

Cypress Creek Renewables, LLC
PRO 37105 Bear Ridge Solar, LLC

NYSERDA LSR REC Solicitation
Cypress Creek Renewables, LLC
Bear Ridge Solar, LLC PRO 37105

Community Engagement Plan
RESRFP23-1 Update
January 2024

Cypress Creek Renewables is pleased to submit this January 2024 Update to the Community Engagement Plan submitted in August 2021 in support of RESRFP21-1, which is appended as attachment 1. The August 2021 Community Engagement Plan is incorporated herein by reference. We understand that this Community Engagement Plan Update provided in the Step Two Bid Proposal will be made available to the public by NYSERDA shortly following submission of the Step Two Proposal. This update covers outreach/engagement-involvement activities between September 2021 to the present (January 2024).

As requested, the authorities having jurisdiction and the taxing school district are as follows:

Town of Cambria – Supervisor Jon MacSwan - (716) 433-8523, ext. 119 or
supervisor@townofcambria.com

Town of Pendleton - Supervisor Joel Maerten – (716) 625-8833, ext. 113 or
jmaerten@pendletonny.us

Starpoint Central School District – Superintendent Sean Croft, Ed.D. (716) 579-4101

The Town of Cambria Supervisor was newly-elected in November 2023; his first term in office commenced this month (January 2024). Cypress Creek has been in contact with Supervisor MacSwan and an initial in-person meeting has been scheduled for February 6th at the Cambria Town Hall.

RESRFP-23-1

The Town of Cambria and Pendleton Supervisors were both notified regarding Cypress Creek’s intent to enter the Bear Ridge Project into RESRPF23-1. On January 16, 2024, the following was sent to both via email:

As you may recall, The Bear Ridge Solar Project was notified in the Spring of 2022 that its bid for renewable energy credits under NYSERDA’s 2021 Solicitation had been accepted. Given changes in project economics, that bid was terminated in November 2023. Cypress Creek is in the process of preparing a new bid for renewable energy credits in response to NYSERDA’s 2023 expedited renewable energy solicitation. Our Step One Eligibility Application for RESRFP23-1 has been accepted by NYSERDA; we are preparing the detailed Step Two Bid Proposal for filing January 31, 2024.

Permitting

Cypress Creek Renewables has received a final 94-c Siting Permit from the NYS Office of Renewable Siting for the Bear Ridge Solar Project. Our application was submitted on December 1, 2021. The Application includes Exhibit 02, which is a Project Overview and outline of public involvement issues. The ORES 94-c Application Exhibit 2 is attached to this plan, as attachment 2. We are also attaching the Appendix to Exhibit 2, detailing Local Engagement and Outreach Efforts (as Attachments 3 and 4, given the file size). ORES determined our application to be complete on August 2, 2022 and issued draft permit conditions on October 3, 2022. ORES also issues a combined notice of public comment period and public comment hearing on October 3, 2022. ORES held three public comment hearings on December 13 and 14, 2022. Following the close of the public comment period, Cypress Creek prepared and submitted a comprehensive Response to Public Comments on January 20, 2023, attached hereto as attachment 5. On July 31, 2023, ORES issued the final permit for the Bear Ridge Solar Project.

ORES has established a docket for the Bear Ridge Solar Docket under number 21-02104. The docket is accessible at:

<https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=21-02104&CaseSearch=Search>.

The docket includes all filed documents, and all public comments. The Application documents are also available at local libraries. In November 2022 we worked with the Lockport Public Library on providing electronic versions of ORES Documents.

Following the issuance of a completeness determination by ORES, Cypress Creek worked collaboratively with the Towns of Cambria and Pendleton to identify suitable locations for the ORES Public Comment Hearing. Following issuance of the Draft Permit by ORES, these efforts continued in terms of mailing requisite notices to Town residences.

Safety

In September 2021, Cypress Creek began the process of reviewing our Safety Response Plans with local officials. We held meetings with the Niagara County Fire Coordinator, and then a combined meeting with the Fire Departments and Town Officials. Notes from our September 23, 2021 meeting with the Niagara County Fire Coordinator are attached as attachment 6. Minutes from our October 25, 2021 meeting with the Fire Departments and Town Officials are attached as attachment 7.

Sierra Club

Cypress Creek Renewables, LLC
PRO 37105 Bear Ridge Solar, LLC

In early 2022 Cypress Creek began working with the Sierra Club, exploring the possibility that the environmental organization would endorse and support the Bear Ridge Solar Project. The Sierra Club presented us with a list of criteria they used to evaluate Solar projects. Working with local Western New York Sierra Club members, we provided responses to the Sierra Club Criteria, and provided our detailed environmental resource reports for their review. Our February 8, 2022 Responses to the Sierra Club's Endorsement Criteria are attached as attachment 8. We met with the Sierra Club Western New York members on February 9th in our Bear Ridge local office. After discussing their endorsement criteria and our responses, we toured the project area and met with one of the landowners. The Sierra Club subsequently endorsed the project and so stated at the ORES Public Comment Hearing.

Host Community Agreement/PILOT

In August 2022, Cypress Creek re-engaged with the Town on developing a Host Community/PILOT Agreement. On December 12, 2022 we met with the Towns of Pendleton and Cambria staff to discuss approaches to developing an HCA/PILOT for the project. worked with the Towns of Cambria and Pendleton on setting up a meeting to discuss the Host Community Agreement. The materials we developed to support these discussions are attached, as attachment 9. These discussions are ongoing.

Compliance Phase

As we work through the pre-construction compliance plan phase of the permitting process, we remain committed to engaging with the Towns and County and concerned citizens. We are maintaining a local office, which will be utilized to support construction, Operation and Maintenance activities.

Attachments

- Att 1: PRO 37105 Bear Ridge Solar Community Engagement Plan RESRFP 21-1 (August 2021)
- Att 2: ORES 94-c Application Exhibit 2 Overview and public involvement
- Att 3: ORES 94-c Application Exhibit 2 Local Engagement and Outreach Efforts Part 1 of 2
- Att 4: ORES 94-c Application Exhibit 2 Local Engagement and Outreach Efforts Part 2 of 2.
- Att 5: ORES 94-c Draft Response to Public Comments
- Att 6: Introductory Meeting with Niagara County Fire Coordinator
- Att 7: Fire and Safety Consultation Meeting Minutes
- Att 8: Sierra Club Endorsement Criteria Response (February 8, 2022)
- Att 9: Bear Ridge HCA_PILOT (11/28/2022)

NYSERDA LSR REC Solicitation
Cypress Creek Renewables, LLC
Bear Ridge Solar Project, LLC PRO 37105

Community Engagement Plan

August 2021

Cypress Creek understands that this Community Engagement Plan provided in the Step Two Bid Proposal will be made available to the public by NYSERDA shortly following submission of the Step Two Bid Proposal.

As requested, the authorities having jurisdiction and the taxing school district are as follows:

- Town of Cambria – Supervisor Wright Ellis - (716) 433-8523, ext. 119 or supervisor@townofcambria.com
- Town of Pendleton - Supervisor Joel Maerten – (716) 625-8833, ext. 113 or jmaerten@pendletonny.us
- Starpoint Central School District – Board President Michael Zimmerman – (716) 579-4101

Cypress Creek has elected to “Opt-in” the Bear Ridge Solar project pursuant the new 94-c permitting process for large scale renewable projects under the Office for Renewable Energy Siting. We have an approved Public Involvement Plan (attached) for the Bear Ridge Solar Project under the Article 10 Siting Process. Our community engagement efforts will continue to be guided by the PIP as we transition to the new siting process.

In 2019 Cypress Creek implemented a number of community engagement advocacy activities in support of the Bear Ridge Project. These activities included:

- Collaborative meeting with IBEW 237, and Buffalo Niagara Trade Council produced commitment to (1) attend public meetings as a demonstration of support and (2) provide letters of support advocating for project.
- Collaborative meeting with Sierra Club produced commitment to (1) provide access to network for supporters and (2) provide letters of support advocating for project.
- Collaborative meeting with NCCC established commitment to help create and facilitate Solar Workforce Development Working Group, with first meeting to take place before end of 2019. Working Group will provide guidance for CCR solar workforce program in coordination with NCCC.
- Follow on meeting with Pendleton CAC (Conservation Advisory Council) produced inputs guiding new outreach initiatives from supportive forum.
- Collaborative meeting with NFARS (Niagara Falls Air Reserve Station produced CCR sponsorship of NFARS as demonstration of commitment to veterans.

- CCR advocacy for local representation on Siting Board contributed to encouraging the state to make ad hoc appointment, demonstrating CCR commitment to public participation, transparency, and community support. David Naus, Pendleton Planning Board and 5-year President of IBEW 237 was appointed this month

In the Fall of 2019, Cypress Creek retained a boots-on-the-ground outreach coordinator, and opened a community outreach office in Lockport, increasing public awareness and has provided local residents with an important contact to gain answers to their questions. Mailings and other communications (including website updates) have been initiated, and will continue to demonstrate responsiveness, offer speakers for local groups, and eliminate disinformation about solar farming. More specifically, Cypress Creek initiated the following advocacy and outreach activities:

- CCR appointed local resident Rikki Cason as Community Outreach Coordinator, and opened Outreach Office—gained positive press coverage and immediately generated community inquiries
- First class mailing to project abutters to invite and schedule neighborhood walks to identify areas of concern to inform project layout modification. Initial walks have contributed inputs that will be used and credited with modification to be announced by end of 2019.
- New initiative to establish local committee to plan Pollinator PILOT installation, in collaboration with local Boy/Girl Scouts to promote education of parents and children and to help troops earn environmental badges.
- NYCLV: Participation in NYCLV Education Fund event, Buffalo (and Albany and Syracuse events), Sponsorship of NYCLV Capital Region Cocktail Party, Albany November 7th.
- A Bear Ridge Solar Project Update e-newsletter is being regularly distributed.

Cypress Creek has also developed a \$10 Million Dollar Host Community Agreement Plan that will make important contributions to local services, towns, and schools. The HCA is further described in the attached presentation, which has been shared with the AHJs. That announcement prompted immediate interest and an invitation from the Starpoint Central School District Board to return to the district for a meeting, a strong indicator of a shift in position.

- Produced positive press coverage
- Generated email support letters
- Resulted in presentation meeting with Starpoint School Board, gaining reception for project in local school district, interest in rooftop solar project for school buildings, and interest in exploration of STEAM program.

The Covid-19 pandemic has had an adverse impact upon our outreach activities in 2020, but we are slowly reestablishing our advocacy and outreach efforts:

- One-on-one meetings with residents who have stopped in our community office.
- Given monthly updates to Town of Cambria officials, along with updates to Town of Pendleton officials and the Starpoint Central School District Board of Education.
- Spoken with Orleans-Niagara BOCES about workforce development opportunities, along with opportunities to promote the solar industry in future.
- Worked with Niagara County Community College on workforce development partnership.
- Started a monthly workforce development committee, made up of local leaders, community members and educational representatives to discuss ways Bear Ridge Solar can best partner with local schools on workforce development opportunities.
- Gave a project overview at Niagara County Chamber of Commerce meeting.
- Took out sponsorship with the Niagara County Air Base, and participated in events that were included with yearly sponsorship.
- The local outreach office was closed from mid-March to the end of August 2020. It has reopened on an appointment basis, with strict safety protocols.
- The project newsletter and website became the main vehicles for maintain contact and a flow of information with interested stakeholders.
- Started work on a test pollinator garden, working with local students and community to make this happen. While COVID-19 forced this project to pause, we look forward to being able to pick this project up in the future, working with area youth, and educating the public on the importance of pollinators.
- As soon as it was safe to do so, Cypress Creek's Senior Developer had an in-person meeting in May with the Town of Cambria Supervisor. They also maintained a monthly status call.
- In August further discussions were held with the IBEW and Trade Council
- In July, Cypress Creek accompanied NYSDEC on a field visit to confirm the field delineation of wetland boundaries within the project area. This visit was followed by a conference call to discuss environmental impacts associated with the project and the path forward regarding permitting approach.
- In September, Cypress Creek held a conference call with NYSDAM to discuss agricultural concerns associated with the project as well as the path forward regarding permitting approach.

In 2021, Cypress Creek began to implement the requirements of the new 94-c siting process. Our community outreach and engagement efforts will continue and ramp up, to the extent practicable in adherence with Covid-19 safety protocols. IN July , we held a round of meetings with the Towns of Pendleton and Cambria and Niagara County; we also hosted a community meeting to update residents and other interested stakeholders regarding the status of the

project. . Our future activities will encompass the following and will continue throughout project development and construction:

- Additional meetings with the Towns of Cambria and Pendleton and Niagara County
- Community Outreach meetings
- Monthly status checks with the Towns
- Frequent project update newsletters
- As needed updates to the project website
- Additional outreach to IBEW/Trade Council, including the development of a joint Memorandum of Understanding
- Engaging the Starpoint Central school districts and local community college

The Bear Ridge Solar Project is located in a rural and agricultural portion of Niagara County. As such, there is no direct applicability of the CLCPA goals regarding benefits to Disadvantaged Communities that would be realized with the development and construction of the project.

Cypress Creek initiated discussions with the Towns and school Districts regarding payments in lieu of taxes (PILOT) agreements or host community agreements (HCAs) in 2019. Those discussions were suspended in early 2020 when the Covid-19 pandemic essentially shut down our development outreach activities. As we transition the project into the new 94-c permitting process, those negotiations and discussions will recommence in the fourth quarter of 2021.

Opposition to large scale solar in Niagara County has been voiced in the local media, and on social media platforms. Support has also been voiced in the Western New York region. Our approach to opposition is to educate and inform the public about the benefits of solar power in term of meeting the State's CLCPA goals. Our goal is to engage in a useful, reasoned and informed dialogue, building trust with the local community.

One of our goals through our community engagement efforts is to inform the public regarding the impacts associated with the project, and our efforts to avoid, minimize and mitigate adverse impacts. This includes environmental, visual, agricultural and economic impacts. Our goal is to integrate the solar project into the ongoing active agricultural activities within the project area.

Cypress Creek employs several methods for soliciting feedback and input from the public and affected agencies. We participate in in-person meetings, telephone and video conferences, email and phone conversations, and interactions through our webpage. When community meetings are held, we take note of questions asked and response given. Consultation with the agencies is documented. These then become part of our permitting record. and the process for sharing feedback and responses publicly.

As Cypress Creek commences the r 94-c permitting process, , we will use public notices, newsletters, and webpage postings to alert the public about upcoming community engagement

activities, like community meetings, in an effort to insure these events are widely attended by a representative cross section of host community residents. Of course, measures will be implemented to insure social distancing is maintained and that any such meeting is compliant with current State Covid-19 guidance.

NYSERDA has asked for a description of the most challenging Community Outreach issue that Cypress Creek has encountered on other projects and how we successfully met this challenge. Cypress Creek is proud of our community engagement efforts and our ability to build trust with local municipalities. We offer up two examples of how we successfully resolved community outreach issues:

McCarthy is a project located in the Town of Blooming Grove, located about 1.5 hours north of New York City. It's historically been a difficult town to develop in due to community opposition to development. We worked hand in hand with the Town on code development for nearly a year, including addressing several provisions that would effectively prohibit solar in town. Following code development, we worked with them for another year to zone the project (the first permitted in town). The Planning Board and community members had concerns about the viewshed and impact on neighbors which we mitigated with a "balloon test" that was observed by both the Board and neighbors. They also had concerns about tree clearing involved with the project and we coordinated with the town to mitigate these concerns by funding compensatory tree planting elsewhere. That tree planting will likely take place at a few of the town's schools, another community partnership that we're proud of. Ultimately the project was accepted by the community, approved, and is planned for construction in 2020.

In another example, the MacBeth project in Muskegon County, Michigan, was proposed on a site that was enrolled in agricultural preservation land, which in Michigan requires the installation of pollinators in order for solar to be an allowable use. The town had significant concerns about the viewshed, flora and fauna impacts, and stormwater. Our development team completed a full landscaping plan and visual renderings to show the impacts of pollinators and other grasses on runoff, viewshed, and farm soil health. This effectively addressed the concerns of the community and the project was approved in September 2019.

Attachments

Public Involvement Plan

Host Community Agreement Presentation

Letter of Support

APPENDIX A

Public Involvement Program (PIP) Plan



Public Involvement Program (PIP) Plan
Bear Ridge Solar, LLC
Case Number 18-F-0338
Towns of Cambria & Pendleton,
Niagara County, New York

October 3, 2018

CONTENTS

TERMS & ABBREVIATIONS.....	5
SECTION 1: INTRODUCTION	6
1.1 About Cypress Creek Renewables... ..	7
1.2 Cypress Creek Projects in New York State... ..	8
1.3 Bear Ridge Solar Project Summary.....	9
1.4 Study Area	15
SECTION 2: HOST MUNICIPALITIES.....	19
2.1 Town of Cambria... ..	19
2.2 Town of Pendleton.....	20
2.3 Language... ..	20
2.4 Environmental Justice Populations.	21
SECTION 3: CONTACT AND RESOURCE INFORMATION.....	24
SECTION 4: STAKEHOLDER AWARENESS, ENGAGEMENT, INVOLVEMENT PLAN... ..	26
4.1 Proposed Public Involvement Program Plan.....	26
4.1.1 Stakeholder Identification	27
4.1.1.1 Host and Adjacent Property Owners... ..	28
4.1.1.2 Host Municipalities; Elected Leadership; Federal, State and Local Agencies; School Districts; Interested Parties and Intervenor.....	29
4.1.1.3 Intervenor Status and Funds... ..	29
4.1.1.3.1 Intervenor Funds... ..	30
4.1.1.4 School, Civic, Community, and Business Groups..	30
4.1.1.5 Non-Government Organizations and Special Interest Groups.....	30
4.1.1.6 Media... ..	31
4.1.1.7 Airports and Heliports.....	31
4.2 Outreach and Engagement	31
4.2.1 Stakeholder Communication Methods/Materials	32
4.2.1.1 Public Information Meetings and Outreach Events.....	32

4.2.1.2 Direct Meetings.....	32
4.2.1.3 Community Outreach Office.....	33
4.2.1.4 Advisory Working Groups.	33
4.2.1.5 Pop-up Meetings.....	33
4.2.2 Communication Channels... ..	34
4.2.2.1 Website.....	34
4.2.2.2 Distribution Database	34
4.2.2.3 E-blasts.....	35
4.2.2.4 Direct Mail.....	35
4.2.2.5 Project Brochure	35
4.2.2.6 Public/Legal Notifications	36
4.2.2.7 Posters/Flyers.....	36
4.2.2.8 Advertisements.....	36
4.2.2.9 Media Relations.....	37
4.2.2.10 Document Repository	37
4.2.2.11 Additional Communication Methods	38
SECTION 5: PROJECT MILESTONES.....	38
5.1 Pre-Application & Application Phase.....	38
5.1.1 Consultation with Affected Agencies and Stakeholders.....	38
5.1.2 Stakeholder Engagement.....	41
5.1.3 Project Website.....	41
5.1.4 Stakeholder Notification	41
5.2 Post-Application Phase.....	43

LIST OF FIGURES

Figure 1: Regional Facility Location.....	13
Figure 2: Facility Area.....	14
Figure 3: Facility Study Area.....	17
Figure 4: Preliminary Viewshed Analysis.....	18
Figure 5: Article 10 Process... ..	40

LIST OF APPENDICES

APPENDIX A – Stakeholder Notification List

APPENDIX B – Proposed Project Schedule

APPENDIX C – Outreach Log

APPENDIX D – Stakeholder Involvement – Goals & Objectives

TERMS & ABBREVIATIONS

AC:	Alternating current
CES:	Clean Energy Standard
CCR:	Cypress Creek Renewables, LLC, or Cypress Creek
CO ₂	Carbon dioxide
DC:	Direct current
DEC:	New York State Department of Environmental Conservation
DPS:	New York State Department of Public Service
Facility:	Collectively refers to all components of the proposed project, including PV panels, access roads, buried and above ground collection lines, substations, and staging areas.
Facility Area:	An area of land within which all Facility components will be located.
Facility Site:	Those parcels currently under, or being pursued, for lease (or other real property interests) with the Applicant for the location of all Facility components.
GIS:	Geographic Information Systems
kV:	Kilovolt
MW:	Megawatt
New York:	New York State
NYISO:	New York Independent System Operator
PIP:	Public Involvement Program Plan
POI:	Point of Interconnection
Project:	The process of developing, certifying, and constructing the Facility
PSC:	New York State Public Service Commission
PSL:	New York Public Service Law
PSS:	Preliminary Scoping Statement
PV:	Photovoltaic
Siting Board:	New York State Board on Electric Generation Siting and the Environment
Stakeholder:	Defined by 16 NYCRR 1000.2(an) as those persons who may be affected or concerned by any issues within the Siting Board's jurisdiction relating to the proposed major electric generating facility and any decision being made by it.

SECTION 1: INTRODUCTION

In support of New York State’s Clean Energy Standard (“CES”) mandate to secure 50 percent of the State’s electrical supply from renewable sources by 2030, Bear Ridge Solar, LLC (hereafter the “Applicant”), a wholly owned subsidiary of Cypress Creek Renewables, LLC (“Cypress Creek”) is proposing to construct a 100 megawatt (“MW”) alternating current (“AC”) photovoltaic (“PV”) solar energy generation facility (the “Facility” or “Project”) in the towns of Cambria and Pendleton, Niagara County, New York.

Given the proposed size of the Facility, it is considered a “major electric generating facility” under Article 10 of the New York State Public Service Law. Generally, Article 10 provides for the siting review of new major electric generating facilities in New York State by the Board of Electric Generation Siting and the Environment (the “Siting Board”) in a unified proceeding, instead of requiring a developer of such a facility to apply for numerous state and local permits.

The Public Involvement Program Plan (“PIP”) is a very important part of this process. The information that the Applicant receives through its public outreach program will assist in defining the scope of the studies that will ultimately form the basis of the Application to the Siting Board. Through this process, stakeholder concerns, interests, local knowledge, and recommendations will be evaluated, addressed and considered by the Applicant and the Siting Board. The Applicant also commits to consulting with Department of Public Service (“DPS”) Staff at appropriate times during the outreach period, including during early development of the Preliminary Scoping Statement (“PSS”).

The Siting Board’s rules require that applicants proposing to submit an Application to construct a major electric generating facility under Article 10 initiate the regulatory review process by first filing a PIP. Under the Siting Board’s rules, the PIP must be submitted to the DPS Staff for review at least 150 days prior to filing a PSS.

This document represents the Applicant’s PIP and describes the public outreach and involvement activities that will be utilized throughout the Article 10 review process. Through this PIP, the Applicant (1) formally introduces the Facility; (2) describes the Article 10 process to the local community, stakeholders, and other

interested parties; and (3) outlines future activities related to sharing Facility-related information and establishing how the public can participate in the stakeholder process, including opportunities to ask questions and provide comments.

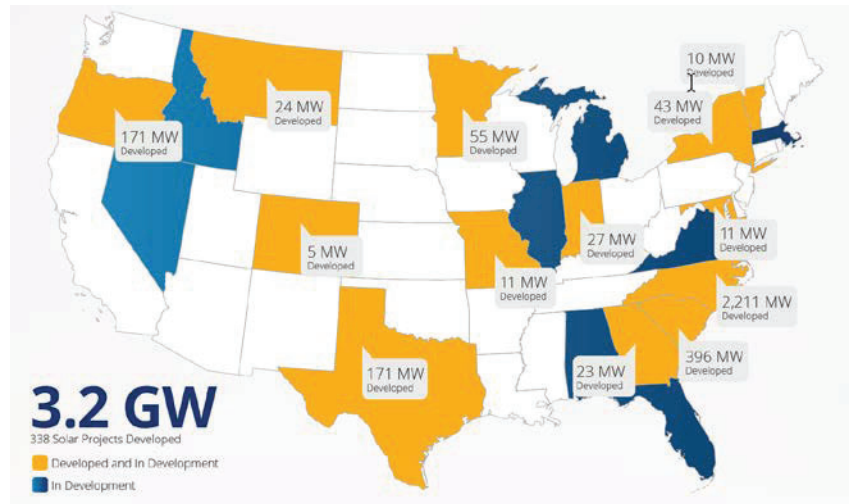
More specifically, as required by the Siting Board's rules and regulations, this PIP includes the following components:

- (1) Consultation with the affected agencies and other stakeholders;
- (2) Pre-application activities to encourage stakeholders to participate at the earliest opportunity;
- (3) Activities designed to educate the public as to the specific proposal and the Article 10 review process, including the availability of intervenor funding for municipal and local parties;
- (4) The establishment of a website to disseminate information to the public and updates regarding the Facility and the Article 10 process;
- (5) Notifications to affected agencies and other stakeholders; and
- (6) Activities designed to encourage participation by stakeholders in the certification and compliance process.

1.1 ABOUT CYPRESS CREEK RENEWABLES

Cypress Creek Renewables (Cypress Creek), one of the nation's largest dedicated providers of solar projects, has established a proven history of partnering with local communities, governments, and utilities to help advance a national clean energy program. Cypress Creek's projects contribute to local economic development and job growth and increase the use of renewables for a cleaner, more affordable, and more reliable source of power nationwide. In 2017 alone, Cypress Creek built nearly 15 percent of all utility-scale solar installed in the United States, more than any other utility-scale solar developer.

Nationally, Cypress Creek has developed over 3 GW of electricity and owns and operates a portfolio of 1.5 GW across four states—enough to power 500,000 homes. The Company has projects operational or in development in 32 states across the country, many in communities like Cambria and Pendleton. Cypress Creek has invested over \$2.8 billion in communities across the United States, creating millions of dollars in local tax revenue and thousands of construction jobs.



Cypress Creek is committed to empowering strong and healthy communities and providing positive benefits to the localities the company serves. The benefits include the following:

- A source of consistent, annual income for the landowners, which is especially helpful when the landowner’s occupation provides variable income, as is often the case year-to-year for farmers;
- New job creation both in temporary construction jobs and long-term solar farm operations, and a stimulus for local business growth and expansion to provide needed services to support the new solar facility;
- New tax revenue streams for the communities it serves; and
- A community commitment by working together with local communities in advancing local projects and helping fulfill community needs, like playgrounds, ballfields, emergency services equipment, job training, and science, technology, engineering, and mathematics (STEM) programs.

