

Draft Community Engagement Plan

**Kingbird Solar
Town of Sheridan,
Chautauqua County, New York**

August 2024

Table of Contents

1.0	INTRODUCTION	1
2.0	APPLICANT AND PROJECT DESCRIPTION	3
2.1	Company Profile	3
2.2	Project Summary	3
2.3	Project Benefits.....	4
3.0	STAKEHOLDERS	5
3.1	Host Community and Representatives	5
3.2	County Agencies and Representatives	5
3.3	State Agencies.....	5
3.4	Federal Agencies	6
3.5	Legislative Representatives	6
3.6	Highway Departments.....	6
3.7	Schools	6
3.8	Emergency Responders	6
3.9	Adjacent Municipalities	6
3.10	Utilities	6
3.11	Public Interest Groups	6
3.12	Airports and Heliports	7
3.13	Participating Landowner(s)	7
3.14	Adjacent Landowner(s).....	7
4.0	PROPOSED COMMUNITY ENGAGEMENT PLAN AND ACTIVITIES	8
4.1	Plan Schedule, Activities, and Goals	8
4.2	Consultations with Affected Agencies and other Stakeholders	9
4.3	Activities to Encourage Stakeholders to Participate at the Earliest Opportunity	9
4.3.1	Town Board Meetings	9
4.3.2	Public Education Activities	9
4.4	Project Contact Information	10
4.4.1	Local Access to Project Representative(s)	10
4.5	Activities Designed to Educate the Public on the Proposal and the Application Process	10
4.6	Mitigating Public Concerns	10
5.0	CONCLUSION	11

Attachments

Attachment A - Stakeholders/Notification List

List of Acronyms and Commonly Used Abbreviations	
ACENY	Alliance for Clean Energy New York, Inc.
ACS	American Community Survey
AHJ	Authority Having Jurisdiction
Applicant	Kingbird Solar NY LLC
Application	Application through the New York State Environmental Quality Review (SEQR) Process
CES	Clean Energy Standard
CFR	Code of Federal Regulations
CLCPA	Climate Leadership and Community Protection Act
DOE	Department of Energy
EJ	Environmental Justice
EJA	Environmental Justice Area
EPC	Engineer-Procure-Construct
FAA	Federal Aviation Administration
GIS	Geographic Information System
HCA	Host Community Agreements
kV	Kilovolt
MW (h)	Megawatt (hour)
NYCRR	New York Codes, Rules, and Regulations
NYISO	New York Independent System Operator
NYSERDA	New York State Energy Research and Development Authority
O&M	Operations and Maintenance
ORES	Office of Renewable Energy Siting
PILOT	Payments In Lieu of Taxes
POC	Point(s) of Contact
POI	Point of Interconnection
Project	Kingbird Solar
Project Area	Locations being evaluated for placement of permanent Project facilities, including the proposed collection substation and interconnection facilities
PSL	Public Service Law
PV	Photovoltaic
RECs	Renewable Energy Credits
RFP	Request for Proposal
SEP	New York State Energy Plan
SEQR	The New York State Environmental Quality Review Act
Study Area	All areas within at least two (2) miles of the Project Area
USEPA	United States Environmental Protection Agency

1.0 INTRODUCTION

SunEast Development (“SunEast”), through its wholly owned subsidiary, Kingbird Solar NY LLC (the “Applicant”), is developing Kingbird Solar (the “Project”), an approximately 20-megawatt alternating current photovoltaic (PV) solar energy generation facility in the Town of Sheridan, Chautauqua County, New York under regulations of the New York State Environmental Quality Review Act (SEQR). The Project will involve the development, construction, operation, and maintenance of a utility scale solar facility. It will consist of photovoltaic panels arrayed primarily in fields on tracking structures and include buried electrical collection cables, inverters, access drives, an electrical transmission line and a point of interconnection, fencing, and temporary laydown areas for equipment staging during construction.

This Community Engagement Plan (CEP) describes the Applicant’s public outreach and involvement activities that are being applied throughout the development of the Project. The intent of the CEP is to determine the interest of stakeholders and address feedback / concerns as the development of the Project advances. The CEP presents the proposed Project, identifies anticipated interested parties and stakeholders, outlines activities planned for stakeholder engagement, and establishes the avenues through which members of the public can participate in the process.

