

Appendix 2-C: Public Meeting Materials

Contents

1. Town of Ripley Pre-Application Consultation Meeting Agenda/Memo (4-1-2021)
2. Town of Ripley Pre-Application Consultation Meeting Slide Deck (4-1-2021)
3. Town of Ripley Pre-Application Consultation Meeting Project Maps (4-1-2021)
4. Town of Ripley Pre-Application Consultation Visual Simulations (4-1-2021)
5. Virtual Open House Slide Deck (1-28-2021)
6. Virtual Open House Q/A Transcript (1-28-2021)
7. Chautauqua County Pre-Application Consultation Meeting Slide Deck (1-26-2021)
8. Preliminary Scoping Statement Slide Deck (5-31-2020)
9. Open House Meeting Boards (12-4-2019)
10. General Materials Available at Public Meetings

1. Town of Ripley Pre-Application Consultation Meeting Agenda (4-1-2021)

South Ripley Solar Project

94-c LOCAL AGENCY CONSULTATION AGENDA

**April 1, 2021
10:00**

1. General Update
 - a. Power point presentation
 - b. Review map of the proposed facility showing project components
 - c. Status on application and studies
2. Wetlands and Streams
3. Visual Impact Assessment
4. Agricultural Issues
5. Cultural Resources
6. Noise
7. Transportation
 - a. Road Use Agreement
8. Review of Safety Plans
 - a. Site Security Plan
 - b. Safety Response Plan
9. Review of Local Issues
 - a. Review of design and compliance with local laws
 - c. Decommissioning
10. Next Steps
 - a. Anticipated application date: May 28, 2021

- i. Any local agency or potential community intervenor shall submit a request for initial funding within thirty (30) days of the date of application filing and that such request be made to the Office of Renewable Energy Siting (“ORES”), at the Albany, New York office, Attention: Request for Local Agency Account Funding

b. Continuing Consultations

Materials Available for Meeting

Poster size

- Facility Layout

11x17

- VIA Simulations
- VIA Viewpoint Locations
- Delineated Wetlands and Streams
- Emergency Routes
- Haul Route
- Facility Layout Substation
- Historic Resources
- Mineral Soil Groups (Ag soils)
- Preliminary Noise

8x10

- Request for Local Agency Account Funds
- Municipal Consultation PPT Presentation
- Archaeology Status Memo
- Historic Resources Status memo
- Draft Site Security Plan
- Draft Safety Response Plan
- 94-c/Local Law Comparison Chart (and potential waivers)
- Ripley Host Community Agreement

Young / Sommer LLC

ATTORNEYS AT LAW

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March 23, 2021

Kathy Spencer
CEP, Principal Environmental Analyst
LaBella Associates, P.C.
300 State Street, Ste. 201
Rochester, NY 14614

Re: South Ripley Solar Project

Dear Ms. Spencer:

Thank you for providing us LaBella's memo of February 11, 2021 and the comments on the PowerPoint presentation that ConnectGen provided to you in advance of what would have been the local agency meeting. We appreciate the Town's review of the materials and LaBella's view of the process and level of detail needed for pre-application consultations. We look forward to our continued engagement with the Town on these and other issues on April 1st as we proceed toward the anticipated Section 94-c Application filing date of May 2021. Please be assured that it is ConnectGen's intent to fully meet or exceed any applicable pre-application requirements of the new 94-c regulation prior to submitting the Application.

In that regard, it may be helpful to lay out for you how we anticipate additional public engagement and host community consultation unrolling over the course of the next two months. As the 94-c regulations are new and just finally adopted on March 3, we are all going through it for the first time and there will no doubt be a learning curve in the process. That said, despite any differences in interpretation of the pre-application requirements in Section 94-c, the level of detail required to be provided during the pre-application consultations and the timing of next steps, going forward, we envision correspondence and meetings between the various municipal officials, staff and consultants to accomplish the required and appropriate consultations to obtain the information necessary to include in the Application. As compared with implied process suggested in LaBella's memo of February 11, 2021, we do not understand the intent of the regulation to require the full scope of consultations to be accomplished *prior* to the 60-day period of time for filing of the Application as that would not be practical or reasonable. Instead, we understand the required consultations to be something that unfolds as more information is known regarding the project and that the information required to be provided in Section 1.3(a) is the start of the consultation process and intended to outline the information that will be exchanged through the course of the pre-application review period. To this end, we have already

started the process of providing the Town information on the Project, including the substantive local laws applicable to the facility, contact information for the Applicant, an overview of the 94-c process, site mapping and information on the project area, information about intervenor funds and other relevant information and details available to us at this time. In addition, the Applicant's visual consultant participated in a virtual work session specific to the visual impact assessment on Monday February 22, 2021. Over the course of the next two months we will be providing the Town additional information regarding the design of the Project, results of studies and an analysis of potential impacts for many of the resources identified in LaBella's memo and the topics identified for pre-application consultation in the regulations.

Regardless of the difference of opinion of the intent of an initial pre-application meeting required by Section 1.3(a), as stated at the outset, we expect that through our continuing engagement efforts, we will accomplish the consultations required by the final regulations and the topics you identified in LaBella's memo. For utility, following the topic list in LaBella's memo, our anticipated next steps are as follows:

Compliance with Local Laws

As the Town is aware, we sent a letter on February 10, 2021 providing an assessment of applicable local laws and potential substantive standards applicable to the Facility in the Town's current zoning law. We indicated through a preliminary assessment of the proposed design whether or not the Facility anticipated compliance with the substantive provisions of local laws. We do not know whether or not the comments in the LaBella memo have the benefit of the February 10 letter or not. Regardless, however, on February 25, 2021, the Town introduced legislation to amend the zoning provisions on solar. We are currently evaluating whether or not the Facility design can meet the new proposed standards and expect to provide comments to the Town prior to the deadline of March 30. We will also be identifying provisions of the law which may be inconsistent with the standards under Section 94-c. Thus, the pre-application consultation requirements in 900-1.3(a)(3-5) will be addressed.

Project Design and Potential Impacts

As noted at the outset, many of the comments in this section seek design details and layers of information at a level not typically available in a pre-application consultation discussion required in Section 94-c. In fact, most of the regulatory citations in LaBella's memo are to Exhibit requirements for the Application, not the pre-application consultation with the local agencies. This suggests a design level detail adequate for the filing of the Application, not a pre-application consultation. Nevertheless, to the extent the information is available, ConnectGen is committed to sharing information with the Town to assist the Town in understanding the Facility impacts. In fact, we suggest that much of the information that has already been provided to date enables the Town to consider potential impacts and further information will be presented in the Application. Some of the items in this section of the memo reference information that is readily available to the Town and LaBella, such as land use maps. But even more specifically, the request to provide residence status, is not included in the requirements for pre-application consultations listed in Section 1.3(a) but instead is the type of information that will be provided in the Application. Similarly, maps of sensitive receptors identified will be provided in the Application per the requirements of 900-2.8(h) as cited in the memo.

With respect to the request for additional details on the site layout, before now, this information was not available aside from the conceptual materials shared with the public during the community meeting and the recording of the meeting as posted on the Project website. However, given the continuing development of the Facility, Project design information is being prepared and we anticipate being able to provide the Town with further details on the layout, component locations and the proposed location of the battery energy storage system (BESS) and substation. Keep in mind, required pre-application consultations with the Office of Renewable Energy Siting (ORES) on wetlands, streams, avian resources and other topics are ongoing, and we do not yet have final determinations from ORES, such as a wetland jurisdictional determination, therefore, the design is still subject to further refinement and revision as a result of these pre-application consultations. However, we are prepared to share the current design and component locations with the Town during the upcoming consultation session scheduled for April 1, 2021.

Regarding comment #8 in LaBella's memo, the requested information has already been provided. Specifically, on May 20, 2020 a letter specific to the identification of visually sensitive resources was provided to representatives of the Town of Ripley, adjacent municipalities, Chautauqua County, various state agencies, and other organizations/interest groups, and specifically included the following:

- A brief summary of the project and the regulatory process (at the time, Article 10).
- An indication that a Visual Impact Assessment (VIA) will be prepared for the project, and the identification of visually sensitive resources (VSRs) as a component of this study.
- An identification of the visual study area (5-mile radius).
- A summary of the different types of VSRs:
 - Properties of Historic Significance
 - Designated Scenic Resources
 - Public Lands and Recreational Resources
 - High-Use Public Areas
- An indication that EDR has conducted preliminary research and prepared a preliminary inventory of VSRs.
- Reference to attached figures that depicted the identified VSRs and tables that provide details associated with each identified VSR (e.g., type, location, distance from project).
- A formal request for feedback by June 19, 2020, specific to the identification of additional VSRs that should be added to the inventory.

