



Date Prepared:

**NYS Department of Agriculture and Markets – Agricultural and Markets Law §305(4)
Short Form Notice of Intent to Undertake an Action Within an Agricultural District for
Solar Energy Projects Affecting Less than 30 acres of Mineral Soil Groups (MSG) 1 - 4**

Instructions: The purpose of this form is to provide NYSERDA with the necessary information required to submit a Notice of Intent to the Department of Agriculture and Markets (NYSAGM) for the Project Developer. Please populate all fields in this form, and provide additional requested documents/maps in a single file with a maximum file size of 20 MB, and return to NYSERDA, with a copy to commercial.industrialpv@nyserda.ny.gov. This complete submission is required to be uploaded as part of your NY-Sun Commercial/Industrial application. **If the proposed project impacts more than 30 acres of MSG 1-4 or is stacked¹ with other projects on the same parcel impacting more than 30 acres of MSG 1-4, please refer to the Notice of Intent Long Form.** NYSERDA has provided Contractors with mapping resources [\(the interactive map is available here\)](#) to assess the level of overlap that their Facility Area is expected to have on MSG 1-4. All submissions on or after March 22, 2023 must use this form version.

I. Project Maps

Provide, as part of your response package to NYSERDA, maps showing the site of the proposed action including the following:

The proposed solar array layout of the project on an aerial image.

Label or annotate the map with all affected landowners, including tax map numbers, surrounding land uses, and type(s) of agricultural production.

Label all points of interconnection with the public utilities, all transmission lines associated with the project, equipment storage or mobilization pads/construction areas, and access roads/driveways

Include any siting considerations that determined the location of the solar array, such as wetlands, grading restrictions, municipal setback or zoning requirements, landowner requests, etc.

A copy of the NRCS Web Soil Survey map of all affected parcels, including the breakdown of soils impacted (MSG 1 - 4)².

II. Project Description and Agricultural Setting:

Project Name:

Public Entity: NYS Energy and Research Development Authority

Project Company:

Project Developer:

Project Contact Information:

Name:

Title:

Company:

Phone Number:

Email:

¹ Stacked projects are defined as multiple projects greater than 1MWdc that are abutting and located on parcels of real property that are owned by the same landowner(s). Stacked projects will undergo aggregated review. The impacted MSG 1-4 acreage will be aggregated across all stacked projects to determine the required mitigation.

² Mineral Soils Group (MSG) 1-4 are defined by the NYS Department of Agriculture and Markets for each soil type in each county identified by the United States Department of Agriculture, and are used to classify the state's agricultural lands based upon soil productivity and capability. Each county in New York State has a listing of all soil types present in the county that is associated with a specific mineral soil group, MSG 1 through 10.

Contact Information of other individuals authorized to respond to Agriculture & Markets inquiries:

Name: Title: Company:
 Phone Number: Email:

Project Address: County:
 Authority Having Jurisdiction: Agricultural District:
 Is this project stacked with another project?: Yes No Number of Points of Interconnection?:
 Total Parcel Size: Total Facility Area³:
 Total Impacted MSG 1-4 acres within the Facility Area:

Fill out the below table for each Point of Interconnection. As an example, if there is only one Point of Interconnection, fill out only Facility 1. If the project has 3 separate Points of Interconnection, fill in Facilities 1 through 3.

	System Size kWac	System Size kWdc	Date of Interconnection Application	Facility Area	Impacted MSG 1-4 acres within the Facility Area			
					MSG 1	MSG 2	MSG 3	MSG 4
Facility 1								
Facility 2								
Facility 3								
Facility 4								
Facility 5								

Anticipated date of commencement of proposed action⁴:

Provide information regarding the system size, NY-Sun incentives awarded, the current status of interconnection and any other relevant information for the project.

Describe any siting considerations that impacted the placement of the array, such as the presence of delineated wetlands, grading restrictions, municipal setbacks or other zoning requirements, shading setbacks, landowner restrictions, etc.

³ The Facility Area is defined as all land area occupied during the commercial operation of the generation facility, the associated interconnection equipment and, if applicable, energy storage equipment as verified by NYSERDA through the Operational Certification process. Generally, this will include all areas within the facility's perimeter security fence(s) and the applicable facility related improvements outside of fenced areas. The Facility Area shall include the area "inside the fence" of the project including all fencing inclosing the mechanical equipment such as the solar arrays, inverters, location of any combiner boxes, fuses, switches, meters, distribution boards, monitoring systems such as Balance of Systems components, interconnection equipment, and stormwater controls. The Facility Area shall additionally include improvements of the project "outside of the fence" including access roads, parking areas, stormwater controls and other permanent facilities, or structures installed at the Facility Area, except vegetative landscape screenings or appropriately buried utilities such as electrical conductors or conduit(s).

⁴ The commencement date is the first day the Project Developer/Developer starts any construction-related activity and may include, but is not limited to, creating access road(s), digging underground trenches, starting land clearing, staging supplies and/or equipment, or installing solar panels.

Affected Landowners⁵:

1. Name(s):
Address:
Parcel Number(s):

2. Name(s):
Address:
Parcel Number(s):

3. Name(s):
Address:
Parcel Number(s):

Operator of the Parcel (if different from the listed landowner):

III. Adverse Agricultural Effects:

Has the proposed action been approved by the affected local municipality?

Yes No

If no, please cite approvals which are still pending:

Is the parcel subdivided, or will the parcel be subdivided?

Yes No

If yes, will the parcels be merged after the system has been decommissioned?

Yes No N/A

Has the Project Company avoided and/or minimized impacts to prime soils in the consideration of the proposed layout?

Yes No

Please explain:

Will unaffected portions of any impacted farms remain in agricultural production?

Yes No

If yes, will the landowner have access to the remainder of the agricultural field?

Yes No N/A

⁵ Provide the names, addresses, and tax parcel identification numbers for the landowners that are directly affected by the construction of the proposed project within the agricultural district. This includes the owners of the land where the project will be constructed and any other landowner that may be affected by the construction of an access road or transmission lines across their property. Do not include landowners within the project vicinity that are not within the agricultural district.

IV. Alternatives to the Proposed Action:

Describe alternatives to the proposed action, and reasons why the project site was selected as the preferred site for the proposed action. An alternative site is viewed as any other parcel(s) that were assessed or reviewed to be a potential candidate to host the project, before arriving at the selected location. Provide only the tax parcel ID and a brief explanation as to why the parcel was not ultimately selected.

Tax Parcel ID	Reason Not Selected
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V. Mitigation Measures Proposed:

NY-Sun supported Projects in Agricultural Districts are required to adopt the NYSAGM [Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands \(10/18/19\)](#) (Guidelines) in their entirety. Confirm both that the Guidelines will be adhered to in their entirety and include a signed copy with this filing.

I confirm that the Project will conform to the NYSAGM Guidelines, in their entirety.

Signed copy of Guidelines included in application.

A copy of the project's decommissioning plan is included.

Does the decommissioning plan ensure the project site will be restored to its previous condition upon decommissioning?

Yes No

If no, please explain:

Additional mitigation measures proposed, if any:

When this form is completed, the Project Company must provide their signature prior to submitting the form to NYSERDA.

Project Company Authorized Signature

Date