In addition, this Draft Community Engagement Plan includes elements requested by the New York State Energy Research and Development Agency (NYSERDA) in the Request for Proposals (RFP) for Purchase of New York Tier 1 Eligible Renewable Energy Certificates (RECs) (RFP Number, RESRFP24-1)

- Identification of the Authority Having Jurisdiction (AHJ) and taxing School District, including local elected officials’ names, contact information and tenure;
- Details of outreach strategies and activities the Applicant has implemented to date and will use to engage stakeholders and interested parties, including affected agencies, and to encourage public involvement throughout the pre-award, development, construction, and operation phases, including methods of communication and specific channels the Proposer intends to use to disseminate Bid Facility information;
- Applicability of the Climate Leadership and Community Protection Act (CLCPA) goals regarding benefits to Disadvantaged Communities that would be realized with the development and construction of the Bid Facility;
- Planned frequency of public events and the anticipated duration, in years, of the public engagement events of community outreach, and strategies to ensure that public engagement events are widely attended by a representative cross section of host community residents;
- Details of the direct benefits to the community the Proposer will advance, which may include a local ownership stake in the facility, reduced energy bills for those with homes or businesses in the Bid Facility’s vicinity, and/or other direct benefits;
- Details on past/planned engagement regarding payments in lieu of taxes (PILOT) agreements or host community agreements (HCAs);

- Description of local interests and concerns, including identifying plans to thoughtfully build support for and respectfully responding to any opposition to the Bid Facility;
- Identification of strategies the Applicant will use to mitigate concerns raised by the public regarding the Bid Facility, and if applicable, Energy Storage. This may include visibility and viewshed Impact mitigation efforts, accommodations to co-locate agricultural activities, or other issues of importance to the host communities; and
- Methods for soliciting feedback and input from the public and affected agencies and the process for sharing feedback and responses publicly.

2.0 APPLICANT AND PROJECT DESCRIPTION

2.1 Company Profile

The Project is owned by SunEast Development, one of the leading solar development companies in New York, New England, and the Mid-Atlantic states. With offices in Old Lyme, CT, and Malvern, PA, SunEast's experienced management team has developed over 1,000 MWs of renewable generating facilities across the U.S. including over 600 MWs of renewable generating facilities currently operating in the State of New York.

The Project is expected to be compatible with the New York State policies promoting renewable energy goals, including the 2015 New York State Energy Plan (SEP), the Clean Energy Standard (CES), and the CLCPA¹ of 2019, which proposes to achieve 70 percent of the State's electricity to be originating from renewable sources by 2030 (superseding the 50 by 30 goal)² and 100 percent renewable energy production by 2040.

2.2 Project Summary

The Project, as proposed, is an approximately 20 megawatt (MW), utility-scale solar facility located on land which will be leased from owners of private property located in the Town of Sheridan, Chautauqua County, New York. The Applicant has identified a Study Area to focus their community engagement activities around and for the purposes of this Draft Community Engagement Plan, the Study Area is a 2-mile radius from the edge of participating parcels.

The Project has completed a variety of surveys, studies, and desktop due diligence on the site. Kingbird Solar commissioned a third-party study of the 115 kilovolt (kV) transmission line #142 adjacent to the site where the Project will connect to the existing electric grid. The Project has executed binding site control over the entire Project Area and is expected to complete all transmission studies as required by the New York Independent System Operator (NYISO) within the next twelve months.

Project facilities will include commercial-scale solar arrays, access roads, buried (and possibly overhead) electric collection lines, a collection substation, and electrical interconnection facilities. The Applicant anticipates the Project will include arrays of PV panels, with a maximum height profile of 14 feet, producing direct current electricity mounted on single-axis tracking structures that will follow the sun throughout the day, inverters to convert direct current electricity to alternating current electricity and electrical collections system between the panel arrays, all within approximately 5 feet to 7 feet high fencing.

¹ Climate Leadership and Community Protection Act Bill. 2019. Available at https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/GPB%237NYS_CLIMATE_LEADERSHIP_COMMUNITY_PROTECTION_ACT_MEMO.pdf. (Accessed August 15, 2019).

² New York State Energy Plan. 2015. Available at <https://energyplan.ny.gov/>.

2.3 Project Benefits

The Applicant is developing the Project with a vision of bringing utility-scale solar power to New York. The Project is expected to be consistent with the Public Service Commission's Orders in the Clean Energy Standard Proceeding, and the Climate Leadership and Community Protection Act, and the Accelerated Renewable Energy Growth and Community Benefit Act, all of which support the development of clean energy and renewable resources in NYS. The Project is intended to contribute to the CLCPA targets of generating 70% of the State's electricity from renewable energy by 2030 and achieving 100% emissions free electricity supply by 2040.

Additionally, the Project is expected to deliver a material amount of greenhouse gas-free energy to the New York electricity grid. Solar energy is particularly beneficial during the summer months, as consumer demand increases to meet air conditioning loads. Because it uses no fuel, solar energy avoids the air pollution that would result from meeting this increased demand solely from fossil fuels, and it dampens the cost of power at this time of peak conventional power cost.

