NORTH SENECA
SOLAR PROJECT

North Seneca Solar Project

ORES Permit Application No. 23-00036

900-2.4 Exhibit 3

Location of Facilities and Surrounding Land Use

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EXHIBIT 3 LOCATION OF FACILITIES AND SURROUNDING LAND USE

(a) Topographic Maps

(1) Proposed Facility Location

North Seneca Solar Project, LLC (the Applicant) proposes to construct the North Seneca Solar Project, an up to 90-megawatt solar energy generating facility located within the Towns of Waterloo and Junius, Seneca County, New York (the Facility). The Facility Site will be located on private lands that are primarily rural in nature and will encompass approximately 940 acres, of which approximately 390 acres will be occupied by Facility infrastructure.

Figure 3-1 depicts the location of the proposed Facility and its associated components, mapped on the U.S. Geological Survey (USGS) 1:24,000 topographic quadrangles, including:

- Photovoltaic (PV) arrays and associated equipment
- Access roads
- Electrical collection system
- Collection substation
- Point of interconnection (POI)
- Storage trailer
- Security fencing and gates
- Temporary construction staging and laydown areas.

(2) Interconnection Location and Ancillary Features

All Facility components, including the interconnection facilities, will be located within the defined Facility Site, and are depicted in Figure 3-1. There are no municipal interconnections (e.g., potable water mains, wastewater conveyances, etc.) within the Facility Site. Based on all studies and analyses conducted to date, there are no known off-site ancillary features (e.g., road improvements) to be constructed in association with the Facility.

(3) Construction Limits of Clearing and Disturbance

The proposed limits of clearing and disturbance for construction of all Facility components and ancillary features are depicted in Figure 3-1. There are three types of disturbance limits developed for the Facility: limit of construction activity, limit of vegetation management, and the limit of impervious surfaces. The limit of construction activity encompasses all areas to be cleared for construction of the Facility and allows for room to work where components are installed. The limit of vegetation management indicates areas to be maintained for the life of the Facility to prevent woody vegetation regrowth (i.e., mowed). The limit of impervious surfaces includes areas to be graded for concrete pad-mounted component installation, where stumps will be removed, and areas where impervious surface

will be installed. Additional information regarding the limits of disturbance anticipated for Facility construction and operation is presented in Exhibit 11.

(b) Municipal Boundary Maps

Figure 3-2 depicts the location of the proposed Facility and Facility Site with respect to village, town, county, and school district boundaries. As indicated in Section (a)(2), all Facility components will be located within the Facility Site boundaries. These locational relationships are described in Section (c).

(c) Description of Proposed Facility Locations

The Facility Site and all Facility components are located entirely within the Towns of Junius and Waterloo in Seneca County. The Facility Site is also located within the Waterloo Central School District and the Border City 2, Border City 3, and Junius 2 Fire Districts. Table 3-1 presents a summary of Facility components within each of these jurisdictions. The Applicant is not aware of any other applicable municipal boundaries or taxing jurisdictions with jurisdiction intersecting the Facility Site. There are no proposed ancillary features to be constructed in association with the Facility located outside of the Facility Site.

Table 3-1. Facility Components by Municipal Boundary and Taxing Jurisdiction

Municipal Boundary/Taxing Jurisdiction		Facility Components
County	Seneca	All Facility components
Towns	Junius	Limited PV panels, fence line, access roads, inverters, and electrical collection lines. Approximately 26% of the total Facility Site is located in the Town of Junius.
	Waterloo	Limited PV panels, fence line, one laydown yard, collection substation, POI substation, access roads, inverters, and electrical collection lines. Approximately 74% of the total Facility Site is located in the Town of Waterloo.
School District	Waterloo Central School District	All Facility Components
Fire District	Border City 2	Limited PV panels, fence line, one laydown yard, collection substation, POI substation, access roads, inverters, and electrical collection lines. Approximately 35% of the total Facility Site is located in the Border City 2 Fire District.
	Border City 3	Limited PV panels, fence line, access roads, inverters, and electrical collection lines. Approximately 39% of the total Facility Site is located in the Border City 3 Fire District.
	Junius 2	Limited PV panels, fence line, access roads, inverters, and electrical collection lines. Approximately 26% of the total Facility Site is located in the Junius 2 Fire District.

(d) Map of Existing Land Uses

Figure 3-3 depicts existing land uses for all parcels within the Facility Site and within five miles of the Facility Site (i.e., the 5-mile Study Area). This map was prepared using publicly available data from the Seneca County Real Property Tax Offices and the classification codes of the New York State Office of Real Property Services (NYSORPS). The following property type classification codes occur within the 5-mile Study Area:[1]

- 100 – Agricultural
- 200 – Residential
- 300 – Vacant Land
- 400 – Commercial
- 500 – Recreation and Entertainment
- 600 – Community Services
- 700 – Industrial
- 800 – Public Services
- 900 – Wild, Forested, Conservation Lands and Public Parks

Parcels without an associated property classification code are labeled "Not Defined" in Figure 3-3. These are primarily associated with public road and utility rights-of-way (ROW).

According to the NYSORPS classification codes, land use within the 5-mile Study Area is dominated by agriculture (50%), residential (25%), vacant land (13%), and commercial (4%) (NYSORPS, 2023). There are approximately 37,257 acres of parcels classified in agricultural land use within the 5-mile Study Area according to NYSORPS, of which 55% is agricultural vacant land, 32% is used for field crops, 8% is used for dairy farming, and 3% is used for cattle, calves, or hogs (NYSORPS, 2023). Similarly, the reported land uses of participating parcels within the Facility Site are dominated by agriculture (80%), commercial (17%), and vacant land (2%) (NYSORPS, 2023).

Agricultural Land

The following agricultural land use classification codes occur within the 5-mile Study Area:

- 100 – Agricultural land (243 acres, 0.3%)
- 105 – Agricultural vacant land (productive) (20,385 acres, 27%)
- 110 – Livestock and products (88 acres, 0.1%)
- 111 – Poultry and poultry products (53 acres <0.1%)
- 112 – Dairy products: milk, butter and cheese (2,912 acres, 4%)
- 113 – Cattle, calves, hogs (1,139 acres, 1.5%)
- 114 – Sheep and wool (134 acres, 0.2%)
- 117 – Horse farms (12 acres, <0.1%)
- 120 – Field crops (11,990 acres, 16%)
- 140 – Truck Crops - Not Mucklands (48 acres, <0.1%)

[1] Note: each of the primary land use classes have multiple sub-classes. For example, property type classification code 105 is defined as "Agricultural Vacant Land (Productive)."

- 152 – Orchard Crops (61 acres, <0.1%)
- 170 – Nursery and greenhouse (191 acres, 0.3%).

The NYSORPS has classified approximately 20,385 acres (27%) within the 5-mile Study Area as agricultural vacant land. The agricultural vacant land (Class 105) is defined as, "land used as part of an operating farm. It does not have living accommodation and cannot be related to any other agricultural category. It is usually found when an operating farm is made up of a number of contiguous parcels." However, some agricultural activity still occurs on lands classified as 105. See Exhibit 15 for further discussion of agricultural production within the Facility Site.

Vacant Land

The NYSORPS defines vacant land as, "property that is not in use, is in temporary use, or lacks permanent improvement." Approximately 9,542 acres (13%) within the 5-mile Study Area have been classified by NYSORPS as Vacant Land (i.e., all 300-level property classes). Vacant lands comprise 20 acres (2%) of the Facility Site.

Conservation Programs

To determine the location of conservation program lands in the Facility Site and the 5-mile Study Area, the Applicant reviewed the National Conservation Easement Database (NCED), an initiative of the U.S. Endowment for Forestry and Communities to compile records from land trusts and public agencies throughout the United States. There are no conservation easements within the Facility Site. There are 10 conservation easements within the 5-mile Study Area; nine of which are associated with the Natural Resource Conservation Service (NRCS) Wetland Reserve Program, one of which is associated with the Women's Rights National Historic Park.

(e) Existing Overhead and Underground Major Facilities Map

Figure 3-4 illustrates existing overhead and underground major facilities for electric, gas, and telecommunications as well as existing renewable energy facilities within the 5-mile Study Area.

The Farmington – Hamilton Road 115 kV alternative current (AC) overhead transmission line ROW and the Geneva Border City – TAP145043 Line run east to west through or adjacent to the Facility Site. The ROW is occupied by four parallel 115 kV overhead transmission lines. The southern segment is owned and operated by the New York State Electric and Gas Corporation and the northern segment, where the Facility will tap into, is owned and operated by National Grid. The Applicant will work with National Grid to enter into an interconnection agreement.

