

# Welcome!



## Empire Solar Virtual Community Meeting

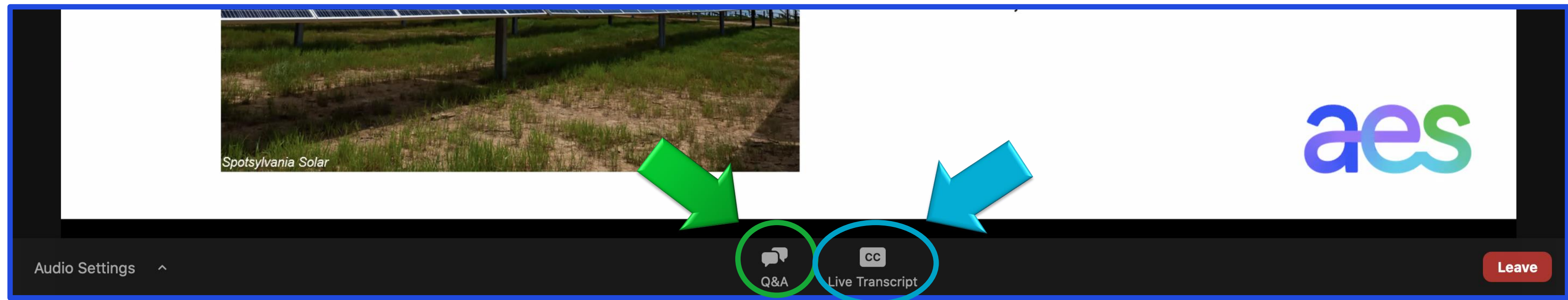
April 22, 2021





# Housekeeping

- Meeting Duration: 1 hour
- Please submit questions in the **Zoom Q&A**
- Can't access the Q&A feature? Submit questions via email to [empiresolar@aes.com](mailto:empiresolar@aes.com)
- Use the 'Live Transcript' feature to view closed captions
- A recording of this meeting will be made available on the project website ([www.aes.com/empire-solar-project](http://www.aes.com/empire-solar-project)), along with the presentation slides and a transcript of the Q & A



# Purpose

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## **The purpose of today's virtual community meeting:**

- Introduce AES to the community
- Present project information and updates
- Provide information on the New York State 94-c permitting process
- Inform the community about next steps in project development and how you can get involved
- Fulfill the public engagement component of 94-c

Due to the persisting COVID crisis, AES is unable to hold an in-person community meeting for the safety of our team and the local community. We look forward to engaging with you in-person when it is safe to do so.

# Introductions

## Presenters:



**Michael Farrell**

*Senior Manager*  
**AES**



**Brett Hastings**

*Senior Manager*  
**AES**



**Eric Will**

*Senior Manager*  
**AES**



**Jim Muscato**

*Permitting Counsel*  
**Young/Sommer**



**Rachel Silva**

*Project Manager*  
**TRC**

## Other Team Members Available:

Neely Kelley, *NY Community Relations Manager*, **AES** (Moderator)

Ziyad Ali, *Senior Manager; Energy Storage Engineering*, **AES**

# Agenda



1. About AES
2. Empire Solar Project Overview
3. NYS Regulatory Overview
4. Community Interest Topics & Study Updates
5. Q & A Session





sPower has merged with The AES Corporation's (AES)  
US-based clean energy development business



- sPower had been jointly owned by AES and Alberta Investment Management Corporation (AIMco) since 2017
- On December 10, 2020, sPower acquired the Empire Solar Project from National Grid Renewables
- AES and sPower merged on January 4, 2021
- This announcement does not impact the timeline of the project



# About AES

## MISSION

Accelerating the future of energy, together.