Subsequently, on November 12, 2020 a letter specific to recommended viewpoints was provided to representatives of the Town of Ripley, adjacent municipalities, Chautauqua County, various state agencies, and other organizations/interest groups, and specifically included the following:

- A brief summary of the project and the regulatory process (at the time, Article 10).
- An indication that a VIA will be prepared for the project, and that photo-realistic visual simulations of the project will be prepared as a component of this study.
- A summary of the factors associated with selecting viewpoints to be used for visual simulations, which include:
 - Visual Study Area and Visually Sensitive Resources
 - Preliminary Viewshed Analysis

- Field Review/Site Visits
- Landscape Similarity Zones
- An indication that EDR anticipates preparing approximately 10 simulations from representative distances and from a range of visual settings within the visual study area.
- Reference to multiple attachments, including:
 - A: Recommended viewpoint location maps depicting 13 potential locations, and also depicting the VSA, preliminary viewshed, and sensitive resources
 - B: Table providing more detail on the 13 potential viewpoint locations
 - C: Viewpoint photolog – provides information on all viewpoints (approx. 50 different locations)
 - D: Map depicting the landscape similarity zones along with VPs and the VSA
 - E: Distribution list
- A formal request for feedback by December 14, 2020, specific to the recommended viewpoints

As a result of these consultations and related correspondence with Zoghlin Group, the previously mentioned virtual work session specific to the visual impact assessment took place on Monday February 22, 2021.

Regarding comment #9, extensive pre-application consultations regarding cultural resources have been conducted, which included contacting local historians and historical societies seeking input regarding the identification of historic resources with historic or architectural significance. The following summarizes consultations with stakeholders in host municipalities:

- On October 2, 2020 EDR staff contacted Ms. Michelle Henry, Chautauqua County Historian, via telephone. Ms. Henry replied via email and identified the following resources: South Ripley United Methodist Church, Holdridge Corners Cemetery located on Sulphur Springs Road near the intersection of Sinden Road, and several former one-room schoolhouses which are now residences. Ms. Henry noted that the former schoolhouses have generally been altered with modern siding materials and additions.
- On October 2, 2020 EDR staff contacted Dr. John Hamels, Town of Ripley Historian, via telephone. Dr. Hamels identified the following resources: South Ripley United Methodist Church; former schoolhouses on Irish Road, Colton Road, and Gage's Gulf Road (NE Sherman Road); and the Ripley Rod and Gun Club.
- On October 2, 2020 EDR staff contacted Peter Ryan of the South Ripley Cemetery Association via email. Mr. Ryan replied by email on October 4 and noted the following resources: the South Ripley Cemetery, the South Ripley United Methodist Church, and the former South Ripley Grange Hall [10243 NE Sherman Road].

The following summarizes consultations with stakeholders in municipalities located in the 5-mile historic resources study area:

- On October 2, 2020 EDR staff contacted Mr. Devon Taylor, Town of Chautauqua Historian, via telephone. Mr. Taylor stated that he was not aware of any historic resources in the portion of the town within the 5-Mile Historic Resources Study Area.
- On October 2, 2020 EDR staff contacted Ms. Marybell Beigh, former Town of Westfield Historian, via email. Ms. Beigh replied that she is retired and that the Town Historian position has not been filled; she suggested EDR contact Westfield Town Supervisor Martha Bills. On October 15, 2020 EDR staff spoke with Ms. Bills by

telephone and she stated that to her knowledge there are not any extant historic resources within the APE for Indirect Effects for the Facility in the Town of Westfield.

- On October 2, 2020 EDR staff contacted Ms. Donna Higginbotham, Town of Sherman Historian, by telephone. Ms. Higginbotham stated that she was not aware of any historic resources within the APE for Indirect Effects for the Facility in the Town of Sherman.
- On October 2, 2020 EDR staff contacted Ms. Mary Norcross, Town of Mina Historian, via telephone. Ms. Norcross replied by email and identified resources and features which are no longer extant, including four one-room schoolhouses and two sawmills. She stated that evidence of the sulfur spring for which Sulphur Springs Road is named is still present on the north side of the road.
- On October 2, 2020 EDR staff attempted to contact the Yorker Museum in the Village of Sherman via email but did not receive a reply.

Comment #10 seeks information that will be provided as part of Exhibit 16: Effect on Transportation. In addition, we will be providing the Town proposed haul and other traffic routes and would like to discuss road conditions and the items identified in the memo in this section. In addition, we will be providing a draft Road Use Agreement to the Town which addresses process for road conditions, curb cut design and approvals and other aspects of potential road use for the project during construction.

On Comment #11, consistent with the requirements of 900-2.7(b) and (c), the Applicant will be preparing a site security plan and a safety response plan which will provide the details required by the regulations. We will be providing these plans to the NYS Division of Homeland Security and will also be sharing these plans with the local fire departments and emergency responders as part of the consultation required by 900-2.19(i). We will share with the Town drafts of these plans at the upcoming consultation meeting and plan on setting up a separate consultation with local emergency response organizations sometime in April.

Regarding Comment #12, there will be no incremental costs to the school districts in the project area associated with the construction or operation of the Project. It is possible that the approximately 3-4 full time workers employed during operations may have children that utilize the school district, but this is not anticipated to result in an increase in costs, even assuming that project employees live within the project area school districts. Nevertheless, these topics have been discussed with the school districts.

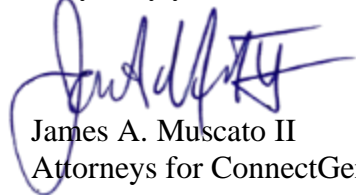
Comment #13 does not seek information from ConnectGen, but we agree that to the extent that the Town believes the construction and operation of the Project is going to result in increased incremental costs to the Town, we would be interested in learning more about this and discuss potential costs with the Town. Generally, while the supervision of the large construction project requires the use of some municipal resources, much of the oversight is intended to be reimbursed by ConnectGen through escrow or other arrangements. For example, the cost of implementation of the State Building Code for aspects of construction regulated by the Code (i.e. control house equipment, operations and maintenance building, if any) will be reimbursed by ConnectGen. In addition, we would like to discuss with the Town reimbursing costs incurred relating to road supervision during construction.

Regarding Comment #14, decommissioning is a common topic discussed with local governments and, specifically, their role in the unlikely event that they need to decommission the project. We plan on sharing the outline of the decommissioning plan with the Town at the upcoming consultation meeting. In addition, we would like to discuss with the Town the logistics of the financial security, a decommissioning agreement and other arrangement or details relating to the topic of decommissioning. We can provide additional details during the consultation meeting. Please also note that the 94-c Application will have an entire exhibit dedicated to this topic, specifically Exhibit 13: Site Restoration and Decommissioning – LaBella’s memo appears to suggest that decommissioning is not required under the 94-c regulations.

Finally, with respect to Comment #15, we have already gathered maps of various agricultural soil classifications within the Project Area and will provide these to the Town in support of the pending municipal consultation meeting, prior to submission of the Application. The comment references “after” maps, in other words, maps showing the affects to farmland after construction of the Facility. It is not clear how we would provide this information, but we look forward to speaking with the Town’s consultants to better understand what information would be helpful to respond to this Comment.

We hope this letter provides the Town additional feedback on the next steps in the process and gives the Town an idea of what level of information to expect during pre-application consultations. Of course, even after the application is filed and the level of detail required by the regulations is available, ConnectGen will remain available to discuss any aspect of the Project with the Town and the potential impacts on resources of concern. We look forward to meeting with you on April 1.

Very truly yours,



James A. Muscato II
Attorneys for ConnectGen

2. Town of Ripley Pre-Application Consultation Meeting Slide Deck (4-1-2021)

South Ripley Solar Project

Local Agency Consultation Meeting



Connecting Power, Projects, and People

Purpose

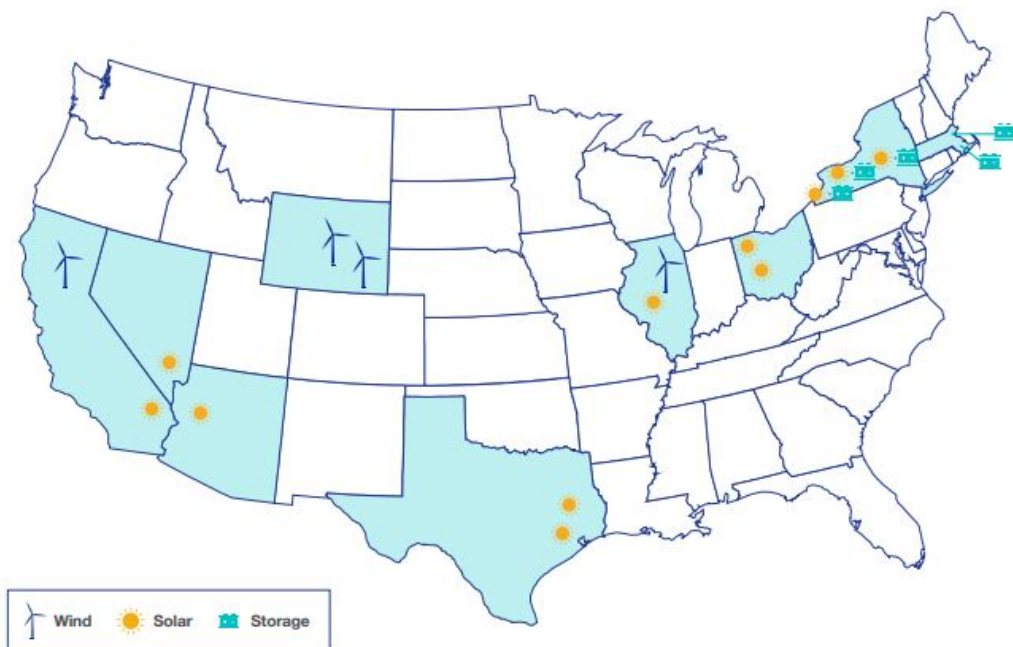
The purpose of today's consultation meeting:

- Provide an update on the work that has been completed on the project.
- Distribute information on the New York State permitting process and how the Town of Ripley can access Intervenor Funding.
- Discuss pre-Application topics such as local laws, visual impact, and project siting.
- Receive feedback from the Ripley Town Supervisor, Town Board, and Town's technical experts.