The Project is also expected to have positive socioeconomic impacts in the area related to employment opportunities, specifically by generating temporary construction employment, a significant portion of which will likely be drawn from the regional labor market. Local construction employment will primarily benefit those in the construction trades, including equipment operators, truck drivers, laborers, and electricians, and is anticipated to potentially generate up to 60 short term jobs during installation of the Project.

According to data from the interim criteria identified by the New York State, disadvantaged communities include communities that are:

- a) located within census block groups that meet the HUD 50% AMI threshold, that are also located within the DEC Potential Environmental Justice Areas; or
- b) located within New York State Opportunity Zones

By these criteria, the Project is within one mile of a disadvantaged community in Dunkirk. The creation of job opportunities because of the development and potential construction of the Project has the potential to lead to a realization of economic benefits within this community as well.

Additionally, the Project anticipates contributing to the economic development of the host community by establishing a scholarship / internship whose aim will be to support the students and learners within the Town of Sheridan and Chautauqua County as a whole.

Over the operation period, the Project is expected to contribute millions of dollars in additional revenue to the Town of Sheridan, Chautauqua County, and the local school district in the form of a payment in lieu of taxes (PILOT) agreement or host community agreement (HCA). PILOT payments to local taxing jurisdictions are estimated to be \$2 million throughout the life of the project. The Project is expected to bring other socioeconomic benefits to the local community through the purchase of goods and services from local shops, hotels, restaurants, and

construction material suppliers, as well as direct lease payments to participating landowners. The Project's short- and long-term payments and other benefits to the local host community could total up to an estimated \$5 million dollars.

3.0 STAKEHOLDERS

The Applicant and Project have identified stakeholders through discussions with the local Town and Planning Board members, community engagement by Project staff, assessment of local organizations, and utilization of geographic information systems (GIS) to determine the regions, districts, and territories covered by agencies, as well as town, county, and state representatives who are expected to take part or have interest in the Project.

A five-mile buffer of the Study Area was created to identify potential stakeholders by proximity. Throughout the pre-construction and construction process, the Applicant will continue to build the Project stakeholder list as community networks connect additional parties to the Project.

Descriptions of stakeholder categories are in the sections below. Attachment A contains the preliminary Project stakeholder list and the current known contact information for each stakeholder.

3.1 Host Community and Representatives

For the purposes of this Draft Community Engagement Plan, the host community refers to the municipalities that contain the Project Area and are anticipated to include Project components. Town and Planning Boards representing the host community within the Project Area were identified by review of town and county boundary maps and are considered stakeholders. Points of Contact (POC) will be the Town Supervisor and the Town Clerk. Notices will be addressed to the full Town Board, care of the POC and the appropriate Clerk, with language clearly stating the expectation that the notices and information should be distributed to the full board and relevant local agency heads, such as Highway Superintendents.

3.2 County Agencies and Representatives

County agencies, with areas of responsibility potentially affected by the Project, were identified by review of the county websites, calls to county personnel, and/or county GIS data. Note that the County Emergency Response Coordinator and Sheriff are identified as stakeholders and are listed under the category of "Emergency Responders."

3.3 State Agencies

Departments of New York State governments were identified using the Applicant's experience in developing utility projects in the region.

3.4 Federal Agencies

Agencies of the U.S. government were identified using the Applicant's experience in developing projects in the United States.

3.5 Legislative Representatives

Offices of the New York State Legislature, the U.S. Senate, and U.S. Congress representing the Study Area were identified by review of online district maps.

3.6 Highway Departments

County and town departments responsible for managing roads in the Study Area were identified by review of town and county boundary maps, and online research.

3.7 Schools

School districts serving parcels in the Study Area and school districts adjacent to these districts were identified by review of county tax maps and online research.

3.8 Emergency Responders

Fire departments, emergency responders and police or sheriff departments serving parcels in the Study Area were identified by review of county tax maps and online research.

3.9 Adjacent Municipalities

Adjacent municipalities were identified by review of county tax maps and online research and includes municipalities within the Study Area.

3.10 Utilities

Companies that own gas, electric, or communications infrastructure in the Project Area were identified by available local and state geographic information databases and online research. Utility companies will be contacted concerning location of facilities, design standards for construction near existing infrastructure, facility design, and safety considerations.

3.11 Public Interest Groups

Organizations that serve interests of the public in the Study Area were identified from the 2019 list of county officials that includes county and town historians, and online research. This category includes business organizations, county and town historians, conservation or environmental organizations, and organized groups focused on use of the Project Area for outdoor recreation.