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CONTINENTS

14

COUNTRIES

AES IS ENERGIZED BY A GLOBAL WORKFORCE OF APPROXIMATELY

8,200 PEOPLE

## VALUES



Safety first



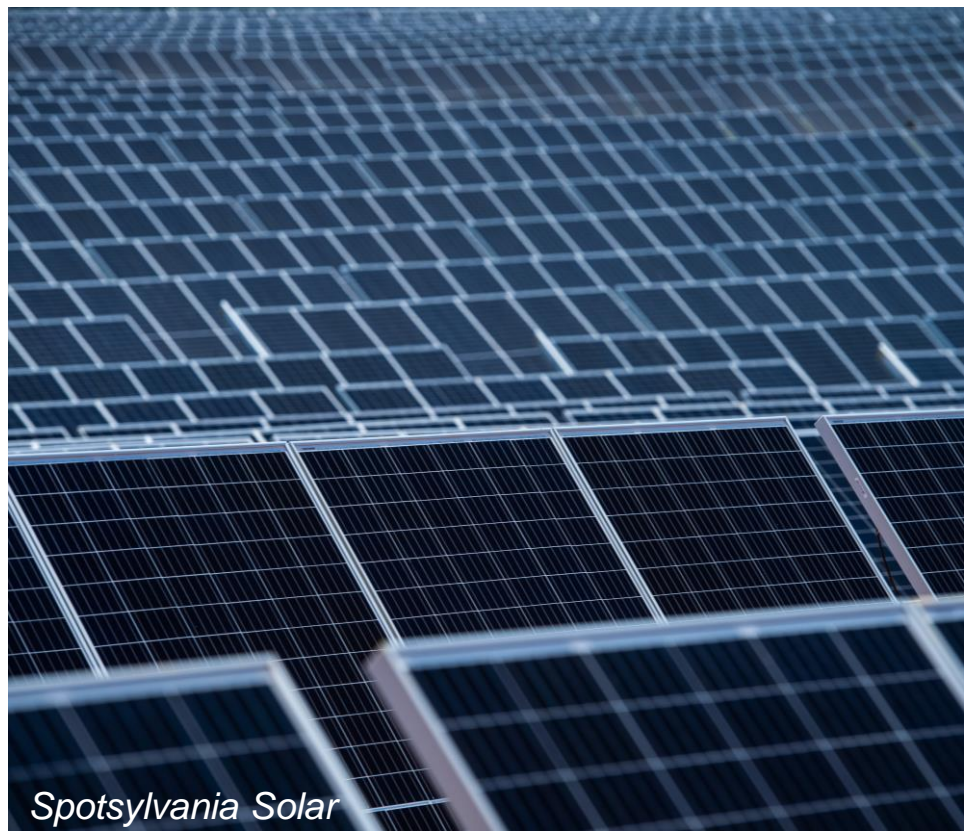
Highest standards



All together



Monroe County Solar



Spotsylvania Solar

AES Serves

2.5M

CUSTOMERS

30.3<sub>GW</sub> Operating Capacity

Capacity Under Construction 1.85<sub>GW</sub>



# AES Clean Energy

*AES Clean Energy is leveraging solar, wind, and storage to deliver customizable renewable energy solutions*

**AES CE Operating Portfolio: 3.3 GW**



**2.0 GW**



**1.1 GW**



**224 MW**

**AES CE Development Portfolio: 12 GW**

## **AES CE in NY:**

**Operating Portfolio: 161 MW**

**Development Portfolio: 1.43 GW**





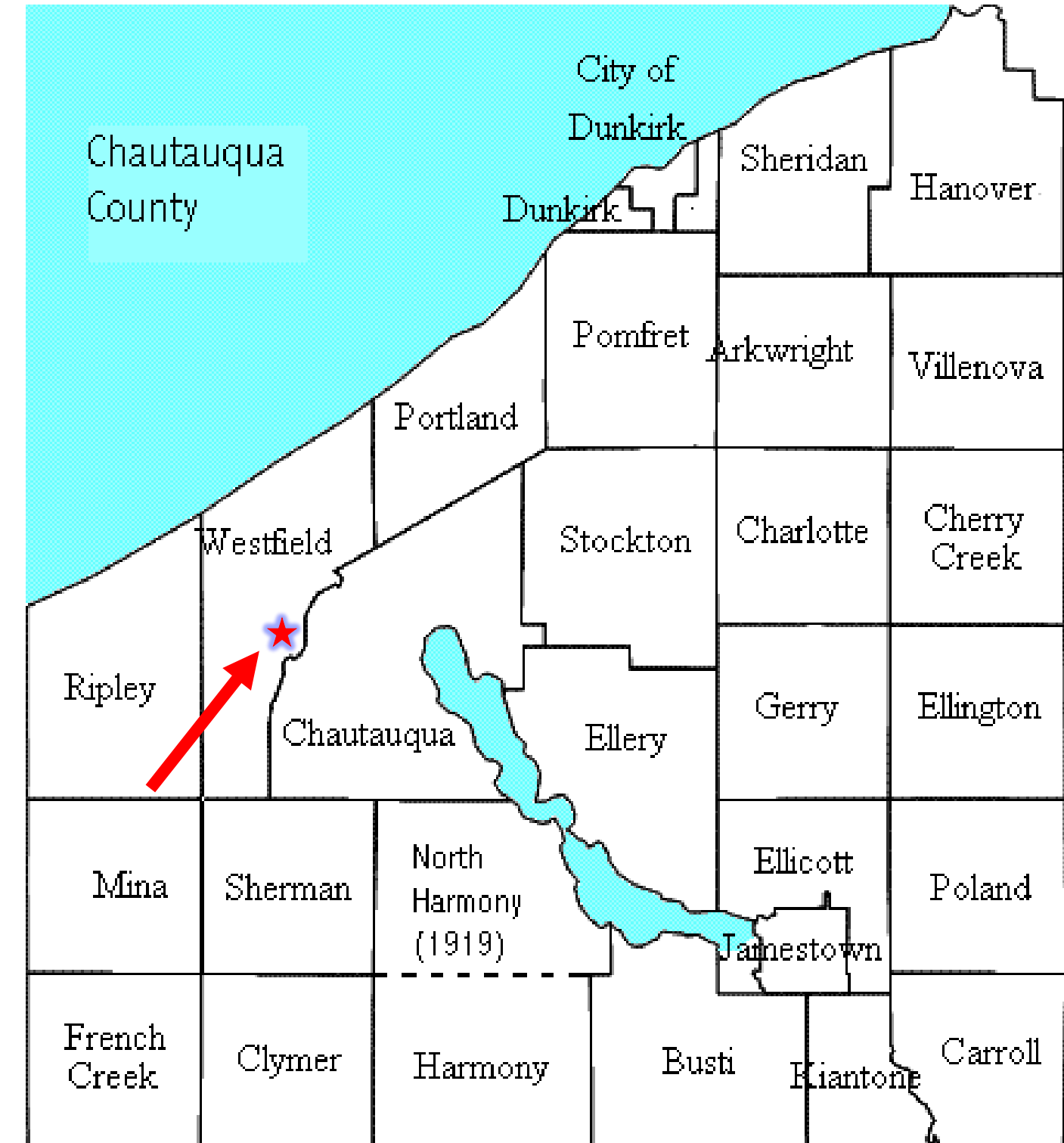
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# Empire Solar Project Overview