According to data obtained from the U.S. Energy Information Administration (USEIA), two interstate natural gas pipelines, one owned and operated by Tennessee Gas Pipeline Company L.L.C., and one owned and operated by Eastern Gas Transmission and Storage, INC., run east to west through the northern portion of the Facility Site. The Applicant has consulted with both pipeline owners and will continue to do so throughout final Facility design and construction. The Applicant will work with the pipeline owners to set up crossing agreements where applicable. Through initial consultations, the Applicant received a *Guidelines*

for Construction Activities on Rights-of-Way and in the Vicinity of Eastern Gas Transmission and Storage, Inc. (EGTS), Pipelines from Eastern Gas Transmission and Storage, Inc. which will be implemented during construction pipeline crossings. Additionally, the Tennessee Gas Pipeline Company, L.L.C., indicated that once the assets have been located and marked within the Facility Site, the Applicant shall call in a NY dig safe ticket and the installation of pipeline crossings must be overseen by representatives of the Tennessee Gas Pipeline Company, L.L.C.

Additionally, one hazardous liquid pipeline, owned and operated by Buckeye Partners, runs east to west through the southern half of the 5-mile Study Area. According to the New York State Department of Environmental Conservation's (NYSDEC) Oil and Gas Well database, five oil and gas wells are mapped within the Facility Site and 186 oil and gas wells are mapped within the 5-mile Study Area. The Applicant conducted a magnetometer survey to identify oil, gas, or mining solution wells within 500 feet of the Facility's proposed limits of construction activity. Please see Section (u) of this exhibit for additional information on oil and gas wells.

The Applicant consulted with owners of fiberoptic utilities in October and November 2022 to gather information regarding the location of utilities in relation to the Facility Site. Based on data received from Charter Communication, there are several fiberoptic and coaxial cables within one mile of the proposed Facility (Figure 3-4). Fiberoptic and coaxial cables are primarily located along existing transportation corridors and will largely be avoided due to facility setbacks from roadways. Further information regarding potential effects on communications infrastructure in the Facility Site is presented in Exhibit 20.

The Applicant has consulted with, and will continue consulting with, owners of overhead and underground utilities within the Facility Site. Impacts to existing infrastructure within the Facility Site will be avoided through utilizing trenchless crossing methods (e.g., horizontal directional drilling [HDD] or jack and bore) within areas known to host infrastructure. Underground utility locations will also be marked prior to construction to avoid impact to existing infrastructure. To further minimize potential impacts to underground facilities, the Applicant will become a member of Dig Safely New York in accordance with Title 19 New York Codes, Rules and Regulations (19 NYCRR) §900-6.4(f), as well as contact all pipeline operators within the Facility Site and landowners within the zone of safe siting clearance in accordance with 19 NYCRR §900-6.4(g). Additional details regarding crossing or adjacent components are shown on the Design Drawings (Appendix 5-A). The Applicant will enter into an interconnection agreement with National Grid, which is further described in Exhibit 21.

(f) Tax Parcel Map

Figure 3-5 illustrates all properties where Facility components will be located and all properties within 1,000 feet of such properties. This map shows current land use based on the NYSORPS property class code, tax parcel number, and owner of record of each property. Parcel and land use data were obtained from Seneca County and NYSORPS. Information regarding proposed land uses within the 5-mile Study Area is presented in Section (i).

(g) Zoning District Map

Figure 3-6 illustrates existing zoning districts within the 5-mile Study Area that occur at the town, village, and city level. Spatial data of existing zoning district and overlay district boundaries were obtained through direct consultation with the municipalities within the 5-mile Study Area, including the Towns of Junius and Waterloo, where the Facility is located, as well as the City of Geneva, Village of Waterloo, and towns of Fayette, Galen, Geneva, Lyons, Phelps, Seneca, Seneca Falls, and Tyre. No proposed changes to existing zoning or overlay districts are known to the Applicant.

A summary of each municipality's zoning regulations is presented below, with a focus on the permitted and prohibited uses of those zoning districts located within the Facility Site. Note that all Facility components and infrastructure are proposed to be located in the towns of Junius and Waterloo; therefore the level of detail in the following summaries vary based on the level of detail included in each municipality's zoning regulations. District regulations (including permitted and prohibited uses) for each zoning district within the 5-mile Study Area is provided in Appendix 3-B. See Exhibit 24 for additional details regarding zoning within the Facility Site.

Town of Junius

The Town of Junius has no zoning ordinances for solar in place and no zoning ordinances are currently proposed for the town. Facility components are sited in the Town of Junius and it is anticipated the Facility will have no effect on any future proposed zoning.

Town of Waterloo

Zoning regulations were adopted in the Town of Waterloo in 2000 and subsequently amended in 2011 and again in 2023. The amendment adopted in October of 2023 to Chapter 135 "Zoning" included updates to Chapter 135 Zoning, Schedule I: Land Uses or Activities and Schedule II: Area, Frontage, Yard, Height and Coverage Requirements. The Town Zoning Code divides the Town of Waterloo into five districts: Agricultural (A), Low-Density Residential (R1), Moderately-Density Residential (R2), Multiple Use (MU), and Industrial (I). Any land use or activity not listed in Chapter 135 Attachment 1 (Schedule I: Land Uses of Activities) of the Town of Waterloo Zoning Code is not permitted in the Town of Waterloo (Appendix 3-B). Uses or activities not listed are subject to review by the Zoning Board of Appeals in accordance with the special permit provisions outlined in the town's zoning code.

The Facility Site is comprised of parcels that are entirely located within the A district. Activities and uses permitted by right in the A district include farming, farm-related business, parks, use of other natural resources, as well as some government or public services. Nonagricultural development, including residential uses as well as some commercial, industrial, and public services are permitted in the A district through special permit or special conditions.

Additionally, the Town of Waterloo adopted Local Law #1-2019 on February 25, 2019. In Chapter 134. Solar Energy Systems, the town outlines parameters that must be met when constructing utility-scale solar facilities. As outlined in Chapter 134 §134.6(B)(1), large-scale solar energy systems are permitted through

the issuance of a special use permit within Industrial (I) and Agricultural (A) districts. More information on the Facility's compliance with the local solar law can be found in Exhibit 24.

City of Geneva

The City of Geneva is currently in the process of revising their existing zoning code. The most recent revised draft was completed May 28, 2021. The City of Geneva identified 14 zoning districts including Low Density Residential (LDR), Medium Density residential (MDR), Large Lot Residential (LLR), Mixed Residential (MR), Gateway Business (GB), Neighborhood Business (NB), Central Business (CB), Central Business – 5 Story (CB-5), Mixed Use Hospitality (MU-H), Mixed Use – Campus (MU-C), Mixed Use – Industry (MU-I), Historic Overlay (HO), Open Space (OS), and Agricultural Technology (AT).

No portions of the Facility Site are proposed in the City of Geneva and no direct impacts to the City of Geneva, or any of the City's zoning districts, are anticipated.

Town of Fayette

Zoning regulations were adopted in the Town of Fayette in January 2018. The town is divided into six districts: Agricultural-Rural Residential (AR), Hamlet (H), Lakeshore/Canal (L), Flood Plain Overlay (FO), Environmental Protection Overlay (Floating) (EPOD), and Lake Water (LW). The *Town of Fayette Land Use Regulations* also include guidelines on developing solar collectors & Installations for major systems/solar farms.

No portions of the Facility Site are proposed in the Town of Fayette and no direct impacts to the Town of Fayette, or any of the Town's zoning districts, are anticipated.

Town of Galen

Zoning regulations were adopted in the Town of Galen in 2006. The Town is divided into the following eight districts: Land Conservation District (L-C), Agricultural District (A), Residential District (R), Commercial District (C), Residential-Commercial District (R-C), Industrial District (I), Planned Development District (P-D), and Aquifer Protection Overlay District (APO).

No portions of the Facility Site are proposed in the Town of Galen and no direct impacts to the Town of Galen, or any of the Town's zoning districts, are anticipated.

Town of Geneva

Zoning regulations for the Town of Geneva were adopted in May 2018. The Town is divided into 11 zoning districts and two overlay districts. Districts include Agriculture (AG), General Business (B), General Industrial (I-1), Light Industrial (I-2), Residential Suburban (R-1), Residential Rural (R-2), Residential Lakefront (R-3), Residential Medium Density (R-4), Residential High Density (R-5), Town Center Mixed-Use (TC-1), Town Center Arterial (TC-2), Conservation Overlay (CO), and Lake View Overlay (LV).