1.2 CYPRESS CREEK PROJECTS IN NEW YORK STATE

Cypress Creek has already delivered millions of dollars in investment and economic development to communities across New York State through the completion of 25 permitted community solar projects and the continued development of over 70 community and utility-scale projects.

These are just some of the benefits:

- A partnership with the Hudson Valley Community College Workforce Development Institute to reduce course fees in solar job training, with a focus on recruiting veterans, women, and underrepresented communities into the solar industry.
- Improved soil and agricultural productivity for local farmland resulting from the installation of an on-site pollinator habitat. Through planting and managing native, pollinator-friendly vegetation, stormwater runoff can be reduced by 8-23 percent,¹ and wild pollinator populations, such as bees and butterflies, can be restored and sustained. In 2016, New York lost half of its managed pollinator populations, which are vital for the crop yield of pollinator-dependent crops worth \$344 million to the State's agricultural industry.² Cypress Creek's projects will provide thousands of acres of healthy habitat for insects urgently needed to support agriculture.
- Investments in new solar installations of approximately \$500 million dollars in the next five years, much of it going to the local communities where the solar farms will be developed.
- Clean power to help meet New York State's renewable energy goal of 50 percent clean energy by 2030.

The utility-scale Bear Ridge Solar Facility in Cambria and Pendleton will further increase the Company's contribution to the State by creating approximately 100 MW of clean energy while bringing jobs, investment, and a stable source of revenue into the community.

1.3 BEAR RIDGE SOLAR PROJECT SUMMARY

The Applicant is proposing a 100 MW-AC solar energy facility in the Towns of Cambria and Pendleton in Niagara County, providing enough clean, renewable energy to power approximately 25,000 single-family homes.³ The Facility is proposed to be sited on approximately 900 acres, 750 of which will be in Cambria and 150 in

¹ "Soil, Crop, & Storm Water Benefits of Solar Sites." Fresh Energy, 22 Mar. 2016. Web. <https://fresh-energy.org/tag/storm-water/>.

² NYS Beekeeper Tech Team. 2017 NYS Beekeeper Tech Team report. (Cornell University, 2018).

³ Estimate derived from average electricity use per household in New York State ('Household Energy Use in New York'. https://www.eia.gov/consumption/residential/reports/2009/state_briefs/pdf/NY.pdf) and the estimated electricity production of the Bear Ridge Solar Project.

Pendleton, and will connect to the grid at the existing Mountain—Lockport 115-kV transmission line.

The plans for the Facility began in 2016 with conversations between the Applicant and a group of local farmers/landowners who have lived and farmed in the community for generations. As a result of these informal discussions, Cypress Creek established partnerships with the landowners, who have served as community guides, helping provide local and regional context. With Project approval, these farmers/landowners will be able to continue their long tradition of agricultural production on the rest of their land by partnering with Cypress Creek.

The Applicant estimates that it will invest approximately \$210 million including all construction, material, labor, and professional service-related expenditures. This investment is expected to provide a significant economic stimulus to the area during construction by providing approximately 300 local construction jobs and local contracts, as well as locally-sourced expenditures in goods and services, significant long-term economic benefits through lease revenue to the local landowners, and tax revenue to the community.

Cypress Creek has a proven track record for hiring locally in New York during construction. By the end of 2018, Cypress Creek will have 11 solar projects generating power in the State and over 22 local, NY contractors managing landscaping, construction, electrical work, surveying, and civil work⁴.

The anticipated power output of the Facility is approximately 200 million kWh annually, which will offset an estimated 42,000 tons of carbon dioxide (CO₂) annually, the equivalent of removing 8,000 cars from the road each year.⁵ According to the U.S. Environmental Protection Agency's (EPA) Social Cost of Carbon, a measure, in dollars, of the long-term damage done by a ton of CO₂ emissions in a single year and the value of damages avoided through an emission

⁴Stakeholders or other interested parties who wish to know more can find additional information on the Projects website at: BearRidgeSolar.com.

⁵'U.S. Environmental Protection Agency Emissions & Generation Resource Integrated Database (eGRID).' Web. 2018. <https://www.epa.gov/energy/emissions-generation-resource-integrated-database-egrid>.

reduction, the environmental benefit of this Project will provide an economic benefit equivalent to \$6.2 million per year to the State of New York.⁶

The Facility will include rows of PV panels, also referred to as modules, mounted on posts set in the ground. These rows of PV panels are referred to as “solar arrays.” The solar panels will be supported by a fixed-tilt racking or single-axis tracking racking system no more than 12 feet in height. The anticipated power output of the Project is approximately 200 million kWh annually. Inverters will be placed throughout the Facility (internal to the panel arrays) to convert direct current (DC) electricity to alternating current (AC) electricity. Transformers will be sited near the inverter locations to convert the AC electricity to a voltage transmittable across the electrical grid. Energy storage devices may be constructed and will be sited internal to the panel arrays. No new transmission lines will be constructed to support the Facility. To deliver solar-generated power to the New York State electric grid, the Applicant proposes to interconnect the proposed Facility with the existing Mountain—Lockport 115-kV transmission line, which is owned and operated by National Grid. This transmission line traverses the northern portion of the proposed Facility Area (see Figure 2) in an east—west orientation. At this location near Comstock Road, in the Town of Cambria, the Applicant plans to construct:

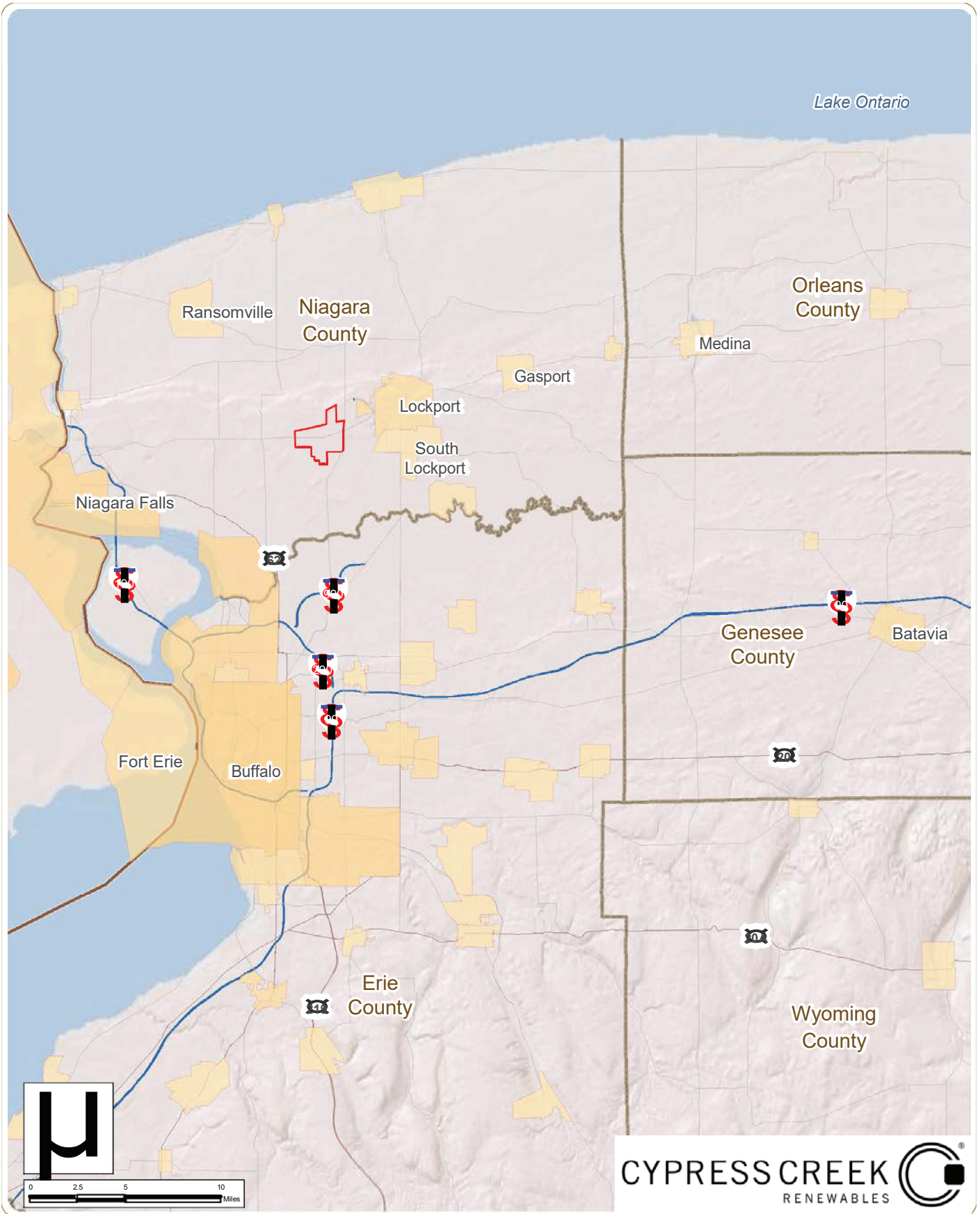
- A secure, fenced-in substation where the Facility’s electrical output voltage will be combined, and its voltage increased to the transmission line voltage of 115-kV via step-up transformers;
- A 115-kV generation tie line (gen-tie) less than 0.5 miles in length that will connect the Facility substation to the switching substation;
- A switching station, to be constructed by Niagara Mohawk Power Corporation (d/b/a National Grid), or by the Applicant, according to the specifications of National Grid, where the electricity will be injected into the existing bulk transmission system;
- A site access road (less than 0.5 miles) to provide permanent access to the above substation facilities;
- Temporary laydown areas for equipment staging during construction; and
- Internal infrastructure including access roads and fencing.

⁶ ‘U.S. Environmental Protection Agency Social Cost of Carbon.’ Web. 2018.
https://19january2017snapshot.epa.gov/climatechange/social-cost-carbon_.html.

In 2016, the Applicant commissioned a transmission injection study of the capacity of the electric grid in the region. This study looked at several alternative interconnection options, estimating the maximum injection capability during various contingencies prior to the thermal limits of transmission lines and transformers in the area being exceeded. The results of the study suggested that interconnecting a 100 MW solar project to this National Grid 115-kV transmission line would be the preferred alternative.

In April 2018, the Applicant filed an Application with the New York Independent System Operator (the “NYISO”) for interconnection of 100 MW into the Mountain – Lockport 115-kV transmission line. The System Reliability Impact Study is currently under way, and therefore the Applicant has secured its position on this transmission line. Cost-effective interconnection of the Facility is a key element that will allow the Applicant to deliver clean and affordable electricity to New York State residents and businesses, helping the State achieve its goal of 50 percent renewable energy by 2030. A preliminary Project schedule, including expected commercial operation and construction commencement, is contained in Appendix B.

The lands that are being evaluated for potential solar development are in the towns of Cambria and Pendleton and are identified in Figures 1 and 2 as the “Facility Area.” Not all the land included in this area will be included in the Project. Rather, the Facility Area represents the broader area within which selected parcels will be developed with solar facilities. This provides flexibility during the Project development phase to minimize and avoid impacts to wetlands, cultural resources, visual resources, wildlife habitat, and other sensitive resources as needed. While the Facility Area encompasses approximately 2,600 acres, the Facility will ultimately be sited on approximately 900 acres of leased private land within the Facility Area, which consists primarily of agricultural land. The Applicant will be leasing the land from private landowners.




Bear Ridge Solar Project

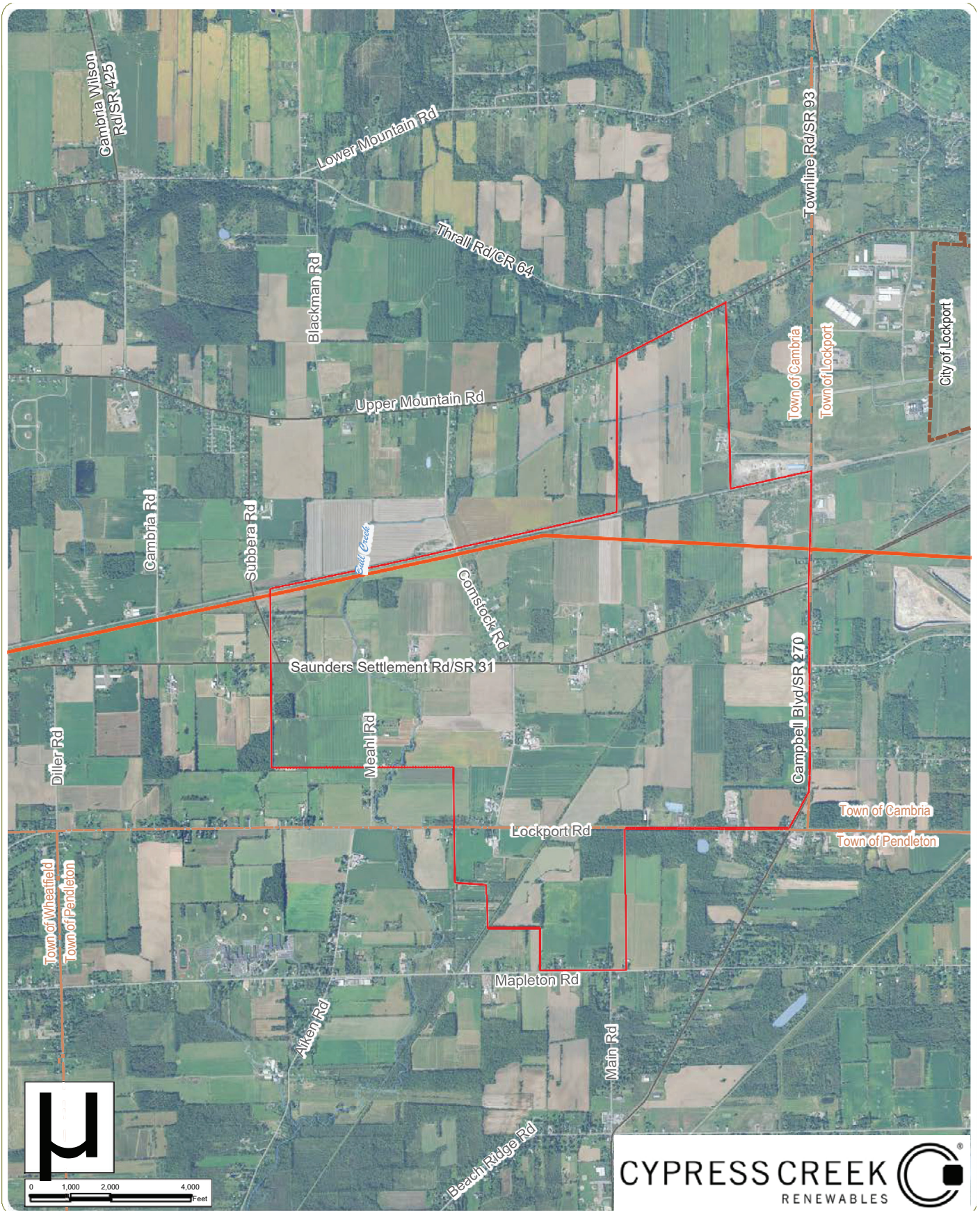
Towns of Cambria and Pendleton, Niagara County, New York

Figure 1: Regional Facility Location

Notes: 1. Basemap:ESRI ArcGIS Online "World Shaded Relief" map service. 2. This map was generated in ArcMap on August 3, 2018. 3. This is a color graphic. Reproduction in grayscale may misrepresent the data.

 Facility Area









Bear Ridge Solar Project

Towns of Cambria and Pendleton, Niagara County, New York

Figure 2: Facility Area

Notes: 1. Basemap: USDA NAIP "2017 New York 0.5m" orthoimagery map service. 2. This map was generated in ArcMap on August 3, 2018. 3. This is a color graphic. Reproduction in grayscale may misrepresent the data.

-  Existing 115 kV Transmission Line
-  Facility Area
-  City/Village Boundary
-  Town Boundary



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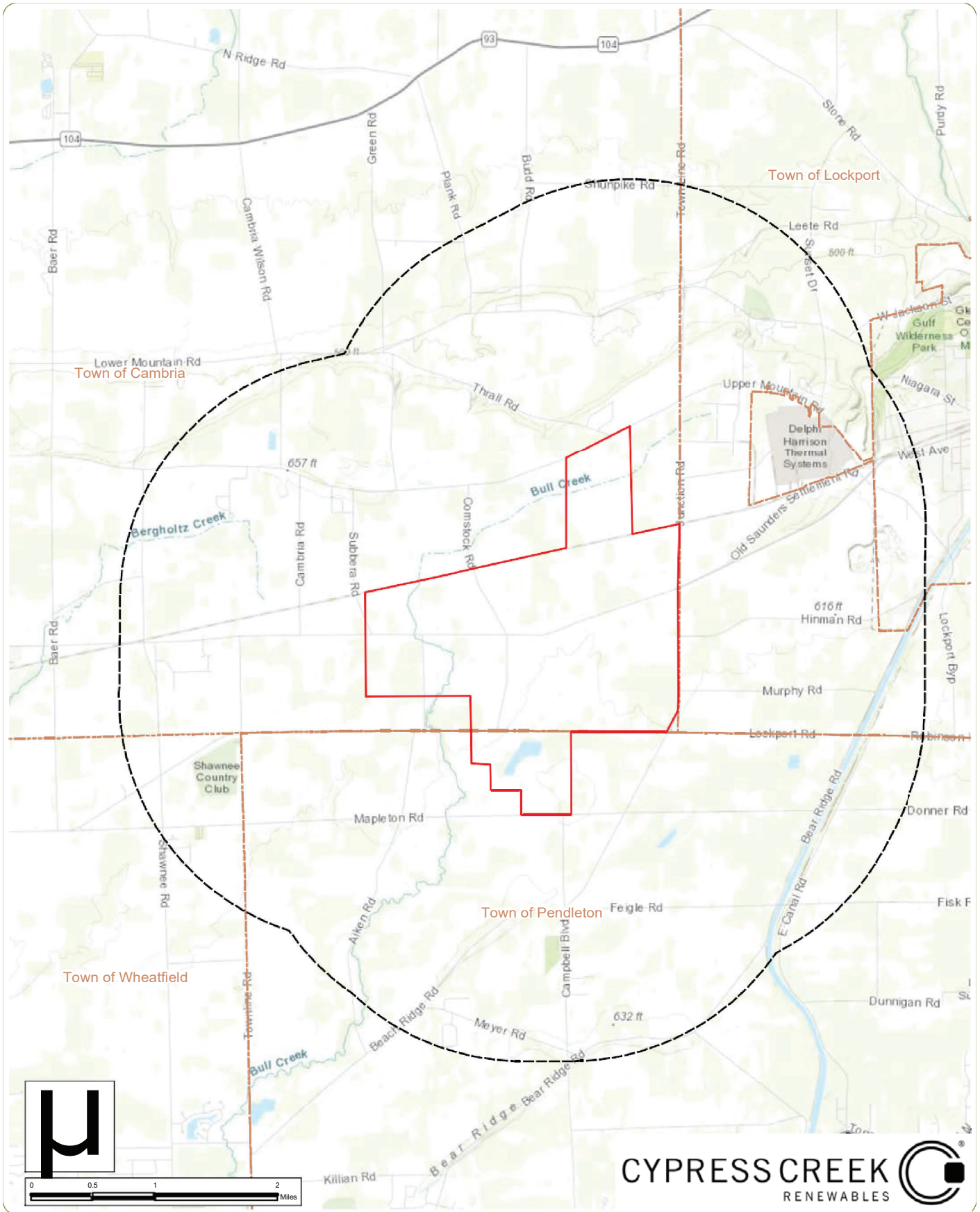
1.4 STUDY AREA

The Siting Board's rules define the Study Area to be used for analysis of major electric generating facilities as "an area generally related to the *nature of the technology* and the *setting* of the proposed site. For large facilities or wind power facilities with components spread across a rural landscape, the study area shall generally include the area within a radius of at least five miles from all generating facility components, interconnections and related facilities and alternative location sites."

With respect to the nature of the technology, the Applicant is proposing a solar energy facility. Unlike a wind power project that contains wind turbines that may be 500 feet or more in height and visible from a relatively large surrounding area (e.g., five miles or more), a solar generating facility does not have any prominently visible components. The tallest components of the generating portion of the proposed Facility will be the PV panels and inverter equipment, which have a relatively low profile, and are not expected to be more than 12 feet above grade, less than a single-story residence. Therefore, the nature of the technology is such that visibility is anticipated to be relatively limited to those areas located adjacent to the Facility. As such, the Applicant conducted a preliminary viewshed analysis for the proposed Facility using the assumption that 12-foot photovoltaic (PV) panels would be used (see Figure 4). The preliminary viewshed analysis graphically represents the potential PV panel viewshed visibility based on the screening effects of existing topography and vegetation, and an assumption that 12-foot PV panels would be placed on all areas that could potentially be developed within the proposed Facility Area. The results of this analysis demonstrate visibility is primarily limited to the areas located within and immediately adjacent to the Facility Area, with fewer panels visible with increasing distance and nearly all visibility limited to within a one-mile radius of the Facility Area. While these results suggest that a one-mile radius is an appropriate study area, the Applicant has defined a two-mile Study Area to address all necessary impacts and concerns related to the visibility of the proposed Facility. Municipalities within this Study Area include the towns of Cambria, Lockport, Pendleton, and Wheatfield, and the city of Lockport, all of which are in Niagara County (see Figure 4). The Applicant will consult with DPS Staff prior to filing the PSS regarding the Study Area proposed for visual resource evaluation.

With respect to setting, the Facility Area is located within the Ontario Lowland physiographic province of New York. Elevations within the Facility Area are

approximately 595± feet to approximately 655± feet above mean sea level (AMSL), while elevations for Niagara County range from approximately 250 feet AMSL along Lake Ontario up to approximately 660 feet AMSL along some of the ridges. Land cover within the Facility area is dominated by active agriculture, interspersed with stands of forest, hedgerows and some existing development such as scattered farms and single-family residences generally occurring along the road frontage.






Bear Ridge Solar Project

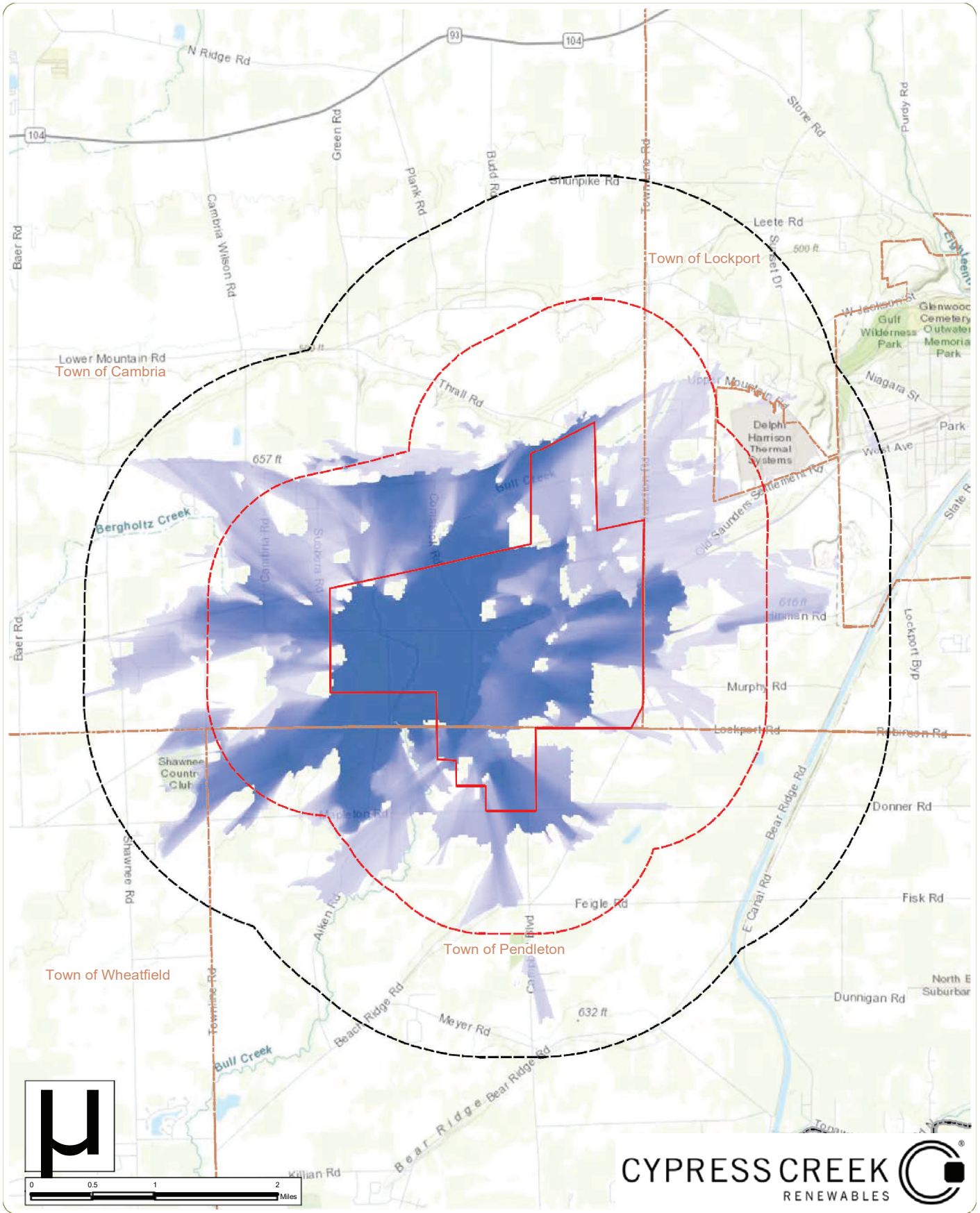
Towns of Cambria and Pendleton, Niagara County, New York

Figure 3: Facility Study Area

Notes: 1. Basemap: ESRI ArcGIS Online "World Topographic Map" map service. 2. This map was generated in ArcMap on August 3, 2018. 3. This is a color graphic. Reproduction in grayscale may misrepresent the data.