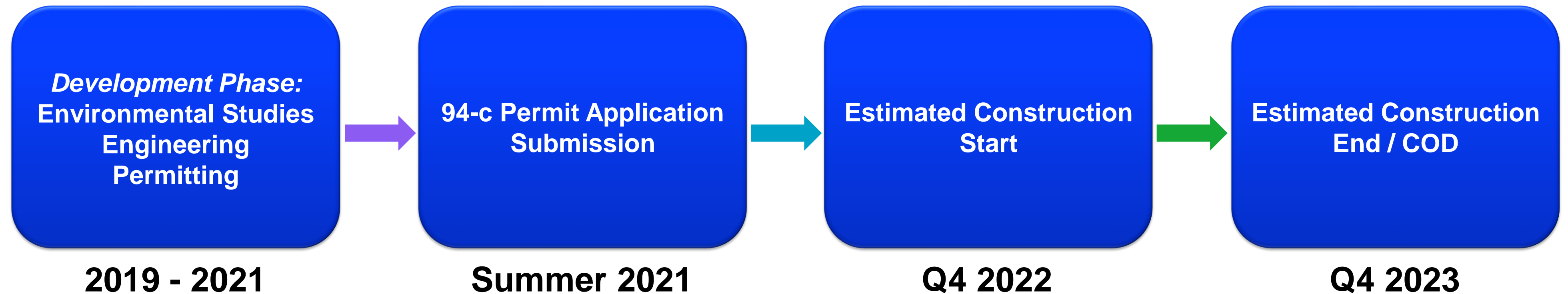
# Empire Solar Project Overview

- **Nameplate Capacity:** 125 MW solar + 20 MW battery storage (adjacent to project substation)
- **Location:** Town of Westfield, Chautauqua County, NY
- **Point of Interconnection:** 230 kV South Ripley to Dunkirk Line
- **Project Footprint:** ~1,500 acres
- **Env Benefits:** reduce CO<sub>2</sub> emissions by ~160,000 metric tons per year (equivalent to powering ~20,800 homes' electricity use per year)
- **Expected Commercial Operation Date (COD):** December 2023



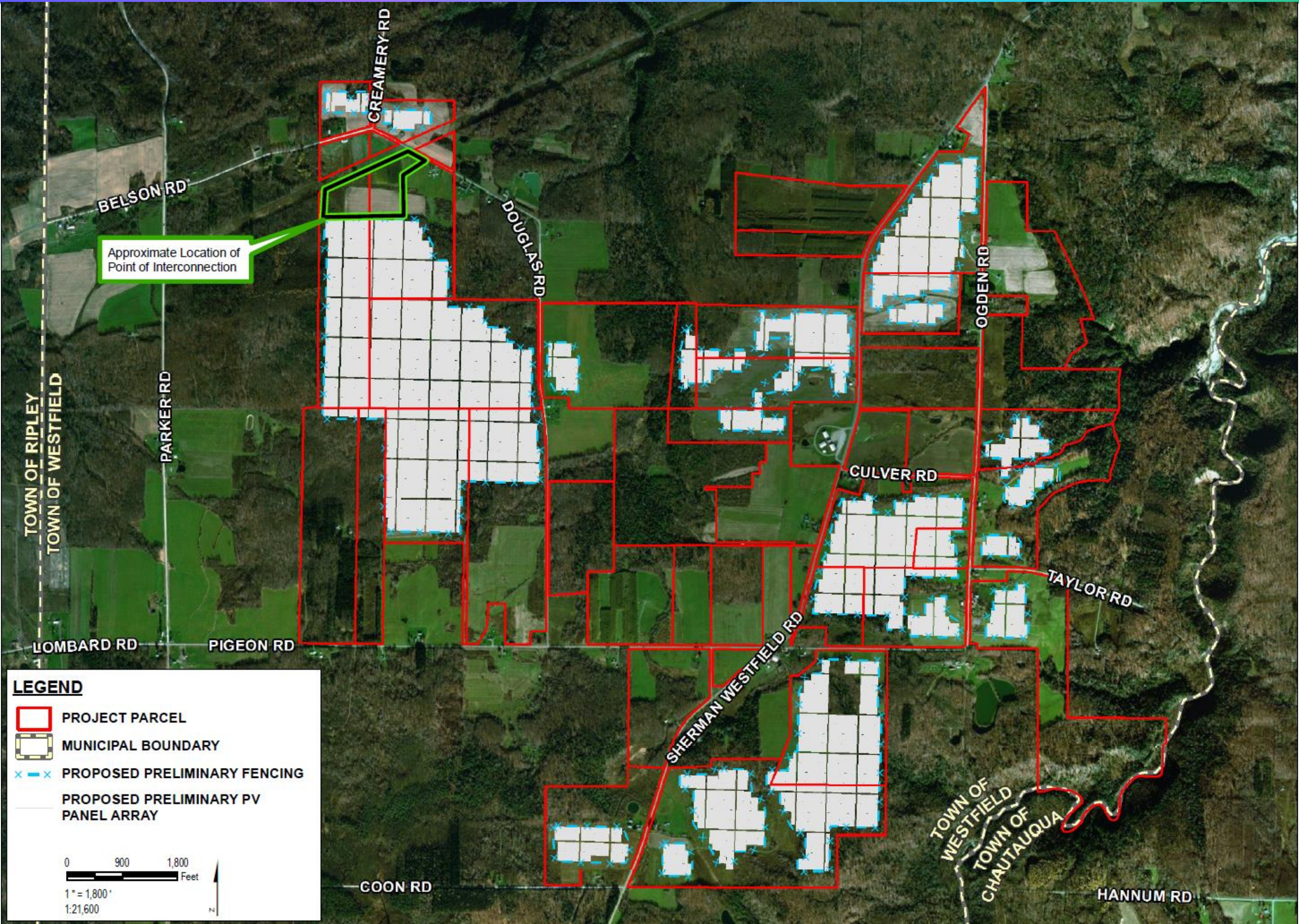


# Expected Project Timeline





# Empire Solar Preliminary Project Layout





# Economic Benefits

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- ~\$190 million in capital investment
- ~\$11.5 million in estimated tax over 20 years of operation to Chautauqua County, the Town of Westfield, and the Westfield Central School District
  - Project does not require additional services, so no pressure on local services/resources
- \$500/MW per year electric utility bill credit
  - Electricity credits distributed among the residential utility customers within Westfield for ten years (total of \$625,000)
- Host Community Agreement (HCA) with Westfield
- 250+ jobs during construction
- 2-3 full-time equivalent jobs
- Increased local spending