No portions of the Facility Site are proposed in the Town of Geneva and no direct impacts to the Town of Geneva, or any of the Town's zoning districts, are anticipated.

Town of Lyons

Zoning regulations were adopted in the Town of Lyons in 1970 and most recently amended in 2022. The Town is divided into five districts: Residential-Agricultural (R-A), General Residential (R-1), Floodplain (F-P), Commercial District (C-1), and Industrial District (M-1). The Town of Lyon's Comprehensive Plan indicated that the municipality's zoning regulation will be updated to include several new districts including Town Center – Division 1 (TC-1), Town Center – Division 2 (TC-2), and Town Center – Division 3 (TC-3).

Additionally, the Town of Lyons adopted a solar energy system local law on March 31, 2021. Per §253-7 of Town of Lyons Code, Tier 3 solar energy systems are permitted only within Residential/Agricultural and Floodplain districts.

No portions of the Facility Site are proposed in the Town of Lyons and no direct impact to the Town of Lyons, or any of the Town's zoning districts, is anticipated.

Town of Phelps

Zoning regulations for the Town of Phelps were adopted in July 1975 and were most recently amended in July 2015. The Town is divided into five districts and two overlay districts: Agricultural-Residential (R-AG), Residential (R-1), Commercial (C-1), Neighborhood Commercial (C-2), Industrial (M-1), Mining (overlay district; MOD), and Major Thoroughfare (overlay district, MTOD).

Additionally, the Town of Phelps adopted §145 Solar Energy Systems law into their local code in 2018. Per § 145-84 of the Town of Phelps Code, Large-scale solar systems are permitted in the following districts: commercial, mining, mining overlay, and neighborhood commercial.

No portions of the Facility Site are proposed in the Town of Phelps and no direct impact to the Town of Phelps, or any of the Town's zoning or overlay districts, is anticipated.

Town of Seneca

Zoning regulations were adopted in the Town of Seneca in July 2008 and were most recently revised in 2018. The Town is divided into seven zoning districts: Agricultural (AG), Low Density Residential (R-1), Medium Density Residential (R-2), General Mixed-Use District (C-1), Community Commercial District (C-2), General Industrial District (M-1), and Planned Unit Development (PUD).

No portions of the Facility Site are proposed in the Town of Seneca and no direct impact to the Town of Seneca, or any of the Town's zoning districts, is anticipated.

Town of Seneca Falls

Zoning regulations were adopted in the Town of Seneca Falls in 2013. The Town is divided into 14 districts: Agricultural (A-1), Agricultural (A-2), Single-Family Residential (R-1), Two-Family and Multiple Dwelling Residential (R-2), Three- and Four-Family Residential District (R-3), Multiple Dwelling Apartment Building (M-R), Local Shopping (C-1), Highway Commercial (C-2), Industrial (M-1), Refuse Disposal and Reclamation (M-2), Mobile Home Park (M-P), Land Conservation (L-C), Floodplain (F-P), and Wetland Overlay (W).

No portions of the Facility Site are proposed in the Town of Seneca Falls and no direct impact to the Town of Seneca Falls, or any of the Town's zoning districts, is anticipated.

Town of Tyre

Zoning regulations were adopted in the Town of Tyre in 2018 and revised in 2021. Additionally, in July 2023 revisions to the Town of Tyre Zoning laws #4 and #5 were updated to include regulations for Battery Energy Storage Systems as well as introducing a solar setback regulation for residential structures. The Town is divided into seven zoning districts: Agricultural (AG), High Density Residential (HDR), Commercial West (C-1), Commercial East (C-2), Industrial (I-1), Mixed Used (MU), and Planned Unit Development (PUD).

No portions of the Facility Site are located in the Town of Tyre and no direct impact to the Town of Tyre, or any of the Town's zoning districts, is anticipated.

Village of Waterloo

Zoning regulations in the Village of Waterloo were adopted in 1996. The Village is divided into nine zoning districts: Residential (R1), Residential (R2), Residential (R3), Residential Districts (R4), Service District (SD), General Business (GB), Central Business (CB), Light Industrial (LI), and Heavy Industrial (HI).

No portions of the Facility Site are located in the Village of Waterloo and no direct impact to the Village of Waterloo, or any of the Village's zoning districts, is anticipated.

(h) Comprehensive Plans

The proposed Facility was reviewed for consistency with existing comprehensive plans adopted by municipalities where Facility components or ancillary features are located. As previously stated, all Facility components are located within the Towns of Waterloo and Junius, Seneca County, New York. Both the Towns of Waterloo and Junius have adopted a comprehensive plan. The Seneca County Department of Planning and Community Development is in the process of developing the Seneca County Comprehensive Plan which is being released in a series of chapters. These documents and the Facility's consistency with each plan are discussed below.

Vision Waterloo, a comprehensive plan for the future (2017)

Vision Waterloo, a comprehensive plan for the future (2017) provides a framework for community development for the Town of Waterloo. The 2017 plan utilized public participation, a steering committee including members from a variety of backgrounds, previously developed plans, data from the U.S. Census Bureau, and GIS mapping during their planning process. The vision statement for the Town of Waterloo is, "The Town of Waterloo will be recognized as a safe, attractive, and affordable residential community, where natural and historical resources are valued, and the rural atmosphere is balanced with a vibrant community center and strong retail and commercial businesses, all of which contribute to a significant quality of life for families, friends, and neighbors." Additionally, the comprehensive plan lists a series of goals for the town including but not limited to goals and services associated with senior services, property maintenance, land use, smart growth, downtown development, business development, and environmental concerns.

The proposed Facility is compatible with the *Vision of Waterloo, a comprehensive plan for the future* (2017). The Facility explicitly relates to the goal associated with smart growth, which aims to reduce the cost of government services, enhance local business, strengthen the community, and reduce the Town's carbon footprint. The proposed Facility directly aligns with this goal as it will add up to 90 MW of solar energy while providing long-term environmental and economic benefits. The Facility is anticipated to have local, countywide, and statewide economic benefits. Specifically, utility-scale solar energy development, like other commercial development projects, can support a wide range of socioeconomic benefits including job creation, purchases of local materials and services, and direct revenue to local municipalities in the form of Payment in Lieu of Taxes (PILOTs) agreements and Host Community Agreements (HCAs). Please see Exhibit 18 for additional information on the potential socioeconomic effects of the proposed Facility.

Town of Junius Comprehensive Plan (2016)

The Town of Junius Comprehensive Plan (2016) provides a framework for community development for the Town of Junius. In 2014, the town began forming the Junius Comprehensive Planning Committee which consisted of 14 persons representing members of the Planning Board, Junius Enforcement Officers, Members of Junius Town Board, County Planning Office, Junius businesspeople and farmers. The goals and recommended actions of the plan include:

- Preserve Junius's overall residential and rural atmosphere.
- Encourage development of mixed uses (residential, agricultural, commercial) in designated areas.
- Protect farms, farmland, and promote agricultural economic growth.
- Develop additional land use regulations for influencing types and locations of development.
- Support and facilitate quality public services and infrastructure.
- Create a vibrant business climate that encourages growth along the 318 Corridor.
- Maintain safety and low volume vehicular traffic on our Country roads.
- Protect the Town's significant environmental resources.
- Promote quality and affordable housing conditions.

The proposed Facility is compatible with *The Town of Junius Comprehensive Plan (2016)*. The Facility will help facilitate the growth of public services and infrastructure by promoting local economic growth and workforce development. Additionally, measures will be taken during the construction of the Facility to avoid and minimize impacts to the rural atmosphere, farmland, and environmental resources. As noted previously, the Facility is anticipated to have local, countywide, and statewide socioeconomic benefits through job creation, purchases of local materials and services, and direct revenue to local municipalities in the form of PILOTs agreements and HCAs. Please see Exhibit 18 for additional information on the potential socioeconomic effects of the proposed Facility.

Seneca County Comprehensive Plan

The *Seneca County Comprehensive Plan* was last updated in the late 1970s and is currently in the process of being updated by the Seneca County Department of Planning and Community Development. The new plan now consists of several chapters including the *Seneca County Housing Plan* (approved in 2011) and the *Seneca County Agriculture and Farmland Protection Plan* (finalized draft released in December 2021). The *Seneca County Housing Plan* (2011) lists several action steps relating to improving housing options in Seneca

County. One specific action step relative to solar development is to develop local and/or countywide energy efficiency needs assessments. The *Seneca County Agriculture and Farmland Protection Plan* outlines its goal to promote environmental sustainability of farms, especially related to solar development, climate change, and water quality and emphasizes the protection of farmland while striving to fight climate change.