-  2 mile Study Area
-  Facility Area
-  Town Boundary





Bear Ridge Solar Project

Towns of Cambria and Pendleton, Niagara County, New York

Figure 4: Preliminary Viewshed Analysis

Notes: 1. Basemap: ESRI ArcGIS Online "World Topographic Map" map service. 2. This map was generated in ArcMap on August 3, 2018. 3. Potential solar panel visibility based on topography and screening effects of mapped forest vegetation. 4. This is a color graphic. Reproduction in grayscale may misrepresent the data.

- 1-mile Study Area
- 2-mile Study Area
- Facility Area
- More Panels Potentially Visible
- Fewer Panels Potentially Visible

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SECTION 2: HOST MUNICIPALITIES

The Facility is sited in the towns of Cambria and Pendleton, Niagara County, New York.

Niagara County is in the extreme western part of New York State, north of Buffalo, adjacent to Lake Ontario on its northern border and the Niagara River and Canada on its western border.

2.1 TOWN OF CAMBRIA

Cambria has a population of 5,839 with a density of 147 individuals per square mile. Cambria is 39.7 square miles.⁷ Cambria's population decreased 0.8 percent between 2010-2016.

The median household income of \$69,330 is about 1.4 times higher than the amount for Niagara County (\$50,094) and 10 percent higher than the median for New York State's \$60,741. The average house or condominium value is \$157,500.⁶ Cambria has a low poverty rate of 4.1 percent, about one third of the Niagara County rate of 13.6 percent, and one quarter of New York State's poverty rate.

Cambria's median age is 44.9 years, about 20 percent higher than the median age of 38.2 for New York State. Cambria is primarily white (96.9 percent) and English speaking (95 percent).⁶ Cambria's veteran population of 10 percent is consistent with Niagara County but is 1.5 times higher than the rate for New York State.

In Cambria, 97 percent of the population completed high school. That is more than 10 percent higher than that of New York State (85.9 percent). However, Cambria's higher education attainment (bachelor's degree or higher) of 26 percent, is only about three-quarters the rate for New York State at 34.7 percent.⁷

⁷ United States Census Bureau / American FactFinder, "2016 American Community Survey" accessed April 5, 2018. Web. < <https://factfinder.census.gov/> >

2.2 TOWN OF PENDLETON

Pendleton is a town in the southern part of Niagara County, east of Niagara Falls. The town has a population of 6,558. The population density in Pendleton is approximately 236 people per square mile. Pendleton's area comprises 27 square miles. Pendleton's population grew by 4.4 percent between 2000 and 2016.

The median age in Pendleton is 44.1 years old, which is just above the New York State median of 38.2 years. Pendleton is primarily white (98.4 percent), with a comparatively low 4 percent of the population living below the poverty line.⁸

Pendleton's estimated household income in 2016 was \$81,797, higher than the New York State median of \$60,741. Estimated house or condominium values in 2016 were \$179,400.

Pendleton high school educational attainment was 96.4 percent, higher than the New York State median of 85.9 percent, while attainment of a bachelor's degree or higher education was 29.9 percent, below the rate for New York State at 34.7 percent.

2.3 LANGUAGE

The Siting Board's regulations require a PIP to identify (1) any language other than English spoken according to U.S. Census data by 5,000 or more persons residing in any 5-digit zip code postal zone in which any portion of such zone is located within the Study Area for the Facility; and (2) any language other than English spoken by a significant population of persons residing in close proximity to the proposed facility, alternative locations, or interconnections.

The Study Area includes a portion of Niagara County. According to the US Census Bureau American Community Survey ("ACS") data from 2016, 4 percent of Niagara County residents age 5 or older speak a language other than English at home. With a population estimate of 202,321 persons, this means an estimated 8,230 people in the County speak a language other than English at home.

⁸ United States Census Bureau / American FactFinder, "2016 American Community Survey" accessed April 5, 2018. Web <https://factfinder.census.gov/>

The Study Area contains portions of four 5-digit zip codes. The following table summarizes the most prevalent non-English languages spoken in each of these zip codes. As no language other than English is spoken by at least 5,000 people residing in the zip codes within the Study Area, the Applicant is not proposing to disseminate Project and Article 10-related materials in a second language.

Table 1. Most Prevalent Non-English Languages Spoken in Study Area Zip Codes⁹

<i>Zip Code</i>	<i>Language Spoken</i>	<i>Number of Speakers</i>
14094 (Pendleton/Lockport)	Spanish or Spanish Creole	934
14132 (Sanborn)	German	44
14131 (Cambria/Ransomville)	Spanish or Spanish Creole	57
14120 (North Tonawanda)	Polish	600

2.4 ENVIRONMENTAL JUSTICE POPULATIONS

DEC’s Environmental Justice Policy, CP-29, Potential Environmental Justice Areas, focuses on census block groups featuring populations that meet or exceed at least one of the following statistical thresholds:

- (1) At least 51.1 percent of the population in an urban area reported themselves to be members of minority groups; or
- (2) At least 33.8 percent of the population in a rural area reported themselves to be members of minority groups; or
- (3) At least 23.59 percent of the population in an urban or rural area had household incomes below the federal poverty level.

Based on data obtained from the DEC’s Geospatial Information System (GIS) Tools for Environmental Justice website, the nearest Potential Environmental Justice Area to the Facility is found in an eastern portion of the City of Lockport. Lockport

⁹ MLA Language Map Data Center, accessed April 13, 2018. Web. http://www.mla.org/map_data

city limits are located approximately 2.7 miles east of the Facility Area. No portion of Lockport's Potential Environmental Justice Area is located within the Facility Area, nor is the Potential Environmental Justice Area located within the Study Area.¹⁰

DEC's Commissioner Policy-29 (CP-29), dealing with consideration of Environmental Justice concerns, is intended to ensure that DEC's environmental permit process promotes Environmental Justice. CP-29 defines Environmental Justice as "the fair treatment and meaningful involvement of all people regardless of race, color, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local and tribal programs and policies."

CP-29 directs that DEC permitting staff in receipt of an application for a permit covered by the Policy conduct a preliminary screen to identify whether the proposed action is in or near a Potential Environmental Justice Area and determine whether potential adverse environmental impacts related to the action are likely to affect a Potential Environmental Justice area.

This Project will not have any sources of air emissions, so no air permits are required. The only environmental quality permit required for this Project is the stormwater State Pollutant Discharge Elimination System (SPDES) permit – a general permit that is not subject to DEC's Environmental Justice policy.

CP-29 is applicable only to permit applications for major projects and major modifications for permits authorized by certain specifically listed provisions of the Environmental Conservation Law (environmental quality permits). The Facility will not invoke any of CP-29's applicability provisions because of no such permits are required. However, assuming the Facility required an environmental quality permit triggering one of CP-29's applicability provisions, CP-29 would still not be

¹⁰ New York State Department of Environmental Conservation, Maps & Geospatial Information System Tools for Environmental Justice, "Potential Environmental Justice Areas" accessed April 5. Web. https://www.dec.ny.gov/docs/permits_ej_operations_pdf/niagaraej.pdf

applicable to this Project due to the fact that no portion of the Facility, or even the Facility's Study Area, falls within the mapped Potential Environmental Justice Area of the City of Lockport.

To the extent required, further discussion on Potential Environmental Justice Areas, including the cumulative impact of existing sources of air pollutants and the projected emission of air pollutants from the proposed Facility, will be provided in the PSS and the Application pursuant to the Siting Board's rule, as provided in Section 1001.28 of Article 10 regulations.

SECTION 3: CONTACT AND RESOURCE INFORMATION

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Project Developer, Development

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Kevin Kohlstedt

Project Developer, Development

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Buffalo, NY 14210
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kevin.kohlstedt@ccrnew.com

Community Outreach Office

Location TBD

Hours of Operation TBD

The location and hours of the local office will be posted to the website as soon as available.

Project Website: www.bearridgesolar.com

Toll-free number: 1-800-385-1802

Calls to this number will be answered during regular business hours, and messages will be responded to within 48 hours.

Local Document Repositories

Ensuring public access to Project documents is essential to keeping stakeholders informed and apprised throughout the Article 10 process. A list of repository locations and contact information is as follows:

Sanborn-Pekin Free Library

5884 West Street, POB 176
Sanborn, NY 14132
(716) 731-9933
<http://www.sanbornpekinlibrary.com/>

Lockport Public Library

23 East Avenue
Lockport, NY 14094
(716) 433-5935
<https://lockportlibrary.org>

Town of Pendleton Town Hall

6570 Campbell Boulevard

Lockport, NY, 14094

(716) 625-8833

<http://pendletonny.us/>

SECTION 4: STAKEHOLDER AWARENESS, ENGAGEMENT, INVOLVEMENT PLAN

4.1 PROPOSED PUBLIC INVOLVEMENT PROGRAM PLAN

The purpose of Bear Ridge Solar’s PIP is to document its commitment to robust, inclusive, and transparent public involvement, and to detail the approach to public engagement that the Applicant will utilize to satisfy all Siting Board requirements. Specifically, these include the following:

- (1) Consultation with the affected agencies and other stakeholders
- (2) Pre-application activities to encourage stakeholders to participate at the earliest opportunity
- (3) Activities designed to educate the public as to the specific proposal and the Article 10 review process, including the availability of intervenor funding for municipal and local parties
- (4) Establishment of a website to disseminate information to the public
- (5) Notifications
- (6) Activities designed to encourage participation by stakeholders in the certification and compliance process

The Applicant has developed this PIP to facilitate the provision of information to the public and stakeholders; consider their input in the development and implementation of solutions when applicable; and ensure they are made aware of its commitment to consistent, frequent, and transparent outreach and communications throughout the Article 10 process.

Public outreach and involvement will be an ongoing, evolving part of the process throughout all phases of the Article 10 review (pre-application phase, application phase, hearing and decision phase, and post-certification phase), intended to disseminate information regarding the Facility to stakeholders, solicit information from those stakeholders during public outreach events, and generally foster participation in the Article 10 review.

Central to the Applicant’s proposed PIP is early and frequent communication with the Host Communities, including the Town of Cambria, the Town of Pendleton, and Niagara County. The PIP will be made available at the document repositories listed in Section 3. Aside from the towns and County, there are many important stakeholders to consider in developing a solar project of this scale.

4.1.1 STAKEHOLDER IDENTIFICATION

Cypress Creek is committed to partnering with local communities, governments, utilities, and others to advance solar energy by demonstrating its contribution to local economic development, job growth, and increased use of renewables for a cleaner, more affordable, and more reliable energy source for New York. Cypress Creek has or is currently developing over 70 community and utility-scale solar projects in 55 communities in New York State. Based on this experience, Cypress Creek has successfully engaged with interested agencies, municipalities, utilities, host landowners, and other potential stakeholders to build support through a robust and transparent public involvement process that builds awareness and understanding of its projects. Specific stakeholders are identified by information provided by members of the community, DPS guidance; prior submissions of other Article 10 PIP plans; review of County GIS records, tax records, research, and experience advancing similar projects.

Cypress Creek considered the following in compiling its stakeholder list for the Project:

- The anticipated locations of Facility components within the Facility Area
- The Point of Interconnection (POI)
- “Local Party,” as defined in the Siting Board’s rules ¹⁰
- “Affected Agencies,” as that term is used in the Siting Board’s rules ¹¹
- Host Municipalities, which, for the purposes of this PIP, refers to those municipalities that are currently within the Facility Area and are anticipated to host Facility components (to be further described in the PSS)
- Public interest groups
- State and federal elected officials representing the Host Municipalities and, if different, other municipalities within the Study Area

¹⁰ 16 NYCRR §1000.2[s]

¹¹ 16 NYCRR § 1000 et seq.

A master list of stakeholders, which includes all known, potentially interested stakeholders and parties, was developed based upon the combination of efforts described above and is in Appendix A.

To ensure the PIP considers the communication needs of all stakeholders, the Applicant has completed, and will continually update, a “goals of consultation” list for each category of stakeholder, with methods defined to meet their information needs and concerns and deliver information via their preferred communication channels. The stakeholder list will be updated as necessary based on information received as the Project progresses and as requests are made by interested stakeholders during PIP activities; these updates will be provided to DPS along with the PIP tracking submissions.

The Applicant will collect the input of a broad range of stakeholder perspectives during the development of the Facility and throughout the Article 10 process. Project stakeholder categories are identified and described in the subsections below.

4.1.1.1 HOST AND ADJACENT PROPERTY OWNERS

For purposes of this PIP, property owners include host property owners—those landowners who have or will enter into an agreement with Cypress Creek for the purpose of installing Project Facilities on their land; and adjacent property owners—those who own property within 2,500 feet of a solar collector array or substation or within 500 feet of other Project components (e.g., collection lines, POI, O&M facility, etc.).

Potential host and adjacent landowner information has been collected from County GIS records, tax records, and personal visits by representatives of the Applicant.

Host and adjacent landowners will be included in mailings, outreach activities and notifications that are provided to the stakeholders identified in this PIP and as the Project progresses. However, for privacy purposes, the stakeholder list may include addresses or parcel numbers rather than landowner identification.

Host and adjacent landowners will be contacted by letter, delivered via postal mail or via email if they request, simultaneously with the publication of the first legal notice in the *Lockport Union-Sun & Journal*, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter* announcing the filing of the PSS and the

Article 10 application. This initial correspondence will provide detailed information on how the Applicant will communicate with them, collect their input, and respond to their inquiries during the Article 10 process. They will be invited to attend public information meetings, sign up for email updates and newsletters, and view website postings. Outreach will continue to host landowners and municipal officials during decommissioning and restoration activities.

4.1.1.2 HOST AND ADJACENT MUNICIPALITIES; ELECTED LEADERSHIP; FEDERAL, STATE AND LOCAL AGENCIES; SCHOOL DISTRICTS; INTERESTED PARTIES AND INTERVENORS

Host and adjacent municipalities; elected leadership; federal, State, and local agencies; interested parties; school districts; and intervenors are acutely aware of the concerns and needs of their constituents and consequently must be informed about the Project's progress.

Each agency and municipality in the Project area will be informed about the Project and provided with information, notices, and flyers for distribution to their constituents. Bear Ridge Solar representatives will meet with each municipality or agency, consult with representatives, disseminate and request information, and schedule follow-up meetings as appropriate. Specific information provided to the affected agencies and municipalities will include a description of the Facility and location; explanation of the phases of the Article 10 process and how the agency or municipality can participate in each step; description of the available intervenor funding and the process for obtaining funding; description of the ad hoc committee process and local municipal responsibility; information about other planned consultations; and sources of additional information about the Facility and Article 10 (e.g., the Facility and Siting Board websites). Information to be requested from affected municipalities and agencies may vary by the involvement of each one, but may include topics such as local laws, emergency response, environmental impact review, and determination of news sources to be used for official notices.

4.1.1.3 INTERVENOR STATUS AND FUNDS

Intervenor refers to a party that joins an Article 10 proceeding as a third-party for the protection of an interest. Some intervenors join as a matter of right, others are permitted to join by the Presiding Examiner or the Siting Board. Article 10 entitles the municipal and local parties to intervenor funding provided by the Applicant to be used to defray certain expenses incurred in their participation in the pre-application scoping process. Intervenors and interested parties have

specific interests and issues of concern, and communication with them will therefore extend beyond that which is conducted with other audiences to provide them with as much detail as possible to address their information needs.

4.1.1.3.1 INTERVENOR FUNDS

The Applicant will deposit intervenor funds with the DPS at the time the pre-Application Preliminary Scoping Statement is filed in an amount equal to \$350 for each 1,000 kilowatts (i.e. 1 MW) of generating capacity of the Facility, but no more than \$200,000. Pre-application funds will be dispersed to qualifying parties to aid in their participation in the Scoping phase of this proceeding. Each request for pre-Application funds will be submitted to the Presiding Examiner assigned to the proceeding before the Siting Board, and at least 50 percent of the pre-application intervenor funds shall be reserved for potential awards to municipalities. Additional funds for intervenor participation will be deposited with the DPS at the time the Project Application is filed in an amount equal to \$1,000 for each 1,000 kilowatts of capacity, but no more than \$400,000. Funds deposited with the Application may be used by parties for qualifying consultants and activities in the post-Application phase of the proceeding.

4.1.1.4 SCHOOL, CIVIC, COMMUNITY, AND BUSINESS GROUPS

The “eyes and ears” of the local area, civic, community, and business groups will play an important role in communication related to the Project and will be kept current about the Project. They will be invited to attend public information meetings, share comments, sign up for email updates and newsletters, and view website postings.

4.1.1.5 NON-GOVERNMENT ORGANIZATIONS AND SPECIAL INTEREST GROUPS

Non-government organizations and special interest groups (including recreational users, environmental groups, Native American tribes, etc.) will include those formed specifically to address this Project and those that have been formed around another primary area of focus, but that have an interest in the outcome of the Project and the impact of construction during the Project. These groups, located within the Facility Area and surrounding Study Areas will be invited to attend public information meetings, share comments, sign up for email updates and newsletters, and view website postings.

4.1.1.6 MEDIA

Media, including print, broadcast, cable, and social media outlets serving the Project area will be kept apprised with regular press releases related to Project milestones, briefings as needed, and distribution of fact sheets and other materials. The media will be invited to attend public information meetings, and sign up for email updates and newsletters, and view website postings. Legal notices will be published in the *Lockport Union-Sun & Journal*, the newspaper of record for the Host Municipalities, and the *Niagara Gazette*.

4.1.1.7 AIRPORTS AND HELIPORTS

Evaluation of potential Project impacts on aviation is governed by the rules of the Federal Aviation Administration (“FAA”). The proposed Facility does not meet any of the thresholds for review as set forth in the FAA’s regulations. The proposed Facility will not involve the construction of any structure that exceeds 200 feet above ground level (“AGL”), and the nearest civilian public airport, heliport, or military airport is more than three miles from the Facility Area boundary. Consequently, the filing of a notice with the FAA will not be required for the Facility. The closest public use airport is the North Buffalo Suburban Airport, located approximately 3.3 miles southeast of the Facility Area.

4.2 OUTREACH AND ENGAGEMENT

A wide and varied range of communication methods is critical to ensuring that all stakeholders and the public are fully informed, and that appropriate outreach is occurring to meet the information needs of a diverse audience. All outreach activities will be maintained on a meeting log that will provide specifics including dates, times, locations, attendees, purpose and discussion topics. In addition, the meeting log will include concerns and issues raised as well as, to the extent possible, the Applicant’s response on how such concerns will be addressed. DPS staff will be provided with a quarterly PIP Activity Tracking Report throughout the Article 10 process. The communication methods identified in this section will be further discussed in Section 5 of this document and will be used throughout the Project to engage stakeholders as applicable.

4.2.1 STAKEHOLDER COMMUNICATION METHODS/MATERIALS

As discussed further in Section 5.1.4, property owners in the Study Area will receive mail notification at least 14 days prior to open houses and public information meetings. Two open-house style public information meetings will be held at two separate times on the same day. Two meetings will be held prior to filing the PSS and two after. These public meetings will include informational material about the Project, provide an opportunity for questions from the public, and information about the Article 10 process. The Applicant will publish a notice regarding the filing of the PSS no more than three days before the official submission.

4.2.1.1 PUBLIC INFORMATION MEETINGS AND OUTREACH EVENTS

STAKEHOLDERS: ALL

In addition to required public hearings, the Applicant plans to continue to utilize a variety of workshops, open houses, and information sessions to provide the public with multiple opportunities to obtain Project information, ask questions, and share comments. Annual and periodic public information meetings, which will be advertised in display ads in the *Lockport Union-Sun & Journal*, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter*, will be conducted to keep the public informed and provide opportunities for input on topics related to the Project. Outreach efforts and materials will include Project contact information, resources and tools available to the public to obtain additional Project information, and requirements for becoming a stakeholder. Meeting materials such as comment cards and/or questionnaires/surveys will be provided to gather feedback for future consideration. Outreach actions will be fully documented and made available to stakeholders and the public through the Project website in a quarterly Activity Tracking Report. The Applicant will provide an affidavit stating that the stakeholder list was used for notification distribution, and a copy of all names and addresses will be filed with the Secretary of the Public Service Commission.

4.2.1.2 DIRECT MEETINGS

STAKEHOLDERS: LOCAL, STATE AND FEDERAL AGENCIES, AND ELECTED OFFICIALS

The Applicant will continue to conduct direct outreach to inform elected officials and provide Project updates and information on the Article 10 process as

appropriate. These activities will include discussion of the process for obtaining intervenor funds and the opportunities available to submit comments. The Applicant will also engage with appropriate local, state, and federal resource agencies with respect to the scopes and methodologies of studies to be conducted for the Facility.

4.2.1.3 COMMUNITY OUTREACH OFFICE

STAKEHOLDERS – ALL

CCR plans to staff a community office and hold regular office hours where questions and feedback will be welcomed from the community. This location will be staffed for an average of 5-15 hours per week, starting in October 2018. Outside of those hours, Cypress Creek welcomes calls to its Partner Relations toll-free phone line (1-800-385-1802) during regular business hours, and comments on its Bear Ridge Solar project website at any time. Phone calls and emails will be responded to within approximately 48 hours.

4.2.1.4 ADVISORY WORKING GROUPS

STAKEHOLDERS: ALL

As needed, periodic informal Advisory Working Group (AWG) meetings will be held to provide stakeholders with an opportunity to interact in small groups with Project experts on topical issues. Such meetings, which are not a requirement of the Article 10 process, will be scheduled to foster an open exchange of information, and provide the Project team with an opportunity to interact with participants. AWGs will be well publicized, and attendance will remain open throughout the Project.

4.2.1.5 POP-UP MEETINGS

STAKEHOLDERS: ALL

Informal “pop-up” meetings, booths, display tables, or exhibits will be scheduled during existing or previously planned, local events and activities, such as farmers markets and fairs to create opportunities to bring Project information to the public, supplementing formal public information meetings and public hearings. These meetings will be posted to the website.

4.2.2 COMMUNICATION CHANNELS

4.2.2.1 WEBSITE

The Project website (www.bearridgesolar.com) will serve as the online communication center for the Project, providing a user-friendly resource for all Article 10 information. The website will be maintained monthly to ensure timely, relevant, accurate, and complete Project information is available to all stakeholders and the public throughout the life of the Project. The website will include the following components:

- Facility description
- Maps of the Facility and Study Areas
- Copies of all outreach materials such as Project brochure(s), newsletters, and factsheets
- Facility benefits and need
- Links to the Siting Board Article 10 Public Information Coordinator, the Siting Board home page, and case-specific documents
- Information on the Article 10 process
- Summary of the Intervenor Funding process and how to apply
- Facility contact information, including email address and toll-free telephone number
- Digital copies of Article 10 documents filed by the Applicant
- Addresses of local document repositories
- An Outreach event schedule and key milestone dates, such as when the Application will be filed
- Sign-up for inclusion in the stakeholder list
- Tracking reports summarizing the Facility's PIP activities to date

Additional information regarding the Project website is provided in Section 5.1.3 of this report.

4.2.2.2 DISTRIBUTION DATABASE

A stakeholder database has been established for the Project. It will be maintained and continually updated to reflect efforts to attract and engage new stakeholders throughout the Article 10 process. The database will serve as the master distribution list to provide the public and stakeholders with Project information, as well as opportunities to ask questions and share comments. The Applicant will

provide addresses and phone numbers as a confidential document, to protect citizens privacy, when providing proof of mailing/notifications to the Secretary of the Commission.

These methods will be used to expand the distribution list:

- Opt-in sign up for email updates on the Project website;
- Invitations to sign up for notifications on meeting announcements and Project communication distributed via US Postal Service or email, if requested; and
- Opportunities to sign up for notifications at meetings and outreach events.

4.2.2.3 E-BLASTS

E-blasts, which are one-page emails designed to be distributed to a large number of email addresses simultaneously, will be used to announce meetings and important Project-related information.

4.2.2.4 DIRECT MAIL

Letters will be mailed via first-class postal mail directly to host landowners and property owners adjacent to the proposed Project, to provide information regarding the Project, milestones, and contact information. Broad dissemination of additional direct mail may be conducted to announce upcoming meetings and outreach events. Notice at least 14 days in advance of the mandatory pre- and post-PSS meetings will be sent to all property owners in the Study Area via this method.

4.2.2.5 PROJECT BROCHURE

A brochure will provide an overview of the Project, its goals, and key participants, and it will detail resources for additional Project information, along with opportunities to participate in the Article 10 process. The brochure will address frequently asked questions, provide answers to concerns surrounding the Project and its potential impact, and will drive interested parties to the Project website. Additionally, the Project brochure will include the Applicant's contact information, toll-free number, locations of document repositories, the Project Website, and the details for open houses and public meetings regarding the Facility.

4.2.2.6 PUBLIC/LEGAL NOTIFICATIONS

Required notices for public hearings and Project filings will be published pursuant to the Siting Board's rules establishing the notification for serving documents. Notifications will be posted in the newspaper of record, the *Lockport Union-Sun & Journal*, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter*. Notices will also be posted on the Project website to provide timely and appropriate information for stakeholder and public use. Public notices will be in plain language, prepared and published to conform to all applicable regulations and guidelines.

Legal Notices will be placed in accordance with existing Siting Board guidelines; such Notices will be placed in the *Lockport Union-Sun & Journal*, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter* 3 days prior to filing the Preliminary Scoping Statement with the DPS.

- Notices will be placed to announce the date, time, and location of Public Hearings
- Other notices may be placed as required by the Presiding Examiner or other section of Article 10 in the manner prescribed by the Presiding Examiner or under the procedures contained in Article 10.

4.2.2.7 POSTERS/FLYERS

Posters and flyers will be created and posted on community bulletin boards and calendars or distributed in high traffic areas, such as shopping centers, libraries, and senior centers throughout the Project area to inform the public of upcoming meetings and encourage visits to the Project website.

4.2.2.8 ADVERTISEMENTS

Display advertisements, in addition to legal notices, will be placed in daily and weekly newspapers to promote attendance at public meetings, workshops, and other outreach events as necessary.

4.2.2.9 MEDIA RELATIONS

A database of media contacts (print, radio, and electronic) has been developed for this Project, and is available in Appendix A.