# AES as a Neighbor & Partner

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- AES is committed to being a good neighbor by:
  - Developing, owning and operating Empire Solar over the life of the project
  - Engaging local schools and the community through sponsorships, partnerships, presentations and site tours
  - Following our updated Public Involvement Plan (created within Article 10)
- We strive to support local initiatives, especially related to economic development, the environment, energy efficiency and STEM education.






# Community Engagement

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- Virtual community meetings held in May 2020 and April 2021
- Meetings with:
  - Landowners
  - Westfield Town Board
  - Chautauqua County officials
  - Community stakeholders:
    - Chautauqua Lake Snowmobile Club
    - Westfield Fish and Game Club
    - Member of the Westfield-Barcelona Chamber of Commerce
    - Westfield Volunteer Fire Department
    - Labor groups
    - Chautauqua County IDA



# Community Engagement: Hearing from you!

- We welcome suggestions on how to further engage with you
- You can contact us via our:
  -  **Toll-free number: [866-757-7697](tel:866-757-7697)**
  -  **Project Email: [empiresolar@aes.com](mailto:empiresolar@aes.com)**
  -  **Project Website: [www.aes.com/empire-solar-project](http://www.aes.com/empire-solar-project)**
- **Virtual Office Hours** via our toll-free number
  - Mondays: 11am - 1pm
  - Thursdays: 4pm - 6pm
- If you call outside of these hours, we will return your call ASAP

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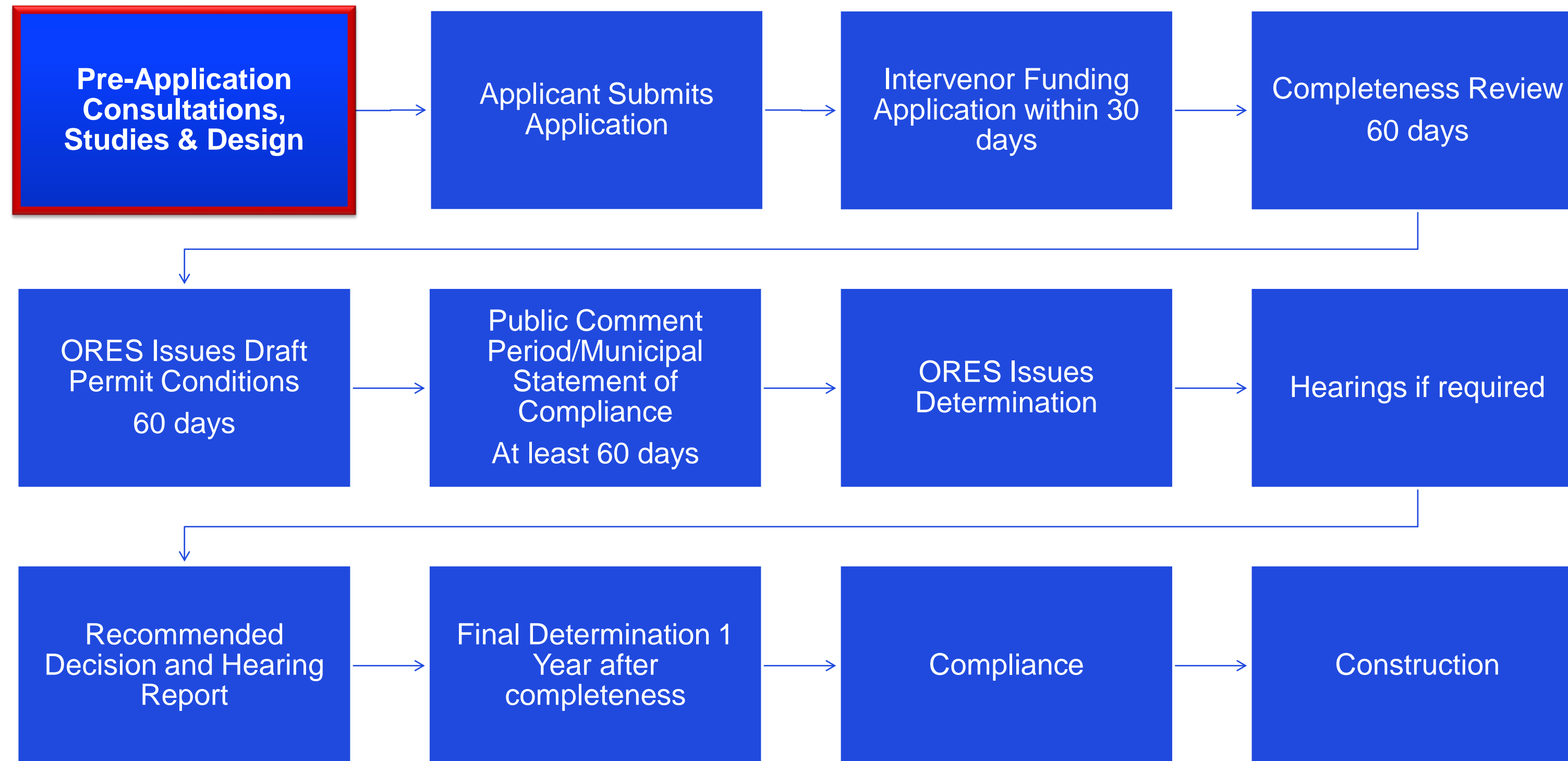
# NYS Regulatory Overview