The proposed Facility is compatible with the *Seneca County Housing Plan (2011)* and the draft *Seneca County Agriculture and Farmland Protection Plan (2021)*. The proposed Facility aligns with the sustainability goals as it will add up to 90MW of solar energy while providing long-term environmental and socioeconomic benefits as stated previously. Additionally, the Facility will be sited according to local laws as further discussed in Exhibit 24 (Local Laws and Ordinances) and will minimize impacts to sensitive environmental resources (see Exhibit 9 [Cultural Resources], Exhibit 11 [Terrestrial Ecology], Exhibit 12 [NYS Threatened or Endangered Species], Exhibit 13 [Water Resources and Aquatic Ecology], and Exhibit 15 [Agricultural Resources]). Finally, upon decommissioning of the Facility the land will be allowed to return to prior use, supporting the county's goals of protecting rural character and preserving resources for future generations.

A copy of the *Vision Waterloo, a comprehensive plan for the future (2017),* the *Town of Junius Comprehensive Plan (2016),* the *Seneca County Housing Plan (2011),* and the *Seneca County Agriculture and Farmland Protection Plan (2021)* are included as Appendix 3-A.

(i) Map of Proposed Land Uses

The Applicant has identified proposed land uses within the 5-mile Study Area using publicly available information, and through consultation with state and local officials. All known proposed land uses are depicted in Figure 3-7.

To obtain information regarding publicly known proposed land use plans the Applicant sent requests to the Town Supervisor, Town Clerk, Code Enforcement Officer, or other relevant municipality staff, of all municipalities within the 5-mile Study Area for information on any proposed land uses in the vicinity of the proposed Facility. Municipalities that did not respond during the Applicant's initial outreach received a follow up email on August 14, 2023. No responses were received from the towns of Waterloo, Fayette, Lyons, Phelps, or Tyre. The Town of Junius responded on July 25, 2023, with information on four new commercial projects that have been approved, including V Sales and Service, the construction of four short-term rental cabins, a new unheated storage building, and conversion of an existing shop to a new five bay heated building. The City of Geneva responded on August 16, 2023, and indicated that a new 20,000 square-foot building was approved. The Town of Galen responded on July 6, 2023, with information on a new large-scale solar energy generating facility proposed for development within the Town. The Town of Geneva responded on July 2, 2023, reporting that there are no new developments planned within the Town.

Further, the Applicant reviewed publicly available meeting minutes for local planning and zoning board meetings for the municipalities within the 5-mile Study Area to identify potential new land use plans which might warrant consideration in this Application. The Community and Local Agency meeting minutes for several months were reviewed, to the extent available, for references to large development projects,

residential subdivisions or other land use projects of note; none were identified. Thus, the Application reflects publicly known proposed land uses within the 5-mile Study Area, to the extent any exist.

The Applicant examined NYSDEC data on installed and proposed utility-scale solar projects (NYSDEC, 2021) to estimate potential land use changes from projects like the North Seneca Solar Project. The NYSDEC maintains a database of existing and proposed solar projects across New York State by cataloging project review requests submitted to the New York Natural Heritage Program (NYNHP). The database records provide a relatively complete inventory of projects across New York; however, the database contains duplicate data for projects that have submitted multiple review requests to the NYNHP and the project footprints (i.e., areal extent) are not current in most cases. The other limitation of the project records in this database is that they do not necessarily indicate the current project status for many solar projects. However, it is the only centralized source of solar project information in the state. According to data obtained from NYSDEC, there are five proposed or existing solar projects located within the 5-mile Study Area:

- Trelina Solar Energy Center (80 MW, located approximately 1 mile southwest of the Facility Site)
- Seneca Lake Solar, LLC (2 MW, located approximately 3.3 miles southwest of Facility Site)
- Wallace Farms Solar Project (<1 MW, located approximately 3.9 miles southwest of the Facility Site)
- Sangolqui Solar, LLC (3 MW, located approximately 5 miles east of the Facility Site)
- Donati Solar, LLC (<1 MW, located approximately 5 miles east of the Facility Site).

The Wallace Farms Solar Project is the only renewable energy generating facility within 5 miles of the Facility Site that is constructed and in operation (Figure 3-4). Located approximately 4 miles to the southwest, the Wallace Farms facility is a community-scale project on 33 acres. Additionally, located approximately 1 mile southwest, the Trelina Solar Energy Center was permitted for construction under the Article 10 regulations and is currently in the compliance phase. Lastly, there are two community scale solar projects proposed within the 5-mile Study Area. These proposed projects are Strauss Solar and Sangolqui Solar, both of which will generate 3 MW or less. For more information on cumulative visual effects of the proposed Facility with other existing and proposed renewable energy facilities see Exhibit 8 and Section 5.2.5 of the Visual Impact Assessment (Appendix 8-A).

In addition, the New York State Energy Research and Development Authority (NYSERDA) has announced funding for several renewable energy projects, including one project located within the 5-mile Study Area: Gravel Road Solar, a 128-megawatt solar facility in the Towns of Tyre and Seneca Falls, Seneca County (at least two miles east of the Facility Site) (NYSERDA, 2023).

The Applicant also reviewed the NYSDEC Environmental Notice Bulletin for Region 8 for proposed solar projects; none were identified within the 5-mile Study Area. In addition, the Applicant reviewed the New York State Department of Public Service (NYSDPS) and the Office of Renewable Energy Siting (ORES) website for utility-scale renewable energy projects for which a case number or matter number has been issued (ORES, 2024). Based on this review, none were identified within the 5-mile Study Area.

The Applicant performed an analysis of proposed renewable energy projects within the 5-mile Study Area to examine the comparative land use impact potential. The 2021 National Land Cover Database (NLCD) was

queried to determine the approximate land uses present within the Facility Site for each proposed solar facility. As noted above, the NYSDEC dataset may not have the most up-to date information regarding current project layout. The greatest impact to land use is related to cultivated croplands, which are primarily classified as row crops of corn and soybeans (USDA, 2021). These crop cover types are prevalent regionally and throughout New York State, and therefore no significant impact on land use is anticipated. Impacts on agricultural lands are further discussed in Exhibit 15.

(j) Map of Specially Designated Areas

Figure 3-8 illustrates specially designated areas, including designated New York State coastal areas, local waterfront revitalization program areas, designated agricultural districts, flood-prone areas, and coastal erosion hazard areas within the 5-mile Study Area. Table 3-2 summarizes the sources of data used to prepare this map and whether the specially designated areas listed in the Section 94-c regulations are found within the 5-mile Study Area.

Table 3-2. Sources of Data Used to Prepare Mapping of Specially Designated Areas

Mapping Requirement	Source	Specially Designated Area within 5-Mile Study Area
Designated coastal areas	NYS GIS Clearinghouse, NYS Department of State	None
Inland waterways	NYS GIS Clearinghouse, NYS Department of State	Seneca Lake ~5 miles south of Facility, See Figure 3-8
Local waterfront revitalization program areas – approved plans	NYS GIS Clearinghouse, NYS Department of State	None
Groundwater management zones	NYS GIS Clearinghouse	Yes, See Figure 13-2
Agricultural districts	NYS GIS Clearinghouse	Yes, See Figure 3-8
Flood hazard areas	NYS GIS Clearinghouse, FEMA	Yes, See Figure 3-8
Critical Environmental Areas	NYSDEC	None
Coastal Erosion Hazard Areas	NYSDEC	None

There are no designated coastal areas or erosion zones, Local Waterfront Revitalization Program communities, or critical environmental areas within the 5-mile Study Area (NYSDEC, 2024; NYSDOS, 2024). According to the FEMA Flood Map Service Center, Flood Rate Insurance Maps (FIRMs) are available for 10 of the 11 municipalities within the 5-mile Study Area; The Town of Junius is unmapped. Seneca Lake is the closest designated inland waterway, located approximately 5 miles southwest of the Facility Site (NYSDOS, 2024). Due to the distance between the proposed Facility and Seneca Lake, no adverse impacts to the lake are anticipated as a result of the Facility construction or operation. Additionally, a review of groundwater aquifer resources within the 5-mile Study Area indicated that portions of the Facility Site and Study Area overlap USGS mapped unconfined aquifers. No sole source or primary aquifers occur within the 5-mile

Study Area. Exhibit 13 (Water Resources and Aquatic Ecology) provides further information regarding surface waters and groundwater management zones as well as potential impacts from the Facility.