Media releases will be developed and distributed to announce completion of Project milestones and to announce outreach events, meetings, and Project news. News outlets will be encouraged to direct their readers to the Project website.

4.2.2.10 DOCUMENT REPOSITORY

Ensuring public access to Project documents is essential for keeping stakeholders informed throughout the Article 10 process. A repository of documents will be maintained on the Project website at (www.bearridgesolar.com).

Additionally, documents will be made available in local document repositories as follows:

Sanborn-Pekin Free Library

5884 West Street, POB 176
Sanborn, NY 14132
(716) 731-9933
<http://www.sanbornpekinlibrary.com/>

Lockport Public Library

23 East Avenue
Lockport, NY 14094
(716) 433-5935
<https://lockportlibrary.org>

Town of Pendleton Town Hall

6570 Campbell Boulevard
Lockport, NY, 14094
(716) 625-8833
<http://pendletonny.us/>

4.2.2.11 ADDITIONAL COMMUNICATION METHODS

Other communication methods and vehicles necessary to support the communications phase may be identified as the Project progresses and will be included in PIP updates as appropriate.

SECTION 5: PROJECT MILESTONES

5. PROJECT MILESTONES

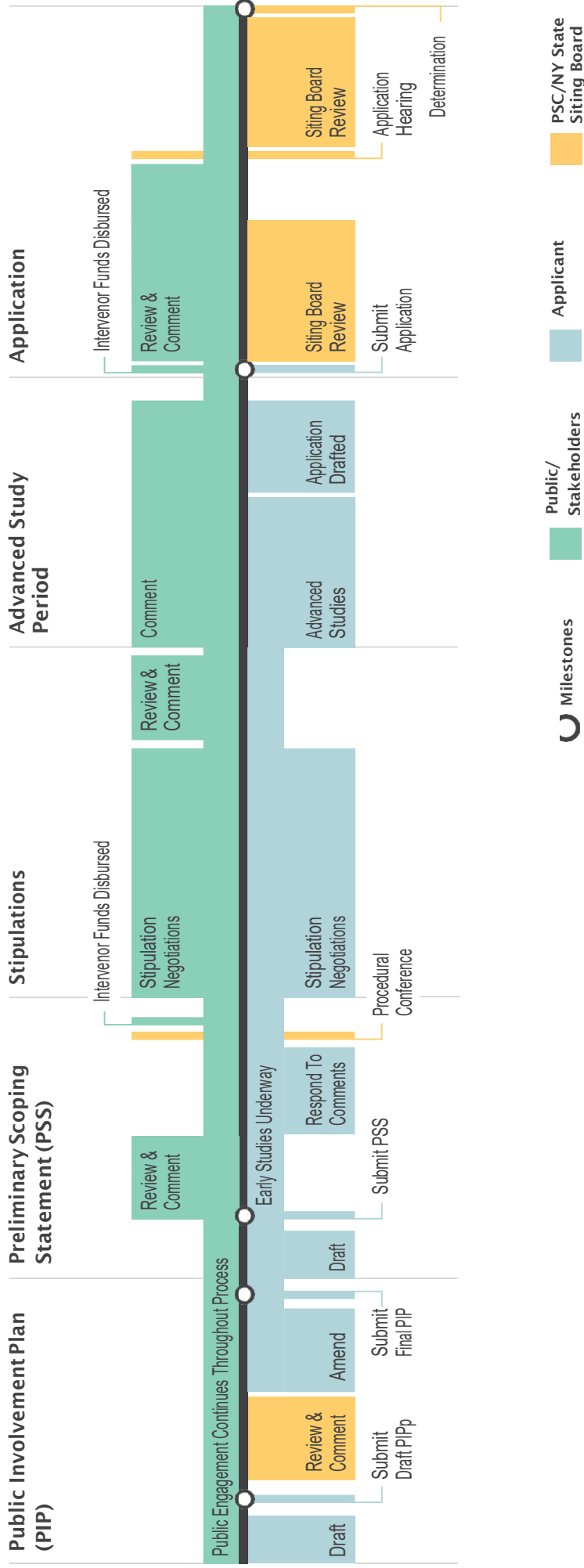
The PIP Plan is designed to ensure that the public has opportunities to participate in all phases of the Article 10 process (pre-application phase, application phase, hearing and decision phase, and post-certification phase). It is a commitment from the Applicant to disseminate information regarding the Project to stakeholders, solicit information from stakeholders during public outreach events and generally foster participation in the Article 10 review. This section provides an overview of the public outreach activities that will take place during each phase of the Article 10 process. Bear Ridge Solar will carefully track and document all public outreach activities and include them in an Activity Report that will be filed with DPS quarterly. The Activity Report will include all outreach activities including a meeting log that will provide specifics such as dates, times, locations, attendees, purpose and discussion topics.

5.1 PRE-APPLICATION & APPLICATION PHASE

5.1.1 CONSULTATION WITH AFFECTED AGENCIES & STAKEHOLDERS

The Applicant's proposed PIP focuses on early and frequent communication with stakeholders, with particular attention placed on Host Communities, including the Towns of Cambria and Pendleton, within the Study Area including Lockport and Wheatfield, and Niagara County. The Applicant will conduct a methodical, outreach effort during this phase to ensure that each stakeholder group identified in this PIP has the opportunity to learn about and comment on this Project. The Applicant will manage a PIP Tracking Report to be submitted to the DPS. This report will include all stakeholder consultation meetings as well as concerns and questions raised by the public as well as, to the extent possible, the Applicant's response.

New York Article 10 Process



5.1.2 STAKEHOLDER ENGAGEMENT

As part of the pre-application phase, using a wide array of communication methods discussed in the previous Outreach and Engagement section, Bear Ridge Solar will build awareness of the Project, the technology being used, its location, the proposed Study Area, the scope of studies to be provided in the application, and Intervenor Funding available. These activities will encourage stakeholder participation with educational materials and identify opportunities for stakeholders to provide input.

5.1.3 PROJECT WEBSITE

The Bear Ridge Solar website will be the communication hub for the Project throughout the Article 10 process. The website has been set up to be user-friendly, easy-to-read in plain English, and meet all requirements outlined in the Outreach and Engagement section in Section 4. The website provides information on the response process to public inquiries and comments. This process will consist of same-day notification confirming the receipt of comments, and a response will be sent approximately 48 hours after the comment was received. For inquiries that require written documentation, the Applicant will provide an estimated mailing date of said materials. The website will be updated on at least a monthly basis or more frequently as required to ensure that stakeholders have current information about the Project throughout the Article 10 process. The Project website URL is www.bearridgesolar.com.

5.1.4 STAKEHOLDER NOTIFICATION

During the pre-application phase Bear Ridge Solar will sponsor two open-house style public information sessions prior to submittal of the PSS and two public meetings following submittal of the PSS and prior to submitting the Application. The meetings may be held at different times on the same day. Representatives for the Applicant will be present to provide Project information, answer questions, and share contact information. These meetings will be held at a public meeting space in reasonable proximity to the Facility Area. All property owners in the Study Area will receive mail notification at least 14 days in advance. The Applicant will provide an affidavit stating that the stakeholder list was used for notification distribution, and a copy of all names and addresses will be filed with the Secretary of the Public Service Commission.

The open-house style public information sessions, and two public meetings following submittal of the PSS will be advertised in display ads in the *Lockport*

Union-Sun & Journal, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter* in at least a ten-point font using plain language. In addition, the public meetings will be posted on the Project website and announced via email blast distributed to the stakeholders at least 14 days in advance of the public meeting. The public meetings will provide informational/educational materials about the Project, provide opportunities to ask questions of the Applicant, and offer information on the proposed Facility, as well as links to and information on the Article 10 process, intervenor funding, and other important stakeholder topics.

The Applicant will provide DPS staff with informal notice of all scheduled public meetings. The public meetings will enable the Applicant to engage with stakeholders regarding the proposed Facility and will offer multiple avenues of information distribution and comment collection so that stakeholders and the public have multiple opportunities to obtain information on the Project and participate in the proceedings. Meeting materials will include maps and graphics enlarged to be viewable at public meetings. In addition, materials such as factsheets and brochures, will be distributed at public meetings, made available through local libraries, distributed as mailings to stakeholders and additional addresses obtained through public meetings and the Project website, and posted on the Project website.

Prior to filing the PSS (no fewer than three days before filing of the PSS and the Application), the Applicant will publish a notice of the PSS and the Application in the *Lockport Union-Sun & Journal*, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter*, and will provide written notice to each member of the State Legislature in whose district any portion of the proposed Facility is to be located as well as to those persons who have filed a statement with the Secretary to the Commission of the New York State Public Service Department within the past 12 months who wish to receive such notices. Further, the Applicant will provide mail and email (as available) notification to all parties on the Master Stakeholder List. In addition, notifications will be posted on the Bear Ridge Solar website and delivered to libraries and document repositories listed in Section 3 for public inspection.

The Applicant will publish any other notices required by the DPS Presiding Examiner or other section of Article 10 in the manner prescribed by the Presiding Examiner or under the procedures contained in Article 10.

LEGAL NOTICE PUBLICATION

Bear Ridge Solar will publish all required notices including for public hearings, the filing of the PSS and Application, in the *Lockport Union-Sun & Journal*, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter*. In the Pre-Application phase Bear Ridge Solar will publish a notice containing a plain language summary of the PSS no fewer than three days before filing of the PSS and the Application.

LETTER TO INTERESTED PARTIES/INTERVENORS

Bear Ridge Solar will mail/email a notice containing a plain language summary of the PSS no less than three days before filing of the PSS and the Application, to all Intervenors and Interested Parties.

LETTER TO TOWNS

Bear Ridge Solar will, no fewer than three days before filing of the PSS and the Application, provide written notification in the form of mail and email (as available) to all parties on the Master Stakeholder List – including the Towns of Cambria and Pendleton.

Meeting invitations will be mailed to all residents of host and adjacent communities, to facilitate additional access to and comment on the Project PSS in the 21-day public comment period following PSS submission.

5.2 POST-APPLICATION PHASE

The Applicant will build upon its established public outreach activities throughout the Post-Application Phase (Administrative Hearing, Siting Board Decision, and Post Certification), utilizing all appropriate/required communication channels to encourage stakeholder participation and awareness. The Applicant will keep stakeholders informed on the ongoing Article 10 process, identify and discuss any changes or updates to the Project and collect comments to continue to inform and improve the Project. The outreach activities may include meetings with stakeholder groups, hosting and/or sponsoring community events, providing periodic updates to Project neighbors by mail or electronically, and posting updates and notices in online and print community news resources. The Applicant will continue to build and update stakeholder lists as it conducts public outreach and will record and post outreach activities in the Activity Tracking Report. The Project website will continue to serve as the hub of communication with updated

Project information, as required. Updated Project information will be distributed to local libraries identified as document repositories for inspection by the public.

APPENDIX A

Stakeholder Notification List

FEDERAL AND STATE AGENCIES

New York State Governor

Andrew Cuomo
NY State Capital Building
Albany, NY 12224
(518) 474-8390

New York Department of State

Rosana Rosado, Secretary of State
99 Washington Avenue
Albany, NY 12231

US Senator

Charles Schumer
780 Third Avenue, Suite 2301
New York, NY 10017
(212) 486-4430, NYC Office

US Senator

Kirsten Gillibrand
780 Third Avenue, Suite 2601
New York, NY 10017
(212) 688-6262

US Congressman, 27th District

Chris Collins
128 Main Street
Geneseo, NY 14454
(585) 519-4002

NY State Assemblyman, NYS 145th Assembly District

Angelo J. Morinello
800 Main St, Suite 2C
Niagara Falls, NY 14310
(716) 282-6062, District Office
morinelloa@nyassembly.gov

NY State Senator, NYS 62nd Senate District

Robert G. Ortt
175 Walnut St., Suite 6
Lockport, NY 14094
(716) 434-0680
ortt@nysenate.gov

Assemblyman, 146th District

Raymond Walter
5500 Main Street
Williamsville, NY 14221
(716) 634-1895

NYS Department of Environmental Conservation

Basil Seggos, Commissioner
625 Broadway
Albany, NY 12233
(518) 402-8545

**NYS Department of
Environmental Conservation**

Abby Snyder, Regional
Director – Region 9
270 Michigan Avenue
Buffalo, NY 14203
(716) 851-7200
region9@dec.ny.gov

**New York State Energy
Research and
Development Authority**

Alicia Barton, President
17 Columbia Circle, Albany,
NY 12203
(518) 62-1090
info@nyserda.ny.gov

**New York State Energy
Research and
Development Authority**

Richard Kaufmann, Chair
17 Columbia Circle, Albany,
NY 12203
(518) 862-1090
info@nyserda.ny.gov

**NYS Empire State
Development**

Howard Zemsky,
Commissioner
633 Third Avenue, Floor 37
New York, NY 10017
nys-nyc@esd.ny.gov

**NYS Empire State
Development**

Christopher Schoepflin
Senior Vice President, Empire
State Development Western
NY
95 Perry Street
Suite 500
Buffalo New York 14203-
3030

**New York Independent
Service Operators**

Michael Bemis, Board Chair
10 Krey Blvd.
Rensselaer, NY 12144
(518) 356-6060
stakeholder_services@nyiso.
com

**NYS Department of Public
Service**

John B. Rhodes, Chair and
CEO
3 Empire State Plaza
Agency Building 3
Albany, NY 12223
(518) 474-6530
secretary@dps.ny.gov

**NYS Department of
Agriculture and Markets**

Richard Ball, Commissioner
10B Airline Drive
Albany, NY 12235
(585) 457-8876
info@agriculture.ny.gov

NYS Department of Health

Howard Zucker,
Commissioner
Corning Tower, Empire State
Plaza
Albany, NY 12237
dohweb@health.ny.gov

**NYS Office of Parks,
Recreation and Historic
Preservation**

Rose Harvey, Commissioner
625 Broadway
Albany, NY 12207
(518) 474-0456

New York Power Authority

Gil Quiniones, President and
CEO
123 Main St.
Mail Stop 10 - H
White Plains, NY 10601-3170
(914) 681-6200
info@nypa.gov

**NY State Historic
Preservation Office**

Michael Lynch, Division
Director
Peebles Island State Park
P.O. Box 189
Waterford, NY 12188
(518) 237-8643

**NYS Farm Bureau, Eastern
Office**

Felicia Dougherty
173 Main St., P.O. Box 370
Salem, NY 12865
(866) 995-7300
eny@nyfb.org

NY Thruway Authority

Matthew J. Driscoll, Acting
Executive Director
Administrative Headquarters
200 Southern Blvd. P.O. Box
189
Albany, NY 12201
(518) 436-2700

NYS Canal Corporation

Brian Stratton, Director of Canals
30 South Pearl St.
Albany NY 12207
(518) 449-6000

**NYSDEC Mohawk River
Basin Program**

Katherine M. Czajkowski,
Watershed Coordinator
1130 N. Westcott Rd.
Schenectady, NY 12306
(518) 357-2383
mohawk@gw.dec.state.ny.us

**Erie Canalway National
Heritage Corridor**

Bob Radliff, Executive
Director
P.O. Box 219
Waterford, NY 12188
(518) 237-7000 ext. 207
bob_radliff@partner.nps.gov

US Army Corps of Engineers

Steve Metivier
Regulatory Branch
1776 Niagara Street
Buffalo, New York 14207
(716) 879-4314
steven.v.metivier@usace.army.mil

**US Federal Aviation
Administration**

Carmine Gallo, Regional
Administrator
1 Aviation Plaza
Jamaica, NY 11434
(718) 553-3001

National Park Service

Mike Caldwell, Northeast
Regional Director
U.S. Custom House, 200
Chestnut Street,
5th Floor, Philadelphia, PA
19106
(215) 597-7013
Mike_Caldwell@nps.gov

US Fish and Wildlife Service

New York Field Office
3817 Luker Road
Cortland, NY 13045
(607) 753-9334
fw5es_nyfo@fws.gov

U.S. Department of Defense

James Mattis, Secretary of
Defense
1400 Defense Pentagon
Washington, DC 20301
(703) 571-3343

**NYS Department of
Transportation, Region Five**

Francis Cirillo, Regional
Director
100 Seneca Street
Buffalo, NY 14203
(716) 847-3238

**New York State Public
Service Commission**

Hon. Kathleen H. Burgess
Secretary to the Commission
Empire State Plaza
Agency Building 3
Albany, NY 12223-1350
Phone: (518) 474-6530
Email: secretary@dps.ny.gov
Fax: (518) 474-984

**New York State Public
Service Commission**

James Denn, Public
Information Officer
Empire State Plaza,
Agency Building 3
Albany, NY 12223
(518) 474-7080
James.denn@dps.ny.gov

**New York State Public
Service Commission**

Andrew Davis,
Utility Supervisor
3 Empire State Plaza
Albany, NY 12223

**New York State Department
of Public Service**

Graham Jesmer, Assistant
Counsel
3 Empire State Plaza
Albany, NY 12223
(518) 473-4628

**NYS Department of Public
Service**

Lorna Gillings
Office of Consumer Services
3 Empire State Plaza
Albany, NY 12223
(518) 474-1788
lorna.gillings@dps.ny.gov

**New York State Attorney
General**

Barbara D. Underwood,
Attorney General
The Capitol
Albany, NY 12224
(518) 776-2000

**NYS Division of Homeland
Security and Emergency
Services**

1220 Washington Avenue,
Building 7A, Suite 710
(518) 242-5000

**NYS Department of
Transportation, Region Five**

Francis Cirillo, Regional
Director
100 Seneca Street
Buffalo, NY 14203
(716) 847-3238

**NYS Office of General
Services**

RoAnn M. Destito,
Commissioner
Empire State Plaza, 4th Floor
Albany, NY 12242
(518) 457- 3899

**LOCAL AGENCIES, HOST MUNICIPALITIES AND LANDOWNERS,
COMMUNITY ORGANIZATIONS**

Niagara County Manager

Richard Updegrove
59 Park Ave, 2nd Floor
Lockport, NY 14094
(716) 439-7213
Richard.Updegrove@niagaracounty.com

Chairman, Niagara County

Legislature
Wm. Keith McNall
Niagara County Courthouse
175 Hawley Street
Lockport, NY 14094

Niagara County Clerk

Joseph A. Jastrzemski
Niagara County Courthouse,
PO Box 461
175 Hawley St., 1st Floor
Lockport, NY 14095
(716) 439-7022
niagaracounty.clerk@niagaracounty.com

**Niagara County Sheriff's
Office**

Michael J Filicetti,
Undersheriff
5526 Niagara St Ext.,
PO Box 496
Lockport, NY 14095
(716) 438-3393

**Niagara County Department
of Public Works**

59 Park Avenue
Lockport, NY 14094
(716) 439-7951

**Niagara County Sheriff's
Office**

James R. Voutour, Sheriff
5526 Niagara Street Ext.
PO Box 496
Lockport, NY 14095
(716) 438-3393
<http://www.niagarasheriff.com>

**Niagara County Emergency
Services & Fire**

Jonathan Schultz, Director of
Emergency Services & Fire
Coordinator
5574 Niagara Street Ext.
Lockport, NY 14094
(716) 438-3171
Jonathan.Schultz@niagaracounty.com

**Niagara County Legislator -
District 10**

David E. Godfrey
403 Deerfield Dr.
N. Tonawanda, NY 14120
(716) 751-9606
David.godfrey@niagaracounty.com

**Niagara County Emergency
Management Office**

Jonathan Schultz
5574 Niagara Street Ext.
Lockport, NY 14094
(716) 438-3171
Jonathan.Schultz@niagaracounty.com

**Niagara County Economic
Development**

Michael Casale
6311 Inducon Corporate Dr.
Suite 1
Sanborn, NY 14132
(518) 853-8334

**Niagara County Soil and
Water Conservation District**

Mark Seider, District
Engineer
4487 Lake Avenue
Lockport, NY 14094
(716) 434-4949 Ext. 4
Mark.seider@ny.nacdnet.net

**Niagara County Public
Health Department**

Daniel Stapleton, Director
5467 Upper Mountain Road
Lockport, NY 14094
(716) 439-7435

**Niagara Chamber of
Commerce**

Kory Schuler, President
(716) 285-1702
kschuler@niagarachamber.org

**Cornell Cooperative
Extension**

Niagara County

Cathy Lovejoy Maloney,
Executive Director
4487 Lake Avenue,
Lockport, NY 14094
(716) 433-8839 ext. 234
clm84@cornell.edu

Niagara County Historical Society

Melissa Dunlap
Executive Director
215 Niagara Street
Lockport, NY 14094
(716) 434-7433
info@niagarahistory.org
<http://niagarahistory.org/>

**Niagara Falls International
Airport**

William Vanecek, Director of
Aviation
2035 Niagara Falls Boulevard
9716) 630-6070

Buffalo Niagara River-Land Trust

2475 Niagara Street
Buffalo, NY 14207
[https://www.niagarariverlan
dtrust.org/contact-us.html](https://www.niagarariverlandtrust.org/contact-us.html)

**Western NY Land
Conservancy**

Nancy Smith, Executive
Director
P.O. Box 471
East Aurora, NY 14052-0471
(716) 687-1225
info@wnylc.org

Cambria Town Supervisor

Wright Ellis
4160 Upper Mountain Rd
Sanborn, NY 14132
(716) 433-8523
supervisor@townofcambria.
com

Cambria Town Assessor, Tax Collector

Debra Littere
4160 Upper Mountain Rd
Sanborn, NY 14132
(716) 433-8161 ext 122
dlittere@townofcambria.com

Cambria Town Clerk

Tamara Cooper
4160 Upper Mountain Rd
Sanborn, NY 14132
(716) 433-7664
townclerk@townofcambria.com

Cambria Planning Board Chair

William Amacher
4160 Upper Mountain Rd
Sanborn, NY 14132
(716) 731-5277

Cambria Zoning Board Chair

Peter Smith
4160 Upper Mountain Rd
Sanborn, NY 14132
(716) 481-2222

**Cambria Building Inspector/
Code Enforcement Officer**

James P. McCann
4160 Upper Mountain Rd
Sanborn, NY 14132
(716) 433 – 8161
bldginsp@townofcambria.com

**Cambria Superintendent of
Highways**

Jon MacSwan
4160 Upper Mountain Rd
Sanborn, NY 14132
(716) 433-8829
townofmindenhighway@gmail.com

Cambria Town Historian

Brooke Genter
(716) 433-0387
historian@townofcambria.com

Cambria Fire Department

Jonathan Pressley, Chief
4631 Cambria-Wilson Rd
Lockport, NY 14094-9738
(716) 534-4397
cambriavolunteerfire@cambriavolunteerfire.com
<http://www.cambriavolunteerfire.com/>

Pendleton Town Supervisor

Joel Maerten
716-625-8833 X 113
6570 Campbell Blvd.
Lockport, NY 14094

Pendleton Town Clerk

Deborah Maurer
(716) 625-8833
dmaurer@pendletonny.us

**Pendleton Planning Board
Chair**

Joseph McCaffrey
6570 Campbell Blvd.
Lockport, NY 14094
(716) 625-8833 ext. 125
jmccaffrey@pendletonny.us

**Pendleton Zoning Board of
Appeals Chair**

Wolfgang Buechler
6570 Campbell Blvd.
Lockport, NY 14094
(716) 625-8833

**Pendleton Superintendent
of Highways**

Jeff Stowell
6570 Campbell Blvd.
Lockport, NY 14094
(716) 625-8033
jstowell@pendletonny.us

Pendleton Fire Department

Albert Zeisz, President
7340 Campbell Blvd.
North Tonawanda, New York
14120
(716) 693-4747
wvfcinfor@wendelvillevfc.com

**Pendleton Building
Inspector / Code**

Enforcement
Timothy Masters
(716) 625-8833
jstriegel@pendletonny.us

Pendleton Town Historian

Stephanie Chase
(716) 625-8833
6570 Campbell Blvd.