# Overview of Section 94-c Process

- In 2020, New York State introduced a new permitting process for large scale renewable energy projects, the “Section 94-c” process.
- Review and decision will be made by the Office of Renewable Energy Siting (ORES) within the Department of State – draft Regulations and Uniform Standards and Conditions (USC) were issued by ORES on September 16, 2020, with a public comment period through December 6, and the final regulations were issued on March 3, 2021.
- Provides for election to transition into process for existing Article 10 Projects.
- **Requires pre-application consultations with state agencies, host municipalities, and meetings with community members.**
- 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.

# Section 94-c Schedule Overview





# Overview of 94-c and Municipalities

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- ORES must make finding that the project complies with applicable substantive local laws and regulations.
- 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.



# 94-c Siting Application Exhibits

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



# Site Restoration and Decommissioning

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- **§ 900-2.24 Exhibit 23: Site Restoration and Decommissioning**
  - A Decommissioning and Site Restoration Plan detailing: Safety and the removal of hazardous conditions; Environmental Impacts; Aesthetics; Recycling; Potential future uses for the site; Funding; and Schedule.
  - A gross and net decommissioning and site restoration estimate.
  
- **§ 900-10.2 Pre-Construction Compliance Filings**
  - A final Decommissioning and Site Restoration Plan and decommissioning and site restoration estimate will be provided as a Compliance Filing.

# Local Law Substantive Requirements

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- Town of Westfield Solar Energy Systems Law
  - Section 185-43 (N)(5)(c) of Town of Westfield Town Code



# Intervenor Funds

## What is Intervenor Funding?

Intervenor funding is money that Applicants such as Empire Solar make available to qualified, locally affected parties and municipalities to offset certain expenses 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, Empire Solar 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:

[general@ores.ny.gov](mailto:general@ores.ny.gov)

or

**New York State Office of Renewable Energy Siting**

Attention: Request for Local Agency Account Funding

Empire State Plaza

240 State Street

P-1 South, J Dock

Albany, NY 12242

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# Community Interest Topics & Study Updates