Presentation Agenda

- About ConnectGen
- Project Overview
- Project Benefits
- Public Engagement To-date
- New York State Regulatory Overview
 - Article 10
 - 94-c
 - Intervenor Funding
- Technical Topics

About ConnectGen



Founded in 2018, ConnectGen is an independent renewable energy company focused on the development of high-quality wind, solar, and energy storage projects across North America.

Based in Houston, Texas, our experienced team has developed, built, and operated thousands of megawatts of renewable energy projects.



ConnectGen is a subsidiary of 547 Energy, Quantum Energy Partners' clean energy platform company.



Founded in 1998, Quantum Energy Partners is a leading provider of private equity capital to the global energy industry, having managed together with its affiliates more than \$15 billion in equity commitments since inception.

Project Overview



South Ripley
SOLAR PROJECT

Project Owner:
ConnectGen Chautauqua
County LLC

Host Community:
South Ripley, within the
Ripley town boundaries

Renewable Resource:
Solar energy

Projected Capacity:
Up to 270 MWac

New York Homes Powered:
Over 60,000

Projected Project Footprint:
Approximately 1,500 acres

Projected Completion Date:
End of 2023

Point of Interconnection:
National Grid South Ripley
230 kV substation

Energy Storage:
20 MWac battery energy
storage component

Project Benefits

DIRECT BENEFITS



Up to **\$30 million dollars in payments to local landowners** in the form of solar leases, easement agreements, and good neighbor agreements through the life of the Project.



Over **\$16 million** in increased property tax revenue over the life of the project to the Town of Ripley and Chautauqua County, comprising over 40% of the Town of Ripley's annual property tax revenue.



Over **\$5 million** in increased revenue to the Sherman and Ripley school districts during the life of the Project.



Up to **220 jobs** anticipated during the peak of construction.

INDIRECT BENEFITS



Revenue to local shops, hotels, restaurants, service and construction material suppliers during construction and operation.



Partnerships with local community groups, local sponsorships, and donations.

Public Engagement to Date

ConnectGen has worked since late 2018 to introduce the Project to the local Ripley community and solicit feedback from interested parties.

- Attended nearly every Town of Ripley Board meeting since **March 5, 2019**
- Landowner meetings held on **April 4, 2019** and **August 15, 2019**
- Project benefit ads in the Dunkirk Observer and Jamestown Post Journal on **August 15, 18, and 22, 2019**
- Project website launched **October 2019**
- Public Involvement Plan (PIP) filed **October 2019**
- Public open houses held on **December 4, 2019**. Meeting notices ran in the local papers two weeks prior to the event and notification letters were mailed to the Stakeholder Notification List
- Project newsletter mailed to each person on the Stakeholder Notification List in **April 2020**; 50 additional copies mailed to the Ripley Town Hall
- Notices of Preliminary Scoping Statement (PSS) filing ran in the local papers **May 14-16, 2020**
- Notices of PSS filing mailed to each person on the Stakeholder Notification List on **May 14, 2020**
- PSS informational packet mailed to the Stakeholder Notification List in **June 2020**
- PSS Public comment and response period completed in **June 2020**
- A project Facebook page was created in **November 2020** to provide project updates and share information
- A public information session was held in **January 2021** and information was distributed to local stakeholders
- A 60-day filing notice was mailed to every person on the Stakeholder notification list and ran in three papers in **March 2021**

Regulatory Overview: Article 10 Process

- ConnectGen began project development under the Article 10 regulations prior to the regulatory changes enacted under Section 94-c.
- ConnectGen completed the Article 10 pre-Application phases prior to transferring to 94-c.
 - ConnectGen filed a final PIP in October 2019.
 - ConnectGen filed a final PSS and made intervenor funding available in May 2020.
 - ConnectGen completed the PSS public comment period in June 2020.

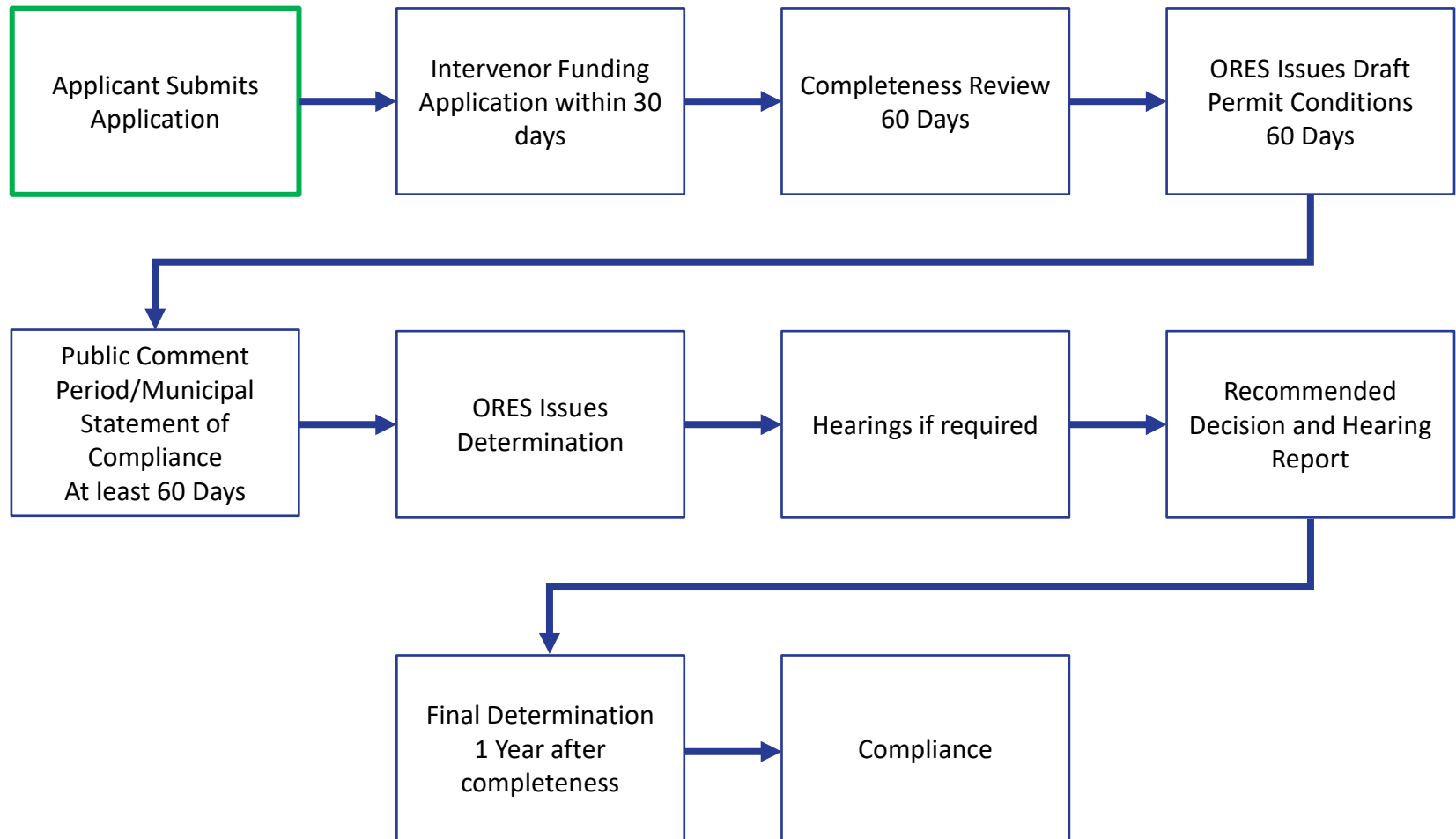
Regulatory Overview: New “Section 94-c” Siting Process

- In 2020, New York State introduced a new permitting process for large scale renewable energy projects, the “Section 94-c” process.
- Final Application is substantively similar to the Article 10 requirements, with many of the same surveys and studies required under both processes.
- Review and decision will be made by the Office of Renewable Energy Siting (ORES) within the Department of State –Regulations and Uniform Standards and Conditions (USC) were issued by ORES on September 16, 2020, with a public comment period through December 6, and were finalized in March 2021.
- Provides for election to transition into process for existing Article 10 Projects.
 - ConnectGen elected to transfer to the 94-c process on February 2, 2021.
 - ConnectGen filed and circulated a Notice of Intent to File an Application in March.
- Requires pre-application consultations with state agencies, host municipalities, and meetings with community members.
- Uniform Standards and Conditions (“USCs”) outline design requirements for large scale projects to standardize design expectations regarding setbacks and potentially sensitive resources. Site specific requirements will also augment the USCs.
- Projects must be designed to avoid or minimize, to the maximum extent practicable, potentially significant adverse environmental impacts.

New “Section 94-c” Siting Process (continued)

- ORES must make finding that the project, along with uniform and site-specific conditions, would comply with applicable laws and regulations unless waived by ORES as unreasonably burdensome.
- Only projects with “substantive and significant” issues require evidentiary hearings and briefing.
- Similar to Article 10, ORES can elect not to apply a local law that is unreasonably burdensome in view of CLCPA targets and environmental benefits of the project.
- Requires municipalities to submit a statement of compliance with local laws at least 60 days after issuance of the draft permit.
- Local community intervenors and host towns are able to seek intervenor funds (\$1,000/MW).
- 75% of funds reserved for municipalities.
- Must apply for funds within 30 days of application filing.
- Requires host community benefit.