**Starpoint Central School
District**

President of the Board
Joseph Miller
4363 Mapleton Road
Lockport, NY 14094
(716) 438-0995
jmiller@starpointcsd.org

**Starpoint Central School
District Superintendent**

Dr. Sean M. Croft
4363 Mapleton Road
Lockport, NY 14094
(716) 210-2352
scroft@starpointcsd.org

**Lockport Town Board
Supervisor**

Mark Crocker
6560 Dysinger Road
Lockport, NY 14094
(716) 439-9524
crocker@elockport.com
[http://www.elockport.com/
board-town-lockport.php](http://www.elockport.com/board-town-lockport.php)

Lockport Town Clerk

Judith A. Newbold
6560 Dysinger Road
Lockport, NY 14094
(716) 439-9524
j_newbold@elockport.com
[http://www.elockport.com/
department-clerk-
lockport.php](http://www.elockport.com/department-clerk-lockport.php)

**Lockport Building
Department/ Planning**

Brian Belson/ Richard Forsey
Senior Building Inspector/
Chairman
6560 Dysinger Road
Lockport, NY 14094
(716) 439 9527
[http://www.elockport.com/
board-planning-town-
lockport.php](http://www.elockport.com/board-planning-town-lockport.php)

**Lockport Recreation
Department**

Chairwoman
Jeanine Hughes-Shaw
6560 Dysinger Road
Lockport, NY 14094
(716) 433-7876
[http://www.elockport.com/departments-recreation-lockport.php](http://www.elockport.com/departments/recreation-lockport.php)

**Lockport Department of
Economic Development**

Marc R. Smith, IDA
Coordinator
6560 Dysinger Road
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(716) 478- 0608
LED@elockport.com
<http://lockporteconomicdevelopment.com/>

Discover Lockport

24 Church Street
Lockport, NY 14094
(716) 439-0431
drkinyon@roadrunner.com
<http://discoverlockport.com/>

Lockport Board of Education

John Linderman, President
130 Beattie Ave.
Lockport, NY 14094
(716) 478-4800
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Lockport City School District

Michelle T. Bradley,
Superintendent
130 Beattie Ave.
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mbradley@lockportschools.net

Lockport Police Department

Michael Niethé, Police Chief
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One Locks Plaza
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(716) 439-6717
info@lockportny.gov
<https://www.lockportny.gov/>

**City of Lockport Mayors
Office**

Office of the Mayor
One Lock Plaza
Lockport, NY 14094
(716) 439-6665

**City of Lockport Common
Council**

David R. Wohleben,
Common Council President
One Lock Plaza
Lockport, NY 14094
(716) 471-4394

**Eastern Niagara Health
System**

Clare A. Haar, Chief Executive
Officer
521 East Ave
Lockport NY, 14094
(716) 514-5501
<http://www.enhs.org/>

Wheatfield Town Board

Don MacSwan, Supervisor
2800 Church Rd.
Wheatfield, NY 14120
(716) 694-6680
Supervisor@wheatfield.ny.us

Wheatfield Town Clerk

Kathleen Harrington-
McDonell
2800 Church Rd.
Wheatfield, NY 14120
(716) 694-6441
kathyh@wheatfield.ny.us
[http://wheatfield.ny.us/172/
Town-Clerks-Office](http://wheatfield.ny.us/172/Town-Clerks-Office)

**Host and Adjacent
Landowners**

(Individual names and
addresses omitted)

**Tuscarora Nation
Reservation**

Leo Henry,
Chief
2006 Mount Hope Road
Lewiston, NY 14092

**Niagara County Agricultural
and Farmland Protection
Board**

John Syracuse
Chairman
6091 Condren Road
Newfane, NY 14108
John.Syracuse@niagaracount
y.com
(716) 778-5064

**Town of Pendleton
Conservation Board**

Sara Siracuse, Chair
ssiracuse@pendletonny.us

**Town of Pendleton
Recreation Committee**

Beatrice Mattina,
Program Director
Pendleton Town Hall,
6570 Campbell Blvd.
Lockport, NY 14094
(716) 417-0965

ADDITIONAL STAKEHOLDERS

Western New York

Environmental Alliance

Antonina Simeti, Executive
Director
Attn: The Western New York
Environmental Alliance and
GrowWNY
617 Main Street Suite 300
Buffalo, NY 14203
(716) 245-4570
info@growwny.org
[http://www.growwny.org/w
nyea/](http://www.growwny.org/w
nyea/)

Buffalo Niagara Partnership

Dottie Gallagher-Cohen,
President & CEO
257 St Genesee Street, Suite
600
Buffalo, NY 14202
(716) 852-7100
connect@thepartnership.org
[https://www.thepartnership.
org/](https://www.thepartnership.
org/)

Division of Smart Growth

Scott Pruitt, Administrator
Office of Community
Revitalization (MC 1807T)
U.S. Environmental
Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460
(202) 566-2878
smartgrowth@epa.gov
[https://www.epa.gov/smartg
rowth](https://www.epa.gov/smartg
rowth)

Shawnee Sno Chiefs

Gary Broderick, President
3747 Lockport Road
Sanborn, New York 14132
(716) 807-7002
www.snochiefs.net

Pendleton Snowmobile Club

5612 Tonawanda Creek Road
Lockport, NY 14094
(716) 316-0990
pendletonnysnoclub@gmail.com

Western New York Regional Economic Development Council

Jeff Belt, CEO
95 Perry Street
Suite 500
Buffalo, NY 14203-3030
(716) 846-8200
NYS-WNY-REDC@esd.ny.gov

Niagara Power Project

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123 Main Street
Corporate Communications
Mail Stop 10 B
White Plains, NY 10601-3170
Info@nypa.gov
(914) 681-6200
[https://www.nypa.gov/power/gener
ation/niagara-power-project](https://www.nypa.gov/power/gener
ation/niagara-power-project)

Niagara County Community College

Dr. William J. Murabito, Interim
President
3111 Saunders Settlement Rd
Sanborn, NY 14132
(716) 614-NCCC (6222)

Sierra Club

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Director
744 Broadway
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sierraclubvolunteer@gmail.com
<https://www.sierraclub.org>

Niagara Wind and Solar

7510 Porter Road Suite 4
(716) 215-1930

Re-Tree WNY

Paul Maurer, Chairman
(9716) 553-4061

WNY Sustainable Energy**Association Trust**

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Buffalo, NY 14222
wnysea@gmail.com
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Buffalo Niagara Waterkeeper

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The Nature Conservancy

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274 North Goodman Street,
Suite B261
Rochester, NY 14607
(585) 546-8030

The Buffalo Audubon Society

Jeff Beich, President
1610 Welch Road
North Java, New York 14113
(585) 457-3228

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<http://wlv.com/>

APPENDIX B

Proposed Project Schedule

Bear Ridge Solar

Project Schedule

**Please note – all dates are estimated and subject to change*

Date	Entity	Milestone
August 2018	Article 10	File Final Public Involvement Program Plan with NYS DPS
October 2018	Host Municipality	Public Open House Informational Meeting
January 2019	Article 10	File Preliminary Scoping Statement with NYS DPS – 21-day public comment period
February 2019	Article 10	Nominations Considered for Local Members of Siting Board
March 2019	Article 10	Intervenor Funding Made Available to Municipal and Local Parties
April 2019	Host Municipality	Public Open House Informational Meeting
August 2019	Article 10	Full Application Submitted to NYS DPS
October 2019	Article 10	Full Application Deemed Complete by NYS DPS
October 2019 – September 2020	Article 10	Adjudicatory Process – Public Hearings
September 2020	Article 10	Siting Board Decision
September 2020	Article 10	NYISO Interconnection Studies Complete
October 2020	Construction	Commence Project Construction
October 2021	Construction	Commence Commercial Operation

APPENDIX C OUTREACH LOG

<i>Date</i>	<i>Outreach Event</i>	<i>Location</i>	<i>Attendees</i>	<i>Purpose</i>	<i>Follow-Up</i>	<i>Stakeholder Type</i>
7/20/17	Landowner Roundtable	Ohol Barn	John Ohol – Property Owner Joseph Ohol – Town Resident Fran Barone – Property Owner Alex Schild – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager	Gathering of landowners to discuss project schedule		Host Property Owners
11/13/17	Town of Cambria Sketch Meeting	Cambria Town Hall	Wright Ellis – Town Supervisor Joseph Ohol – Town Resident John Ohol – Property Owner Daniel Compitello – CCR Permitting & Outreach Manager	Introduced Cypress Creek Renewables to the Town Supervisor and discussed several solar projects	Request for more information on project location and schedule	Host Municipality
3/29/18	Landowner Roundtable	Ohol Barn	John Ohol – Property Owner Joseph Ohol – Town Resident Thomas Ohol – Property Owner Pat Danielwicz – Property Owner Kevin Kohlstedt – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager Lisa Jaccoma – Arch Street Communications Nora Madonick – Arch Street Communications Jacob Runner – EDR	Gathering of landowners to discuss the Article 10 process and community values		Host Property Owners

<i>Date</i>	<i>Outreach Event</i>	<i>Location</i>	<i>Attendees</i>	<i>Purpose</i>	<i>Follow-Up</i>	<i>Stakeholder Type</i>
3/29/18	Town of Cambria Sketch Meeting	Cambria Town Hall	Wright Ellis – Town Supervisor Debra Littere – Town Assessor James McCann – Building Inspector Gary Billingsley – Planning Board Attorney Robert S. Roberson – Town Attorney Joseph Ohol – Town Resident John Ohol – Property Owner Kevin Kohlstedt – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager Nora Madonick – Arch Street Communications Lisa Jaccoma – Arch Street Communications Jacob Runner – EDR	Introduction of project and Article 10 to Town Staff members	Request for more information regarding relationship with IDA and the “shovel-ready” sites.	Host Municipality
5/3/18	Town of Pendleton Sketch Meeting	Pendleton Town Hall	David Kantor - Planning Board Joseph Killion - Planning Board Nick Kwasniak - Planning Board John Lavrich - Planning Board David Naus - Planning Board Daniel Vivian - Planning Board Joel Maerten - Town Supervisor David Leible - Town Councilman John Ohol - landowner Kevin Kohlstedt, Dan Compitello - CCR Lisa Jaccoma - ASC Dave Britton - Town Engineer	Introduction of project to the Planning Board	Request for more information on any proposed tree clearing; Request for PIP walkthrough after filing	Host Municipality

<i>Date</i>	<i>Outreach Event</i>	<i>Location</i>	<i>Attendees</i>	<i>Purpose</i>	<i>Follow-Up</i>	<i>Stakeholder Type</i>
5/8/18	Intro Meeting with NYS DPC, NYSDEC, and NYSDAM	Empire State Plaza, Albany, NY	Gene Kelly – Harris Beach Steve Wilson – Harris Beach John Binder – NYSDEC Mike Higgins – NYSDEC Colleen Kimber – NYSDEC Brian Ossias – NYS DPS Greg Liberman – EDR Jeremy Flaum – NYS DPS Tara Wells – NYSDAM Kate Close – NYSDAM John Wojcikiewicz – EDR Graham Jesmer – NYS DPS Jim Austin – NYS DPS Andrew Davis – NYS DPS Jennifer Sherwood – CCR Environmental Manager Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer	Introduction of project to State agencies		State Agency
5/11/18	One Region Forward Meeting	Via Conference Call	Jason Kulaszewski – University of Buffalo Bartholomew Roberts – University of Buffalo Daniel Compitello – CCR Permitting & Outreach Manager Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer	Introduction of project to regional planning committee		Interested Party

<i>Date</i>	<i>Outreach Event</i>	<i>Location</i>	<i>Attendees</i>	<i>Purpose</i>	<i>Follow-Up</i>	<i>Stakeholder Type</i>
5/15/18	Niagara County IDA Meeting	Sanborn, NY	Michael Casale – Niagara County Center for Economic Development Susan Langdon – Niagara County IDA Ben Bidell – Niagara County Center for Economic Development Andrea Klyczek – Niagara County IDA Amy Fisk – Niagara County Center for Economic Development Ben Broder – CCR Economic Development Manager Kevin Kohlstedt – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager	Introduce project to IDA and discuss shovel ready parcels	Request for follow up on marketing of “shovel ready” parcels	Local Agency
6/8/2018	Pendleton Planning Board Meeting	Pendleton Town Hall	Kevin Kohlstedt - CCR Project Developer Marisa Scavo - CCR Project Developer Lisa Jaccoma - Arch Street Communications Joe McCaffrey - Pendleton PB Chairman Joe Killion - Pendleton PB John Lavrich - Pendleton PB Dan Vivian - Pendleton PB Dave Naus - Pendleton PB Nick Kwasniak - Pendleton PB Dave Kantor - Pendleton PB Dave Britton - Town Engineer	Review Draft PIP with PB, introduce project to Planning Board Chairman		Local Agency

<i>Date</i>	<i>Outreach Event</i>	<i>Location</i>	<i>Attendees</i>	<i>Purpose</i>	<i>Follow-Up</i>	<i>Stakeholder Type</i>
6/28/18	Town of Cambria, Niagara County Department of Economic Development and Niagara County Industrial Development Agency	Niagara County IDA	Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer Jacob Runner – EDR Pat Heaton - EDR Lisa Jaccoma – Arch Street Communications Gene Kelly – Harris Beach Wright Ellis – Town Supervisor Robert S. Roberson – Town Attorney Mark Davis – Lipped Mathias Wexler Friedman Drew Reilly – Wendel Matt Foe - Town of Cambria Bill Amacher – Town of Cambria Jim McCann – Town of Cambria Brian Seaman – Niagara County Attorney Office John Shoemaker – Niagara County Director Real Property Tax Service	Bear Ridge Project Update		Local Agency
7/18/18	Introductory meeting with New York State Senator	Lockport, NY	Robert Ortt – New York State Senator Bob Welch – Senior Staff Member Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer	Introduce project		Elected Officials
7/18/18	Introductory meeting with New York State Assemblyman	Williamsville, NY	Raymond Walter – New York State Representative Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer	Introduce project		Elected Officials

<i>Date</i>	<i>Outreach Event</i>	<i>Location</i>	<i>Attendees</i>	<i>Purpose</i>	<i>Follow-Up</i>	<i>Stakeholder Type</i>
7/19/18	Agency Meeting	Albany, NY	Edick, Rudyard – DEC Binder, Jonathan A – DEC Denoncour, Brianna M – DEC Kimble, Colleen E – DEC Baginski, Kenneth S – DEC Rosenburg, Charles P – DEC Davis, Andrew – DPS Wells, Tara –DAM Rosenthal, Jeremy – DPS Austin, James – DPS Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer Jen Sherwood – CCR Gene Kelly – HB Jacob Runner – EDR Ben Brazell – EDR	Discussion of Field Activities		State Agency
8/20/18	Niagara County Community College	Sanborn, NY	Kevin Kohlstedt – CCR Project Developer Deborah Brewer – NCCC Mark Voisinet – NCCC Brian Michel – NCCC Lydia Ulatowski – NCCC	Discuss Workforce Development Partnership		Community Partnership
8/23/18	Site Visit with Department of Agriculture & Markets	Cambria, NY	Mike Saviola – NYSDAM Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer John Ohol – Property Owner	Site Tour		State Agency

APPENDIX D
STAKEHOLDER INVOLVEMENT

GOALS & OBJECTIVES

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Host Municipalities</i>		
Towns of Cambria and Pendleton (Host Municipalities)	Provide general information on the Project, Article 10 process, intervenor funding, and contact information. Discuss potential avoidance, minimization, and mitigation measures to address identified impacts.	Provide timely public/stakeholder notices and information on public comment periods, scheduled meetings/information sessions, and opportunities for participation. Initiate direct contact with local officials and boards regarding upcoming Article 10 milestones, submission of PSS (at least two weeks prior to filing).
	Provide notice to Town two weeks prior to submittal of PSS.	Mail notice.
	Notifications as required by Article 10.	As per schedule in regulations
	Solicit local feedback. Provide answers to specific questions or concerns.	By phone, mail, or in person as requested.
	Work with local departments to develop appropriate emergency response plans for construction and operational phases of the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Host Municipalities (continued)</i>		
Towns of Cambria and Pendleton (Host Municipalities), <i>(continued)</i>	<p>Obtain all relevant local laws, building codes, comprehensive plans, zoning maps, etc. Determine whether all local laws potentially applicable to the Project have been identified.</p>	<p>Initial meeting or telephone conference no later than one month prior to submittal of PSS.</p>
	<p>Discuss transportation routes, use of right-of-way and other issues of local concern with Town Highway Departments.</p>	<p>Meeting with Town Highway Departments before submittal of PSS to discuss capital improvement projects and future plans, during Article 10 process as needed, and prior to mobilization to site for construction.</p>
	<p>Inform local emergency responders of contingency plans in the event of an emergency during construction or operational phases of the Project.</p>	<p>Meeting or telephone conference during Article 10 process and at least two months prior to mobilization of site for construction</p>
Town of Cambria Historian	<p>Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project.</p>	<p>Initial correspondence no later than one month prior to submittal of PSS.</p>

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Host Municipalities (continued)</i>		
Town of Pendleton Historian	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
Starpoint Central School District Cambria and Pendleton Joint School District (host school districts)	Provide general information on the Project, Article 10 process, and intervenor funding, and contact information.	Provide timely public/stakeholder notices and information on public comment periods, scheduled meetings/ information sessions, and opportunities for participation. Initiate direct contact with local officials and boards regarding upcoming Article 10 milestones, submission of PSS (at least two weeks prior to filing), etc. Letter to be sent before submittal of PSS.
	Notifications, as required by Article 10.	As per schedule in regulations.
	Solicitation of local feedback. Provide answers to specific questions or concerns.	By phone, mail, or in person as requested. Public Information Open House Sessions and attendance at local meetings. At least two public sessions currently planned—one prior to, and one following submittal of the PSS.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Host Municipalities (continued)</i>		
Starpoint Central School District Cambria and Pendleton Joint School District (host school districts), <i>(continued)</i>	Solicitation of local feedback. Provide answers to specific questions or concerns. <i>(continued)</i>	Establish a contact phone number, and dedicated project email address to respond to inquiries and accept public comments.
	Explain and discuss delivery methods of project components and transportation routes and timing; discuss and address school district concerns regarding transportation and project impacts pre- and post-construction.	Meeting or telephone conference at least two months prior to mobilization to site for construction.
<i>Host County</i>		
Niagara County (Host County)	Provide general information on the Project, Article 10 process, intervenor funding, and contact information.	Letter to be sent before submittal of PSS.
	Provide notice to County two weeks prior to submittal of PSS	Mail notice.
	Notifications, as required by Article 10.	As per schedule in regulations.
	Solicit local feedback. Provide answers to specific questions or concerns.	By phone, mail, or in person as requested by County.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Host County (continued)</i>		
Niagara County (Host County), <i>(continued)</i>	<p>Obtain all relevant local laws, building codes, comprehensive plans, zoning maps, etc. Determine whether all local laws potentially applicable to the Project have been identified.</p>	<p>Initial meeting or telephone conference no later than one month prior to submittal of PSS.</p>
	<p>Review County Division of Transportation requirements, transportation routes, and use of right-of-ways.</p>	<p>Meeting with Division of Transportation before submittal of PSS to discuss capital improvement projects and future plans, during Article 10 process as needed, and prior to mobilization to site for construction.</p>
	<p>Work with County Emergency Management Office to develop appropriate emergency response plans for construction and operational phases of the Project</p>	<p>Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.</p>
Niagara County Agricultural and Farmland Protection Board	<p>Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project.</p>	<p>Initial correspondence no later than one month prior to submittal of PSS.</p>

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Host County (continued)</i>		
Niagara County Soil and Water Conservation District	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
Niagara County Department of Economic Development and Planning	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss existing and future planning documents, associated objectives, and how such objectives may be affected or promoted by the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.
Niagara County Department of Public Works	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss facilities that may be affected by the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.
Niagara County Airports	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss facilities that may be affected by the Project	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Study Area Municipalities</i>		
Towns of Lockport and Wheatfield	Provide general information on the Project, Article 10 process, and contact information.	Provide timely public/ stakeholder notices and information on public comment periods, scheduled meetings/ information sessions, and opportunities for participation.
	Provide notice to Towns two weeks prior to submittal of PSS.	Mail notice.
	Notifications, as required by Article 10.	As per schedule in regulations
	Solicit local feedback. Provide answers to specific questions or concerns.	By phone, mail, or in person as requested.
	Work with local Fire Departments to develop appropriate emergency response plans for construction and operational phases of the Project.	Meeting or telephone conference during Article 10 process and at least two months prior to mobilization to site for construction.
<i>Study Area Schools</i>		
Lockport City School District	Provide general information on the Project, Article 10 process, intervenor funding, and contact information.	Provide timely public/ stakeholder notices and information on public comment periods, scheduled meetings/ information sessions, and

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Study Area Schools (continued)</i>		
Lockport City School District, <i>(continued)</i>	Provide general information on the Project, Article 10 process, intervenor funding, and contact information. <i>(continued)</i>	opportunities for participation. Initiate direct contact with local officials and boards regarding upcoming Article 10 milestones, submission of PSS (at least two weeks prior to filing), etc. Letter to be sent before submittal of PSS.
	Notifications, as required by Article 10.	As per schedule in regulations.
	Solicitation of local feedback. Provide answers to specific questions or concerns.	By phone, mail, or in person as requested. Public Information Open House Sessions and attendance at local meetings. At least two public sessions currently planned, one—prior to and one following submittal of the PSS. Establish a contact phone number and dedicated project email address to respond to inquiries and accept public comments.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Study Area Schools (continued)</i>		
Lockport City School District, <i>(continued)</i>	Explain and discuss delivery methods of project components and transportation routes and timing; discuss and address school district concerns regarding transportation and project impacts pre- and post-construction.	Meeting or telephone conference at least two months prior to mobilization to site for construction.
<i>State Agencies/Representatives</i>		
Member of NYS Assembly for District 145 and NYS Senator for District 62	Provide general information on the Project, Article 10 process, and intervenor funding, and provide contact information	Letter to be sent before submittal of PSS.
	Notifications, as required by Article 10.	As per schedule in regulations
	Solicit feedback. Provide answers to specific questions or concerns.	By phone, mail, or in person as requested.
New York State Department of Environmental Conservation (NYSDEC)	Identify agency concerns to incorporate feedback into environmental study design.	Initial meeting or telephone conference no later than one month prior to submittal of PSS. Obtain agency comment/approval
	Notifications, as required by Article 10.	As per schedule in regulations.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>State Agencies/Representatives (continued)</i>		
New York State Department of Environmental Conservation (NYSDEC) <i>(continued)</i>	Determine whether all NYSDEC regulations potentially applicable to the Project have been identified,	Initial meeting or telephone conference no later than one month prior to submittal of PSS
NYSDEC Region 4	Notifications, as required by Article 10.	As per schedule in regulations.
New York State Research and Development Authority (NYSERDA)	Notifications, as required by Article 10.	As per schedule in regulations.
Empire State Development Corporation	Notifications, as required by Article 10.	As per schedule in regulations.
NYS Attorney General	Notifications, as required by Article 10.	As per schedule in regulations.
New York State Department of Health (NYSDOH)	Notifications, as required by Article 10.	As per schedule in regulations.
	Determine whether all NYSDOH regulations potentially applicable to the Project have been identified	Initial meeting or telephone conference no later than one month prior to submittal of PSS.
NYS Department of Agriculture and Markets (NYS&M)	Notifications, as required by Article 10.	As per schedule in regulations.
	Determine whether all NYS&M regulations potentially applicable to the Project have been identified.	Initial meeting or telephone conference no later than one month prior to submittal of PSS.
NYS Department of State (NYSDOS)	Notifications, as required by Article 10	As per schedule in regulations.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>State Agencies/Representatives (continued)</i>		
NYS Department of State (NYSDOS) <i>(continued)</i>	Determine whether all NYSDOS regulations potentially applicable to the Project have been identified.	Initial meeting or telephone conference no later than one month prior to submittal of PSS.
NYS Office of General Services	Notifications, as required by Article 10	As per schedule in regulations.
NYS Governor’s Office	Notifications, as required by Article 10	As per schedule in regulations.
NYS Division of Homeland Security and Emergency Services	Notifications, as required by Article 10	As per schedule in regulations.
NYS Department of Defense	Notifications, as required by Article 10.	As per schedule in regulations.
NYS Office of Parks, Recreation and Historic Preservation	Consultation in accordance with Section 14.09 of the New York State Parks, Recreation, and Historic Preservation Law and/or Section 106 of the Historic Preservation Act, as required.	Meetings to develop work plans and content of cultural resources studies prior to submittal of PSS, ongoing review of studies and mitigation recommendations.
NYS Department of Public Service	Facilitate Article 10 review process.	Meetings throughout process.
NYS Department of Transportation and NYS Thruway Authority	Identify constraints associated with roads used for component transport.	Prior to submittal of Article 10 Application.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>State Agencies/Representatives (continued)</i>		
New York Independent System Operator	Generator interconnection studies and timing	Prior to submittal of Article 10 Application and throughout Article X process.
New York State Canal Corporation (New York Power Authority)	Notifications, as required by Article 10.	As per schedule in regulations.
<i>Federal Agencies/Representatives</i>		
US Army Corps of Engineers	Determine jurisdiction and permits necessary under Section 404 of the Clean Water Act.	Pre-application meeting anticipated as final design of Project nears completion.
US Fish and Wildlife Service	Determine potential concerns regarding compliance with applicable federal laws and regulations.	Prior to submittal of the PSS.
US Federal Aviation Administration	No Hazard Determinations	Prior to submittal of Article 10 Application.
US Department of Defense	Information dissemination on proposed Project. If necessary, develop avoidance, minimization and mitigation plans to address potential Project impacts.	Prior to submittal of Article 10 Application.
US Senator Charles E. Schumer	Notifications, as required by Article 10.	As per schedule in regulations.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Federal Agencies/Representatives (continued)</i>		
US Senator Kirsten E. Gillibrand	Notifications, as required by Article 10.	As per schedule in regulations.
US Representative Chris Collins 27 th District	Notifications, as required by Article 10.	As per schedule in regulations.
<i>Other Stakeholders (Regional or Locational Agencies)</i>		
Cornell Cooperative Extension Niagara County	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
Buffalo Niagara River-Land Trust	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
Niagara Chamber of Commerce	Provide information on the Project and Article 10 process, intervenor funding and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Other Stakeholders (Regional or Locational Agencies) (continued)</i>		
Western New York Environmental Alliance* Buffalo Niagara Partnership Division of Smart Growth Western New York Regional Economic Development Council Niagara Wind & Solar Niagara Power Project WNY Sustainable Energy Association Trust Niagara County Community College Re-Tree WNY Sierra Club	Provide information on the Project and Article 10 process, intervenor funding and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
Western NY Land Conservancy	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
The Nature Conservancy/Buffalo Niagara Waterkeeper	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Other Stakeholders (Regional or Locational Agencies) (continued)</i>		
Buffalo Audubon Society - NY	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
National Grid	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
Niagara Area – Regional Tribal Nations	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
Time Warner Cable/Charter Communications	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Other Stakeholders (Regional or Locational Agencies) (continued)</i>		
Telecommunications Providers with Equipment, Easements or Rights-of-way within Facility Area	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
Natural Gas Transmission Line Owners with Infrastructure, Easements or Rights-of-way within Facility Area	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.

APPENDIX B

HCA and PILOT Information

Host Community Agreement

How will the town benefit? What groups will partner with CCR?





Bear Ridge Host Community Agreement

WORKFORCE DEVELOPMENT, JOBS, AND EDUCATION:

- Niagara County Community College
- Starpoint Central School District – STEM Education

VETERANS INITIATIVES:

- Niagara Falls Air Reserve Station Sponsorship and Support

PUBLIC IMPROVEMENTS:

- Electricity Rate Discounts – 10-yr, \$90/mo credit: 173 homes within 1000’ of project
- Cambria, Sanborn, Pekin, Wendelville Fire Company Support

CONSERVATION:

- Cambria and Pendleton Town Park Improvements
- Youth Farming Programs

Host Community Agreements

Bear Ridge will work with the community to build a Host Community Agreement (HCA) that benefits the community. An HCA aims to deliver local improvements and community support for the project.

