based on the NYS Land Use Classification Codes assigned to tax parcels (see Exhibit 3, Section 3(d). *Existing Land Use*), whereas NASS CDL data is based on aerial imagery, independent of tax parcels.

Table 15-1 summarizes the land cover within the Facility Site and Study Area according to the USDA 2023 CDL, and the results are also illustrated in Figure 15-2.

**Table 15-1. Agricultural and Non-agricultural Land Cover within the Facility Site and Study Area**

<b>Land Cover Classification</b>	<b>Acreage within Facility Site</b>	<b>Percentage within Facility Site</b>	<b>Acreage within Study Area</b>	<b>Percentage within Study Area</b>
<b>Agricultural Land Uses</b>				
Alfalfa	214.73	4.00	3,272.96	3.55
Apples	0.41	0.01	3.34	0.00
Barley	0.00	0.00	0.56	0.00
Blueberries	0.00	0.00	4.24	0.00
Buckwheat	0.00	0.00	6.36	0.00
Clover/Wildflowers	1.80	0.03	21.74	0.02
Corn	1,075.36	20.05	7,307.92	7.93
Dry Beans	0.00	0.00	3.90	0.00
Fallow/Idle Cropland	91.67	1.71	654.64	0.71
Herbs	0.00	0.00	0.22	0.00
Oats	2.67	0.05	25.53	0.03
Onions	0.00	0.00	0.11	0.00
Other Hay/Non Alfalfa	986.95	18.40	8,145.14	8.84
Peas	0.00	0.00	0.78	0.00
Potatoes	0.00	0.00	3.34	0.00
Pumpkins	0.00	0.00	0.89	0.00
Rye	0.89	0.2	44.94	0.04
Sod/Grass Seed	0.89	0.2	2.00	0.00
Sorghum	0.00	0.00	5.35	0.00
Soybeans	68.39	1.28	811.45	0.88
Spring Wheat	0.00	0.00	3.68	0.00
Squash	0.00	0.00	1.45	0.00
Sunflower	0.00	0.00	0.22	0.00
Triticale	0.00	0.00	1.11	0.00
Winter Wheat	0.89	0.02	22.65	0.02
<b>Total Agricultural Land Cover</b>	<b>2,444.65</b>	<b>45.58</b>	<b>20,344.53</b>	<b>22.08</b>
<b>Non-agricultural Land Uses</b>				
Barren	1.67	0.03	59.08	0.06
Deciduous Forest	590.71	11.01	20,011.70	21.72
Developed/High Intensity	3.43	0.06	123.13	0.13
Developed/Low Intensity	49.93	0.93	1,586.18	1.72
Developed/Med Intensity	16.72	0.31	568.74	0.62
Developed/Open Space	51.45	0.96	2,461.91	2.67
Evergreen Forest	337.94	6.30	8,818.77	9.57

**Table 15-1. Agricultural and Non-agricultural Land Cover within the Facility Site and Study Area**

<b>Land Cover Classification</b>	<b>Acreage within Facility Site</b>	<b>Percentage within Facility Site</b>	<b>Acreage within Study Area</b>	<b>Percentage within Study Area</b>
Grass/Pasture	988.49	18.43	11,001.67	11.93
Herbaceous Wetlands	42.25	0.79	520.53	0.56
Mixed Forest	64.91	1.21	1,605.36	1.74
Open Water	6.51	0.12	339.88	0.37
Shrubland	14.88	0.28	299.12	0.32
Woody Wetlands	749.34	13.97	24,368.77	26.44
Unknown <sup>1</sup>	0.00	0.00	41.99	0.46
<b>Total Non-agricultural Land Cover</b>	<b>2,918.23</b>	<b>54.42</b>	<b>71,806.82</b>	<b>77.92</b>
<b>All Landcover Types Total</b>	<b>5,362.87</b>	<b>100</b>	<b>92,151.35</b>	<b>100</b>

<sup>1</sup>Unknown land cover classification is due to differences in source data boundaries.

**(5) Existing Energy Infrastructure and Completed Renewable Energy Facilities**

Existing energy infrastructure within the Study Area consists of overhead and underground utilities including electric transmission lines, and electric substations, all of which are illustrated on Figure 3-3. *Current Land Use and Major Utility Infrastructure in the Study Area* within Exhibit 3. *Location of Facilities and Surrounding Land Use* of this Application.