Section 94-c Schedule Overview



Intervenor Funds

What is Intervenor Funding:

Intervenor funding is money that Applicants such as ConnectGen make available to qualified, locally affected parties and municipalities to offset certain expenses they incur in participating in the state permitting process. These funds were created to encourage early and effective public involvement in project development and permitting.

94-c Application Intervenor Fund:

- Upon the filing of a 94-c Application, ConnectGen will post an intervenor fund (\$1,000/MW) which can be sought by local community intervenors and host towns. 75% of funds are reserved for municipalities.
- Must apply for funds within 30 days of Application filing:

Applications for Intervenor Funds to:

Office of Renewable Energy Siting (ORES)
Empire State Plaza Swan Street Building – Core 1, Room # 110-119
Albany, NY 12239

<https://ores.ny.gov/system/files/documents/2021/01/request-for-local-agency-account-funds.pdf>

Technical Topics: 94-c Siting Application

All Section 94-c Application Exhibits

- | | | |
|--|---|---|
| 1. General Requirements | 10. Geology, Seismology and Soils | 18. Socioeconomic Effects |
| 2. Overview and Public Involvement | 11. Terrestrial Ecology | 19. Environmental Justice |
| 3. Location of Facilities and Surrounding Land Use | 12. NYS Threatened or Endangered Species | 20. Effect on Communications |
| 4. Real Property | 13. Water Resources and Aquatic Ecology | 21. Electric System Effects and Interconnection |
| 5. Design Drawings | 14. Wetlands | 22. Electric and Magnetic Fields |
| 6. Public Health, Safety and Security | 15. Agricultural Resources | 23. Site Restoration and Decommissioning |
| 7. Noise and Vibration | 16. Effect on Transportation | 24. Local Laws and Ordinances |
| 8. Visual Impacts | 17. Consistency with Energy Planning Objectives | 25. Other Permits and Approvals |
| 9. Cultural Resources | | |

Overview of Technical Topics for Discussion

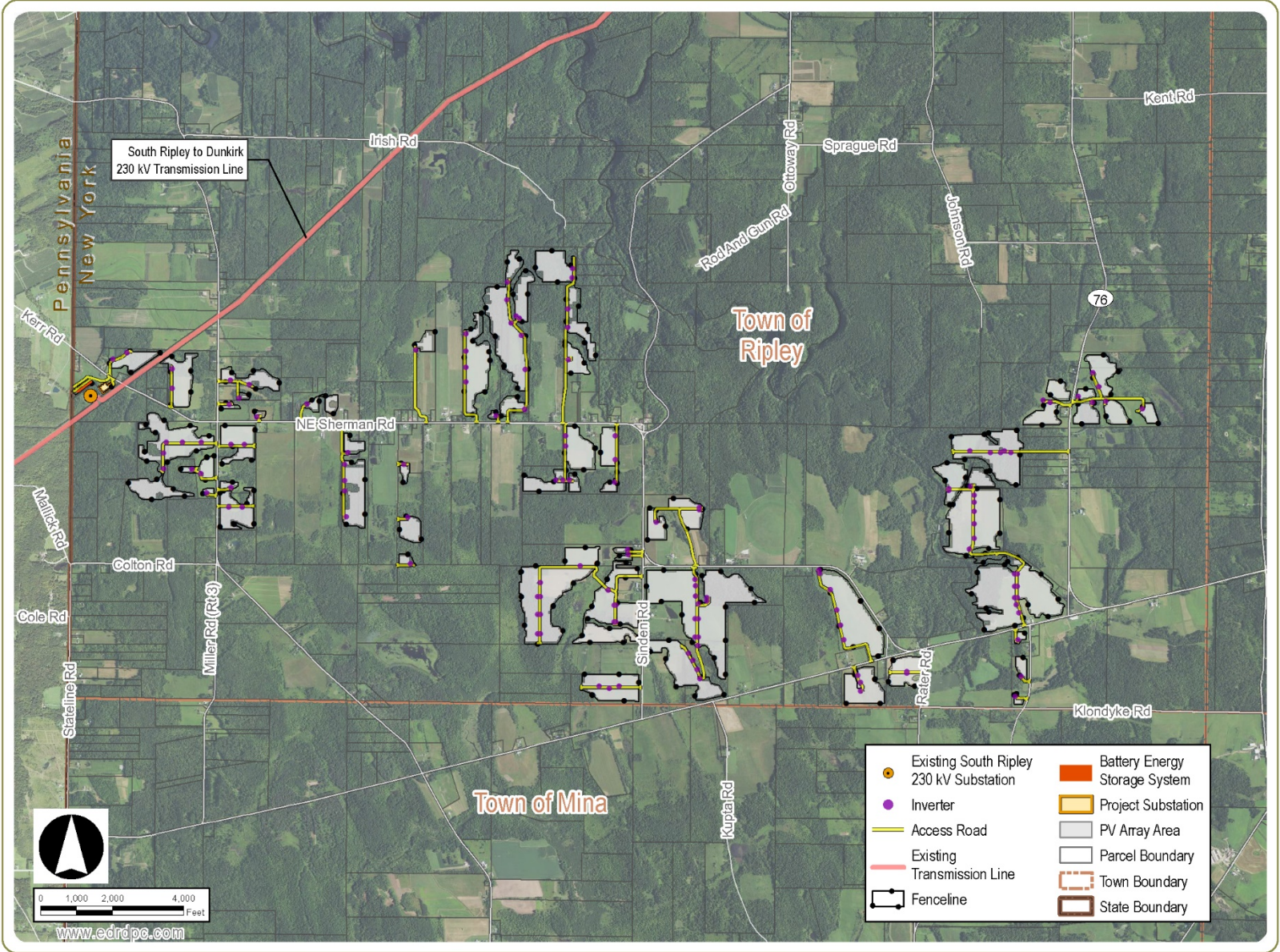
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| • Layout and Design | • Visual Impact |
| • Local Zoning Regulations | • Sound and Noise |
| • Stormwater and Groundwater | • Public Health, Safety, and Security |
| • Wetland and Stream Resources | • Decommissioning |
| • Avian Resources | |

Layout and Design

Solar Panel Locations and Project Layout

- The Project includes solar equipment, an electrical collection and interconnection system, battery energy storage, and access road locations, which are designed to avoid and minimize potential impacts, incorporating a wide range of environmental, social, and technical considerations.
- The Project is being designed using New York State regulations, industry standards, and feedback from local community members to minimize potential impacts.
- Development of the project layout and design is an iterative process that considers various sensitive resources and endeavors to balance impacts to identified resources.

South Ripley Preliminary Solar Layout



Stormwater and Groundwater

Section 94-c ensures that renewable energy projects study potential stormwater and groundwater impacts from project development and design management plans to ensure that projects do not change the water runoff characteristics of a site through construction and operation. PV panels are designed to ensure no release or leakage of panel material into the surrounding environment.

A final 94-c Application will include:

- A Stormwater Pollution Prevention Plan (SWPPP) for the collection and management of stormwater discharges from the facility site during construction.
- A preliminary plan for post-construction stormwater management practices that will be used to manage stormwater runoff from the developed facility site. This plan will be finalized before construction as part of Compliance.
- Plans must be prepared in accordance with the applicable NYS Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity, the NYS Standards and Specifications for Erosion and Sediment Control, and NYS Stormwater Design Manual.
- ConnectGen will complete a local water well survey for properties within 1,000 feet of project boundaries to effectively site project equipment to avoid potential impacts during construction.
- The 94-c Application will also identify other groundwater resources, such as aquifers.

Wetland and Stream Resources

Resource Identification and Field Survey:

- Wetland and stream desktop approximations were completed in March 2020.
- On-site wetland and stream delineations were completed from June – Sept 2020.
- Boundaries of wetland and stream resources were identified within the study area.
- Results are being used to inform Project design through impact avoidance and minimization.
- A final wetland stream and delineation report will be included in the Section 94-c Application.