Here are some of the areas we will explore:



Public Improvements



Conservation



Workforce
Development, Jobs,
and Education



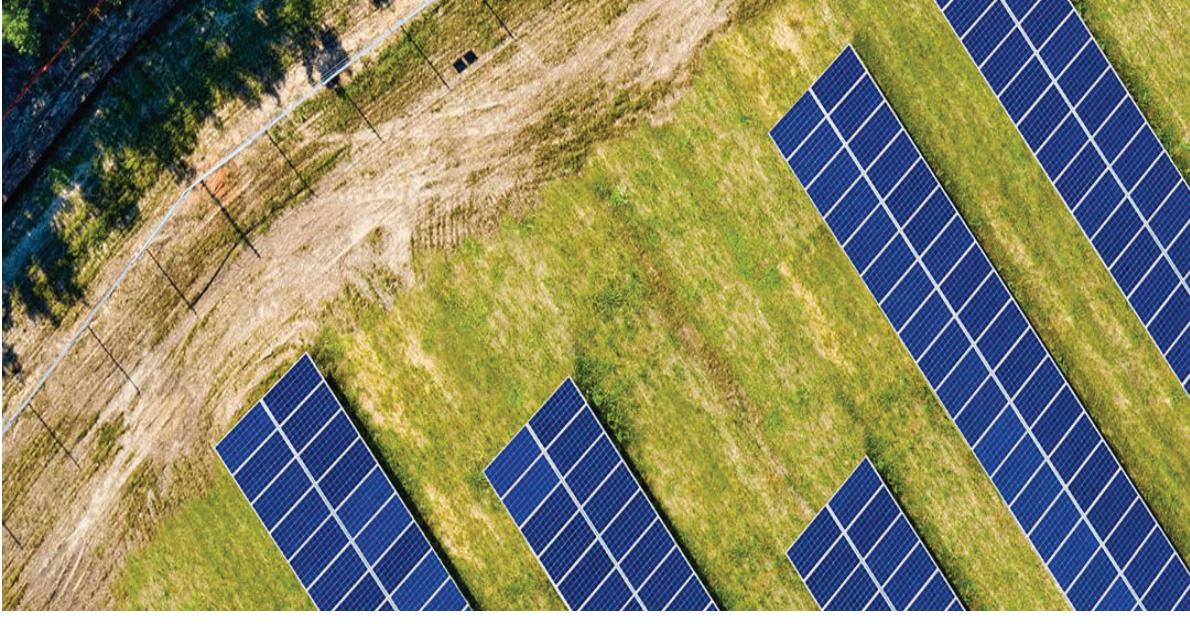
Veterans Initiatives



Payment-in-Lieu-of-Tax (PILOT) Agreement

Under New York State tax law, renewable energy projects are typically exempt from property taxes; however, Bear Ridge Solar is committed to offering a PILOT agreement to all taxing jurisdictions.

- PILOTs provide consistent, annual payments for the first 15 years of the operational period
- County IDAs can negotiate PILOTs up to 20 years
- The exact payments are still unknown, and require negotiation with the taxing jurisdictions
- The industry standard for transmission projects of this size is an average of \$3,200 per MW-AC per year, or, \$320,000 in tax revenue every year for a project the size of Bear Ridge
- Bear Ridge Solar would like to initiate PILOT negotiations in August 2019



APPENDIX C

Letters of Support

Date: 10/9/19

RE: Letter of Support for Bear Ridge Solar farm, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar farm located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

I support the project for many reasons, including:

- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
- The project has committed to a \$10 million community benefit package for Cambria and Pendleton.
- Bear Ridge Solar is a passive use of the land that, once in operation, will not place new burdens on the infrastructure in the Towns of Cambria and Pendleton:
 - The project will not generate traffic or emissions, use any water, or require significant emergency services.
 - The project will contribute substantial PILOT revenue to the Starpoint School District without adding students to the enrollment.
 - The project will enable local farmers to retain their land, preventing high service demand development and the loss of agricultural property.
- Bear Ridge Solar will generate enough independent energy to power over 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar farm and support its approval.

Sincerely,

Name: Kenneth J. Horvath

Title: KENNETH J. HORVATH

Address: 6484 BARTZ RD LOCKPORT, NY 14094

Date: 2/17/2020

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

I support the project for many reasons, including:

- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
- The project has committed to a \$10 million community benefit package for Cambria and Pendleton.
- Bear Ridge Solar is a passive use of the land that, once in operation, will not place new burdens on the infrastructure in the Towns of Cambria and Pendleton:
 - The project will not generate traffic or emissions, use any water, or require significant emergency services.
 - The project will contribute substantial PILOT revenue to the Starpoint School District without adding students to the enrollment.
 - The project will enable local farmers to retain their land, preventing high service demand development and the loss of agricultural property.
- Bear Ridge Solar will generate enough independent energy to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: John Scherrer

Title: Business Manager IBEW Local 237

Address: 8803 Niagara Falls Blvd, Niagara Falls, NY 14304

'Statement of Support' for the Bear Ridge Solar Project

NAME	ADDRESS
1. Nicolaus Coyle	927 92 St Niagara Falls NY 14304
2. Aaron Browne	1058 Caravelle Dr. N.F. N.Y. 14304
3. Matthew Ventry	8523 Frontiers Ave N.F. NY 14304
4. Jacob Joseph	687 Blairville Rd Youngstown NY 14174
5. Ryan Armele	421 77th Street Niagara Falls NY 14304
6. Chad Gailor	6 Howard Ave. Lockport NY 14094
7. Thomas Martin	4551 Wilson-Burt Rd. Wilson NY 14172
8. Ryan Clark	417 North Avenue North Tonawanda NY 14120
9. Lukas Hansen	1639 Johnson Creek Buffalo 14012
10. Nicholas Brown	364 Church St. Youngstown NY 14174
11. Anthony Chester	646 69th St Niagara Falls NY 14304
12. Timothy Rax	319 38th St NIGARA FALLS, NY 14303
13. Joe Scrivano	6961 Tanya Dr Niagara Falls NY 14304
14. Jeff Haseley	4285 Budd Rd, Lockport NY 14094
15. Matt Biskam	1336 Garrett Ave NF 14305
16. Michael J. Seick	6864 Wood Rd. NF NY 14304
17. Jonathan Siejka	2908 Mack km Ave. NF, NY, 14305
18. Kevin Robinson	6019 Graver Rd NF, NY 14305
19. Tony Clark	3266 HESS RD LOCKPORT NY 14094
20. Jordan Dewel	854 Birch Wood Lockport NY 14094
21. Brian Mendel	5604 Chestnut Rd Newfane, NY 14108
22. Terry Mandaville	2945 Hosmer Rd Grapport NY 14067
23. Nick Mazerbo	3001 St. Paul St Niagara Falls NY 14305
24. Mark Kinney	172 Erie St Lockport NY 14094
25. Karl Kirsch	3916 Lockport rd. Sanborn NY 14132
26. Tom Ryan	266 WILCOX ST WILSON NY 14172
27. Nathaniel Diefenbach	641 Payne Ave NY 14120
28. Quinton Gregory	4532 Rundlewood drive Lockport 14094
29. Erik Domin	347 Miller St North Tonawanda 14120
30. Desai Mathews	524 24th Street Niagara Falls, NY, 14301
31. Joseph Mundier	537 81st Street Niagara Falls, NY 14304
32. Phillip Violanti	8716 Lindbergh Ave, Niagara Falls, NY, 14304
33. Josh Vivian	198 Schenck St. North Tonawanda, NY 14120
34. Cotten McMillard	5690 Dunnigan Rd Lockport NY, 14094
35. Keny Daunce	3602 Estes Place Ransomville NY, 14131
36. Brandon Lum	1286 Mall Street North Tonawanda, NY 14120

'Statement of Support' for the Bear Ridge Solar Project

NAME

ADDRESS

1. _____
2. Christopher Brown 1857 Saunders Settlement Rd, N.E., NY, 14304
3. Salim Kinan 602-72 st Nia. Falls, N.Y. 14304
4. Larry Krueger 1360 FORBES ST. N.F. 14120
5. Scott Scheller 95 COMMUNITY DR. H.T. NY. 14120
6. James W Bailor 2459 Willow AVE Niagara Falls N.Y. 14308
7. LINDA MANGUS 194 Jackson Ave. North Tonawanda, NY 14120
8. Dawn Amato 8618 Frontier Ave. N.F. N.Y. 14304
9. Faith Brzelinski - Fine 246 Seminary St. Wilson NY 14172
10. Jeff Fine 246 Seminary St Wilson NY 14170
11. Colin Walter 7734 3rd Ave Niagara Falls NY 14304
12. Susan Gemmati 7734 3rd Ave Niagara Falls NY 14304
13. JERARD J. STANISH 5922 STEPHENSON AVE, NIAGARA FALLS, NEW YORK 14304
14. Linda A Mayflower 3355 Miller Rd Niagara Falls, NY 14304
15. TIMOTHY D. SMERAL 6989 PLAZA DR APT #2 NIAGARA FALLS, N.Y. 14304
16. Susan Capton 2141 Saunders Settlement, NE, NY 14304
17. Faith Capton 2141 Saunders Settlement, NE, NY, 14304
18. William Capton Jr 6694 Errick Rd, North Tonawanda NY, 14120
19. Stacy Baine 2459 Willow Ave Niagara Falls NY 14305
20. Stanville 2520 Niagara Rd Niagara Falls NY 14304
21. _____
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36. _____

Date: 5/5/20

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

I support the project for many reasons, including:

- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
- The project has committed to a \$10 million community benefit package for Cambria and Pendleton.
- Bear Ridge Solar is a passive use of the land that, once in operation, will not place new burdens on the infrastructure in the Towns of Cambria and Pendleton:
 - The project will not generate traffic or emissions, use any water, or require significant emergency services.
 - The project will contribute substantial PILOT revenue to the Starpoint School District without adding students to the enrollment.
 - The project will enable local farmers to retain their land, preventing high service demand development and the loss of agricultural property.
- Bear Ridge Solar will generate enough independent energy to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: Thomas Chalk

Title: owner

Address: 5832 Comstock Rd.

Date: 3/11/20

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

I support the project for many reasons, including:

- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
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- Bear Ridge Solar will generate enough independent energy to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: Leanna Choi [Signature]

Title: owner

Address: 4321 Saunders Settlement Rd Sarburn ny 14132

Date: 3/11/20

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

I support the project for many reasons, including:

- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
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 - The project will contribute substantial PILOT revenue to the Starpoint School District without adding students to the enrollment.
 - The project will enable local farmers to retain their land, preventing high service demand development and the loss of agricultural property.
- Bear Ridge Solar will generate enough *independent energy* to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: John D. Olaf Jensen

Title: Owner

Address: 4321 S.S. Scarborough, NY 14172

Date: _____

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

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- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: _____

Joseph Ochal

Title: _____

Address: _____

*5817 Comstock Rd.
Lockport, N.Y.*

Date: _____

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

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- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name:  _____

Title: _____

Address: 5545 Twilight Ln Lockport NY 14094

Date: 3/7/2020

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

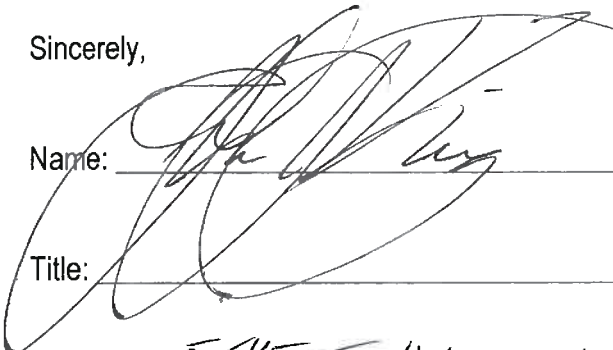
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- Bear Ridge Solar will generate enough independent energy to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name:  _____

Title: _____

Address: 5345 Twilight Ln Lockport, NY 14094

Date: 2-22-20

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

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- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
- The project has committed to a \$10 million community benefit package for Cambria and Pendleton.
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- Bear Ridge Solar will generate enough independent energy to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: James Behnke

Title: _____

Address: 5122 Bear Rd Seneca NY 14132

Date: 02-22-2020

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

I support the project for many reasons, including:

- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
- The project has committed to a \$10 million community benefit package for Cambria and Pendleton.
- Bear Ridge Solar is a passive use of the land that, once in operation, will not place new burdens on the infrastructure in the Towns of Cambria and Pendleton:
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- Bear Ridge Solar will generate enough independent energy to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: Mark Batt

Title: _____

Address: 6019 Miller Rd Lockport NY 14094

Date: 2/24/20

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.


Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

I support the project for many reasons, including:

- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
- The project has committed to a \$10 million community benefit package for Cambria and Pendleton.
- Bear Ridge Solar is a passive use of the land that, once in operation, will not place new burdens on the infrastructure in the Towns of Cambria and Pendleton:
 - The project will not generate traffic or emissions, use any water, or require significant emergency services.
 - The project will contribute substantial PILOT revenue to the Starpoint School District without adding students to the enrollment.
 - The project will enable local farmers to retain their land, preventing high service demand development and the loss of agricultural property.
- Bear Ridge Solar will generate enough independent energy to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: CRAIG MCCAFFREY 

Title: _____

Address: 4875 SAUNDERS SETT

Date: _____

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

I support the project for many reasons, including:

- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
- The project has committed to a \$10 million community benefit package for Cambria and Pendleton.
- Bear Ridge Solar is a passive use of the land that, once in operation, will not place new burdens on the infrastructure in the Towns of Cambria and Pendleton:
 - The project will not generate traffic or emissions, use any water, or require significant emergency services.
 - The project will contribute substantial PILOT revenue to the Starpoint School District without adding students to the enrollment.
 - The project will enable local farmers to retain their land, preventing high service demand development and the loss of agricultural property.
- Bear Ridge Solar will generate enough independent energy to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: Steve A. O'Neil

Title: _____

Address: 4256 Upper Mt. Rd Sanborn

Date: 2-24-2020

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:


I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

I support the project for many reasons, including:

- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
- The project has committed to a \$10 million community benefit package for Cambria and Pendleton.
- Bear Ridge Solar is a passive use of the land that, once in operation, will not place new burdens on the infrastructure in the Towns of Cambria and Pendleton:
 - The project will not generate traffic or emissions, use any water, or require significant emergency services.
 - The project will contribute substantial PILOT revenue to the Starpoint School District without adding students to the enrollment.
 - The project will enable local farmers to retain their land, preventing high service demand development and the loss of agricultural property.
- Bear Ridge Solar will generate enough independent energy to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely, 

Name: KIRK ZINKIEVICH

Title: _____

Address: _____

Date: 2/7/2020

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

I support the project for many reasons, including:

- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
- The project has committed to a \$10 million community benefit package for Cambria and Pendleton.
- Bear Ridge Solar is a passive use of the land that, once in operation, will not place new burdens on the infrastructure in the Towns of Cambria and Pendleton:
 - The project will not generate traffic or emissions, use any water, or require significant emergency services.
 - The project will contribute substantial PILOT revenue to the Starpoint School District without adding students to the enrollment.
 - The project will enable local farmers to retain their land, preventing high service demand development and the loss of agricultural property.
- Bear Ridge Solar will generate enough independent energy to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: Melanie Behrke

Title: Homeowner

Address: 5122 Baer Rd Sarburn, NY 14132

Date: 3/11/20

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

I support the project for many reasons, including:

- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
- The project has committed to a \$10 million community benefit package for Cambria and Pendleton.
- Bear Ridge Solar is a passive use of the land that, once in operation, will not place new burdens on the infrastructure in the Towns of Cambria and Pendleton:
 - The project will not generate traffic or emissions, use any water, or require significant emergency services.
 - The project will contribute substantial PILOT revenue to the Starpoint School District without adding students to the enrollment.
 - The project will enable local farmers to retain their land, preventing high service demand development and the loss of agricultural property.
- Bear Ridge Solar will generate enough independent energy to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: Douglas Zimmerman

Title: _____

Address: _____

Date: 3-11-2020

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

I support the project for many reasons, including:

- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
- The project has committed to a \$10 million community benefit package for Cambria and Pendleton.
- Bear Ridge Solar is a passive use of the land that, once in operation, will not place new burdens on the infrastructure in the Towns of Cambria and Pendleton:
 - The project will not generate traffic or emissions, use any water, or require significant emergency services.
 - The project will contribute substantial PILOT revenue to the Starpoint School District without adding students to the enrollment.
 - The project will enable local farmers to retain their land, preventing high service demand development and the loss of agricultural property.
- Bear Ridge Solar will generate enough independent energy to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: Sally M. Jenley

Title: Retired Court Clerk

Address: 51 Canal Street, Lockport NY 14094

APPENDIX D
Outreach Log

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
7/20/2017	Landowner Roundtable	Ohol Barn	John Ohol – Property Owner Joseph Ohol – Town Resident Fran Barone – Property Owner Alex Schild – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager	Gathering of landowners to discuss project schedule		Host Property Owners
11/13/2017	Town of Cambria Sketch Meeting	Cambria Town Hall	Wright Ellis – Town Supervisor Joseph Ohol – Town Resident John Ohol – Property Owner Daniel Compitello – CCR Permitting & Outreach Manager	Introduced Cypress Creek Renewables to the Town Supervisor and discussed several solar projects	Request for more information on project location and schedule	Host Municipality
3/29/2018	Landowner Roundtable	Ohol Barn	John Ohol – Property Owner Joseph Ohol – Town Resident Thomas Ohol – Property Owner Pat Danielwicz – Property Owner Kevin Kohistedt – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager Lisa Jaccoma – Arch Street Communications Nora Madonick – Arch Street Communications Jacob Runner – EDR	Gathering of landowners to discuss the Article 10 process and community values		Host Property Owners
3/29/2018	Town of Cambria Sketch Meeting	Cambria Town Hall	Wright Ellis – Town Supervisor Debra Littere – Town Assessor James McCann – Building Inspector Gary Billingsley – Planning Board Attorney Robert S. Roberson – Town Attorney Joseph Ohol – Town Resident John Ohol – Property Owner Kevin Kohistedt – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager Nora Madonick – Arch Street Communications Lisa Jaccoma – Arch Street Communications Jacob Runner – EDR	Introduction of project and Article 10 to Town Staff members	Request for more information regarding relationship with IDA and the “shovel-ready” sites.	Host Municipality

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
5/3/2018	Town of Pendleton Sketch Meeting	Pendleton Town Hall	David Kantor - Planning Board Joseph Killion - Planning Board Nick Kwasniak - Planning Board John Lavrich - Planning Board David Naus - Planning Board Daniel Vivian - Planning Board Joel Maerten - Town Supervisor David Leible - Town Councilman John Ohl - Property Owner Kevin Kohlstedt, Dan Compitello - CCR Lisa Jaccoma - ASC Dave Britton - Town Engineer	Introduction of project to the Planning Board	Request for more information on any proposed tree clearing; Request for PIP walkthrough after filing	Host Municipality
5/8/2018	Intro Meeting with NYS DPC, NYSDEC, and NYSDDAM	Empire State Plaza, Albany, NY	Gene Kelly – Harris Beach Steve Wilson – Harris Beach John Binder – NYSDEC Mike Higgins – NYSDEC Colleen Kimber – NYSDEC Brian Ossias – NYS DPS Greg Liberman – EDR Jeremy Flaum – NYS DPS Tara Wells – NYSDDAM Kate Close – NYSDDAM John Wojcikiewicz – EDR Graham Jesmer – NYS DPS Jim Austin – NYS DPS Andrew Davis – NYS DPS Jennifer Sherwood – CCR Environmental Manager Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer	Introduction of project to State agencies		State Agency
5/11/2018	One Region Forward Meeting	Via Conference Call	Jason Kulaszewski – University of Buffalo Bartholomew Roberts – University of Buffalo Daniel Compitello – CCR Permitting & Outreach Manager Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer	Introduction of project to regional planning committee		Interested Party

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
5/15/2018	Niagara County IDA Meeting	Sanborn, NY	Michael Casale – Niagara County Center for Economic Development Susan Langdon – Niagara County IDA Ben Bidell – Niagara County Center for Economic Development Andrea Klyczek – Niagara County IDA Amy Fisk – Niagara County Center for Economic Development Ben Broder – CCR Economic Development Manager Kevin Kohlstedt – CCR Daniel Compitello – CCR	Introduce project to IDA and discuss shovel ready parcels	Request for follow up on marketing of “shovel ready” parcels	Local Agency
6/8/2018	Pendleton Planning Board Meeting	Pendleton Town Hall	Kevin Kohlstedt - CCR Marisa Scavo - CCR Lisa Jaccoma - Arch Street Communications Joe McCaffrey - Pendleton PB Chairman Joe Killion - Pendleton Planning Board John Lavrich - Pendleton Planning Board Dan Vivian - Pendleton Planning Board Dave Naus - Pendleton Planning Board Nick Kwasniak - Pendleton Planning Board Dave Kantor - Pendleton Planning Board Dave Britton - Town Engineer	Review Draft PIP with PB, introduce project to Planning Board Chairman		Local Agency
6/8/2018	Town of Cambria	Cambria Town Hall, Cambria, NY	Kevin Kohlstedt – CCR Marisa Scavo – CCR Wright Ellis – Town Supervisor	Bear Ridge Project Update		Local Agency

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
6/28/2018	Town of Cambria, Niagara County Department of Economic Development and Niagara County Industrial Development Agency	Niagara County IDA	Kevin Kohlstedt – CCR Marisa Scavo – CCR Jacob Runner – EDR Pat Heaton - EDR Lisa Jaccoma – Arch Street Communications Gene Kelly – Harris Beach Wright Ellis – Town Supervisor Robert S. Roberson – Town Attorney Mark Davis – Lippe Mathias Wexler Friedman Drew Reilly – Wendel Matt Foe - Town of Cambria Bill Amacher – Town of Cambria Jim McCann – Town of Cambria Brian Seaman – Niagara County Attorney Office John Shoemaker – Niagara County Director Real Property Tax Service	Bear Ridge Project Update		Local Agency
7/18/2018	Introductory meeting with New York State Senator	Lockport, NY	Robert Ortt – New York State Senator Bob Welch – Senior Staff Member Kevin Kohlstedt – CCR Marisa Scavo – CCR	Introduce project		Elected Officials
7/18/2018	Introductory meeting with New York State Assemblyman	Williamsville, NY	Raymond Walter – New York State Representative Kevin Kohlstedt – CCR Marisa Scavo – CCR	Introduce project		Elected Officials

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
7/19/2018	Agency Meeting	Albany, NY	Rudyard Edick – DEC Jonathan Binder – DEC Brianna Denoncour – DEC Colleen Kimble – DEC Kenneth Baginski – DEC Charles Rosenburg – DEC Andrew Davis – DPS Tara Wells – DAM Jeremy Rosenthal – DPS James Austin – DPS Kevin Kohlstedt – CCR Marisa Scavo – CCR Jen Sherwood – CCR Gene Kelly – HB Jacob Runner – EDR Ben Brazell – EDR	Discussion of Field Activities		State Agency
8/20/2018	Introductory Meeting with Niagara County Community College	Sanborn, NY	Kevin Kohlstedt - CCR Deborah Brewer - NCCC Brian Michel - NCCC Lydia Ulatowski - NCCC Mark Voisinet - NCCC	Introduce project, location and schedule; discussed workforce development needs and opportunities; and community benefits	Explore potential workforce development partnership	Local Stakeholder
8/23/2018	Site Visit with Department of Agriculture and Markets	Cambria and Pendleton, NY	Michael Saviola - DAM Marisa Scavo - CCR Kevin Kohlstedt - CCR John Ohol - Landowner	Introduce project, visit proposed project site		State Agency

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
10/3/2018	Solar 101 Open House	Niagara County Community College, Sanborn, NY	Residents (approximately 60) Marisa Scavo - CCR Kevin Kohlstedt - CCR Anne Waling - CCR Ethan Winter - CCR Ben Broder - CCR Ben Brazell - EDR Lesli Nordstrom - ASC Nora Madonick - ASC Jennifer Sherwood - CCR	Introduce project and utility-scale solar to residents of Cambria, Pendleton, and the surrounding region.		Community Members, Local Stakeholders, Elected Officials
10/4/2018	Solar 101 Open House	Cambria Fire Hall, Lockport, NY	Residents (approximately 40) Marisa Scavo - CCR Kevin Kohlstedt - CCR Anne Waling - CCR Ethan Winter - CCR Ben Broder - CCR Ben Brazell - EDR Lesli Nordstrom - ASC Nora Madonick - ASC Jennifer Sherwood - CCR	Introduce project and utility-scale solar to residents of Cambria, Pendleton, and the surrounding region.		Community Members, Local Stakeholders, Elected Officials
11/8/2018	Pendleton PB Workshop Meeting	Pendleton Town Hall, Pendleton, NY	Kevin Kohlstedt - CCR Marisa Scavo - CCR Joe McCaffrey - Pendleton PB Chairman Joe Killion - Pendleton PB John Lavrich - Pendleton PB Dan Vivian - Pendleton PB Dave Naus - Pendleton PB Nick Kwasniak - Pendleton PB Dave Kantor - Pendleton PB Dave Britton - Town Engineer	Provide project update, summary of open house feedback		Local Agency
11/8/2018	Update Meeting	Cambria Town Hall, Cambria, NY	Kevin Kohlstedt - CCR Marisa Scavo - CCR Wright Ellis – Town Supervisor	Provide project update		Local Agency

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
11/8/2018	Introductory Meeting	PUSH Buffalo Office, Buffalo, NY	Kevin Kohlstedt - CCR Marisa Scavo - CCR Sage Green – PUSH Buffalo Clarke Gocker – PUSH Buffalo	Introduce project, discuss potential partnership opportunities		Local Stakeholder
12/13/2018	Cambria Town Board Meeting	Cambria Town Hall, Cambria, NY	Residents Kevin Kohlstedt - CCR Marisa Scavo - CCR Wright Ellis – Town Supervisor Robert S. Roberson – Town Attorney Matt Foe - Town of Cambria Bill Amacher – Town of Cambria Jim McCann – Town of Cambria Joseph Ohol – Town of Cambria (recused) Brian Seaman – Niagara County	Provide project update, summary of open house feedback		Local Agency
12/14/2018	Buffalo Niagara Partnership	Buffalo Niagara Partnership, Buffalo, NY	Kevin Kohlstedt - CCR Marisa Scavo - CCR John Plante - Buffalo Niagara Partnership	Introduce project, discuss potential partnership opportunities		Local Stakeholder
2/12/2019	Update Meeting	Cambria Town Hall, Cambria, NY	Kevin Kohlstedt - CCR Marisa Scavo - CCR Wright Ellis – Town Supervisor Robert S. Roberson – Town Attorney Matt Foe - Town of Cambria	Provide project update		Local Agency
2/13/2019	Introductory Meeting	Niagara County Legislature, Lockport, NY	Kevin Kohlstedt - CCR Marisa Scavo - CCR Keith McNall - Niagara County Legislature Chairman	Introduce project		Elected Officials