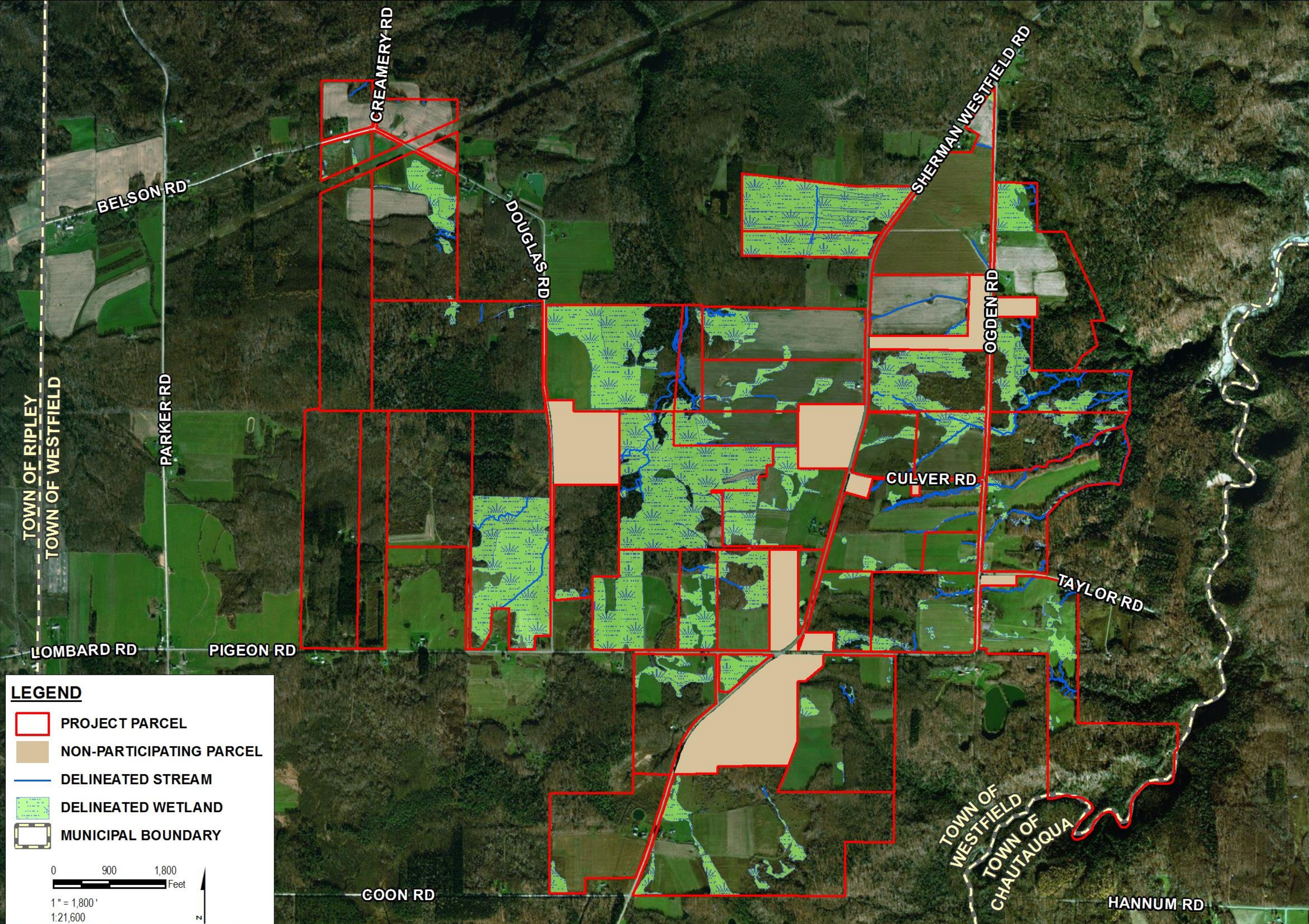
# Wetlands and Waterbodies

- Wetland and waterbody delineation performed onsite in growing season 2020.
  - USACE 1987 Delineation Manual/2012 Regional Supplement.
  - 101 wetlands (468.89 acres) were delineated within the Project Area, including 78 emergent wetlands, 18 scrub-shrub wetlands, 25 forested wetlands, and 7 ponds.
  - 79 streams were identified within the Project Area (15 perennial).
  - Site visit performed with ORES Representatives; report submitted for review.
  - Avoid and minimize impacts to wetlands and water resources.
  - If required, Compensatory Mitigation Plan.





# Delineated Wetlands and Waterbodies





# Rare, Threatened and Endangered Species

- **Breeding Bird Surveys**

- Surveys were performed from Spring/Summer 2020 in accordance with the *NYSDEC Protocol*
- Total of 101 point count surveys.

- **Winter Raptor Surveys**

- Conducted in Winter 2020 in accordance with the *NYSDEC Protocol*
- A total of 40 stationary surveys and 72 driving route survey stops were completed.

- **Other Species**

- Potential for bat habitat in the vicinity of the Project Area





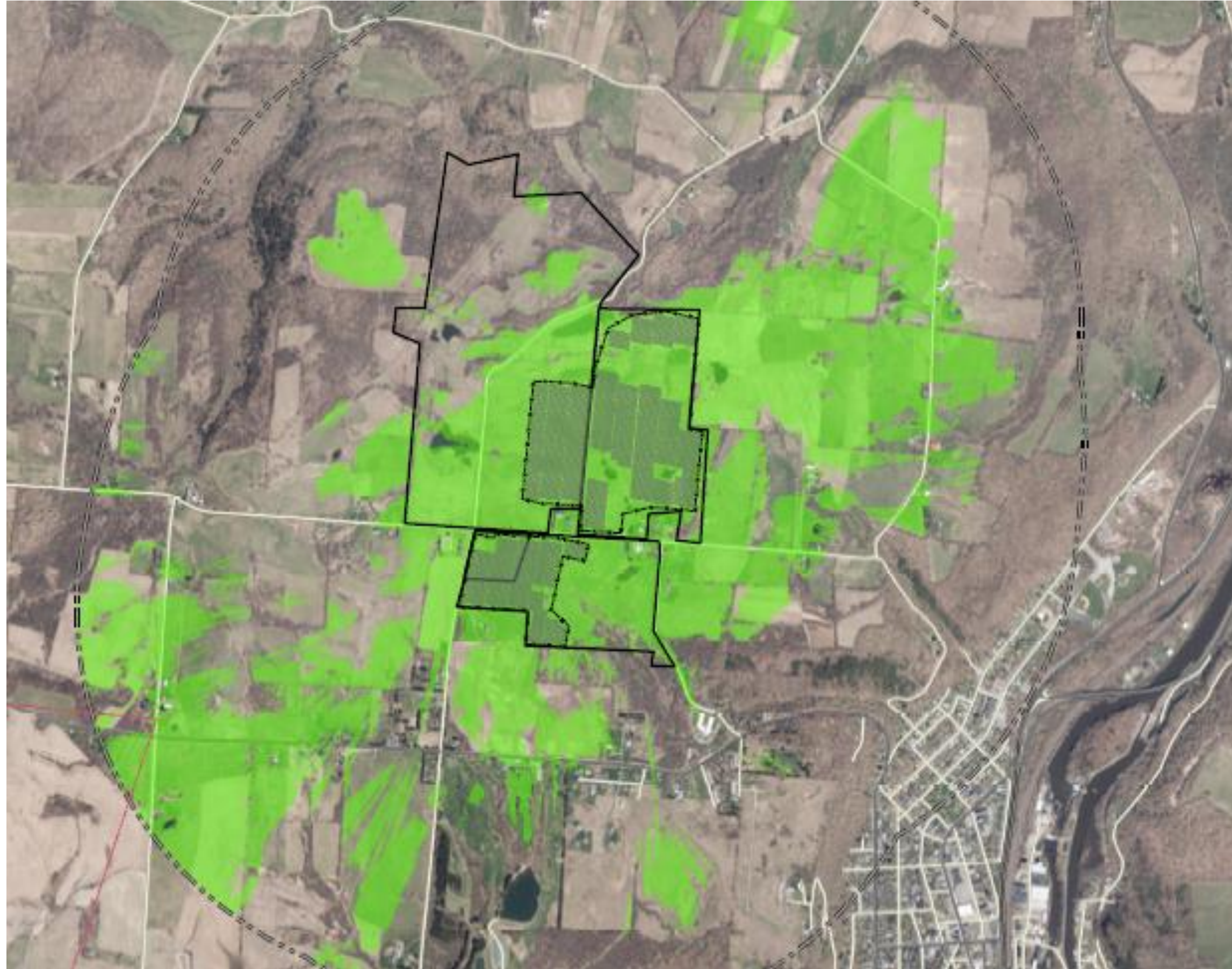
# Visual Resources & Landscaping

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- Visual Impact Assessment (VIA) to determine extent and assess the significance of Project visibility using a two-mile Visual Study Area (VSA)
  - Identification of visually sensitive resources
  - Viewshed mapping
  - Visual Simulations
    - Prepared from public vantage points with representative Project views
  - Glare analysis
  - Visual Impact Analysis
- Landscaping plan will include:
  - Visual/vegetation mitigation and screening
  - Backdrop of plantings that primarily consist of an evergreen tree mix