According to the Solar Energy Industries Association (SEIA) database, there are no solar energy projects within the Study Area (SEIA, 2023). Furthermore, a review of the United States Geological Survey (USGS) Wind Turbine Database indicated that no wind turbines are located within the Study Area (USGS, 2023).

**(6) Active Agricultural Businesses, Facilities, and/or Infrastructure**

The Applicant consulted with the landowners of the properties on which the Facility Site will be located via an Agricultural Use – Landowner Survey to determine if there is currently active agricultural production occurring onsite. Survey responses received by the Applicant is included in Revised Appendix 15-2. Additionally, during the December 2024 revision of the application, the Applicant discovered that two landowners were not included in the original landowner survey. The two landowners were contacted, and their responses were added to this Exhibit and its

appendices. Nine landowners (11 parcels) did not respond to the agricultural survey. Results from the survey indicate that of the remaining 25 landowners (47 parcels total) that responded to the survey, three parcels are not used for agriculture and 44 parcels are currently used for active agricultural production. Of the 44 parcels current used for active agricultural production, 42 parcels are actively farmed for the field crops hay, corn, soybeans, and rye (nine of 42 parcels of which are also actively used for pastureland), and two parcels are actively used for pastureland only. Landowners indicated that portions of 23 parcels will remain as active agriculture since there are specific areas within these parcels that will not be developed for the proposed Facility. Provided responses for the 23 parcels that will remain as active agriculture indicate that fields will be converted to hay from crops, used as potential chicken range, and used for potential sheep grazing. Through landowner consultations and review of MSG soils mapping, the Applicant selected parcel ID 21.-2-1.200 for co-utilization. Within this parcel the spacing between the panels will allow for continued agricultural land use by growing hay, as further discussed and identified in the Agricultural Co-Utilization Plan (Appendix 15-5).

According to the 2017 USDA Census of Agriculture data, there are 636 active farms within Franklin County operating on 140,000 acres, producing dairy products, fruit, vegetables, grain crops, and livestock. Active farms within the Study Area include Gray's Homestead Farm, Belushi Farms, Brockway Farm, Brockway Hilltop Farm, Bombay Farms, Latulipes Tree Farm, Dan Dairy, Mennonite Farmstand, Pontius Pines, Davis Family Farm, Bright Star Winery, Godin Camp and Horse Rescue, Metcalf Farm, and Pebble Mountain Beef which are illustrated on Figure 15-1. *Agricultural Land within the Study Area*. The Facility will only impact Brockway Farm and Brockway Hilltop Farm which are both participating landowners within the Facility Site, no other farms within the Study Area will be impacted from the development of the Facility. At both Brockway Farm and Brockway Hilltop Farm, the farm owners will be able to continue farming areas outside of the Facility fenced area. Additionally, a co-utilization plan pilot is proposed at the Brockway Hilltop Farm (parcel ID: 21.-2-1.200) to support continued farming, specifically cattle farming and hay operations which would support sales to other farmers in the area. See section 15(e) and Appendix 15-5 below for more information on the proposed co-utilization plan.

### ***(7) Potential Construction Impacts and Methods to Facilitate Farming***

Participating landowners have identified development restriction areas on 16 parcels totaling approximately 1,029.90 acres to allow for the continuation of agricultural production of both field crops and pastureland on these parcels. Temporary agricultural production restrictions may occur

during construction of the Facility. The only areas where permanent impacts to agricultural use can be expected is within the fence line of the Facility.

Additionally, the Applicant has coordinated with participating landowners who actively farm the land they own both within and directly adjacent to the Facility Site. As previously discussed, landowners indicated that portions of 28 parcels will remain as active agricultural since there are specific areas within these parcels that will not be developed for the proposed Facility.

On parcel ID 21.-2-1.200 the spacing between the panels will allow for continued agricultural land use as further discussed and identified in the Agricultural Co-Utilization Plan (Appendix 15-5). The Applicant will continue to coordinate with participating landowners throughout construction to minimize disruption to farming activities, to the extent practicable. Furthermore, the Applicant will construct the Facility in accordance with the NYSAGM guidance document “Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands,” dated October 2019 (NYSAGM Guidelines) (NYSAGM, 2019), which is discussed further below in Section 15(c). No Facility construction or operation impacts to farming activities in the Study Area are anticipated.