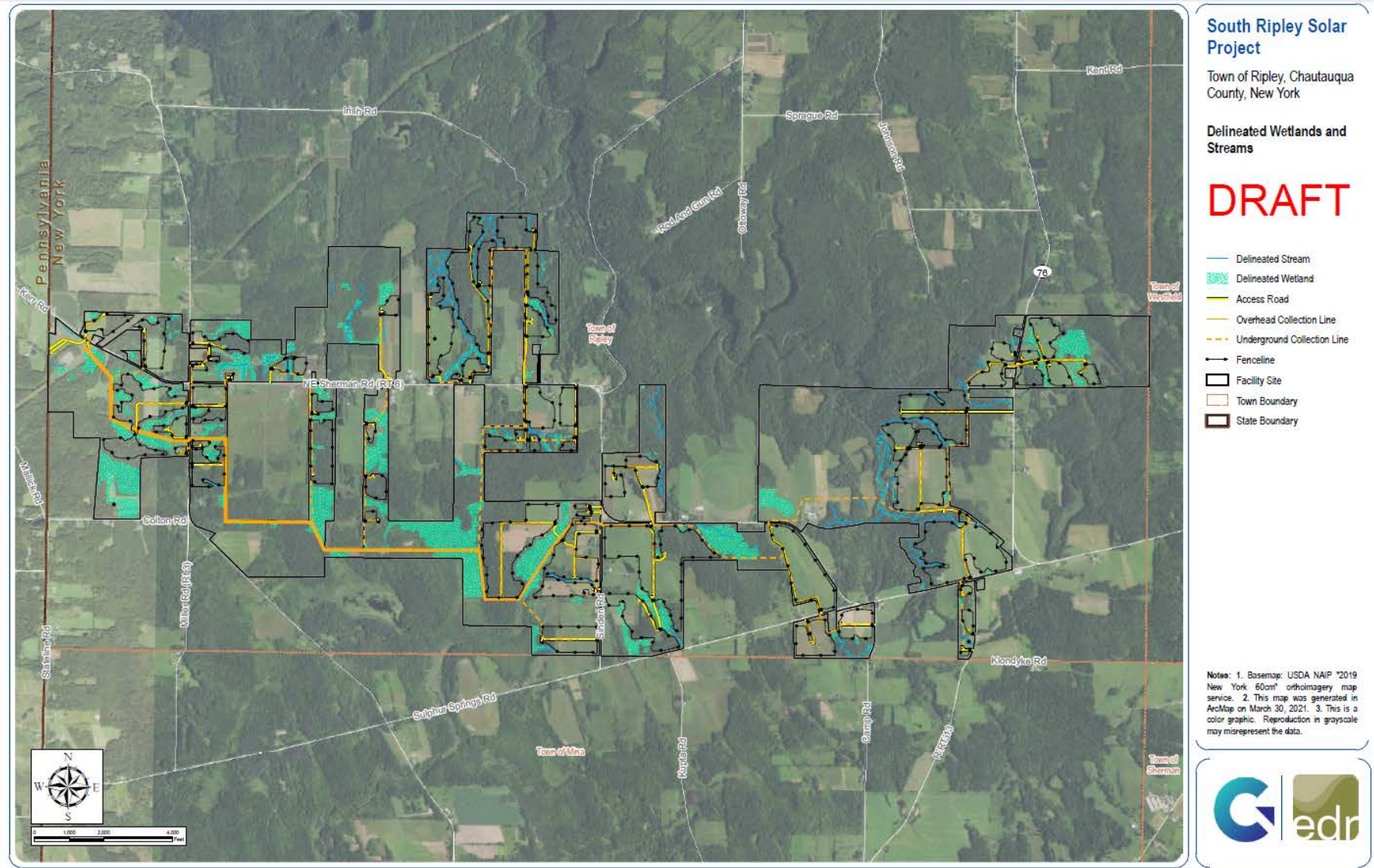


Mapped Wetland: South Ripley, 2020

ORES Consultation and Jurisdictional Determination:

- ORES was provided data from delineations and representatives conducted site review visits with EDR in November and December 2020.
- Based on delineation efforts and subsequent site visits, a draft wetland and stream delineation report was provided to ORES and NYSDEC in January 2021.
- ORES must issue final jurisdictional determination regarding state-regulated wetlands and streams within 60 days of receipt of the draft wetland delineation report.

Wetland and Stream Resources: Project Map



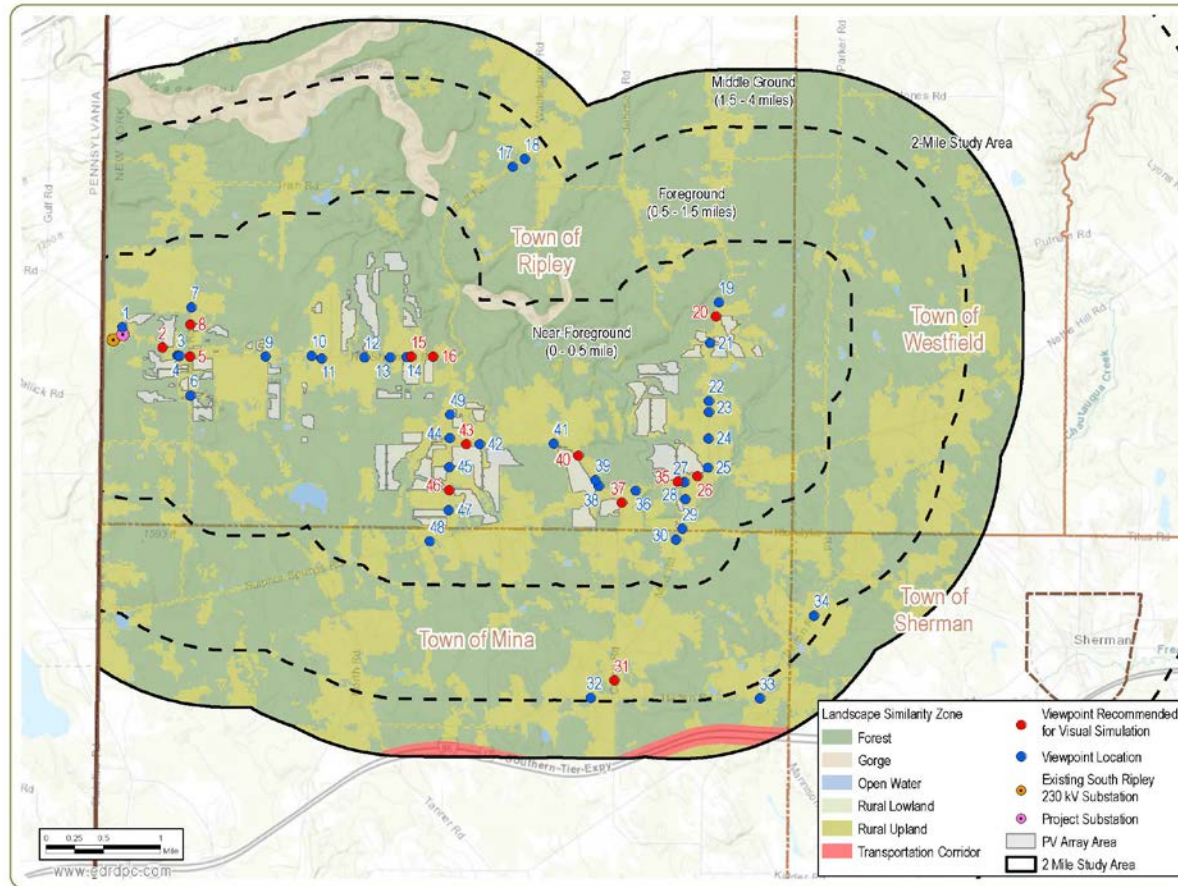
Avian Resources: Consultations and Surveys

- Consultation with state and federal resource agencies initiated in the summer of 2019, through initial review of databases maintained by the NYSDEC and the USFWS.
- Further consultation and records review with NYSDEC Central Office and Region 9 occurred in the fall of 2019.
- Based on the potential presence of rare grassland species, a winter raptor survey workplan was prepared and provided to NYSDEC in November 2019.
- A Winter Raptor Survey (WRS) took place from November 2019 – March 2020.
- A virtual meeting was held with NYSDEC in April 2020 to review survey results, and a complete WRS report was provided to NYSDEC in May 2020.
- Additionally, a spring Breeding Bird Survey (BBS) workplan was prepared for NYSDEC review in May 2020 and surveys conducted from May – July 2020.
- A complete BBS report was provided to NYSDEC in September 2020.
- The results of all avian surveys were discussed with ORES, and all reports were provided to ORES in October 2020.

Avian Resources: Results and Conclusions

- The WRS resulted in more than 5,600 survey minutes (over 93 survey hours).
- A total of 62 raptors were observed, most of which were common species such as red-tailed hawk and turkey vulture.
- The only state-listed threatened species observed were bald eagle (5) and northern harrier (7); however, no suspected roost locations or areas of concentrated activity were identified. No state-listed endangered species were observed.
- Of the more than 5,600 survey minutes, only 16 survey minutes included northern harrier and 16 survey minutes included bald eagle, totaling less than 1% of the entire survey effort.
- The BBS resulted in more than 4,680 survey minutes (over 78 survey hours).
- A total of 81 species were observed, most of which were common species such as song sparrow and red-winged blackbird.
- No state-listed threatened or endangered species were observed during the BBS.
- Based on the results of the WRS and the BBS, it was concluded that the Facility Site does not contain occupied habitat for wintering or breeding state-listed threatened or endangered avian species.

