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March 4, 2024

Via Hand-Delivery and Electronic Filing

New York State Office of Renewable Energy Siting

W. A. Harriman State Office Campus

Building 9, 4th Floor

1220 Washington Avenue

Albany, NY 12226

Re: Matter No. 23-00036: Application of North Seneca Solar Project, LLC, for a Permit Pursuant to Section 94-c of the New York State Executive Law to Construct a Major Renewable Energy Generation Facility in the Towns of Junius and Waterloo, Seneca County, New York

Dear Office of Renewable Energy Siting Staff:

We represent the Applicant, North Seneca Solar Project, LLC (“North Seneca Solar” or “the Applicant”), with regard to the above-referenced proceeding. The Applicant is proposing to construct an approximately 90-megawatt (“90 MW”) solar electric generating facility (“the Facility”) to be located in the Towns of Junius and Waterloo, Seneca County, New York. Enclosed for filing, please find North Seneca Solar’s Application for a Permit to Construct a Major Renewable Energy Facility pursuant to Section 94-c of the New York State Executive Law and Title 19 of NYCRR, Part 900 (“Application”), seeking a permit from the Office of Renewable Energy Siting (“ORES”) to construct the Facility.

The Facility is a zero-emission solar energy facility that will assist the State in meeting the goals of the Climate Leadership and Protection Act and State Energy Plan, which includes obtaining 70% of energy generation from renewable sources by 2030 and significantly reducing greenhouse gas emissions. Other positive impacts of the Facility include diversifying energy supplies; diversifying sources of income for landowners through land lease payments and easement agreements; new employment opportunities; increased revenues to the Towns of Waterloo and Junius, Seneca County, and the Waterloo Central School District; boosting the local economy through the purchase of equipment and materials; and increasing revenue to local hospitality providers during construction and operations. North Seneca Solar’s Application includes various studies evaluating the potential impacts associated with the Facility and identified methods to avoid, minimize and mitigate potential impacts.

During the Project design and pre-application phases, the Applicant worked with local officials from the Towns to understand the requirements of local laws with respect to construction and operation of the Facility. The Applicant held meetings and open houses during the pre-application stage to inform the community and local stakeholders. These meetings were open to the public and provided interested stakeholders with the opportunity to learn about the Facility and provide feedback on elements of Facility planning. The Applicant considered and incorporated feedback from stakeholders on local concerns and interests. After many months of pre-application engagement and study, the Applicant is pleased to submit this Application under the State's major renewable energy facility siting and permitting process pursuant to Executive Law Section 94-c and 19 NYCRR Part 900.

In accordance with 19 NYCRR §§ 900-1.4(a)(1) and (2), the enclosed Application includes the Office's application form and all exhibits required pursuant to 19 NYCRR Subpart 900-2. The remainder of this correspondence addresses compliance with 19 NYCRR § 900-1.4(a)(3)-(10) and § 900-1.4(b).

19 NYCRR § 900-1.4(a)

(4) Project Website.

The Applicant has created a website through which it has disseminated, and will continue to disseminate, information to the public. *See* <https://www.northsenecasolarproject.com>. The website provides the material required by 19 NYCRR § 900-1.4(a)(4).

(5) Identification of Critical Infrastructure and Trade Secret Information.

Concurrent with the filing of this Application, the Applicant submitted a request to the Office that certain documents and information contained within the Application be treated as confidential ("Request for Nondisclosure"), as specifically identified therein and generally as required by State or federal law to protect sensitive cultural or environmental resources. Requests for confidential protection are submitted pursuant to Article 7 of the New York State Public Officers Law and other applicable state and federal laws. The Applicant's Request for Nondisclosure is provided with this Application.

(6) Identification of Confidential Cultural Resource Information.

The Application contains confidential information with respect to the location, character, or ownership of cultural resources in Exhibit 9 and Appendices 9-E and 9-F. The confidential information is submitted under confidential cover with a request for confidential protection consistent with applicable State and federal laws requiring the protection of such information, as noted in section (5) above.

(7) Affidavit of Service.

Affidavits of Service of the Application and all accompanying documents to ORES and to the other parties identified in 19 NYCRR § 900-1.6(a) will be submitted to ORES as soon as the affidavits are made available by the persons who performed the service of the documents.

(8) Payment of Local Agency Fee.

Prior to filing of this Application, the Applicant deposited payment in the local agency account in an amount equal to one thousand (1,000) dollars for each one thousand (1,000) kilowatts of the proposed project's nameplate capacity, as required by 19 NYCRR § 900-1.4(a)(8). ORES was notified that payment was wired for both the Local Agency and Application Fees.

(9) Payment of Application Fee.

Prior to the filing of this Application, the Applicant submitted to ORES the fee required by 19 NYCRR § 900-1.5, as noted in Section 8 above.

(10) Additional Information Requested by the Office.

The Applicant is not aware of any additional information requested by the Office.

19 NYCRR § 900-1.4(b)

Water Quality Certification

The Applicant will consult with the appropriate agencies, including ORES, as soon as practicable after filing the Application regarding Water Quality Certification. Given that this request is not being filed with the Application, North Seneca Solar will file, serve, and provide notice of the requested Water Quality Certification in accordance with the requirements of 19 NYCRR § 900-1.6(c), upon submission of that request.

Site Specific Condition

The Applicant is requesting that ORES adopt a proposed Site-Specific Condition to the Draft Permit to allow phased construction of the Facility.

Please feel free to contact our office if you have any questions regarding the above.

Very truly yours,



James A. Muscato II
Young/Sommer LLC

Attorneys for North Seneca Solar Project, LLC

Enclosure

cc: Party List for the Proceeding (*via DMM and email*)