#### ***(8) Temporary and Permanent Impacts on Agricultural Resources***

Results from the Agricultural Use – Landowner Survey, indicated that participating landowners estimated field crop and active pasture were present on 39 of the 58 participating parcels and reported that 19 of the participating parcels are not used for agriculture at all. It is important to note that not all active agricultural land within the Facility Site will be taken out of production for the development and operation of the Facility, and participating landowners have reported that they intend to continue to actively farm portions of 28 participating parcels, some of which are partially located outside of the Facility’s limits of disturbance (LOD) and fence line (see Revised Appendix 15-2). Within the Facility’s LOD, approximately 328.07 acres of active agricultural land within NYSAGM classified mineral soils groups (MSG) 3 & 4 will be impacted by the development of the Facility, which equates to approximately 4.40 percent of the entire Facility Site.

No MSG 1-2 soils are located within the Facility Site. Within the Facility’s LOD, there will be temporary impacts to active agricultural land within MSG 3 & 4 soils. Temporary impacts include inverters, junction boxes, a substation, access roads, fence, arrays, and collector trenches. Impacts from culverts are accounted for within access road impacts as all proposed culverts (and associated riprap) are located below the footprint of proposed access roads. It is anticipated that approximately 235.29 acres (33.80 percent of the active agricultural lands within MSG 3 & 4

within the Facility Site) of temporary impacts will occur to active agricultural lands within MSG 3 & 4. There are no proposed permanent impacts to active agricultural lands within MSG 3 & 4, as the only permanent impact proposed is the switchyard which is sited on MSG 6 soils.

Table 15-2 below includes an itemization of temporary impacts to active agricultural lands within MSG 3 & 4.

**Table 15-2. Temporary Impacts<sup>1,2</sup> to Active Agricultural Lands within MSG 3 & 4**

Facility Component	Impact to Active Agricultural Lands within MSG 3-4 (acres)
Inverters	0.05
Junction Boxes	0.003
Access Roads	5.93
Fence (1ft wide)	1.09
Arrays	218.11
Collector Trenches	10.11
<b>Total</b>	<b>235.29</b>
<p><sup>1</sup> Temporary impacts are defined as components proposed to be removed during decommissioning and site restoration in accordance with NYSAGM Guidelines (i.e., arrays, inverters, collection trenches, access roads, junction boxes, and fence line). Permanent impacts are defined as impervious surfaces/built facilities that will not be decommissioned after the life of the Facility (i.e., POI switchyard).</p> <p><sup>2</sup> There are no proposed permanent impacts to active agricultural lands within MSG 3 &amp; 4, as the only permanent impact proposed is the switchyard which is sited on MSG 6 soils.</p>	

As previously discussed in Section 15(a)(6) above, portions of 28 parcels will remain active field crop and pasture because there are specific areas within these parcels that will not be developed or will be utilized as part of the Agricultural Co-Utilization Plan. Therefore, agricultural production will still occur within the Facility Site. In addition, the Applicant has worked with participating landowners to develop an Agricultural Co-Utilization Plan to provide for continued agricultural uses within the LOD during operation (see Appendix 15-5. *Agricultural Co-Utilization Plan* and Section 15(e) below). The total acreage of land within the Facility Site that will be used for co-utilization is 85.70 acres.

### **15(b) Agricultural Resource Maps**

Agricultural resource maps were developed within the Study Area to illustrate field-verified active agricultural land, land that will remain in agricultural use, land that is restricted from development

per agreements with participating landowners, existing agricultural drainage systems, USDA soil mapping, and NYSAGM MSGs.

### **(1) Agricultural Land Use**

According to the Property Classification Codes from the NYSORPTS (2023), 4,337.62 acres (80.88 percent) of land use within the Facility Site is classified as agricultural land. This is further discussed in Exhibit 3. *Location of Facilities and Surrounding Land Use*, Section 3(d) and illustrated in Figure 3-3. Current Land Use and Major Utility Infrastructure in the Study Area. To identify whether land within the Facility Site has been used as active agricultural land for three of the last five years, the Applicant conducted the Agricultural Use – Landowner Survey (see Revised Appendix 15-2). Participating landowners who responded to the survey indicated that the land use within the Facility Site (approximately 3,855.20 acres or 71.89 percent of the Facility Site) has been used for agricultural production for the last three to five years. The active agricultural lands within the Facility Site are illustrated on Figure 15-6.