Figure 3-8 depicts agricultural district land within and adjacent to the Facility Site. Approximately 862 acres (92%) of land in the Facility Site is enrolled in a New York State Certified Agricultural District, established pursuant to Article 25-AA of the New York Agriculture and Markets Law. Within 5 miles of the Facility, approximately 51,442 acres of land are enrolled in an agricultural district, or approximately 65% of all lands within the 5-mile Study Area. Agricultural Districts within the 5-mile Study Area include the following:

- Seneca County Agricultural District 6, comprising 28,025 acres within the Study Area
- Seneca County Agricultural District 8, comprising 9,976 acres within the Study Area
- Ontario County Agricultural District 1, comprising 12,399 acres within the Study Area
- Wayne County Agricultural District 1, comprising 1,042 acres within the Study Area.

New York State Agriculture and Markets Law § 303b allows land to be added to agricultural districts through an annual process; however, land can only be removed from districts as part of a mandatory eight-year review. The purpose of agricultural districting is to encourage the continued use of farmland for agricultural production by providing a framework to limit local regulation on farm practices, modify public agencies' ability to acquire land through eminent domain, modify the right to advance public funds to construct facilities that encourage development, require state agencies to modify regulations to encourage farming, and to provide Right to Farm provisions for protection from private nuisance suits. The Agricultural Districts Law also allows reduced property tax bills for land in agricultural production by limiting the property tax assessment of such land to its prescribed agricultural assessment value. Depending on the design and construction plans, projects such as the Facility can be consistent with and supportive of agricultural land uses and districts and allow the site to return to prior agricultural use following decommissioning. A detailed discussion of agricultural resources is provided in Exhibit 15.

(k) Recreational and Other Land Uses

Figure 3-9 illustrates recreational and other land uses known to the Applicant within the 5-mile Study Area. Table 3-3 summarizes the sources of data used to prepare Figure 3-9 and identifies whether the respective land use is found within the 5-mile Study Area. As a renewable energy generating facility, the Facility will ultimately benefit local recreation and other land uses by enhancing the quality of water and air in the area by producing energy without the use of fossil fuels as further described in Exhibit 17 (Consistency with Energy Planning Objectives).

Table 3-3. Mapping of Recreational and Sensitive Areas

Mapping Requirement	Source	Recreational and Sensitive Areas Present
Wild, Scenic and Recreational River Corridors	National Wild and Scenic Rivers System	None
Open Space	NYS GIS Clearinghouse, NY Protected Areas Database	See Figure 3-9

Mapping Requirement	Source	Recreational and Sensitive Areas Present
Archaeological and Historic Resources	On-Site Survey, State and National Registers of Historic Places	See Figure 3-9
Geologic Resources	New York State Museum	See Figure 3-9
Wildlife management lands	NYS GIS Clearinghouse, NYSDEC, U.S. Fish and Wildlife Service	See Figure 3-9
Parks	NYS GIS Clearinghouse, NY Protected Areas Database, Local Consultation	See Figure 3-9
NYSDEC Lands	NYS GIS Clearinghouse, NYSDEC	See Figure 3-9
Conservation easement lands	National Conservation Easement Database; NYS GIS Clearinghouse	See Figure 3-9
State and federal scenic areas and byways	NYSDOT; NYS GIS Clearinghouse	None
Nature preserves	NYS GIS Clearinghouse, NY Protected Areas Database	None
Designated trails	NYS GIS Clearinghouse	See Figure 3-9
Public-access fishing areas, camping areas	NYS GIS Clearinghouse, NYSDEC	None
Major communication and utility uses and infrastructure	Windstream Holdings Inc., Charter Communications Inc., d.b.a. Spectrum	See Figure 3-9 and Figure 20-1
Institutional, community and municipal uses and facilities	ESRI; TIGER/line files; NYS GIS Clearinghouse	See Figure 3-9

No Wild, Scenic and Recreational River Corridors identified by the National Park Service (NPS), state or federal scenic areas or byways, nature preserves, or public-access fishing or camping areas exist within the 5-mile Study Area.

Areas identified in the New York Protected Areas Database include local, state, and federally owned and/or protected lands, some of which are included in the New York State Open Space Plan (2016). Within the 5-mile Study Area, there are 16 locally protected lands (Geneva City Lands, Geneva Housing Authority Lands, Lakefront Park, Ovid Town Lands, Seneca County Lands, Waterloo Village Lands, Waterloo CSD Lands, Seneca County Water District 1 Lands, Fayette Town Lands, Charters Playground, Gulvin Park, McDonough Park, Ridgewood Park, Interlaken Village Lands, Seneca Falls Village Lands, and Junius Town Lands); state protected lands (Cayuga Seneca Canal, Junius Pond Unique Area, Parrot Hall State Historic Site, Seneca Lake State Park, and other New York State lands); and national protected lands (Finger Lakes National Forest and other federal lands). None of these features are within the Facility Site.

The New York State Historic Preservation Office (NYSHPO) provides historic and archaeological resource data via their Cultural Resources Inventory System website, including a list of State and National Registers of Historic Places (S/NRHP). There are 34 NRHP-listed resources, including one cemetery, and one SRHP-listed resource within the 5-mile Study Area which are eligible for enrollment on the S/NRHP. The National Historic Preservation Act, the New York State Historic Preservation Act, and the NYSHPO policy all recommend protecting archaeological site locations from public disclosure to ensure preservation of

important archaeological resources. The Applicant conducted extensive on-site surveys for archaeological and historic resources in the vicinity of the Facility in consultation with the NYSHPO and has intentionally sited components to avoid these areas. The Applicant will also install visual mitigation plantings in certain areas to screen or soften views of the proposed Facility (see Exhibit 8 for more information on visual impacts). Resources found on site are not included in mapping for this exhibit and are further described in Exhibit 9 (Cultural Resources).

The New York State Museum maintains a dataset of geology, lithology, and related structures throughout the state. According to this dataset, the dominant bedrock type within the Facility Site can be described as moraines, sand, and limestone. More information regarding geology of the Facility Site is presented in Exhibit 10 (Geology, Seismology and Soils). The NYSDEC and New York State Museum Office of the State Geologist also developed the NYS Unique Geologic Landforms Project that identified over 600 sites containing unique geological features or landforms, which are publicly accessible through their website (NYSDEC, 2023b). A review of the available data for Seneca County indicated two unique geologic features in the 5-mile Study Area but not within the Facility Site, Junius Ponds and Oaks Corner Quarry. Therefore, construction and operation of the proposed Facility Site will not impact any unique geological features or landforms.

Throughout the 5-mile Study Area, several trails are present, including State Bike Route 14, and NYSDEC-maintained trails on State Forest Lands. There are no known designated trails present within the Facility Site.

The Applicant consulted with owners of major communication and other utilities within the 5-mile Study Area. Figure 3-9 shows the locations of major fiberoptic, electric, and gas infrastructure within the 5-mile Study Area. Section (e) above provides more information regarding major utilities in the Facility Site and the 5-mile Study Area.

Several institutional, community and municipal uses and facilities are present within the 5-mile Study Area. These include several public schools (West Street Elementary School, North Street Elementary School, Geneva Middle School, Geneva High School, LaFayette School, Skoi-Yase School, Waterloo Middle School, Waterloo High School, Frank M. Knight Elementary School, Mynderse Academy, and Seneca Falls Middle School), one college (Hobart and William Smith Colleges), one village (Village of Waterloo), one city (City of Geneva), and several other municipal buildings. None of these uses and facilities are located within the Facility Site.

(l) General Compatibility with Existing Land Use Within 1-Mile

According to NYSORPS, the area within one mile of the Facility Site (approximately 41%) can be categorized as Agricultural Land and is defined as “property used for the production of crops or livestock." Approximately 30% is characterized as Residential, which is defined as “property used for human habitation.” Vacant Land, which is defined as "property that is not in use, is in temporary use, or lacks permanent improvement," constitutes approximately 19% of the area within one mile of the Facility Site. All other categories, including Public Services, Commercial, Industrial, Community Services, Wild, Forested,

Conservation Lands, and Public Parks, and unknown classes, each comprise less than 5% of the area within one mile of the Facility Site. Table 3-4 summarizes land use within one mile of the Facility Site.