3.12 Airports and Heliports

The Federal Aviation Administration (FAA) evaluates potential impacts on air navigation for proposed structures that exceed certain criteria, such as heights greater than 200 feet above ground level and in close proximity to public use and military airports (14 Code of Federal Regulations (CFR) §77.9(a-e)). The proposed Facility will not trigger notification to the FAA, however airports within the Study Area are included on the stakeholder list.

3.13 Participating Landowner(s)

A property owner that has entered into a lease, easement, purchase option, or setback agreement with the Project and will allow construction of Project facilities on their property is considered a “participating landowner.”

The participating and adjacent landowners are anticipated to be notified of Project milestones and events in the same manner as all residents of the Project Area. We expect to include participating landowners in the mailings, outreach activities and notifications that are provided to the stakeholders identified in this Draft Community Engagement Plan and as the Project progresses. However, for privacy purposes, these names and addresses are not included in this Draft Community Engagement Plan.

3.14 Adjacent Landowner(s)

Owners of properties that abut Project facilities, but who are not participating landowners, are considered “adjacent landowners.” Specifically, “adjacent landowners” are those landowners within 2,500 feet of a proposed solar collector array, or proposed switchyard, or within 500 feet of other Project components (e.g., collection lines, point of interconnection (POI), operations and maintenance (O&M) facility, energy storage system, etc.).

Adjacent landowners will continue to be notified as the Project progresses. The identities of potential host and adjacent landowners are determined from county GIS records, tax records, and personal visits by representatives of the Project. For privacy purposes, these names and addresses are not included in this Draft Community Engagement Plan.

4.0 PROPOSED COMMUNITY ENGAGEMENT PLAN AND ACTIVITIES

The Applicant anticipates that communication and community engagement will be an ongoing process that evolves throughout project development. Proposed community engagement activities intended to foster public participation may include:

- Providing a project fact sheet and provide a one-page handout with basic information about the project, the Applicant, renewable energy, the permitting process and the potential economic stimulus
- Organizing open house(s) as needed
- Providing architect renderings depicting the viewshed from various locations
- Reviewing and address concerns about the Project and opportunities for support
- Consultation with interested agencies and stakeholders. The goals of the initial consultation with the relevant agencies / municipalities will be to consult with representatives, disseminate information, request information, and schedule follow-up meetings and/or consultations, as appropriate. Specific information provided to the affected agencies and municipalities will include the location and a description of the Project.

The Applicant anticipates that these meetings and public education activities will play a key role in its community engagement plans. The Applicant also intends to establish a user-friendly website in plain English that describes the Project and provides updates throughout the development and construction phases of the Project to keep the community informed of the Project's status.

4.1 Plan Schedule, Activities, and Goals

Public engagement activities are expected to be conducted throughout the development process including during the application and post-application phases. Materials to encourage public involvement throughout the process, such as newsletters, local meetings and open house events will be an integral part of this Community Engagement Plan. The Project development team is committed to actively engaging stakeholders to keep the community and interested parties informed and involved.

4.2 Consultations with Affected Agencies and other Stakeholders

At any stakeholder meetings or conference calls, a member of the Project development team will be represented by one or more Project representatives. Throughout the development process, Project staff will be available to answer questions from stakeholders.

Consultation meetings in the past have included an overview of the proposed Project and the Application review process. Additional topics covered during future stakeholder consultations will vary depending on the stakeholder's role and potential impact. Stakeholder consultation meetings will be documented and summarized by the Project team.

Plan Objectives

Engage with all stakeholders to understand Project interests and concerns

Seek stakeholder input and gather objective information to aid in study plans and Project designs

Gather information on local resources to be included in the Application

4.3 Activities to Encourage Stakeholders to Participate at the Earliest Opportunity

4.3.1 Town Board Meetings

The Applicant has presented the concept of the Project at scheduled board meeting at the host municipalities early in the pre-application and application phases of development of the Project. As part of the presentations, Project representatives discussed the Project, introduced the Applicant and provided known details of the permitting process. The Applicant also provided details on the anticipated Project benefits and activities occurring in the area. Going forward, the Applicant will continue to respond to questions and receive input from the board. If invited, the Applicant commits to attending future meetings as well.

4.3.2 Public Education Activities

If need be, the Applicant may hold open house style public meetings. The location of the open house style public meetings will be selected with the goal of providing maximum accessibility to the largest number of residents and will likely be held at two different times on the same day to provide multiple opportunities for interested persons to attend. Their locations will be discussed with local stakeholders to ensure accessibility to a large group of people. At least two representatives of the Project development team will be present at the meetings and the Applicant will provide notice via mail, newspaper notifications and by email to the stakeholder list.