To assess the trend of agricultural land use within the Study Area over the past five years, USDA CDL data was evaluated for the years 2019 to 2023. Agricultural acreage decreased from 23,244 acres in 2019 to 20,363 acres in 2023; and non-agricultural acreages increased from 68,923 acres in 2019 to 71,803 acres in 2023. From 2019 to 2023, the top four agricultural categories remained the same; other hay/non-alfalfa was consistently the crop category that covered the greatest amount of land in the Study Area, followed by corn, alfalfa, and fallow/idle cropland.

### **(2) Production Acreage Retained for Agricultural Use**

As discussed below in Section 15(b)(3), there will be portions of 16 participating parcels (totaling 1,029.90 acres) which will remain active field crop and pasture because specific areas within these parcels will not be developed at the landowner's request. Furthermore, agricultural lands outside of the Facility LOD but within the Facility Site will continue to be used for agricultural production. Finally, within the Fenced Area, approximately 85 acres will be co-utilized for the Facility and agricultural production; this includes approximately 40 acres of hay production, and approximately 45 acres of pollinator friendly plantings. Therefore, of the 3,855.20 acres of agricultural land within the Facility Site, at least 1,365.19 acres (35.41 percent) will be retained for agricultural production. Areas within the Facility Site that will be retained for agricultural use are illustrated on Figure 15-5. *Agricultural Land to Remain in Production*. In addition, the Applicant

has worked with participating landowners to develop an Agricultural Co-utilization Plan in order to provide for continued agricultural uses within the LOD (see Appendix 15-5).

The Facility will impact agricultural use within the Study Area, but this is only due to the Facility Site impacts described in previous Sections of this Exhibit. No impacts to agricultural land use within the Study Area will occur outside of those impacts already described.

### **(3) *Landowner Imposed Development Restrictions***

Portions of 16 parcels within the Facility Site (approximately 1,029.90 acres) have agreed upon landowner-imposed development restrictions for various reasons, including areas restricted expressly so that the landowner can continue agricultural production of field crops and pastureland during operation of the Facility. The locations in which development is restricted generally are illustrated on Figure 15-5. *Agricultural Land to Remain in Production within the Facility Site*, with areas restricted specifically for continued landowner agricultural use noted on the figure.

### **(4) *Agricultural Drainage Systems***

Locations of known or suspected sub-surface drainage systems (including outlets), surface drainages, irrigation lines, or other unique agricultural facilities within the Study Area are illustrated on Figure 15-3. *Location of Drainage Features within the Study Area*. Within the Agricultural Use – Landowner Survey (Revised Appendix 15-2), participating landowners were asked to identify any sub-surface drainage systems on their properties. Results indicated that there are drainage tiles present on five parcels within the Facility Site. Furthermore, the Applicant also consulted with the Franklin County Soil and Water Conservation District (SWCD) to request drain tile information they had on record. The SWCD responded that their records, which are more than 20 years old, are in the process of being updated. SWCD indicated they would share updated records when they become available. The Applicant will provide copies of the drain tile information to ORES once it becomes available from the SWCD.

Publicly available culvert data produced by the New York State Department of Transportation (NYSDOT) and the North Atlantic Aquatic Connectivity Collaborative (NAACC) was reviewed to identify the locations of stream road crossing culverts within the Study Area. The NYSDOT identified 11 culverts within the Study Area and the NAACC identified 90 culverts within the Study Area; one culvert was identified within the Facility Site by NAACC. Additionally, based on a

dataset from the National Center for Atmospheric Research which uses multiple USDA and USGS datasets to show a 30-meter resolution layer of suspected drain tile areas (Valayamkunnath et al., 2020), approximately 66.2 acres of land within the Facility Site and 5,454.62 acres of land within the Study Area may contain drain tiles. A Drainage Remediation Plan (Appendix 15-4) has been developed to address potential impacts that may arise as a result from Facility construction.

