

White Creek Summary of Questions Raised

11.30.2022

Towns of York and Leicester Municipal meeting, 2 - 3:30pm

York Town Hall, 2668 Main St, York, NY 14592

- When will we be submitting for 94-c application?
 - We are targeting May 2023
- Which entity will review and grant waivers?
 - The state does – ORES grants these permissions
- Was the visual impact feedback form sent out?
 - Response from EDR: Yes, that went out on November 16th 2022 – results are not In
- What are the zoning considerations around the Greenway?
 - There is a 100-foot setback requirement and we are currently 30ft from the boundary we may seek a waiver, pending design
- Are York and Leicester to come to an agreement of coding or how will the towns work through conflicting codes?
 - The codes do not conflict—no issue
- Will there need to be permitting granted by both Towns?
 - No, it will be the same shared permit
- Will the town apply for local law intervener funding and how do the intervener funds work?
 - \$1000/MW, \$135,000 paid by AES to the municipalities
 - 30 days after the draft permit is issued a due date is established after the draft permit. That is when the host towns request an issuance of state compliance.
 - The application for intervener funds goes to ORES \$1000 MW up to \$135,000 use by local agencies 75% of the funds are reserved for the municipalities under 94c (limited to consultants during permitting review and application review). Example difference between this fund and the escrow negotiation of host agreements or other costs for consultants outside of permit and application review.
- Regarding baseline noise levels: Have you received any feedback on identification of sensitive receptors?
 - EDR conducted visual outreach; Visually Sensitive receptors request mid to early November 2022; at the time of the meeting, they had not received any feedback. Extensive residents' studies are conducted using desktop visual analysis using aerial shots to identify home or structure and that is confirmed with staff to drive around and confirm classification of the structures. EDR then used the third party RSG to produce the mapping.
- Have you reached out as part of the survey to get input from the Towns?
 - Yes, EDR, on behalf of AES, reached out during the visual studies however, not for noise. These were sent out via mailers from Kiva, EDR APC, but can be sent via email if easier. AES confirmed the best place to send these surveys was the Town Clerk.
- Were there any studies conducted in the radiofrequency field?

- No, only over 69 kb. Solar studies differ from wind studies and often do not require EMF studies, these are low impact solar panels
- What are the types of panels?
 - Bifacial modules mounted on single access trackers
- How are you dealing with runoff associated with the panels and who pays for culvert upgrades?
 - Stormwater design is a requirement of Stormwater Pollution Prevention Plan (SWPPP) plan. AES will respond to erosion pre, during and post construction as applicable to the site, these studies are in progress.
- Is the Town of York or Leicester the primary producer of energy?
 - The Towns share production based on the latest design of the facility site
- Why are we not pursuing batteries?
 - BESS has not been a part of this project conversation for the last two years; it would be difficult to add in now – there is a queue position requirement of BESS plans that needs to be submitted to NYISO. That was not submitted when Community energy filed over two years ago and AES acquired that standing.
- Which roads will be used for construction and how will they be protected?
 - Access roads TBD, we are working on them in the current design.
- How does the decommissioning plan work?
 - Bond provided to the Towns— we are required to lay out the decommissioning plan of the project. There are differences of below and above ground assessment. The company is responsible for this process through the 94C process. If the company is unable to decommission, there is a thorough evaluation required through ORES that would require a bond if a project has been inactive for 90 days or more (this is very unlikely to be needed).
- What local law waivers will we be seeking?
 - YS addressed this above
- Is this a phase project, or all in one?
 - Yes, all in one. Construction may have specific stages, but it will be a continuous construction cycle.
- If an emergency situation occurs, how do we respond?
 - AES is responsible for a safety response plan, which is in progress.
- When will the Towns have a conceptual layout of the site?
 - At the point of this meeting AES had 5% layout and continues to work with an agency to develop the designs in stages of 30%, 60%, 90%. A layout will be provided to towns, and other agencies present at the meeting with studies and exhibits and full layout at 60% - presumed to be complete by April.
- What is the anticipated timeline of construction completion from start to finish?
 - 1 year (2025-2026)
- Will the array's electrical connections cross roads, are there above or below ground?
 - These are underground and we are working with our real-estate department to review road, railroad, private property and other types of easements to appropriately string all array connections together, below ground.
- How many jobs created during the construction of this project?

- As part of our socioeconomic plan we will layout of plan that will be presented as part of the 94C application to detail FTE
- What will we do to ensure safety/security at the site and access in case of an emergency?
 - We are working on our safety and security plan as per 94C

11.30.2022

Towns of York and Leicester Community Meeting, 5:30 - 7 pm

Genesee River Restaurant, 134 N Main St. Mt. Morris 14510

- What are the construction hours (concerned neighbors about construction noise)?
 - Answered with ORES 94-c hours
- How will this project benefit the community?
 - Directed to community benefits posterboard
- How do NYISO filings work?
- How will the Genesee Valley Greenway trail be impacted by this project?
 - Answered via visual impact simulations and mitigation provided by EDR
- How does the HCBA work?
 - Talked about the pending PILOT with the IDA and the allocation of funds
- How does the archaeology studies process work? Why are the areas of sensitivity private information?
 - Deferred to DP at EDR for analysis
- When will construction begin?
 - Directed to the project timeline
- How will noise levels be measured during construction and mitigated?
 - Directed to CG at EDR

Town meeting presentation (board order):

- Interconnection and review of the project area/layout
- Project expected timeline (Permitting, construction, completion)
- 94-c process - Q2 2023 ORES – 30 days intervening funding application needs to be submitted by local entities
- Pre application requirement 94-c Overview and AEC compliance
- Pre-Application Local Consultation Meeting
- Pre-Application Local Consultation – Exhibit preparations
- Presentation of the attendees of the meeting attendees included: Special council of Lester and York, highway superintendent, Fire Chief, Emergency Management, Highway Superintendent, Town Supervisors, Engineer Advisor for the Town, AES, EDR and Young Somer Representatives
- Technical Studies with EDR: Environmental and Cultural Studies and 94c application organization.
- Presentation from EDR on Archeological Studies and Phase 1A of cultural studies and phase 1B
- Local Law substantive requirements
- Review of technical studies completed
- Local Agency Account funding