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
2/13/2019	PSS Presentations	Cambria Fire Hall, Lockport, NY	Residents Kevin Kohistedt - CCR Marisa Scavo - CCR Anne Waling - CCR Jason Funk - CCR Megan O'Keefe - EDR John Wojcikiewicz - EDR Anna Russell - ASC Nora Madonick - ASC Steve Wilson – Young Sommer	Provide project update, describe PSS portion of Article 10 process		Community Members, Local Stakeholders, Elected Officials
10/10/2019	Cambria Town Board Meeting	Cambria Town Hall	Rikki Cason - CCR Wright Ellis - Town Supervisor	Provide brief project update and answer questions by attendees		Elected Officials Local Stakeholders
10/23/2019	School Board Meeting	Starpoint Central School	Rikki Cason - CCR Kevin Kostedt - CCR	Attend Board Meeting and give presentation about the project and potential benefits to the school		Elected Officials Local Stakeholders
11/1/2019	Meeting with Niagara Chamber USA	6311 Inducon Corporate Dr # 2, Sanborn, NY 14132	Rikki Cason - CCR	Present to Board Members regarding project status and answer any remaining questions		Elected Officials
11/11/2019	Cambria Town Board Meeting	Cambria Town Hall	Rikki Cason - CCR Wright Ellis - Town Supervisor	Provide brief project update and answer questions by attendees		Elected Officials Local Stakeholders
12/10/2019	Cambria Town Board Meeting	Cambria Town Hall	Rikki Cason - CCR Wright Ellis - Town Supervisor	Provide brief project update and answer questions by attendees		Elected Officials Local Stakeholders

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
1/10/2020	Cambria Town Board Meeting	Cambria Town Hall	Rikki Cason - CCR Wright Ellis - Town Supervisor	Provide brief project update and answer questions by attendees		Elected Officials Local Stakeholders
1/13/2020	Workforce Development Meeting		Rikki Cason - CCR			
2/1/2020	Workforce Development Meeting		Rikki Cason - CCR			
2/10/2020	Cambria Town Board Meeting	Cambria Town Hall	Rikki Cason - CCR Wright Ellis - Town Supervisor	Provide brief project update and answer questions by attendees		Elected Officials Local Stakeholders
3/11/2020	Workforce Development Meeting		Rikki Cason - CCR			
3/12/2020	Cambria Town Board Meeting	Cambria Town Hall	Rikki Cason - CCR Wright Ellis - Town Supervisor	Provide brief project update and answer questions by attendees		Elected Officials Local Stakeholders
3/12/2020	Site walkthrough of potential community solar property	Project Site	Rikki Cason - CCR Kevin Kostedt - CCR	Walkthrough of property that could be of use in future community-scale solar project		
3/12/2020	Niagara Orleans BOCES	Niagara Orleans BOCES	Rikki Cason - CCR Kevin Kostedt - CCR	Discuss the ways that Bear Ridge can contribute to workforce development and to discuss potential partnership with the school		

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
2/18/2021	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
5/11/2021	CCR and Town Officials	Zoom Meeting	Keith Silliman - CCR Emily Proutey - CCR Wright Ellis - Town Supervisor Mark Davis - Lippe Mathias Wexler Friedman Steve Wilson - Young Sommer	Provide project update		Elected Officials, Local Stakeholders
5/12/2021	CCR and IBEW Local 237	Zoom Meeting	Keith Silliman - CCR Rikki Cason - CCR Emily Proutey - CCR John Scherrer - IBEW Local 237 Ed Hill - IBEW Local 237	Discuss the potential work that Bear Ridge Solar would provide to the local electrical workers union		Local Stakeholders
5/20/2021	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
6/23/2021	CCR and Town Supervisor	Email	Keith Silliman - CCR Wright Ellis - Town Supervisor Mark Davis - Lippe Mathias Wexler Friedman Steve Wilson - Young Sommer Emily Proutey - CCR Jacob Runner - EDR Matt Foe - Town of Cambria Andrew Reilly - Wendel Robert S. Roberson - Town Attorney	Set and confirm in-person meeting for 7/13/2021 as well as date and location of the community meeting on 7/14/2021		Elected Officials
7/2/2021	CCR and Town Supervisor	Email	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide a list of local substantive laws and send updated project layout		Elected Officials
7/6/2021	CCR and Town Supervisor	Email	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update and confirm list of local substantive laws		Elected Officials

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
7/13/2021	Update Meeting	Cambria Town Hall, Sanborn, NY	Keith Silliman - CCR Jacob Runner – EDR Steve Wilson – Young Sommer Wright Ellis - Town Supervisor Mark Davis - Lippe Mathias Wexler Friedman Matt Foe - Town of Cambria Andrew Reilly - Wendel Matthew Foe - Town of Cambria Robert S. Roberson – Town Attorney	Provide project update and discuss upcoming community outreach meeting/open house		Elected Officials
7/14/2021	Landowner Roundtable	Ohol Barn	John Ohol – Property Owner Joseph Ohol – Property Owner Thomas Ohol - Property Owner Fran Barone – Property Owner Keith Silliman - CCR Emily Proutey - CCR Rikki Cason - CCR Nick Hawvermale - CCR Jacob Runner - EDR Steve Wilson - Young Sommer	Gathering of landowners to discuss project progression and upcoming community meeting, site visit and tour with landowner		Host Property Owners

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
7/14/2021	Community Outreach Open House	Cambria Fire Hall, Lockport, NY	Residents (approximately 70) Keith Silliman - CCR Wright Ellis – Town Supervisor Emily Proutey – CCR Rikki Cason - CCR Jacob Runner – EDR Steve Wilson – Young Sommer Holly Kistner - EDR Lindsay Donahoe - EDR Nick Hawvermale - CCR Chris Akios - CCR Robert S. Roberson – Town Attorney Benjamin Joe - Lockport Union Sun & Journal John Scherrer - Internation Brotherhood of Ground Penetrating Radar Workers Scott Brydges - Iron Workers Local 9	Discuss project, inform community members about ongoing studies and application requirements, answer questions and talk with residents		Community Members, Local Stakeholders
7/15/2021	Meeting with Niagara County Administration	Philo J. Brooks Co. Office Bldg. Lockport, NY	Keith Silliman - CCR Jacob Runner – EDR Steve Wilson – Young Sommer	Discuss project, inform community members about ongoing studies and application requirements		Elected Officials

Bear Ridge Solar Project

Matter No. 21-02104

900-2.3 Exhibit 2

Overview and Public Involvement

Table of Contents

EXHIBIT 2 OVERVIEW AND PUBLIC INVOLVEMENT	1
(a) Brief Description of the Proposed Facility	1
(1) Brief Overall Analysis	1
(b) Brief Description of the Public Involvement Program before Submission of Application	11
REFERENCES	14

List of Figures

Figure 2-1:	Regional Facility Location
Figure 2-2:	Facility Layout

List of Appendices

Appendix 2-A:	Summary of Local Engagement & Outreach Efforts
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EXHIBIT 2 OVERVIEW AND PUBLIC INVOLVEMENT

(a) Brief Description of the Proposed Facility

The proposed Facility is a 100 megawatt (MW) alternating current (AC) photovoltaic (PV) solar energy generating project located within the Towns of Cambria and Pendleton, Niagara County, New York. The regional Facility location is depicted in Figure 2-1. The Facility Site will be located on private lands that are primarily rural in nature and total approximately 937 acres, of which approximately 524 acres will be occupied by Facility infrastructure and maintained for the life of the Facility (e.g., up to 40 years). Key terms used frequently in this Application to describe the Bear Ridge Solar Project are defined below:

- **Project:** Collectively refers to permitting, construction and operation of the Facility, as well as proposed environmental protection measures, and other efforts proposed by the Applicant.
- **Facility Site:** The parcels or portions of parcels proposed to host the Facility components and/or associated facilities.
- **Facility:** The proposed major renewable energy facility as defined at §900-1.2(ag) of the 94-c regulations. Bear Ridge Facility components will include: PV modules and their rack/support systems; direct current (DC) collection lines and communications cables connecting the modules to inverters; the inverters with their support platforms, control electronics, and step-up transformers; buried alternating current (AC) medium voltage collection lines; security fencing and gates around each array of PV modules; gravel access roads; temporary laydown areas; medium voltage-to-transmission voltage substation with associated equipment and fenced areas; a short length of transmission voltage line (approximately 260 feet) to connect the Facility to the designated point of interconnect (POI); a switching station, to be owned by National Grid, that loops the existing Mountain – Lockport 115 kV transmission line through the POI; and any other improvements subject to the Office of Renewable Energy Siting (ORES) jurisdiction. All components associated with the Facility are shown in Figure 2-2.

(1) Brief Overall Analysis

As required by §900-2.3(a), this section includes an overall analysis of the relevant and material facts established in this Siting Permit Application and which the Applicant believes provide ORES details concerning each required finding, determination and consideration the Office shall make or evaluate in its decision and the basis for why the Siting Permit should be granted. Specifically, this section includes information and analyses from the supporting studies regarding the nature of the probable impacts of the construction and operation of the Facility on (i) ecology, air, ground and surface water, and wildlife and habitat, (ii) public health and safety, (iii) cultural, historic, recreational, and visual resources, (iv) transportation, communications, utilities, and other infrastructure, and (v) compliance with local laws and ordinances.

The parcels that are currently proposed to host the Facility (i.e., the Facility Site) represent multiple landowners who are willing and interested in participating in the Project, but only under specific

circumstances that are compatible with landowner preferences. Parcels outside the Facility Site were not available for development; and therefore, it was not possible to shift PV arrays or other Facility components to these areas, even if they would otherwise be suitable or allow for further avoidance or minimization of impacts. Landowners agreeing to host PV arrays typically have very specific requirements regarding where the solar infrastructure can and cannot be located on their land. Similarly, some landowners may be willing to host certain Facility components, but not PV arrays. Additionally, even if landowners are amenable to a shift in Facility components, such a change is often not possible given the setbacks and local zoning requirements established by the host municipalities, which reduce flexibility for Facility design shifts. Regardless, in some instances the Applicant has shifted Facility components during the iterative design process to avoid sensitive resources documented within the Facility Site, in addition to avoiding areas of grassland habitat, wetlands and streams, and cultural and historic resources, to the extent practicable. Therefore, the PV array layout as presented in this Application is the culmination of an ongoing effort undertaken by the Applicant to avoid and minimize impacts to sensitive resources.

New York State policy and laws advocate for and require the development of renewable energy projects in order to significantly increase generating capacity from renewable sources, meet clean energy goals, and combat climate change (CLCPA, 2020). As described in detail below, the Facility has been designed to avoid and minimize impacts to sensitive resources, while also making a meaningful contribution (100 MW) to renewable energy generation in New York and furthering well-established policy and legislative goals.

(i) Ecology, Ground and Surface Water, Wildlife and Habitat

i. Ecology

Ecological Communities

As described in Exhibit 11, the Applicant defined the boundaries of ecological communities within the Facility Site by utilizing data collected in the field while conducting various ecological surveys (e.g., breeding bird survey, wintering raptor survey, wetland and stream delineations), in addition to recent aerial imagery from the NYS Digital Orthoimagery Program (from 2019). Ecological communities found at the Facility Site are relatively common in New York State and based on consultation with the New York Natural Heritage Program (NHP), no rare plants or significant natural communities were identified within the Facility Site. The following plant communities were identified and classified using the definitions developed in Ecological Communities of New York State by Edinger et. al. (2014):

- Active Row Cropland: 635 acres (68%) of Facility Site
- Active Field Cropland: 121 (14%) of the Facility Site
- Successional Shrubland: 34 acres (4%) of Facility Site

- Successional Northern Hardwood Forest: 32 acres (3%) of Facility Site
- Open Water: 31 acres (3%) of Facility Site
- Developed/Disturbed: 28 acres (3%) of Facility Site
- Silver Maple – Ash Swamp: 22 acres (2%) of the Facility Site
- Red Maple – Hardwood Swamp: 17 acres (2%) of the Facility Site
- Successional Old Field: 11 acres (1%) of the Facility Site
- Shrub Swamp: 4 acres (<1%) of the Facility Site
- Pastureland: 3 acres (<1%) of the Facility Site

Impacts to plant communities are considered in the context of three limits of disturbance: the limit of construction activity, the limit of vegetation management, and the limit of grading. The limit of construction activity represents all areas that could be temporarily impacted during construction of the Facility. The limit of vegetation management encompasses all areas to be maintained for built facilities or as early successional habitats for the life of the Facility. The limit of grading includes areas where ground disturbance is anticipated, including access roads, and the collection substation and POI switchyard.

The majority of impacts to plant communities will be in those areas currently defined as active agricultural areas (e.g., active row crops and active field crops), approximately 94% of all impacted areas. Active row crop areas provide limited habitat for wildlife species, and it is anticipated that the diverse, dense vegetation expected under PV arrays and within the limit of vegetation management will improve habitat and provide a benefit to the common species utilizing this site as compared to the actively farmed areas which exist now. Minimal tree clearing is need for construction of the Facility because it has been purposefully sited in open, agricultural areas.

Wetlands

As described in Exhibit 14 and Appendix 14-A (Wetland and Stream Delineation Report) Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services, D.P.C. (EDR) delineated wetlands within the Facility Site and Wetland Study Area between September and October 2018. EDR delineated 22 wetlands, which total approximately 80 acres. EDR also performed an offsite wetlands analysis of those areas within 100-feet of the limits of disturbance where the Applicant did not have access, in addition to a functions and values assessment for each wetland identified (see Exhibit 14 and Appendix 14-A for more information on functions and values).

On behalf of the Applicant and prior to the project being transitioned out of Article 10 of the Public Service Law, EDR coordinated with NYSDEC to conduct site visits to review the boundaries of delineated features in support of determining state jurisdictional status of the wetlands and streams within the Facility Site. This site visit occurred in July of 2020. After transitioning to the Section 94(c) process, a Wetland and Stream Delineation Report was submitted to ORES on June 15, 2021. As a result of this process and the associated consultations conducted in accordance with §900-1.3(e), a final jurisdictional determination was issued by ORES on October 12, 2021, which identifies specific jurisdictional determinations for state-regulated wetlands (Appendix 14-B).

No state-regulated wetland impacts will occur as a result of Facility construction or operation. However, some impacts within a state-regulated 100-foot adjacent area are anticipated. These are limited to one area, where minor impacts to the regulated adjacent area will also occur because of security fence installation and PV modules. No significant ground disturbance (i.e., grading) will result from the installation of the security fencing and PV array racking proposed in the state-regulated adjacent area. Collection line circuits within part of the regulated adjacent area will be installed using horizontal directional drilling (HDD) (see Exhibit 14 and Figure 14-2). A section of access road that was originally planned in this area and would have impacted 0.1 acre of the state-regulated wetland. While this access road would have provided better access to the panels in this area the Applicant removed them to avoid greater impacts. As such, impacts to the state-regulated adjacent area have been avoided to the greatest extent practicable and the placement of Facility components within state-regulated wetlands has been completely avoided.

The Applicant has achieved an avoidance of impacts to state-regulated wetlands through an iterative design process, which considered wetland boundaries at various stages of development. Specific examples of avoidance include redesigning an access road in order to avoid impacts to PEM Wetland I (NYSDEC Wetland CB-2). See Exhibit 14 for more information and Figure 14-2 for a detailed depiction of state regulated wetland and adjacent area impacts.

ii. Ground and Surface Water

Geology and Groundwater

On behalf of the Applicant, Mott Macdonald (Mott) conducted a preliminary geotechnical investigation to obtain geotechnical data and provide geotechnical recommendations for the proposed structures within the Facility Site. The results of the investigation are summarized in the Preliminary Geotechnical Engineering Report (see Appendix 10-A).

As further described in Exhibit 10, the report included a summary of geotechnical borings throughout the Facility Site, identified the groundwater level at varying depths ranging from 2 feet and 13 feet below grade. Based on Mott's findings, the Facility Site is generally suitable for the proposed development, and soils in the Facility Site are generally suitable for the foundation systems.

As indicated by the Geotechnical Report (Appendix 10-A), groundwater levels at the Facility Site may fluctuate due to seasonal variation, the amount of rainfall, soil permeability, and other factors. Should shallow/perched groundwater be encountered, any construction impacts will be addressed through typical engineering measures and construction techniques, including dewatering, which will avoid and minimize the potential for groundwater to cause erosion and sedimentation. Any discharge from dewatering locations will take place in accordance with the Facility Stormwater Pollution Prevention Plan (SWPPP; Appendix 13-B). The determination of any long-term dewatering (if necessary) will be addressed during final geotechnical investigations to be conducted following issuance of the Siting Permit.

Public and Private Wells

As described in Exhibit 13, a Freedom of Information Law (FOIL) request letter was sent to the New York State Department of Health (NYSDOH), the New York State Department of Environmental Conservation (NYSDEC), and the Niagara County Department of Health on July 26, 2021. Responses from the NYSDOH and NYSDEC were received via email and indicated no records of groundwater wells or surface water intake sites within one mile of the Facility. The Niagara County DOH identified 24 active groundwater wells within one mile of the Facility Site, seven of which are located within 1,000 feet (Appendix 13-B).

In addition, the Applicant sent private well surveys to all residences and businesses within 1,000 feet of the Facility Site. Based on the responses received, a total of 6 private wells within 1,000 feet of the Facility Site were identified (see Figure 13-1). Based on the layout proposed the Site Plans (Appendix 5-A), there are no known active water supply wells within 100 feet of any proposed collection lines or access roads, within 200 feet of proposed PV arrays, or 500 feet of proposed horizontal directional drilling (HDD) operations.

Surface Waters

Wetland and stream delineations were conducted at the Facility Site between September and October 2018. A total of three streams were identified at the site, including two perennial streams that are associated with Bull Creek, a NYSDEC Class C stream, and one intermittent stream, an unmapped tributary of Bull Creek (see Exhibit 13 and Appendix 13-C). A copy of the Wetland and Stream Delineation Report, along with shapefiles of these data, were submitted to the Office of Renewable Energy Siting (ORES) staff on June 15, 2021. On October 12, 2021, ORES in consultation with the NYSDEC issued a final jurisdictional determination indicating that no surface waters the Wetland Study Area would be state-regulated under Article 24 of the Environmental Conservation Law.

Stormwater and Spill Pollution Prevention

To further avoid impacts to surface waters within the Facility Site during construction and operation of the Facility, a Preliminary SWPPP is appended to this Application (Appendix 13-D). The Applicant will conduct the detailed engineering necessary to prepare a Final SWPPP, in accordance with the State Pollutant Discharge Elimination System (SPDES) General Permit, and which will be submitted as a compliance filing.

In addition, to prevent unintended releases of petroleum and other hazardous chemicals, a Preliminary Spill Prevention, Control and Countermeasure (SPCC) Plan has been prepared that outlines preventative measures and response procedures in the unlikely event of a release (see Appendix 13-E).

iii. Wildlife and Habitat

The Applicant prepared a Wildlife Site Characterization Report (Appendix 12-A) for the Project in accordance with the requirements of §900-1.3(g)(1). Information reviewed in the WSC Report suggest that the Facility Site's wildlife community consists of relatively common species that are typically found in agricultural habitat. The WSC also identifies state-listed threatened, endangered, or special concern species documented in the vicinity of the Facility Site within the last five years. The WSC Report and associated shapefiles and mapping were provided to the ORES on May 5, 2021 in accordance with §900-1.3(g)(2).

In accordance with §900-1.3(g)(2) of the Section 94-c regulations, the Applicant participated in an initial meeting with ORES and the NYSDEC on June 18, 2021 to discuss occupied habitat after submitting survey reports for the Spring Breeding Bird Survey (Appendix 12-B) and Winter Raptor Survey (Appendix 12-C). The Applicant prepared and submitted a memorandum regarding occupied habitat for State-listed threatened and endangered species to ORES and NYSDEC on August 4, 2021 (Appendix 12-D). As a result of these consultations, portions of this memorandum were updated and re-submitted to ORES and NYSDEC on June 15, 2021 (Appendix 12-D). Following a conference call with the agencies on September 8, 2021, additional information was provided to ORES and NYSDEC on September 15, 2021. ORES also requested that the Applicant complete and submit a Draft Applicant Occupied Habitat Field by Field Analysis Submission Table on September 30, 2021. The Applicant submitted the table on October 4, 2021, and the Agencies and the Applicant discussed the results of these analysis during a meeting on October 7, 2021. ORES provided the Determination of Occupied Habitat, Incidental Take, and Net Conservation Benefit (see Appendix 12-E) on November 5, 2021, which indicates that 449.7 acres of occupied wintering habitat for northern harrier will be adversely impacted within the Facility Site. In addition, the ORES and NYSDEC determination indicates that occupied breeding habitat is not present within the Facility Site.

As further explained in Exhibit 12, the Facility has been designed to avoid and minimize impacts to environmental resources to the extent practicable, while also making a meaningful contribution (100 MW) to renewable energy generation in New York and furthering well-established policy goals. However, habitat northern harrier (NYS-listed threatened) has been determined to exist on site. The Applicant has developed a Net Conservation Benefit Plan (NCBP) for the Facility in accordance with the requirements of §900-6.4(o) of the Section 94-c regulations, included as Appendix 12-F. As part of the NCBP, the Applicant proposes to preserve and manage approximately 90 acres of open land for the life of the Facility (up to 40 years).

In addition to the NCBP, the following efforts have been implemented during the iterative design process to avoid and minimize impacts to state-listed grassland bird species to the extent practicable, given the myriad of other siting constraints inherent in the development of a solar energy generation project:

- No PV arrays (or other Facility components) were proposed in certain fields adjacent to the Facility Site where there have been historical breeding and wintering, and recent wintering occurrences of state-listed grassland bird species.
- According to the preliminary occupied habitat polygon shapefiles¹ provided by ORES on September 10, 2021, over 180 acres of identified occupied wintering habitat within the Facility Site occurs outside of areas planned for solar facility development. In addition, approximately 1,988 acres of occupied wintering habitat identified in the shapefile from ORES remains outside the bounds of the Facility Site and will therefore be left undeveloped by solar;
- Facility components were intentionally placed in areas primarily used for row crop production rather than areas dominated by the types of grasses and forbs which provide greater habitat value to state-listed grassland bird species; and
- Higher quality habitat areas (including farmland) located off-site were not pursued for Facility development and have been avoided. For example, the parcel proposed for mitigation in the Net Conservation Benefit Plan (NCBP; Appendix 12-E) was proposed for solar development in 2019 during the Article 10 Preliminary Scoping Statement phase, and was later dropped from consideration for use in the Facility Site following input from the NYSDEC regarding state-listed species observations, and observations made during site-specific avian surveys.

See Exhibit 12 for more information regarding wildlife and wildlife habitat at the Facility Site.

(ii) Public Health and Safety

As the Public Service Commission (PSC) stated when it adopted the Clean Energy Standard (CES) in 2016, "one of the primary benefits" of the State's transition to renewables will be "a reduction in total emissions of air pollutants resulting from fossil fuel combustion. Increased use of renewable energy sources leads to improved air quality and societal benefits from reduced health impacts and increased employee productivity. For example, as air quality improves, state health care expenditures for treatment of asthma, acute bronchitis, and respiratory conditions may be reduced. Reduced exposure to fine particulates may avoid other health problems such as increased morbidity and exacerbation of respiratory and cardiovascular ailments." Further, the PSC added, inaction in addressing air pollution and climate change is not an option, for "it is certain... that the consequences of inaction on air pollution and climate change are not acceptable." As detailed in Exhibit 6, the Project is estimated to support

¹ Please note that not all areas within the occupied habitat polygon shapefile provided by ORES on September 10, 2021, are considered suitable habitat for the target species. For instance, the occupied habitat shapefile also includes land use types such as rural residences, forested areas, and scrub shrub in addition to grassland areas.

near and long-term public health and safety through the offset of more than 136,000 tons of carbon dioxide associated greenhouse gas emissions.

It is within this broader context that ORES must consider the limited potential public health impacts associated with construction and operation of a solar facility like the Bear Ridge Solar Project. Potential public health impacts associated with construction of this Facility are limited to typical risks associated with any commercial construction project. Once constructed, the presence of electrical equipment both within the arrays and at the substation carries some risk of a shock or combustion hazard. These areas will have perimeter controls (i.e., security fencing, signage) as is required by local law and National Electrical Safety Code (NESC) to prevent potential injury.

As further described in Exhibit 6, proper siting of the Facility, implementation of Site Security (Appendix 6-A) and Safety Response (Appendix 6-B) Plans, and adherence to health and safety standards all but eliminate the potential risks from these types of incidents. The Site Security Plan includes the following measures to be implemented during Facility operation: access controls, electronic security and surveillance facilities, security lighting, and a cyber security program. In addition, the Applicant's Safety Response Plan includes information regarding contingencies constituting an emergency, and identified measures for emergency response, evacuation, community notification, onsite equipment locations, fire emergencies, and includes information regarding training drills with local responders.

(iii) Cultural, Historic, and Visual Resources

i. Cultural and Historic Resources

Archaeological Resources

As described in Exhibit 9, a Phase IA Archaeological Survey (Appendix 9-A) was developed and submitted to the New York State Historic Preservation Office (NYSHPO) (May 2021) for review and comment. The Phase IA report defines the Facility's Area of Potential Effect (APE) for Direct Effects to archaeological resources and identifies if any previously documented archaeological resources occur within the APE for Direct Effects. To identify potential archaeological sites within the Facility Site, the Applicant completed the Phase IB Archaeological Survey (Appendix 9-B) in accordance with the approved Phase IA archaeological survey and research design. The archaeological survey was conducted in a series of site visits and mobilizations between April and May 2021. The Phase IB archaeological survey identified one archaeological resource within the Facility Site, consisting of a heavily disturbed, low density historic period artifact scatter that was recommended as not eligible for listing on the S/NRHP. As such, no avoidance or additional archaeological investigation was recommended.