Table 3-4. Land Use within 1-mile of the Facility Site

Land Use	Acres within the Facility Site	Acres within 1-Mile Study Area
100 - Agricultural	755.9	3,906.8
200 - Residential	0.3	2,913.7
300 - Vacant Land	19.7	1,820.4
400 - Commercial	163.9	464.5
500 – Recreation and Entertainment	0.1	104.8
600 - Community Services	-	226.6
700 - Industrial	-	55.5
800 - Public Services	-	7.7
900 - Wild, Forested, Conservation Lands and Public Parks	0.1	138.0
Unknown	-	9,638.0
Total	**940.0**	3,906.8

Source: New York State Office of Real Property Services (NYSORPS), 2021.

Potential impacts to existing land use adjacent to and within 1 mile of the Facility include Facility-generated noise, associated vehicle traffic and visual impacts. However, as further discussed below and in Exhibit 7 (Noise and Vibration), Exhibit 16 (Effect on Transportation), and Exhibit 8 (Visual Impacts), the Facility will be constructed and operated consistent with 19 NYCRR §900-2.4 related to noise, traffic and visual resources, and as such, no substantial impacts to adjacent land uses are anticipated.

No substantial permanent changes in land use are anticipated as a result of Facility construction and operation, and no changes are predicted outside the Facility Site. The fenced PV arrays and racking support systems, access roads, collection substation, and POI switchyard will result in the conversion of approximately 416 acres, or approximately 44% of the Facility Site, from its current use to built facilities and/or maintained areas during Facility operation. Additional impacts to land associated with Facility operation will be temporary, infrequent, and minimal. Aside from occasional maintenance and repair activities, Facility operation will not interfere with ongoing land use (e.g., farming and forestry activities, recreational facilities, schools and civic facilities, or commercial areas) immediately adjacent to the Facility or within 1-mile of the Facility. Overall, construction and decommissioning of the Facility are not anticipated to substantively affect the capacity for current land use practices, including agriculture, which is anticipated to resume following decommissioning.

A Visual Impact Assessment (VIA; see Appendix 8-A of the 94-c Application) was completed to evaluate potential visibility and visual impact of the proposed Facility within the 2-mile Visual Study Area. This assessment includes the identification and evaluation of potential Facility visibility and visual contrast from the various landscape similarity zones, distance zones, future land use areas, and visually sensitive resources. As part of the visually sensitive resource identification process, local zoning and regional planning

documents were reviewed and outreach was conducted to agency and local stakeholders to assist in the identification of sensitive resources and land uses with the study area. The results of the VIA indicate that the greatest potential for Facility visibility occurs in the Agricultural/Rural Residential landscape similarity zone, areas where agriculture is the primary anticipated future land use, and the near-foreground and foreground distance zones (i.e., within 0.5 miles of the PV panels). Potential visibility was very limited from locations beyond 0.5 miles and from the Forest, Village, Open Water, and Commercial landscape similarity zones. The visual contrast evaluation results indicate that greater levels of contrast can be anticipated where open views of the PV panels are available at close distances. Conversely, contrast is reduced when the PV panels are partially screened or viewed at greater distances. At viewing distances greater than approximately 0.3 miles from the Facility, insignificant to minimal/moderate visual contrast is anticipated. The visual effects analysis suggests the proposed Facility will result in negligible to minimal visual effects in views from most identified visually sensitive resources due primarily to the limited geographic extent of visibility, duration of view, and/or screening by existing topography and vegetation.

Construction of the Facility is not anticipated to negatively impact local fire districts or school districts within one mile of the Facility Site. The Applicant has coordinated regularly with the towns of Waterloo and Junius as well as fire district representatives to ensure the Facility design is in compliance with the fire code (see Appendix 02-B). The Applicant will continue to coordinate with the fire districts during construction to ensure construction activities do not impede emergency response vehicles or fire district staff.

The Applicant will also conduct drills and safety trainings with Facility personnel, in consultation with the local fire districts, as detailed in Exhibit 6 and Appendix 6-A. The Applicant will coordinate with school districts to ensure school bus schedules are unimpeded and transportation safety is maintained during the construction period (see Exhibit 16 for more information related to transportation impacts). No impacts to school district enrollment or financing are anticipated as a result of the operation of the Facility. The construction and operation of the Facility will not impose a financial burden on the local school districts; indeed, payments made by the Applicant to the local community have the potential to directly benefit both the local school and fire districts.

The Applicant has conducted a study of the anticipated noise, traffic, and visual effects produced by the Facility, both during construction and operation. As required by 19 NYCRR §900-2.8, Exhibit 7 (Noise and Vibration) provides an analysis of noise levels at the Facility with respect to any effects on non-participating landowners or nearby sensitive receptors, such as schools, recreational and civic facilities. Any noise impacts of the Facility are anticipated to be primarily experienced in the immediate vicinity of construction operations and are not expected to have an impact at the perimeter of the Facility. Traffic impacts of the Facility will be negligible following the commencement of Facility operation. Traffic impacts during construction are anticipated to be minimal and primarily associated with component deliveries. Exhibit 16 (Effect on Transportation) provides more information regarding the anticipated traffic during construction and operation of the Facility as well as efforts to minimize and mitigate such impacts. Measures proposed to avoid, minimize, and mitigate potential adverse visual impacts associated with the proposed Facility include extensive vegetative screening, undergrounding of electrical collection systems, and the use of non-specular conductors and non-reflective finishes. These and other mitigation measures are discussed in the Visual Impact Minimization and Mitigation Plan (VIMMP; see Appendix 8-B of the 94-c Application).

As noted in Section (h) of this exhibit, the proposed Facility aligns with and supports some of the goals outlined in the comprehensive plans of the surrounding communities. In addition to furthering the realization of renewable energy and sustainability goals outlined in the plans, the Facility will contribute to the economic goals for local host communities. Through PILOT agreements, the Applicant will contribute a significant sum of funding to taxing jurisdictions associated with lands where the Facility is proposed (Exhibit 18, Socioeconomic Effects). Landowners participating with the Project will also receive a benefit for hosting the Facility on leased lands, allowing them to continue agricultural operations in the area and possibly contribute in other substantial ways to their community.

Compliance with NYSDAM Guidelines for Agricultural Mitigation for Solar Energy Projects

The New York State Department of Agriculture and Markets (NYSDAM) has promulgated a guidance document that applies to solar energy generating facilities sited on agricultural lands. The NYSDAM's *Guidelines for Solar Energy Projects - Construction Mitigation for Agricultural Lands* (NYSDAM, 2019) include construction requirements, restoration requirements, and postconstruction monitoring and remediation requirements. To minimize and mitigate impacts to active agricultural land and farming operations, Facility construction will comply with NYSDAM agricultural protection guidelines to the maximum extent practicable (see Exhibit 15 [Agricultural Resources] for a full analysis of the Facility's impacts to agricultural land and the various measures the Applicant will implement to protect and restore agricultural lands and farming operations within the Facility Site). The Applicant's Environmental Monitor will consult with the NYSDAM during construction if deviation from the approved plans is necessary. In addition, the Applicant will continue to consult with landowners and the NYSDAM throughout the Section 94-c process and during construction and operation of the Facility to ensure impacts to active agricultural land and farming operations are minimized and mitigated to the extent practicable.

Facility Consistency with Statewide Planning Documents

In addition to the regional Comprehensive Plans discussed in Section (h), the Facility is consistent with the statewide plans outlined in Table 3-5 and state energy policies. See Exhibit 17 (Consistency with Energy Planning Objectives) for more information regarding consistency with statewide energy plans and policies. As shown below, the proposed Facility is generally consistent with the goals and objectives outlined in the statewide plans.

Table 3-5. Facility Consistency with Statewide Planning Documents

Plan	Relevant Goals and Objectives	Facility Consistencies	Facility Inconsistencies
New York Open Space Conservation Plan (2016b)	Maintain critical natural resource-based industries such as farming, forest products, commercial fishing, and tourism. Address global climate change (through various means). Preserve, restore, and/or create a matrix of natural systems	The Facility utilizes a renewable resource to generate electric power without contributing to global climate change. The Facility enhances the economic viability of participating farms, enabling them to maintain	None

Plan	Relevant Goals and Objectives	Facility Consistencies	Facility Inconsistencies
	sufficiently complex and interconnected to be self-sustaining while performing the critical natural functions necessary to sustain us.	operations on lands not utilized for the Facility.	
New York State Historic Preservation Plan (2021-2025)	Enhance collaboration to advance preservation. Integrate preservation into local and regional decision making.	The Applicant has coordinated with New York State Office of Parks, Recreation and Historic Preservation to develop site-specific work plans. The Applicant has adapted the design of the Facility to avoid impacts to cultural resources (see Exhibit 9)	None
Statewide Comprehensive Outdoor Recreation Plan (2020-2025)	Reconnect children and adults with nature and recreation by improving access to outdoor recreation opportunities. Continue to develop a comprehensive, interconnected recreation-way, water trails, greenway and blueway trail system. Continue efforts to restore, conserve and protect the biodiversity of state lands.	The Facility does not have any direct impact on known public recreational resources.	None
New York State Office of Parks, Recreation and Historic Preservation Sustainability Plan (2009)	Advance a new agency-wide sustainability initiative to adopt green practices Outline a plan to reduce impacts that the agency's daily activities have on natural resources Adopted a goal of reducing greenhouse gases 30% by 2030	The Facility is aligned with the plan's stated goal of reducing greenhouse gases 30% by 2030	None

(m) Compatibility of Above-Ground Interconnections with Existing and Proposed Land Uses

The Applicant intends to install collection lines underground to the extent practicable. The collection substation and POI switchyard will be constructed consistent with applicable regulations and standards and will be visually similar to other electrical grid infrastructure in the area. Overall, the limited above-ground

interconnections proposed for the Facility are not anticipated to have a significant impact on existing or proposed land uses.