### **(5) USDA Soil Map**

Soil types at the Facility Site were mapped using data from the USDA National Resources Conservation Service (NRCS) Web Soil Survey (WSS). See Figure 10-5: *NRCS Soil Units Map* within Exhibit 10. *Geology, Seismology, and Soils* for a map delineating soil types within the Facility Site. A description of the soil types within the Facility Site and their characteristics are outlined in Table 10-1 of Exhibit 10.

The USDA NRCS WSS identifies a farmland classification for each soil type. Farmland classifications include (1) prime farmland, (2) farmland of statewide importance, (3) farmland of local importance, and (4) unique farmland. Of the 5,362.90 acres within the Facility Site, 851.60 acres (15.88 percent) are classified as prime farmland and 1,217.90 acres (22.71 percent) are classified as farmland of statewide importance; farmland of local importance and unique farmland were not identified within the Facility Site. Of the approximately 2,123.50 acres of the soils within the Facility Site that are classified as prime farmland and farmland of statewide importance, 640.43 acres (11.94 percent of the Facility Site) will be temporarily impacted from the Facility and only 3.39 acre (0.06 percent of the Facility Site) will be permanently impacted from the Facility. The remaining acreage within the Facility Site can be utilized for agricultural purposes throughout the life of the Facility.

While prime agricultural soils were avoided where possible, and to accommodate landowner requests for component siting, the Facility does impact some prime agricultural soils, as previously mentioned. Further inclusion of prime agricultural soils within areas impacted by the Facility Site was largely due to the avoidance of wetlands. Landowners also requested some agricultural fields be excluded from the design as detailed above in Section 15(b)(2), and as depicted on Figure 15-5. *Agricultural Land to Remain in Production*. These fields also contain prime agricultural soils, which the landowner will continue to farm. In conclusion, in balancing the wishes of participating landowners, the avoidance of environmental impacts to wetlands to the extent possible, and limited location of prime agricultural soils, there will be unavoidable, but

minimal, impact to some of the prime agricultural soils within the Facility Site (approximately 643.82 acres or 12.01 percent of the Facility Site).

#### **(6) NYS Agricultural Land Classification Mineral Soil Group Map**

The NYS Agricultural Land Classification System has identified ten MSGs based on productivity and capability. Groups 1 to 4 are considered to represent the most productive farmland within NYS and are primarily used for the production of food and fiber, whereas MSGs 5 to 10 are considered to have limitations for agricultural production (NYSAGM, 2020).

Within the Facility Site, there are approximately 949.53 acres (17.71 percent) of the Facility Site that consists of MSG 3 & 4. No MSG 1 or 2 are located within the Facility Site. Of the 949.53 acres of MSG 3 & 4 within the Facility Site, 664.19 acres are currently within active agricultural production. Of active agricultural lands within MSG 3 & 4, it is anticipated that approximately 235.29 acres (33.80 percent of the active agricultural lands within MSG 3 & 4 within the Facility Site) of temporary impacts will occur due to the development of the Facility. There are no proposed permanent impacts to active agricultural lands within MSG 3 & 4, as the only permanent impact proposed is the switchyard which is sited on MSG 6 soils. After decommissioning, the 235.29 acres of temporarily disturbed active agricultural lands within MSGs 3 to 4 will be restored to their pre-construction condition. Need See Figure 15-4. *Agricultural Soils within the Facility Site* for a depiction of the MSGs within the Facility Site.

Furthermore, as previously discussed in section 15(b)(3), there are approximately 1,029.90 acres of landowner-imposed development restriction areas within the Facility Site specifically intended for continued agricultural production throughout the life of the Facility. There are approximately 166.54 acres of MSGs 3 & 4 located within the aforementioned landowner-imposed development restriction areas that will remain in agricultural production and not be permanently impacted by the development of the Facility. Therefore, approximately 17.53 percent of MSGs 3 & 4 within the Facility Site will continue to be used for agricultural production.

Table 15-3 summarizes the analysis conducted on MSGs within the Facility Site and LOD. Figure 15-4. *Agricultural Soils within the Facility Site* illustrates the MSGs within the Facility Site.