The meetings will feature a brief opening overview presentation by the Project representatives, followed by a continually looping presentation and poster displays on the Project, solar energy, and the status and schedule of the Project. One-on-one and small group informational discussions may take place, providing opportunities for attendees to gain information on the Project, have their questions addressed, and provide input to the Project representatives.

4.4 Project Contact Information

4.4.1 Local Access to Project Representative(s)

The Project representative at this time is:

Mike Beckner, Head of Development, +1 (484) 983-3130

Contact information for the representative(s) (including name, address and email) will be posted at the host municipalities office and in outreach materials. Additionally, this information will be made available at stakeholder consultations, town board meetings and at the open house(s).

4.5 Activities Designed to Encourage Stakeholder Participation

All of the activities described in the above sections, including the open house and various forms of stakeholder outreach, have been designed with an aim to provide opportunities for stakeholders to participate in the Project development and permitting process. Consultations will be considered successful if:

- (1) information about the Project and the Application process was provided to stakeholders in an appropriate and timely manner,
- (2) any relevant information provided to the Applicant was utilized to help advance the scoping and project design processes and preparation, submittal and review of studies and the Application, and
- (3) if follow-up meetings or consultations were scheduled or undertaken when necessary.



4.6 Mitigating Public Concerns

The Project commits through this Draft Community Engagement Plan to work to understand the local community and landowners' concerns with the Project and aid in mitigation where required or appropriate. For example, a general practice that may be used is to plant the area under the solar panels with a seed mix that is friendly to pollinator species which will help the overall area in pollination of plants.

If required, additional Project drawings and visibility analysis will be shared through the application process and once publicly available the Applicant will seek to work with town officials and/or local representatives to address their Project impact concerns.

In a typical process, a person who may have an impact from the Project will contact the Project representative through the avenues listed in Section 5.4 or through their local representative. Every public concern is taken seriously, and a Project representative will professionally

communicate with the landowner to identify the source of their concern as well as any potential mitigation that may be required.

Access to accurate information will be key to the community engagement plan. As such, the Applicant will make sure all meeting and outreach events will be posted at the town offices, and the frequency of meetings about the Project will be dictated by the local community authorities. A few ways the Project may propose to mitigate concerns include:

- Implementing visibility and viewshed impact mitigation efforts
- Co-locating agricultural activities within the Project site
- Establishing a robust the decommissioning plan to remove all equipment at the end of the Project's useful life
- Sharing (when they are available) construction schedules and routes to mitigate disturbances

5.0 CONCLUSION

The Applicant is steadfast in its commitment to actively engage and involve the host community during the project development process. The Applicant further expects to be proactive in arranging meetings with organizations, groups and individuals from the list of stakeholders who represent a cross section of interests (i.e. – government officials, neighbor and adjacent property owners, environmental / conservation groups, businesses) to make sure any concerns are addressed.

ATTACHMENTS

**Attachment A – Kingbird (Town of Sheridan & Chautauqua County)
Stakeholders/Notification List**

Host Community and Representatives

Town of Sheridan Supervisor
Tom Wik
2772 Route 20
Sheridan NY 14135
716-672-4174

Town of Sheridan Clerk
Rebecca Schafer
2772 Route 20
Sheridan NY 14135
716-672-4175 x1
sheridantownclerk@gmail.com

For more information, see: <https://www.sheridanny.org/>

County Agencies and Representatives

Chautauqua County
Paul Wendel Jr.
County Executive
Gerace Office Building
3 N. Erie St.
Mayville NY 14757
716-753-4211

Chautauqua County
Larry Barmore
County Clerk
1 N. Erie Street
P.O. Box 170
Mayville NY 14757
716-753-4331

For more information, see: <https://chggov.com/county-executive/County-Executive>

Highway Departments

Chautauqua County
Deputy Highway Superintendent
Scott Thompson Jr.
716-661-8234
highwaypermits@chggov.com

Schools

Jamestown Public School District
Kevin Whitaker
Superintendent
716-483-4420
Kevin.J.Whitaker@jpsny.org

Emergency Services

Chautauqua County
Edward Stevens
Director – Chautauqua County Emergency Services
315-765-2527
911@ocgov.net

Adjacent Municipalities

City of Dunkirk City Clerk
Lillian Divine
City Hall First Floor
342 Central Ave
Dunkirk NY 14048
716-366-0452

Airports and Heliports

Jamestown Airport
3163 Airport Drive
Jamestown NY 14701
716-484-0204
fischers@chggov.com