(n) Compatibility of Underground Interconnections with Existing and Proposed Land Uses

The Facility will include approximately 8 miles of underground collection lines. A total of 289 acres will be located within 300 feet of the centerline of underground collection lines and related facilities, of which approximately 3 acres (1%) consists of public road rights-of-way that are not part of any parcel, and as such, have no NYSORPS land use code. Land use for the remaining 286 acres has been classified by the NYSORPS as follows: Agriculture: 227 acres (78%); Residential: 4 acres (1%); Vacant Land: 9 acres (3%); and Commercial: 47 acres (16%). Approximately 272 acres (94%) of the land within 300 feet of an underground collection line is currently enrolled in a state certified Agricultural District. The Facility's proposed underground collection lines will not prohibit or interfere with the continued use of the current and proposed land uses within 300 feet of these components.

The construction of buried collection lines will result in a temporary disturbance. As discussed in Section (l), in agricultural fields construction will generally be conducted in accordance with the NYSDAM's *Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands* (NYSDAM, 2019) by installing underground lines at least 48 inches below ground on agricultural lands. Otherwise, underground lines will be installed at least 36 inches below ground. At these depths, permanent land use impacts associated with underground collection lines are not anticipated. Buried electrical collection lines have been sited in areas of existing disturbance (e.g., existing farm roads) to the maximum extent practicable. The Applicant has also developed a Drainage Remediation Plan (Appendix 15-C) to address any impacts to surface and subsurface agricultural drainage infrastructure within agricultural areas where Facility construction is planned. Where crossings of sensitive environmental resources would otherwise be unavoidable (e.g., stream crossings), trenchless technologies will be used to avoid and minimize impacts.

The Applicant will also implement measures to further minimize potential impacts to underground facilities prior to construction by becoming a member of Dig Safely and by contacting all pipeline operators within the Facility Site, and landowners within the zone of safe siting clearance, in accordance with 19 NYCRR §900-6.4(f) and (g).

(o) Compliance with New York State Coastal Management Program Policies and Local Waterfront Revitalization Plans

The Facility Site is not located within a designated coastal area or in direct proximity of a designated inland waterway. Therefore, conformance with the Coastal Zone Management Act is not applicable.

(p) Aerial Photographs

Figure 3-10 contains aerial photographs within the 5-mile Study Area. This mapping was prepared using 1-foot resolution natural color orthoimagery from the USDA National Agriculture Imagery Program (NAIP) captured during the 2022 growing season.

(q) Aerial Photograph Overlays

Figure 3-11 illustrates the Facility Layout, including access roads, the point of interconnection, and the proposed limits of construction activity overlaid on NAIP imagery captured in the 2022 growing season.

(r) Source of Aerial Photographs

Figures 3-10 and 3-11 were prepared using 1-foot resolution natural color orthoimagery from the NAIP captured during the 2022 growing season.

(s) Description of Community Character

The Applicant has evaluated the Facility's consistency with local comprehensive plans in Section (h) above, and an analysis of the land use of the surrounding community is presented below. In addition, the Applicant has classified areas within 2 miles of the Facility Site into landscape similarity zones (further described in Exhibit 8 [Visual Impacts]).

Community Land Use Classifications

The Facility is proposed to be located in a rural portion of Seneca County, which is characterized by a mix of agricultural, rural residential, and forested land in the Towns of Junius and Waterloo. According to the 2017 Census of Agriculture, total farmland acreage within Seneca County is 118,545 acres, (USDA, 2017).

Based on NYSORPS land use classification data from 2022 for Seneca County, land use is dominated by agriculture (114,593 acres, 56%), residential (40,532 acres, 20%), and vacant lands (20,092 acres, 10%). The most common agricultural land uses in Seneca County include agricultural vacant land (50,058 acres, 25%) and field crops (43,826 acres, 22%). Residential land uses in Seneca County are dominated by rural residence with acreage (16,742 acres, 8%) and single-family year-round residences (13,711 acres, 7%) is land classified as 240 – rural residence with acreage (50% of all residential land).

Approximately 862 acres of the 940-acre Facility Site (92%) are enrolled in a NYSDAM certified agricultural district. These areas account for less than 1% of all lands enrolled in an agricultural district within Seneca County. Within 1 mile of the Facility, land use is predominantly agricultural (40%), with areas of residential use (28%) and vacant land use (18%) (see Section 3(l) above for more information on land use within 1 mile of the Facility). Although it will add industrial visual elements to the surrounding area, the Facility is consistent with the active agricultural use of the region. Many of the farms are commercial scale operations with several industrial buildings and facilities associated with them. In addition, host landowner payments will allow farmers in the area to continue active operations on other lands in the vicinity of the Facility, as further described in Exhibit 15 (Agricultural Resources), helping to preserve the area's agricultural character into the future.

Community Character and Landscape Similarity Zones

Landscape similarity zones, viewer/user groups, and visually sensitive resources were defined in the VIA in order to describe the character of the existing visual environment within the 2-mile Visual Study Area. Landscape similarity zones defined in the Visual Study Area include Agricultural/Rural Residential, Forest,

Village, Open Water, Transportation, and Commercial. Due to the position of the Facility on agricultural land, the majority of the 2-mile VSA consists of the Agricultural/Rural Residential and Forest landscape similarity zones. Viewer/user groups within these LSZs are primarily local residents or those engaged in local travel. However, due to the presence of state highways, through-travelers are also likely to be present.

A total of 44 visually sensitive resources were identified in the VSA: 18 properties of historic significance, 15 public lands and recreational resources, 7 high-use public areas, and 4 resources identified during visual outreach. Resources that are likely to receive the greatest extent of public recreational use are concentrated in the Village of Waterloo and its surroundings and outside of the 1-mile Study Area used for this study. Many of these resources (i.e., historic resources, public areas and recreational areas, etc.) are detailed above in Sections (j) and (k). Viewer/user groups present include tourists and recreational users include residents as well as out-of-town visitors involved in recreational activities.

For additional information on potential Facility visibility and visual impacts to landscape similarity zones and visually sensitive resources, see Section (l) of this Exhibit and the VIA (Appendix 8-A of the 94-c Application).

Potential Impacts and Proposed Avoidance, Mitigation, and/or Minimization Methods

Construction of the Facility will result in temporary impacts of approximately 379 acres (63% of agricultural land within the Facility Site), of which 68 acres (11%) will be restored and remain in agricultural production and 310 acres (52%) will be restored to agricultural production upon Facility decommissioning and restoration. The majority (96%) of the Facility-related impacts occur in row croplands. Only 1.7 acres (<1%) of active agricultural land, which occurs in row cropland, is anticipated to be permanently converted to the POI switchyard and its associated components. The remaining 220 acres (37%) of active agricultural land within the Facility Site will not be impacted by construction or operation of the Facility; therefore, this area, as well as the temporarily impacted areas outside of the Facility's fence line can continue to be farmed, preserving the character of the towns as farming communities. Moreover, the lease payments made to farmers will supplement their income, potentially preserving their ability to continue farming long-term and enhancing the opportunity to protect the agricultural nature of the communities hosting the Facility. Further information regarding agricultural resources is presented in Exhibit 15 (Agricultural Resources).

As discussed in Exhibit 7 (Noise and Vibration), construction and operation of the Facility will have minor noise impacts and are not expected to affect the character of the community. Operational noise levels of the Facility will comply with 19 NYCRR §900-2.8(b)(2) and any ordinances established by local laws. In addition, the Facility has been designed to avoid and minimize noise impacts by adhering to established setbacks as further described in Exhibit 5 (Design Drawings).