**Table 15-3. Mineral Soil Group Analysis**

Mineral Soil Group	Total acres within Facility Site	Percent within Facility Site	Total acres within LOD	Percent within LOD	Total acres within Fenced Area	Percent within Fenced Area
1	0	0	0	0	0	0
2	0	0	0	0	0	0
3	851.60	15.88	355.50	20.20	301.22	19.98
4	97.93	1.83	27.42	1.56	22.02	1.46
5	134.20	2.51	56.01	3.18	51.17	3.39
6	1,015.12	18.93	249.81	14.20	216.72	14.38
7	153.27	2.86	42.46	2.41	32.19	2.14
8	3,087.38	57.57	1,028.54	58.45	884.10	58.65
9	0	0	0	0	0	0
10	0	0	0	0	0	0
N/A <sup>1</sup>	23.37	0.44	-	-	-	-
<b>Total</b>	<b>5,362.87</b>	<b>100</b>	<b>1,759.74</b>	<b>100</b>	<b>1,507.42</b>	<b>100</b>

<sup>1</sup>Water. This was included for the Facility Site acreage to total the correct amount.

**15(c) Agricultural Plan**

To the maximum extent practicable, the Applicant will comply with the NYSAGM Guidelines to avoid, minimize, and mitigate agricultural impacts to active and classified agricultural lands MSGs 3 & 4. Per § 900-2.16(c) of the Section 94-c Regulations, active agricultural lands are defined as agricultural lands that are active within three of the last five years. The Applicant has developed an Agricultural Plan (Appendix 15-3) that thoroughly explains how the Facility will comply with the NYSAGM Guidelines.

Table 15-4 below quantifies the total area of active agricultural lands within MSGs 1-4 relative to the fenced area, LOD, Facility Site, 5-mile Study Area, Town, and New York State. Additionally, Figure 15-6 illustrates the active agricultural lands within MSGs 1-4 that are within the fenced area, LOD, and Facility Site.

**Table 15-4. Active Agricultural Lands<sup>1</sup> and Mineral Soil Groups 1-4<sup>2</sup> in Various Geographic Areas**

Geographic Area	Total Area (acres)	Total Area of Active Agricultural Land (acres)	Total Percent of Active Agricultural Land (%)	Total Area of MSG 1-4 (acres)	Total Percent of MSG 1-4 (%)	Total Area of Active Agriculture Lands within MSG 1-4 (acres)	Total Percent of Active Agriculture Lands within MSG 1-4 (%)	Total Percent of Facility Impact (%) <sup>4</sup>
Facility Components	1,255.97	1,040.79	82.87	276.32	22.00	235.29	18.73	N/A
Fenced Area	1,507.43	1,254.21	83.20	323.24	21.44	278.23	17.14	N/A
LOD	1,759.75	1,450.86	82.45	382.92	21.76	328.07	18.65	N/A
Facility Site	5,362.87	3,825.26	71.33	949.53	17.71	696.00	12.38	47.14
5-Mile Study Area	92,151	20,345	22.08	12,322	13.37	3,450	3.74	9.51
Town of Fort Covington	23,502	6,282	26.73	4,087	17.39	1,193	5.08	27.50
Franklin County	1,085,175	71,060	6.55	39,708	3.66	6,450	0.59	5.09
New York State	30,990,080	3,697,380	11.93	3,899,520	12.58	1,551,411	5.01	0.02

<sup>1</sup>Active agricultural lands within the fenced area, LOD, and Facility Site were determined via the landowner agricultural survey. Active agricultural lands within the 5-Mile Study Area, Town of Fort Covington, Franklin County and New York State were determined via the Cropland Data Layer data (2023).

<sup>2</sup>MSG 1-4 Source: USDA NRCS 2023; NYSERDA 2020

<sup>3</sup>For the larger geographic areas, the Applicant rounded to the nearest whole number.

<sup>4</sup>This analysis was conducted by dividing the LOD Total Area of Active Agriculture Lands within MSG 1-4 by the Total Area of Active Agriculture Lands within MSG 1-4 for each respective geographic area.

## **15(d) Drainage Remediation Plan**

A Drainage Remediation Plan (Appendix 15-4) has been developed to address potential impacts that may arise as a result from Facility construction: inadvertent damages to surface and subsurface drainage, the likelihood of drainage impacts, and anticipated repair methods.