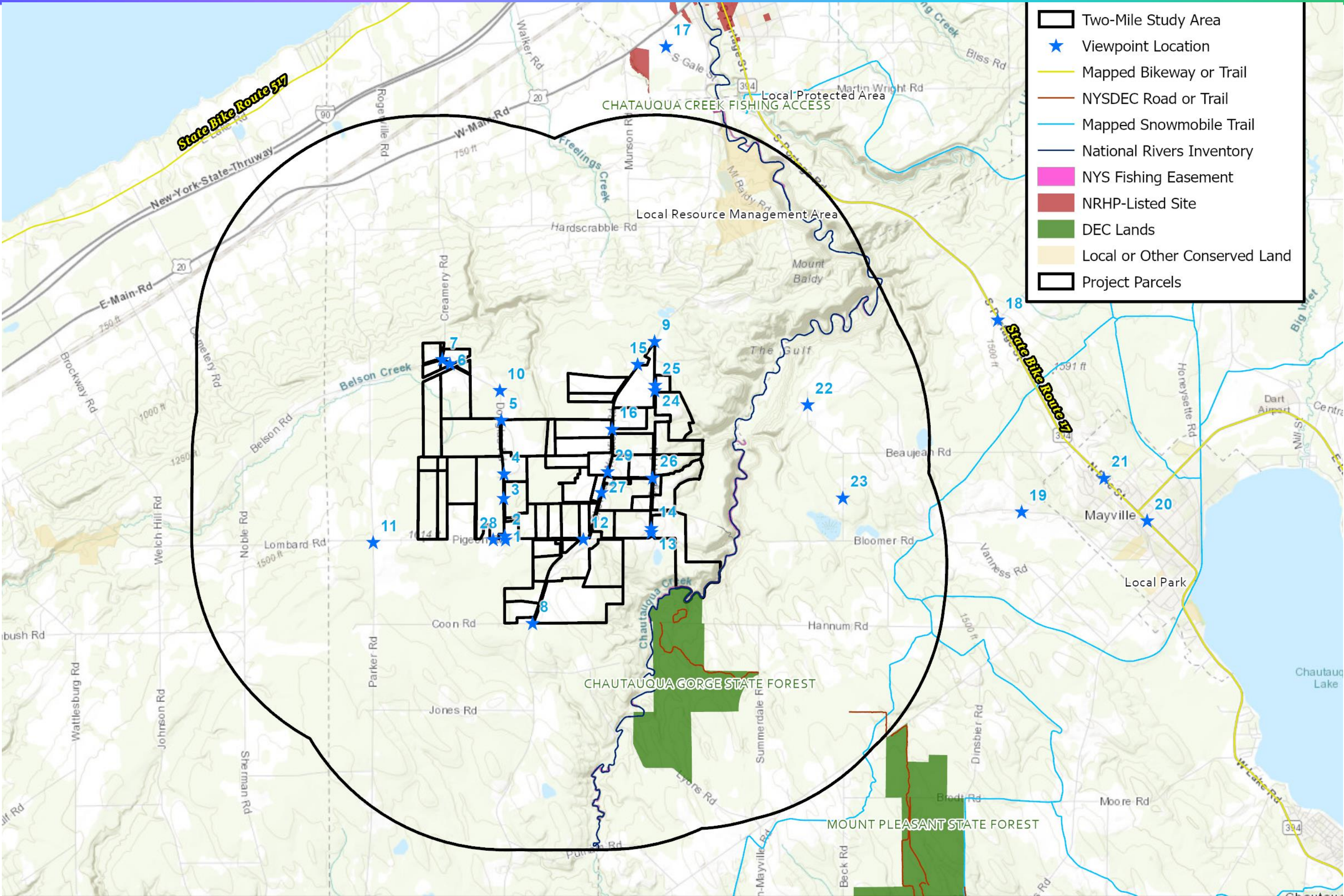


# Viewshed Mapping – *Example*





# Preliminary Photo Viewpoint Locations & Visual Resources





# Representative Viewpoint - Sherman Westfield Road





# Sound Studies

- Measure existing sound levels in the Project Area at multiple locations for a minimum of four days and nights
- Sound level modeling of construction and operational noise from solar facility, including collector substation
- Technical sound study report to support Exhibit 7 including maps of all sources and residences in the Project Area, modeling results, and a comparison to all Section 94-c criteria at residences and property lines