As discussed in the VIA and the VIMMP, the Facility is expected to result in appreciable visual contrast and shift the character of the landscape from a working agricultural landscape to one of solar energy generation where open views of PV panels are available from close distance. To screen and/or soften the appearance of the Facility where views of this nature are available, the Applicant has proposed extensive vegetative screening along the perimeter of the Facility.

Other avoidance or mitigation measures that will minimize adverse impacts on community character include, but are not limited to, the following:

- Site the Facility away from population centers and areas of dense residential development.
- Locate access roads and PV arrays to avoid or minimize disturbance of wetlands, streams, and cultural/historic resources.
- Follow setback requirements outlined in the Section 94-c regulations and local solar laws to site the Facility away from non-participating boundary lines, structures, and public roadways.
- Bury electrical collection lines between PV arrays.
- Implement agricultural protection measures to avoid, minimize, or mitigate impacts on agricultural land and farm operations.

Several studies included in this Application provide information on the Facility's potential effect on community character, such as a Visual Impact Assessment (see Appendix 8-A), Pre-Construction Noise Impact Assessment (see Appendix 7-A), and cultural resources studies (see appendices to Exhibit 9). In addition to evaluating potential effects on their respective resources, these studies also outline the various mitigation measures that are being implemented or were considered to minimize and avoid impacts on the environment and the community where the Facility is proposed.

(t) Historical Environmental Contamination

The Facility Site is not a repurposed site and does not have a history of environmental contamination according to data from the NYSDEC Environmental Remediation Databases; therefore, this section is not applicable, and no further action needs to be taken (NYSDEC, 2014).

(u) Oil, Gas, and Mining Solution Wells within 500-feet of Proposed Facility

The NYSDEC maintains data on active, inactive, and abandoned oil, gas, and mining wells in New York State. The Applicant reviewed the NYSDEC Oil and Gas Well database (NYSDEC, 2019) for existing wells within 500 feet of the proposed Facility. According to the NYSDEC database, there are six wells within 500 feet of the Facility Site, five of which occur within the Facility Site. The NYSDEC mapped oil and gas wells are depicted in Figure 3-4. Information regarding the six NYSDEC-mapped wells within 500 feet of the Facility Site is presented in Table 3-6.

Table 3-6. NYSDEC Mapped Oil and Gas Wells within 500 feet of the Facility Site

API Well No.	Well Name[1]	Company Name	Well Type[2]	Well Status[3]	Well Location
31099009260000	Mills 2	NYS Natural Gas Corp.	DW	UM	Within Facility Site
31099214000000	Kaufman 1266	Meridian Exploration Corp.	Not Listed	EX	Within Facility Site
31099213830000	Kaufman 1239	Meridian Exploration Corp.	Not Listed	EX	Within Facility Site

API Well No.	Well Name[1]	Company Name	Well Type[2]	Well Status[3]	Well Location
31099022530000	Adams 1	Geneva Gas	DH	UM	Within Facility Site
31099009150000	Ridley 1	Dearth G. et al.	GD	UM	Within Facility Site
31099022480000	McGuane 1	Dearth G et al.	GD	PA	480 feet from Facility Site

Source: NYSDEC, 2019

[1]The McGuane 1 well was not considered as part of the magnetometer survey described below, due to the distance from the Facility Site and nearest components (approximately 1,700 feet), and because it is plugged and abandoned.

[2]Well Type: DW=Dry Wildcat; DH=Dry Hole; GD=Gas Development

[3]Well Status: UM=Unknown Not Found; EX=Expired Permit; PA=Plugged and Abandoned

(1) Description of Magnetometer Survey

The proposed Facility is located in NYSDEC Region 8. Pursuant to 19 NYCRR §900-2.4(u) any proposed facility located in NYSDEC regions 7, 8, or 9 must conduct a magnetometer survey or other method authorized by ORESto identify oil, gas, or mining solution wells within 500 feet of the Facility's proposed limits of disturbance. Aletair, LLC conducted an unpiloted aerial vehicle (UAV) aeromagnetic survey in late June and July 2023 along with a follow-up terrestrial magnetic survey in November 2023.

Magnetic field data was collected using an unpiloted aerial system (UAS) with an integrated micro-fabricated atomic magnetometer (MFAM) laser pumped magnetometer with continuous acquisition at a line (transect) spacing of 25 meters and a sensor height of 36 meters. The UAV surveys were conducted north-south over a total area measuring 2,249 acres. The terrestrial magnetic survey was conducted using a hand-held Geometrics G-864 cesium vapor magnetometer over a 100 by 100 meter grid with 2.5 meter transect spacing in order to identify the existence and location of one gas well with no apparent surface expression, potentially associated with an organized magnetic anomaly not directly correlated with a NYSDEC mapped well. Acquired datasets were processed and interpreted using proprietary algorithms to effectively denoise the data and highlight any features of interest.

Survey results are summarized below, and full details of the methodology and results of these surveys can be found in the Magnetometer Survey Report included as Appendix 3-C.

(2) Map of Identified Wells

Figure 3-12 depicts the location of underground gas lines and wells identified during the magnetometer survey and their associated setbacks, as well as the proposed Facility components and Facility Site boundaries.

Consistent with the well type and status noted above in Table 3-6, no magnetic anomalies based on the UAV survey were evident in the reported areas of the Mills 2, Kaufman 1266, or Kaufman 1239 wells. The Mills 2 well may have been drilled as an open hole, or the upper section of well casing may

have been stripped. No data exists on the NYSDEC Oil and Gas Well database indicating that either of the Kaufman wells were ever actually completed. Given the lack of NYSDEC data confirming the existence of these wells, as well as the inability to field verify their presence with a magnetometer survey, the Applicant concludes that these wells do not exist within or near the Facility Site, and therefore are not depicted on Figure 3-12.

The mapped location of the Ridley 1 well, with a status of "unknown not found", does not correlate directly with a magnetic anomaly based on the UAV survey; however, a large organized magnetic anomaly is present approximately 250 meters to the west of the reported location, possibly correlating to the true location of the wellsite. No surface expression was identified for either the mapped location or the surveyed location of the Ridley 1 well. The surveyed location, correlated to the highest reported amplitude of the magnetic anomaly, is depicted on Figure 3-12, Sheet 2.

The mapped location of the Adams 1 well, with a status of "unknown not found", does not correlate directly with a magnetic anomaly; however, a large organized magnetic anomaly is present approximately 155 meters to the southwest of the reported location, possibly correlating to the true location of the wellsite. No surface expression was identified for either the mapped location or the surveyed location of the Adams 1 well; however, the area around the surveyed location was found littered with metallic debris that is consistent with well casing that may have been forcibly removed from the site of placement. Because the surveyed location that correlates to the magnetic anomaly was within a proposed PV array area a follow-up high resolution terrestrial magnetic survey was conducted to constrain the location of the source of the high-intensity magnetic signal. The terrestrial magnetic survey identified a large magnetic anomaly with a 0.5-meter survey resolution approximately 6 meters from the anomaly identified in the UAV survey. The well location based on the terrestrial magnetic survey is depicted on Figure 3-12, Sheet 3.

At the time of the UAV survey, the Dunham 1 mapped well (API well number 31099009160000) was within 500 feet of the Facility Site, and as such, was included in the survey, described in the Magnetometer Survey Report (Appendix 3-C). Similar to the Ridley 1 and Adams 1 wells described above, the mapped location of this well does not correlate with a magnetic anomaly based on the UAV survey; however, a large organized magnetic anomaly believed to be the true location of the wellsite is present nearby. In the period since the UAV survey was completed, the Facility Site has been modified, and both the mapped well location and the magnetic anomaly are at least 800 feet from the nearest Facility components. As a result, this well is not depicted on Figure 3-12.

(3) Explanation of Setbacks

Ridley 1 Well

As illustrated in Figure 3-12, Sheet 2, the nearest Facility components are set back greater than 100 feet (approximately 150 feet) from the surveyed location of the Ridley 1 well. There are no Facility components between the surveyed location and the nearest reasonable property access point.

Adams 1 Well

Based on the results of the UAV survey and the high resolution terrestrial magnetic survey, and as illustrated in Figure 3-12, Sheet 3, the Facility design was modified to incorporate a 100-foot setback of proposed PV arrays from the surveyed well location. This surveyed location is fully accessible via the proposed Facility access road from the nearest property access point, with a minimum of 100 feet around the well location to facilitate any work that may be needed.

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