### ***(1) Likelihood of Drainage Impacts Within and Adjacent to the Facility***

The Drainage Remediation Plan (Appendix 15-4) includes a demonstration of the likelihood of impacts to surface or subsurface drainage and how the interruption of drainage may impact farmland within and outside of the Facility Site. In order to assess the likelihood of drainage impacts, the Applicant utilized results from Agricultural Landowner Use Surveys to understand locations of drainage tiles and systems. By having locations of these drainage systems, the Applicant can conduct pre-construction site reviews for identified sensitive sources such as drainage features (culverts, ditches, etc.). Additionally, with known locations of these drainage features, Facility components can be designed to avoid temporary and permanent impacts to surface water and drainages to maximum extent practicable.

### ***(2) Anticipated Repair Methods***

The Drainage Remediation Plan (Appendix 15-4) includes an identification of methods of repair for damaged drainage features. While there are measures implemented to identify and avoid drainage systems in place as outlined in Appendix 15-4, it is not feasible to rule out all potential impacts. If impacts are to occur, all damaged drain tiles and/or components will be identified with flags or stakes, as well as being recorded using Global Positioning Systems (GPS) technology, until further evaluation and repairs can be made. The Applicant will then repair any damages to drain tile systems or replace drainage systems with parts equal to or of higher quality. Following decommission, the Applicant will be responsible for correcting or paying for all repairs as needed and will make best efforts to maintain drainage systems in their original condition/quality.

## **15(e) Feasibility of Agricultural Co-Utilization**

The Applicant understands the importance of the agricultural community to the economic and social well-being of Franklin County and has included an Agricultural Co-Utilization Plan (the Plan) as Appendix 15-5 herein to address impacts to agricultural land within the LOD. The appended Plan outlines the Applicant's commitment to facilitate the implementation of agricultural activities

at the Facility during operation. As described in the Plan, the Applicant is committed to following the principles of helping to improve the local agricultural economy, continual methodological evaluation and improvement, the adoption of ecosystem-based management and soil health improvements at the Facility. To support this process and collect data on agricultural co-utilization opportunities, the Applicant will implement two agricultural co-utilization pilot projects within the fenced area of the Facility. The pilot projects will occur in designated sections of the Facility Site specifically designed to accommodate and integrate agricultural activity beneath the solar panels. This area will serve as a site where agricultural practices can be tested and observed for compatibility with solar energy production. Over a five-year period, this demonstration will provide valuable data and insights on the feasibility, benefits, and challenges of co-locating agricultural activities with solar installations. The Fort Covington Technical Working Group (TWG) will evaluate the outcomes of this demonstration period to determine whether the agricultural co-use approach should be expanded to other areas of the solar Facility.

The Applicant is committed to evaluating the feasibility of these pilot projects with all interested landowners, and through the development of a Fort Covington TWG, to gauge the efficacy of various co-utilization activities during operation. The Fort Covington Working Group will be structured through invitation of experts from the Cornell Cooperative Extension (CCE), the Franklin County Farm Bureau, Franklin County SWCD, and the New York State Department of Agriculture and Markets (NYSAGM). Together with the members of the Fort Covington TWG, the Applicant intends to plan and implement agricultural co-utilization pilot projects within the fenced area of the Facility. Currently these co-utilization opportunities / pilot programs include 1) haying operations, and 2) planting of pollinator friendly plant species with partnerships with local apiaries. These activities, and their proposed locations within the Facility Site have been identified based on consideration of the constraints imposed by the design of the Facility, the areas of opportunity provided by the land, and the expertise and desires of the primary landowner, as further described in the Plan (Appendix 15-5).

In addition, the Applicant worked with participating landowners to identify development restrictions and specific properties that should be preserved to allow for continued agricultural use and development; this allows participating landowners to continue existing agricultural operations where necessary. This is described in detail in previous sections of this Exhibit. The locations where agricultural production can still occur is illustrated on Figure 15-5. *Agricultural Land to Remain in Production within the Facility Site.*

The Facility has also been sited and designed to place Facility components on parcels with contiguous proximity to one another to the extent practicable. Designing the Facility in this manner helps to condense and reduce permanent impacts to land, as well as reduce interference with existing adjacent land uses, such as agricultural production. As previously stated, agricultural land within the fence line will be restored in accordance with the NYSAGM Guidelines. Additional information regarding site restoration and decommissioning can be found in Exhibit 23. *Site Restoration and Decommissioning* of this Application.

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