



BROOKSIDE SOLAR, LLC

Matter No. 21-00917

900-2.24 Exhibit 23

Site Restoration and Decommissioning

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Appendix 23-1. Site Decommissioning and Restoration Plan

Acronym List

AES	The AES Corporation, Inc.
bgs	below ground surface
LOC	letter of credit
NYCRR	New York Codes, Rules and Regulations
ORES	Office of Renewable Energy Siting
USCs	Uniform Standards and Conditions

Glossary Terms

Applicant

Brookside Solar, LLC, a subsidiary of The AES Corporation, Inc. (AES), the entity seeking a siting permit for the Facility from the Office of Renewable Energy Siting (ORES) under Section 94-c of the New York State Executive Law.

Facility

The proposed components to be constructed for the collection and distribution of energy for the Brookside Solar Project, which includes solar arrays, inverters, electric collection lines, and the collection substation.

Facility Site

The parcels encompassing Facility components, which totals 1,471 acres in the Towns of Burke and Chateaugay, Franklin County, New York (Figure 2-1).

Towns

The Towns of Burke and Chateaugay, Franklin County, New York.

Exhibit 23: Site Restoration and Decommissioning

This Exhibit provides information required in accordance with the requirements of Section 900-2.24 of the Section 94-c Regulations.

While it is possible that the use of this Facility Site for solar energy production may be extended or additions to the site may be completed at a future date, at this time, the Applicant has developed a conceptual Site Decommissioning and Restoration Plan (the Plan) (Appendix 23-1) for the Facility to return the land to productive farmland or fallow farmland, similar to what is currently found within the Facility Site. The intent is for the site to be reclaimed and returned to conditions that are as close as possible to the pre-construction conditions.

Utility-scale solar panels available on the market today, like the panels proposed for this Facility, are typically designed to last for a minimum of 25 years. The Applicant will continually maintain the solar panels throughout the useful life of the Facility. The Facility Site has been selected for its ability to harness solar energy in tandem with landowners willing to participate, and ease of access to transmission facilities. While the Plan outlines standard procedures for decommissioning of the Facility, the Applicant intends for the Facility to be operational for several decades.

In the event that the Facility permanently ceases operations at the end of its useful life, or due to an unlikely, unforeseen circumstance prior to the end of its useful life, the Plan will be implemented to remove, reuse, and/or recycle, to the maximum extent practicable, equipment and related materials to restore the Facility Site to its pre-construction condition to allow for continued agricultural activities and open space use by the landowners. Brookside Solar, LLC is also committed to provide financial assurance that will cover the net site decommissioning and restoration costs, in the unlikely event that the Applicant is unable to complete decommissioning of the Facility. The financial assurance will be allocated to the Towns of Burke and Chateaugay (Towns) to cover the costs associated with the removal and restoration of the Facility.

23(a) Performance Criteria for Site Restoration

The items listed below include site restoration performance criteria proposed for Facility decommissioning following the useful life of the Facility (minimum of 25 years). Although highly unlikely, in the event that construction of the Facility begins but cannot be completed, the same

performance criteria would apply. The Plan has been included as Appendix 23-1 of this exhibit and includes the:

- Anticipated operational life of the Facility,
- Site decommissioning activities and schedule,
- Proposed restoration activities,
- Safety and the removal of hazardous conditions,
- Environmental impacts,
- Aesthetics,
- Recycling,
- Potential future uses for the Site,
- Funding, and
- Schedule.

23(b) Site Restoration, Decommissioning, and Guaranty/Security Agreements on Property Not Owned by Applicant

The Facility will be located on locally owned lands; therefore, site restoration, decommissioning, and security agreements (including provisions for foundations and electrical collection, transmission, and interconnection facilities) between the Applicant and landowner, municipality, or other involved entity, are required. The Plan details the site restoration, decommissioning, and security agreements made between the Applicant, landowners, and other involved entities for the Facility Site.

As noted above, the Applicant agrees to work with the ORES staff on an acceptable form of financial assurance if not a letter of credit (LOC). The LOC or bond will remain active for the life of the Facility until decommissioning occurs. The Towns will hold the LOC (if selected as the type of financial surety) and the Applicant would execute a decommissioning agreement with the Towns to establish a right for them to draw on the LOC, should the Applicant fail to complete decommissioning and restoration activities.

23(c) Gross and Net Site Decommissioning and Restoration Estimate

A gross and net site decommissioning and restoration estimate has been provided in the Site Decommissioning and Restoration Plan. The estimate includes the anticipated cost of

decommissioning and restoration activities associated with each Facility component, as well as projected salvage value. Decommissioning costs have been prepared to include the removal of Facility components, including underground collection lines less than or equal to 48 inches below ground surface (bgs). Additionally, costs associated with the removal and restoration of haul road locations, where appropriate, based on the Facility layout, have also been included.

Conclusions

The Plan has been developed to describe the process by which the land within the Facility Site is to be reclaimed and returned to pre-construction conditions, to the extent practicable. At that time, Facility components will be removed, reused, and/or recycled, to the maximum extent practicable. Brookside Solar, LLC is also committed to providing financial assurance to the Towns that will cover the net site decommissioning and restoration costs, in the unlikely event that the Applicant is unable to complete decommissioning of the Facility. The Facility has been designed to comply with the Plan, 19 New York Codes, Rules and Regulations (NYCRR) Section 900-2.24, and the Uniform Standards and Conditions (USCs).