Visual Impacts



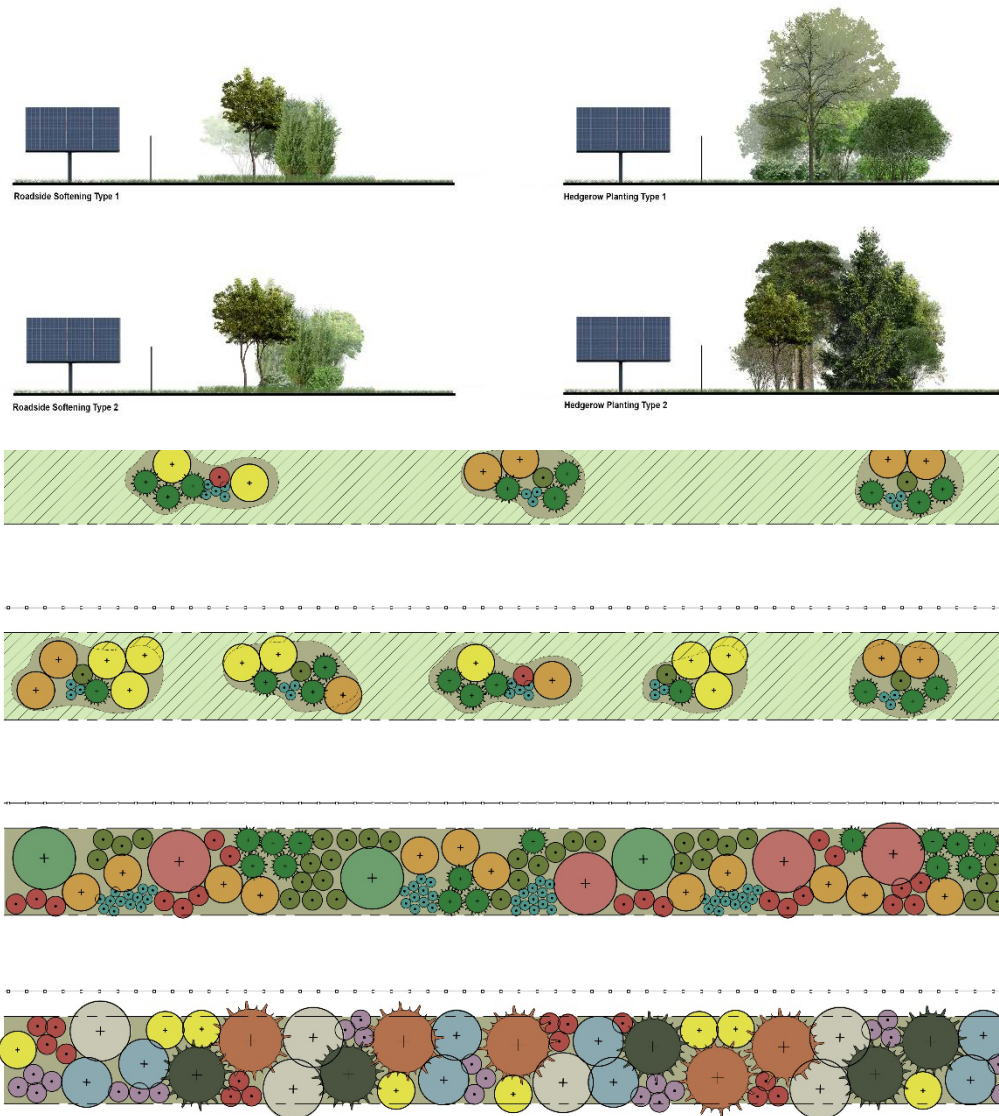
Define Affected Environment:

- Definition of a Visual Study Area (2 miles)
- Identification of Visually Sensitive Resources
- Review of publicly available data
- Consultation with state & local stakeholders
- Identification of Viewer Groups
- Landscape Similarity Zone mapping

Evaluate Potential Visibility:

- Viewshed Analysis Mapping
- Field Review and Assessment

Visual Impacts



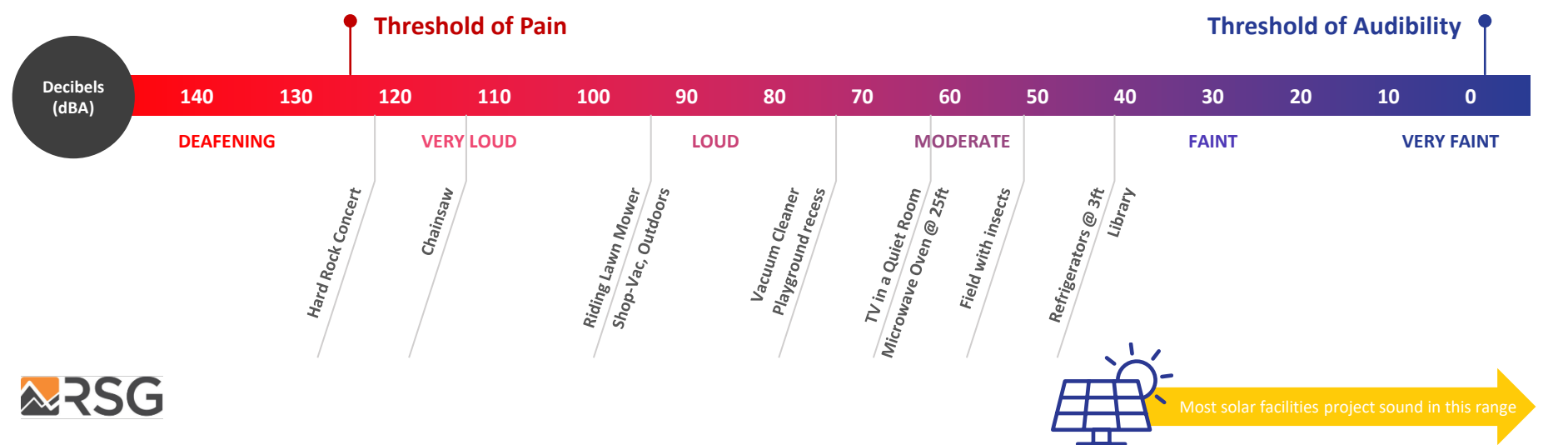
Appearance of the Facility:

- Proposed Equipment
 - PV Panels and Racking
 - Inverters
 - Fencing
 - Substation
 - Above ground collection
 - Energy Storage System
- 3-Dimensional Model

Results and Conclusions:

- Visual Impact Analysis
 - Visual Simulations
 - Rating Panel Analysis
 - Visual Mitigation

Sound and Noise Impact



The equipment anticipated to be used in the South Ripley Solar Project Include:

Solar Panels	Collect solar energy and transform into electricity	Not expected to generate any sound
Inverters	Convert DC to AC current	Generate limited sound during the day
Transformers	Increase the voltage for collection and distribution	Generate limited sounds day and night
Energy Storage	Stores and releases power as needed	Generate sound mostly via the cooling systems

Sound Level Monitoring and Analysis



Sound Monitoring Device in South Ripley (2020)

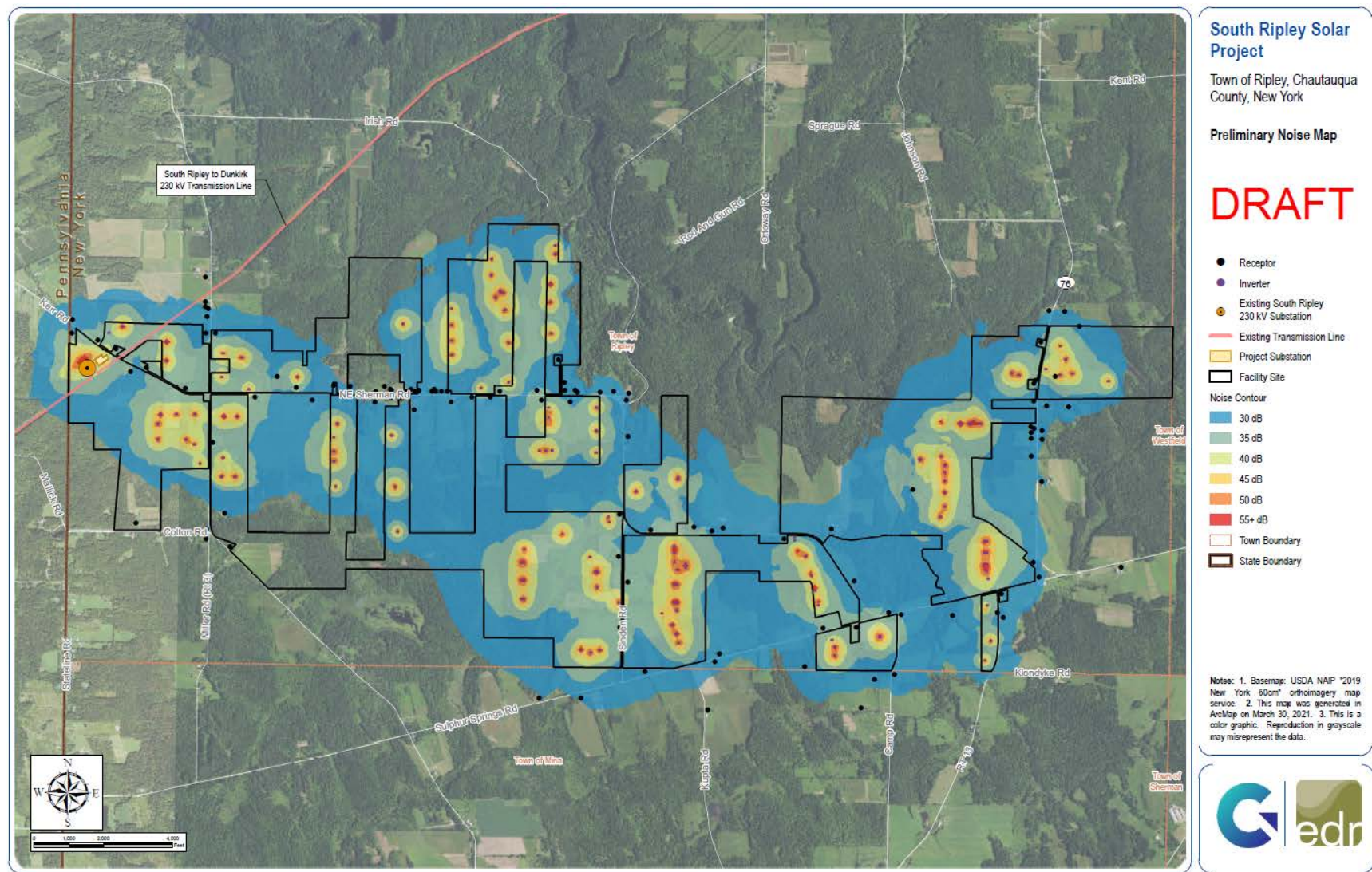
Sound Level Monitoring:

- ConnectGen completed on-site sound level monitoring in the project area during the 2020 winter and summer seasons.
- Average measured winter background sound in South Ripley is 37 dBA at night and 41 dBA during the day.