# Representative Sound Levels

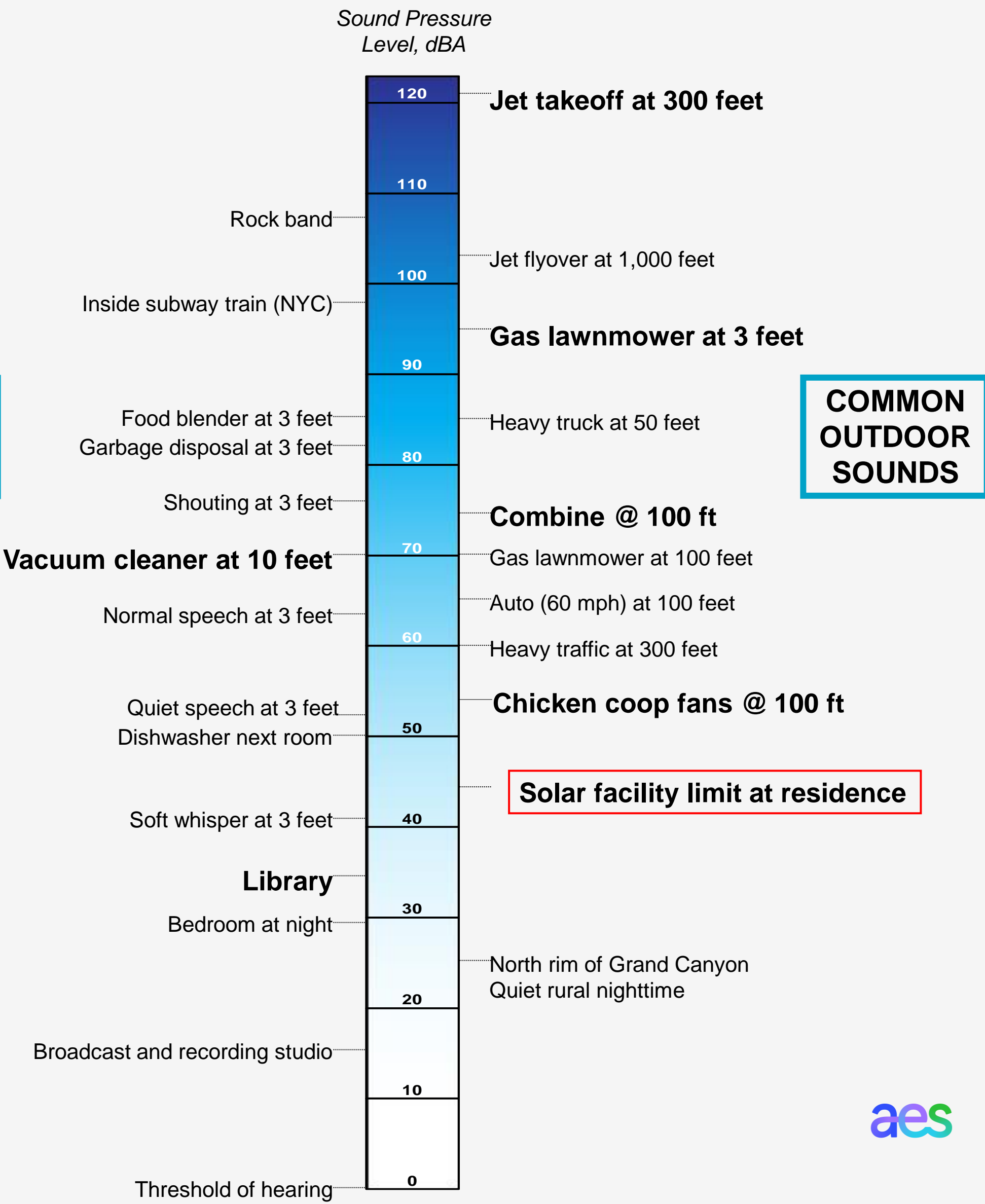


Graphic courtesy of *Epsilon Associates Inc.*  
3 Mill & Main Place, Suite 250 | Maynard, MA 01754  
[www.epsilonassociates.com](http://www.epsilonassociates.com) | 978-897-7100

## References:

1. Harris, Cyril, "Handbook of Noise Acoustical Measurements and Noise Control", p 1-10., 1998
2. "Controlling Noise", USAF, AFMC, AFDTC, Elgin AFB, Fact Sheet, August 1996
3. California Dept. of Trans., "Technical Noise Supplement", Oct, 1998

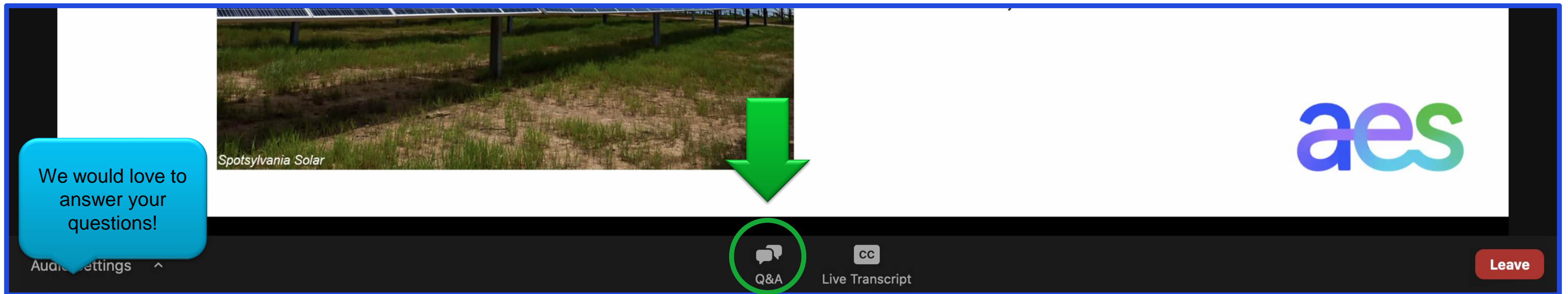
## COMMON INDOOR SOUNDS





# Q & A Session

- Please submit questions via Zoom Q&A
- Can't access the Q&A feature? Submit questions to [empiresolar@aes.com](mailto:empiresolar@aes.com)
- Please fill out our brief survey
- Contact us any time





# Empire Solar Contact Information

## Project Representatives



*Eric Will, Senior Manager*

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*Brett Hastings, Senior Manager*

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