Sound Level Modelling:

- International Standards Organization procedures (ISO 9613-2) are used.
- Equipment locations and their maximum sound power are entered in the model.
- Meteorological conditions for downwind or, equivalently, nighttime inversion are assumed.
- Output modeled for all homes and properties in the study area.

Preliminary Representative Noise Map



Noise Design Goals – Section 94-c

94-c Uniform Conditions and Standards for Sound:

- Non-participating residence = 45 dBA (8-Hour L_{eq})
- Participating residence = 55 dBA (8-Hour L_{eq})
- Non-participating residence = 40 dBA due to substation
- Non-participating property line = 55 dBA (8-Hour L_{eq})
- Separate limits on low frequency sound
- Penalty for audible prominent tones

Other 94-c Requirements:

- Sound propagation model parameter specifications
- Reporting requirements
- Complaint resolution plan

Public Health, Safety, and Security

Solar Panels and Electrical Equipment

- Solar panels must meet strict electrical safety standards.
- Solar panels are designed to ensure no release or leakage of panel material into the surrounding environment.
- Solar projects result in no water discharges.

Battery Energy Storage

- Battery storage systems meet strict local, state, and federal electrical and fire safety standards.
- Battery systems are designed to contain numerous redundant safety measures including 24/7 remote monitoring, internal heat sensors and electrical monitoring, built in exhaust and ventilation, and internal fire suppression systems.

A 94-c Application will include:

- A Safety Response Plan that outlines emergency response measures, descriptions of on-site protection equipment and compliance with New York Fire Code, a requirement to conduct training drills with local EMS once a year.
- A Site Security Plan that includes site plans and descriptions of fencing, gates, electronic security, lighting, and cyber security for the facility.

Decommissioning

94-c Requirements for Decommissioning:

An Application will include a Decommissioning and Site Restoration Plan which addresses:

- Commitments for equipment removal
- Safety
- Environmental impacts
- Aesthetics
- Recycling
- Potential future uses for the Site
- Financial aid commitments
- Schedule
- Estimated cost for decommission and allocation of funding to local municipalities

Current Local Zoning Regulations

The Town of Ripley's existing zoning regulations provide substantive regulations for solar energy development, construction and operation.

Applicable Existing Zoning Laws

Section 505: Visibility at Intersections

- Height limitations for vegetation hedges within 50 ft. from intersections.

Section 507: Topsoil Excavation

- Management of runoff to neighboring property and topsoil replenishment if necessary.

Section 610: Signs

- Requirements for new signage.

Section 618: Off-Street Parking

- Off-street access and size requirements.

Section 620: Solar and Wind Systems

- Property line setbacks for adjoining properties, zoning district allowances, operations and maintenance plan, decommissioning plan, height and setback requirements, lot size requirements, lot coverage requirements, and fencing requirements.

Compliance with Local Laws

ConnectGen is designing the project to comply with all existing zoning regulations and will continue to evaluate applicable laws if and when the Town updates specific standards for solar and energy storage.

Local Zoning Regulations Under Review

The Town Board recently introduced a new solar law amendment which would add to the existing regulations (it is unclear whether it intends to supersede/repeal the existing regulations).

As required by Section 94-c, ConnectGen previously reviewed the existing zoning law's substantive requirements and noted a number of potentially applicable provisions to the Town Board in a letter dated February 10, 2021. We have conducted a preliminary analysis of the Town's proposed amendment and have provided the Town a comment letter dated March 30, 2021. ConnectGen has four primary concerns with the proposed local law:

1. 450 foot setback in rural/agricultural district with no allowance for participating landowners
2. 6 dBA over ambient limitation of noise at property boundary
3. Prohibition of tree clear of tress over 6 in diameter and of more than 5% of any parcel
4. 10% limit of use of prime agriculture in the town

A more comprehensive response was presented in the comment letter on March 30th. Additionally, ConnectGen understands that the Town Planning Board also made recommendations for a energy storage zoning law, but the town has not released an official version for public comment at this time.

3. Town of Ripley Pre-Application Consultation Meeting Project Maps (4-1-2021)

South Ripley Solar Project

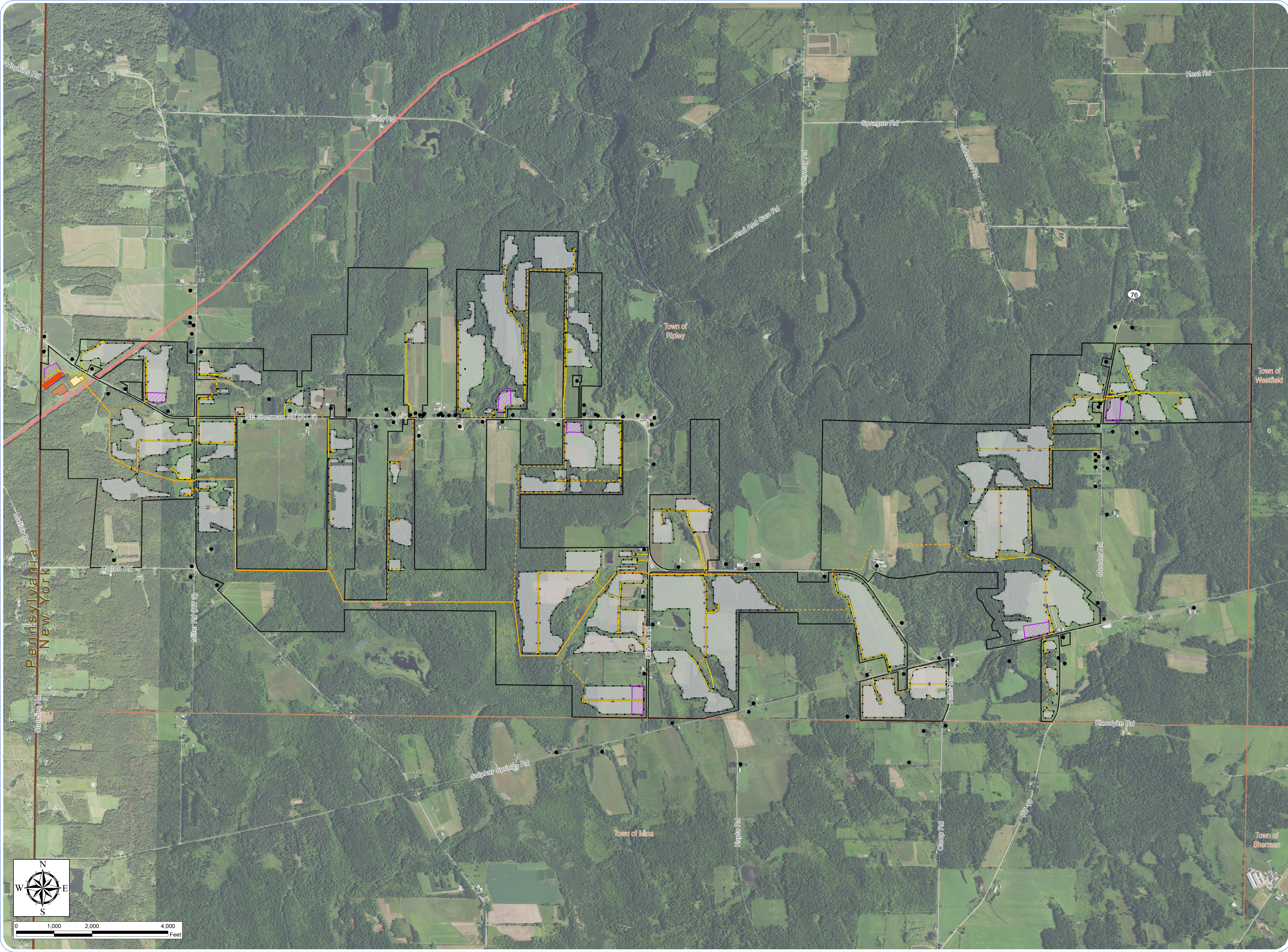
Town of Ripley, Chautauqua County, New York

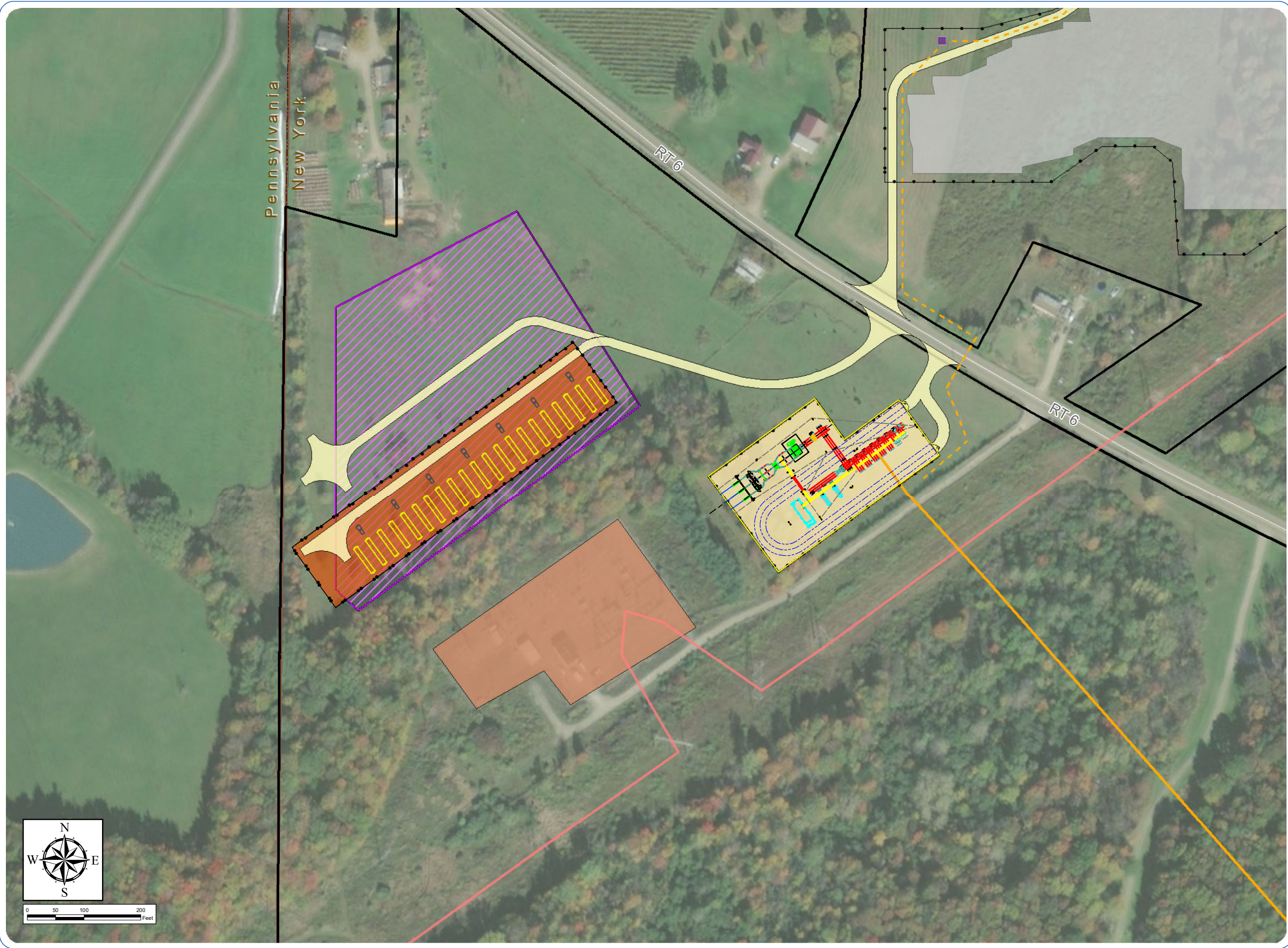
**Proposed Facility Site
- Substation and
Battery Energy
Storage System**

DRAFT

- Receptor
- - - - - Underground Collection Line
- Overhead Collection Line
- Access Road
- Existing Transmission Line
- ▭ Fenceline
- ▭ PV Panel Area
- ▭ Inverter
- ▭ Substation
- ▭ Battery Energy Storage System
- ▭ Existing South Ripley 230 kV Substation
- ▭ Laydown Yard
- ▭ Facility Site
- ▭ Town Boundary
- ▭ State Boundary

Notes: 1. Basemap: USDA NAIP "2019 New York 60cm" orthoimagery map service. 2. This map was generated in ArcMap on March 30, 2021. 3. This is a color graphic. Reproduction in grayscale may misrepresent the data.





South Ripley Solar Project

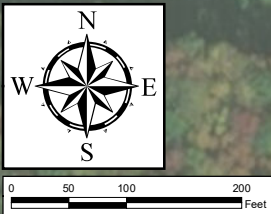
Town of Ripley, Chautauqua County, New York

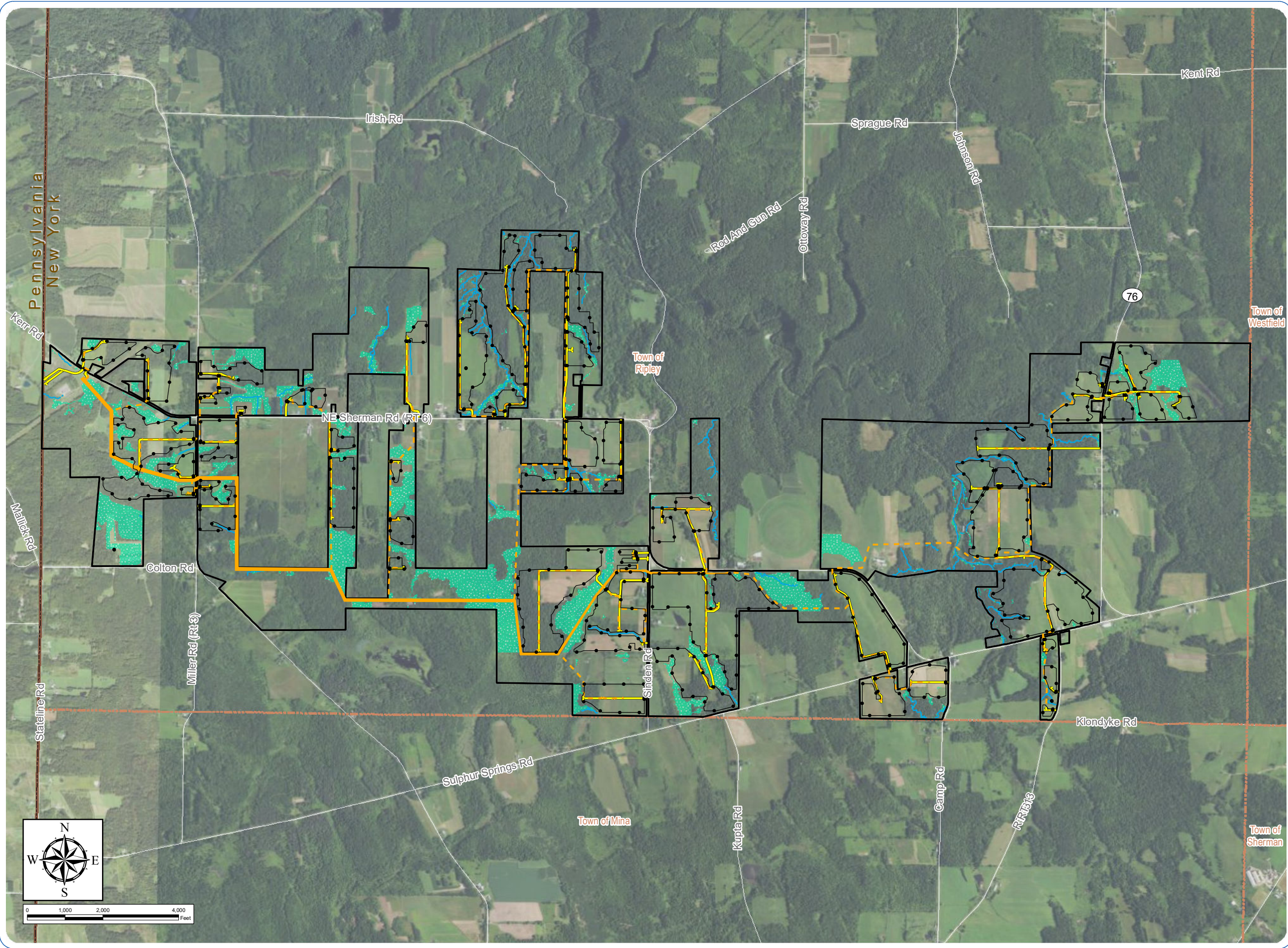
Substation and Battery Energy Storage System

DRAFT

- Overhead Collection Line
- Underground Collection Line
- Existing Transmission Line
- Access Road
- Fenceline
- PV Panel Area
- Inverter
- Project Substation
- Battery Energy Storage System
- Battery Container
- Existing South Ripley 230 kV Substation
- Laydown Yard
- Facility Site

Notes: 1. Basemap: ESRI ArcGIS Online "World Imagery" map service. 2. This map was generated in ArcMap on March 30, 2021. 3. This is a color graphic. Reproduction in grayscale may misrepresent the data.





South Ripley Solar Project

Town of Ripley, Chautauqua County, New York

Delineated Wetlands and Streams

DRAFT

- Delineated Stream
- Delineated Wetland
- Access Road
- Overhead Collection Line
- Underground Collection Line
- Fenceline
- Facility Site
- Town Boundary
- State Boundary

Notes: 1. Basemap: USDA NAIP "2019 New York 60cm" orthoimagery map service. 2. This map was generated in ArcMap on March 30, 2021. 3. This is a color graphic. Reproduction in grayscale may misrepresent the data.