In the event that unanticipated archaeological resources are encountered during construction, the Facility's Unanticipated Discovery Plan (Appendix 9-C) will include provisions to stop all work in the vicinity of the archaeological finds until those resources can be evaluated and documented by an archaeologist. With the adoption of these measures, and based on continued consultation with the NYSHPO, the proposed Project is not anticipated to impact any significant archaeological resources.

Historic Resources

The Historic Resources Survey (Appendix 9-D) describes the potential impacts on historic resources located within the APE for Indirect Effects, including potential visual and auditory impacts of the Facility. This was submitted to the NYSHPO on September 21, 2021 with additional information provided on October 22, 2021, as described in Exhibit 9.

NYSHPO's review of the Historic Resources Survey resulted in the November 14, 2021 determination that no adverse impact to historic resources will occur as a result of Facility construction or operation (NYSHPO, 2021; see Appendix 9-E).

The potential visual effect of the Facility is limited to the overall effect on the traditional agricultural landscape that serves as the setting for historic properties in the region. The introduction of modern interventions such as arrays of PV modules enclosed in perimeter fencing in the formerly open agricultural space will alter the historic character of the visual setting. To help minimize these effects, the Applicant has developed a visual mitigation planting plan, using native species and mimicking the character of successional fields in the study area, which will provide a visual buffer of natural vegetation forms and colors between the Facility and the viewer (see the Visual Impact Minimization and Mitigation Plan [VIMMP] in Appendix 8-B).

Based on the analysis contained in Exhibit 7 of this Application, potential noise and/or vibrations caused by the operation of the proposed Facility are not expected to significantly alter the character or setting of S/NRHP-listed and eligible historic properties within the Historic Resources Study Area. Vibrations are not anticipated to impact any S/NRHP-listed or eligible properties and noise-related impacts are anticipated to be relatively minimal, due in large part to the Facility's siting in rural areas away from areas of higher historic and modern population density. Therefore, there will be no permanent noise-related adverse impacts to S/NRHP-listed or eligible properties associated with operation of the Facility.

- ii. Section 900-10.2(g) of the 94-c regulations notes that a Cultural Resources Avoidance Minimization and Mitigation Plan (CRAMMP) should be completed as part of the Pre-Construction Compliance Filings. Due to the NYSHPO determinations of no adverse effect to archaeological and historic resources, it is not anticipated that a CRAMMP will be required. The Applicant anticipates ongoing consultation with the NYSHPO (and other applicable consulting parties) regarding avoidance, minimization, and/or potential mitigation of impacts of the Facility on cultural resources, as appropriate. Visual Effects

EDR prepared a Visual Impact Assessment (VIA; Appendix 8-A) that describes the extent and significance of Facility visibility. The VIA includes an identification of visually sensitive resources, viewshed mapping, results of field review, visual simulations (photographic overlays), and proposed visual impact mitigation.

In addition, a Visual Impacts Minimization and Mitigation Plan (VIMMP) is included with this Application as Appendix 8-B. The VIMMP includes, among other information, a Landscape Mitigation Planting Plan to soften views of the Facility from specific viewpoints (including historic sites), a Lighting Plan for the Facility, and a Solar Glare Analysis Report. Specific avoidance and minimization measures described in the VIMMP include:

- The Applicant has developed a comprehensive Landscape Mitigation Planting Plan (Attachment 1 to the VIMMP) that uses three different planting schemes (modules) that will be applied as appropriate, to minimize and mitigate the Facility's visual effect on the surrounding landscape.
- The proposed Facility does not include an Operation and Maintenance Facility, and the only proposed building is the control house within the substation/POI (point of interconnection) switchyard. The proposed control house will use standard design and materials for a structure of this type and will utilize neutral colors to avoid unusual visual contrast. Components within the substation are proposed at the minimum heights necessary to maintain Facility reliability and safety, in accordance with applicable electrical codes and best practices.
- Visibility is generally concentrated within 0.5 mile of the Facility. Additionally, siting the proposed Facility in open agricultural lands minimizes the potential need for tree clearing and its associated visual impacts.
- As design of the Facility progressed, the overall size of the buildable area was reduced and the Project was compressed into a tighter arrangement, resulting in the removal of a significant amount of PV modules from the west side of Meahl Road, which reduced overall visibility in that area.
- The Applicant has proposed to use single-axis tracker for PV array racking, which has a lower profile than other potential configurations, and reduces potential glare impacts.
- Because the Facility proposes to use single-axis trackers and the PV modules will have anti-reflective coatings, solar glare exposure that could result in complaints, impede traffic movements or create safety hazards are not anticipated

(iv) Transportation, Utilities and Other Infrastructure

i. Transportation

Virtually all of the traffic-related impacts associated with the Facility will occur during the site preparation and construction phase when there will be a temporary increase in vehicle traffic on area roadways. Once the Facility is commissioned and construction activities are concluded, traffic associated with Facility operation will be negligible and limited to occasional trips associated with routine maintenance activities (see Exhibit 16 for additional information on transportation).

ii. Utilities and Other Information

The Applicant will construct the Facility to avoid interference with existing above ground and buried utility systems through consultation with the owning utilities and by following the One Call process with Dig Safely New York. Windstream maintains underground fiber lines within the City of Lockport and south and east of the city. No Windstream fiberoptic utilities exist within the Facility Site, and therefore no physical disturbance during construction or operation of the Facility is anticipated.

(v) Compliance with Local Laws and Regulations

The Applicant has designed the Facility to comply with all substantive local laws and ordinances to the greatest extent practicable. Despite Applicant's best efforts, waivers will be needed given that certain provisions are unreasonably burdensome in light of CLCPA targets and environmental benefits of the Facility. These provisions generally include setback requirements, noise, and zoning restrictions. Certain provisions effectively preclude solar development within the Towns. Further description of waivers being requested and a statement of justification for each is provided in Exhibit 24 (Local Laws and Ordinances).

(b) Brief Description of the Public Involvement Program before Submission of Application

The siting review for the Bear Ridge Solar, LLC Project began under the Article 10 process, and early outreach and coordination with the local community and landowners began in mid-2017. The goals of the initial public outreach efforts have been to 1) establish community awareness of the Project, 2) provide an opportunity for local municipalities and constituents to participate in the Project review process, and 3) for local stakeholders to supply valuable development feedback.

In accordance with the Article 10 regulations, a Public Involvement Program (PIP) plan was developed to describe and outline the Applicant's outreach activities and identify relevant stakeholders and other interested parties. The PIP was initially filed with the New York State Siting Board on June 5, 2018, comments were received from the New York State Department of Public Service (DPS) on July 5, 2018, and the PIP was first updated, finalized and filed by the Applicant on August 6, 2018. Additional updates to the PIP were filed on October 10, 2018. The PIP plan is available on the NYSDPS Document Matter Master (DMM) website: <https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=18-F-0338&submit=Search> and on the Applicant's Project website: <https://ccrenew.com/projects/bearridge/>. Since the PIP's submission, a master list of stakeholders has been updated based on Applicant consultations and meetings with potential stakeholders and public interest groups. In February 2021, the Applicant transferred the project to the Section 94-c process and has been following the consultation requirements thereunder since the transfer.

As shown in Appendix 2-A, the Applicant has consulted with local governmental officials regarding the Project since November of 2017, with more recent consultations regarding local agreements and regulations taking place in the summer and fall of 2021. As part of the local government consultations required for the Siting Permit, the Applicant attended two meetings with Town officials to discuss the

Project, one in the Town of Cambria, and one in the Town of Pendleton on July 13, 2021. Appendix 2-A provides additional information on these municipal meetings, in addition to past municipal meetings which have been ongoing since 2017.

The Applicant also hosted a public information meeting in accordance with §900-1.3(a) and (b). This meeting was held on July 14, 2021, more than 60 days prior to the Applicant's anticipated application filing date. Also, in accordance with the regulations, notification of the meetings was posted in local papers (Lockport Union-Sun & Journal, the Niagara Gazette [Paper of record and official Town newspaper] and the Niagara Reporter [free publication]) two weeks prior to the event. Notice of the public meeting was also mailed to residents located within 1 mile of the Facility Site, the ORES, applicable members of the state legislature, and published in the aforementioned local newspapers 14 days prior to the meeting in accordance with §900-1.3(b). The Applicant provided information on topics of interest, such as a description of the Project, information on solar photovoltaics, details on the 94-c process, and how to contact Bear Ridge Solar to obtain additional information. The attendees were also able to ask questions from relevant subject matter experts and representatives of the Project at the meeting.

On October 25, 2021, the Applicant hosted a meeting with local emergency responders regarding safety measures and potential emergency situations at the Project. The Applicant obtained feedback from local fire districts, elected representatives, and the Niagara County Fire and Hazardous Material Coordinators to incorporate into the Site Security Plan (Appendix 6-A) and Safety Response Plan (Appendix 6-B).

In addition to local consultation efforts, the Applicant has consulted with state agencies on several occasions during the pre-application process, including: ORES, NYSDEC, New York State Department of Agriculture and Markets (NYS DAM), and the New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP).

The Applicant also reached out to the host communities to consult on how that the Facility complies with local laws. The key items or concerns raised during these outreach efforts are summarized below:

- Potential impacts to wildlife: As described in Exhibit 12, the Applicant has prepared a number of avian and ecological studies. The Applicant has continued coordination with the appropriate agencies to address wildlife concerns through studies, avoidance, and mitigation efforts.
- Potential impacts to water resources and wetlands: As described in Exhibits 13 and 14, the Applicant has continued consultation with the ORES and performed studies and outreach to identify water resources and wetlands and to address any concerns.
- Land use concerns: The Applicant has coordinated directly with the host community's Town Board and Code Enforcement Officer as well as the Niagara County Planning Department for optimal Project siting (see Exhibit 3 and 24).
- Visual impacts: The Applicant conducted multiple outreach efforts to the local community and other visual stakeholders to identify viewpoints of concern and provide the information needed to assess the potential visual impact of the Facility (see Exhibit 8).
- Public health and safety concerns: As described in Exhibit 6, solar energy facilities do not generally pose many risks to human health and safety. The Applicant is committed to implementing site

security measures such as fencing and setbacks, staff training, and health and safety procedures as well as working closely with local emergency responders.

In addition, the Applicant has a Project-specific website (<https://ccrenew.com/projects/bearridge/>), a toll free phone number ((800)-219-4940) and an email address (bearridge@ccrenew.com) for stakeholders and other interested parties to communicate questions or comments.

Lastly, the Applicant has complied with the ORES 60-day and 3-day notice requirements set forth in 19 NYCRR 900-1.3(d) and 900-1.6(c). Copies of these notices and proofs of service and publication, to the extent available at the time of this filing, have been provided with this Application.

REFERENCES

Edinger, G.J., D.J. Evans, S. Gebauer, T.G. Howard, DM. Hunt, and A.M. Olivero (editors). 2014. *Ecological Communities of New York State*. Second Edition: A Revised and Expanded Edition of Carol Reschke's *Ecological Communities of New York State* (1990). New York Natural Heritage Program, New York State Department of Environmental Conservation, Albany, NY.

Climate Leadership and Community Protection Act (CLCPA). 2020. *Climate Act Fact Sheet*. Available at: <https://climate.ny.gov/> (Accessed October 2021).

NYSHPO. 2021. Review correspondence from Sloane Bullough (NYSHPO) to EDR. New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP), Waterford, NY. Via email November 14, 2021.

Appendix 2-A

Local Engagement and Outreach Efforts

Community Engagement Plan and Outreach Log

NYSERDA LSR REC Solicitation
Cypress Creek Renewables, LLC
Bear Ridge Solar Project, LLC PRO 37105

Community Engagement Plan

August 2021

Cypress Creek understands that this Community Engagement Plan provided in the Step Two Bid Proposal will be made available to the public by NYSERDA shortly following submission of the Step Two Bid Proposal.

As requested, the authorities having jurisdiction and the taxing school district are as follows:

- Town of Cambria – Supervisor Wright Ellis - (716) 433-8523, ext. 119 or supervisor@townofcambria.com
- Town of Pendleton - Supervisor Joel Maerten – (716) 625-8833, ext. 113 or jmaerten@pendletonny.us
- Starpoint Central School District – Board President Michael Zimmerman – (716) 579-4101

Cypress Creek has elected to “Opt-in” the Bear Ridge Solar project pursuant the new 94-c permitting process for large scale renewable projects under the Office for Renewable Energy Siting. We have an approved Public Involvement Plan (attached) for the Bear Ridge Solar Project under the Article 10 Siting Process. Our community engagement efforts will continue to be guided by the PIP as we transition to the new siting process.

In 2019 Cypress Creek implemented a number of community engagement advocacy activities in support of the Bear Ridge Project. These activities included:

- Collaborative meeting with IBEW 237, and Buffalo Niagara Trade Council produced commitment to (1) attend public meetings as a demonstration of support and (2) provide letters of support advocating for project.
- Collaborative meeting with Sierra Club produced commitment to (1) provide access to network for supporters and (2) provide letters of support advocating for project.
- Collaborative meeting with NCCC established commitment to help create and facilitate Solar Workforce Development Working Group, with first meeting to take place before end of 2019. Working Group will provide guidance for CCR solar workforce program in coordination with NCCC.
- Follow on meeting with Pendleton CAC (Conservation Advisory Council) produced inputs guiding new outreach initiatives from supportive forum.
- Collaborative meeting with NFARS (Niagara Falls Air Reserve Station) produced CCR sponsorship of NFARS as demonstration of commitment to veterans.

- CCR advocacy for local representation on Siting Board contributed to encouraging the state to make ad hoc appointment, demonstrating CCR commitment to public participation, transparency, and community support. David Naus, Pendleton Planning Board and 5-year President of IBEW 237 was appointed this month

In the Fall of 2019, Cypress Creek retained a boots-on-the-ground outreach coordinator, and opened a community outreach office in Lockport, increasing public awareness and has provided local residents with an important contact to gain answers to their questions. Mailings and other communications (including website updates) have been initiated, and will continue to demonstrate responsiveness, offer speakers for local groups, and eliminate disinformation about solar farming. More specifically, Cypress Creek initiated the following advocacy and outreach activities:

- CCR appointed local resident Rikki Cason as Community Outreach Coordinator, and opened Outreach Office—gained positive press coverage and immediately generated community inquiries
- First class mailing to project abutters to invite and schedule neighborhood walks to identify areas of concern to inform project layout modification. Initial walks have contributed inputs that will be used and credited with modification to be announced by end of 2019.
- New initiative to establish local committee to plan Pollinator PILOT installation, in collaboration with local Boy/Girl Scouts to promote education of parents and children and to help troops earn environmental badges.
- NYCLV: Participation in NYCLV Education Fund event, Buffalo (and Albany and Syracuse events), Sponsorship of NYCLV Capital Region Cocktail Party, Albany November 7th.
- A Bear Ridge Solar Project Update e-newsletter is being regularly distributed.

Cypress Creek has also developed a \$10 Million Dollar Host Community Agreement Plan that will make important contributions to local services, towns, and schools. The HCA is further described in the attached presentation, which has been shared with the AHJs. That announcement prompted immediate interest and an invitation from the Starpoint Central School District Board to return to the district for a meeting, a strong indicator of a shift in position.

- Produced positive press coverage
- Generated email support letters
- Resulted in presentation meeting with Starpoint School Board, gaining reception for project in local school district, interest in rooftop solar project for school buildings, and interest in exploration of STEAM program.

The Covid-19 pandemic has had an adverse impact upon our outreach activities in 2020, but we are slowly reestablishing our advocacy and outreach efforts:

- One-on-one meetings with residents who have stopped in our community office.
- Given monthly updates to Town of Cambria officials, along with updates to Town of Pendleton officials and the Starpoint Central School District Board of Education.
- Spoken with Orleans-Niagara BOCES about workforce development opportunities, along with opportunities to promote the solar industry in future.
- Worked with Niagara County Community College on workforce development partnership.
- Started a monthly workforce development committee, made up of local leaders, community members and educational representatives to discuss ways Bear Ridge Solar can best partner with local schools on workforce development opportunities.
- Gave a project overview at Niagara County Chamber of Commerce meeting.
- Took out sponsorship with the Niagara County Air Base, and participated in events that were included with yearly sponsorship.
- The local outreach office was closed from mid-March to the end of August 2020. It has reopened on an appointment basis, with strict safety protocols.
- The project newsletter and website became the main vehicles for maintain contact and a flow of information with interested stakeholders.
- Started work on a test pollinator garden, working with local students and community to make this happen. While COVID-19 forced this project to pause, we look forward to being able to pick this project up in the future, working with area youth, and educating the public on the importance of pollinators.
- As soon as it was safe to do so, Cypress Creek's Senior Developer had an in-person meeting in May with the Town of Cambria Supervisor. They also maintained a monthly status call.
- In August further discussions were held with the IBEW and Trade Council
- In July, Cypress Creek accompanied NYSDEC on a field visit to confirm the field delineation of wetland boundaries within the project area. This visit was followed by a conference call to discuss environmental impacts associated with the project and the path forward regarding permitting approach.
- In September, Cypress Creek held a conference call with NYSDAM to discuss agricultural concerns associated with the project as well as the path forward regarding permitting approach.

In 2021, Cypress Creek began to implement the requirements of the new 94-c siting process. Our community outreach and engagement efforts will continue and ramp up, to the extent practicable in adherence with Covid-19 safety protocols. IN July , we held a round of meetings with the Towns of Pendleton and Cambria and Niagara County; we also hosted a community meeting to update residents and other interested stakeholders regarding the status of the

project. . Our future activities will encompass the following and will continue throughout project development and construction:

- Additional meetings with the Towns of Cambria and Pendleton and Niagara County
- Community Outreach meetings
- Monthly status checks with the Towns
- Frequent project update newsletters
- As needed updates to the project website
- Additional outreach to IBEW/Trade Council, including the development of a joint Memorandum of Understanding
- Engaging the Starpoint Central school districts and local community college

The Bear Ridge Solar Project is located in a rural and agricultural portion of Niagara County. As such, there is no direct applicability of the CLCPA goals regarding benefits to Disadvantaged Communities that would be realized with the development and construction of the project.

Cypress Creek initiated discussions with the Towns and school Districts regarding payments in lieu of taxes (PILOT) agreements or host community agreements (HCAs) in 2019. Those discussions were suspended in early 2020 when the Covid-19 pandemic essentially shut down our development outreach activities. As we transition the project into the new 94-c permitting process, those negotiations and discussions will recommence in the fourth quarter of 2021.

Opposition to large scale solar in Niagara County has been voiced in the local media, and on social media platforms. Support has also been voiced in the Western New York region. Our approach to opposition is to educate and inform the public about the benefits of solar power in term of meeting the State's CLCPA goals. Our goal is to engage in a useful, reasoned and informed dialogue, building trust with the local community.

One of our goals through our community engagement efforts is to inform the public regarding the impacts associated with the project, and our efforts to avoid, minimize and mitigate adverse impacts. This includes environmental, visual, agricultural and economic impacts. Our goal is to integrate the solar project into the ongoing active agricultural activities within the project area.

Cypress Creek employs several methods for soliciting feedback and input from the public and affected agencies. We participate in in-person meetings, telephone and video conferences, email and phone conversations, and interactions through our webpage. When community meetings are held, we take note of questions asked and response given. Consultation with the agencies is documented. These then become part of our permitting record. and the process for sharing feedback and responses publicly.

As Cypress Creek commences the r 94-c permitting process, , we will use public notices, newsletters, and webpage postings to alert the public about upcoming community engagement

activities, like community meetings, in an effort to insure these events are widely attended by a representative cross section of host community residents. Of course, measures will be implemented to insure social distancing is maintained and that any such meeting is compliant with current State Covid-19 guidance.

NYSERDA has asked for a description of the most challenging Community Outreach issue that Cypress Creek has encountered on other projects and how we successfully met this challenge. Cypress Creek is proud of our community engagement efforts and our ability to build trust with local municipalities. We offer up two examples of how we successfully resolved community outreach issues:

McCarthy is a project located in the Town of Blooming Grove, located about 1.5 hours north of New York City. It's historically been a difficult town to develop in due to community opposition to development. We worked hand in hand with the Town on code development for nearly a year, including addressing several provisions that would effectively prohibit solar in town. Following code development, we worked with them for another year to zone the project (the first permitted in town). The Planning Board and community members had concerns about the viewshed and impact on neighbors which we mitigated with a "balloon test" that was observed by both the Board and neighbors. They also had concerns about tree clearing involved with the project and we coordinated with the town to mitigate these concerns by funding compensatory tree planting elsewhere. That tree planting will likely take place at a few of the town's schools, another community partnership that we're proud of. Ultimately the project was accepted by the community, approved, and is planned for construction in 2020.

In another example, the MacBeth project in Muskegon County, Michigan, was proposed on a site that was enrolled in agricultural preservation land, which in Michigan requires the installation of pollinators in order for solar to be an allowable use. The town had significant concerns about the viewshed, flora and fauna impacts, and stormwater. Our development team completed a full landscaping plan and visual renderings to show the impacts of pollinators and other grasses on runoff, viewshed, and farm soil health. This effectively addressed the concerns of the community and the project was approved in September 2019.

Attachments

Public Involvement Plan

Host Community Agreement Presentation

Letter of Support

APPENDIX A

Public Involvement Program (PIP) Plan



Public Involvement Program (PIP) Plan
Bear Ridge Solar, LLC
Case Number 18-F-0338
Towns of Cambria & Pendleton,
Niagara County, New York

October 3, 2018

CONTENTS

TERMS & ABBREVIATIONS.....	5
SECTION 1: INTRODUCTION	6
1.1 About Cypress Creek Renewables.....	7
1.2 Cypress Creek Projects in New York State.....	8
1.3 Bear Ridge Solar Project Summary.....	9
1.4 Study Area	15
SECTION 2: HOST MUNICIPALITIES.....	19
2.1 Town of Cambria.....	19
2.2 Town of Pendleton.....	20
2.3 Language.....	20
2.4 Environmental Justice Populations.....	21
SECTION 3: CONTACT AND RESOURCE INFORMATION.....	24
SECTION 4: STAKEHOLDER AWARENESS, ENGAGEMENT, INVOLVEMENT PLAN...	26
4.1 Proposed Public Involvement Program Plan.....	26
4.1.1 Stakeholder Identification	27
4.1.1.1 Host and Adjacent Property Owners... ..	28
4.1.1.2 Host Municipalities; Elected Leadership; Federal, State and Local Agencies; School Districts; Interested Parties and Intervenors.....	29
4.1.1.3 Intervenor Status and Funds... ..	29
4.1.1.3.1 Intervenor Funds... ..	30
4.1.1.4 School, Civic, Community, and Business Groups..	30
4.1.1.5 Non-Government Organizations and Special Interest Groups.....	30
4.1.1.6 Media... ..	31
4.1.1.7 Airports and Heliports.....	31
4.2 Outreach and Engagement	31
4.2.1 Stakeholder Communication Methods/Materials	32
4.2.1.1 Public Information Meetings and Outreach Events.....	32

4.2.1.2 Direct Meetings.....	32
4.2.1.3 Community Outreach Office.....	33
4.2.1.4 Advisory Working Groups.	33
4.2.1.5 Pop-up Meetings.....	33
4.2.2 Communication Channels... ..	34
4.2.2.1 Website.....	34
4.2.2.2 Distribution Database	34
4.2.2.3 E-blasts.....	35
4.2.2.4 Direct Mail.....	35
4.2.2.5 Project Brochure	35
4.2.2.6 Public/Legal Notifications	36
4.2.2.7 Posters/Flyers.....	36
4.2.2.8 Advertisements.....	36
4.2.2.9 Media Relations.....	37
4.2.2.10 Document Repository	37
4.2.2.11 Additional Communication Methods	38
SECTION 5: PROJECT MILESTONES.....	38
5.1 Pre-Application & Application Phase.....	38
5.1.1 Consultation with Affected Agencies and Stakeholders.....	38
5.1.2 Stakeholder Engagement.....	41
5.1.3 Project Website.....	41
5.1.4 Stakeholder Notification	41
5.2 Post-Application Phase.....	43

LIST OF FIGURES

Figure 1: Regional Facility Location.....	13
Figure 2: Facility Area.....	14
Figure 3: Facility Study Area.....	17
Figure 4: Preliminary Viewshed Analysis.....	18
Figure 5: Article 10 Process... ..	40

LIST OF APPENDICES

APPENDIX A – Stakeholder Notification List

APPENDIX B – Proposed Project Schedule

APPENDIX C – Outreach Log

APPENDIX D – Stakeholder Involvement – Goals & Objectives

TERMS & ABBREVIATIONS

AC:	Alternating current
CES:	Clean Energy Standard
CCR:	Cypress Creek Renewables, LLC, or Cypress Creek
CO ₂	Carbon dioxide
DC:	Direct current
DEC:	New York State Department of Environmental Conservation
DPS:	New York State Department of Public Service
Facility:	Collectively refers to all components of the proposed project, including PV panels, access roads, buried and above ground collection lines, substations, and staging areas.
Facility Area:	An area of land within which all Facility components will be located.
Facility Site:	Those parcels currently under, or being pursued, for lease (or other real property interests) with the Applicant for the location of all Facility components.
GIS:	Geographic Information Systems
kV:	Kilovolt
MW:	Megawatt
New York:	New York State
NYISO:	New York Independent System Operator
PIP:	Public Involvement Program Plan
POI:	Point of Interconnection
Project:	The process of developing, certifying, and constructing the Facility
PSC:	New York State Public Service Commission
PSL:	New York Public Service Law
PSS:	Preliminary Scoping Statement
PV:	Photovoltaic
Siting Board:	New York State Board on Electric Generation Siting and the Environment
Stakeholder:	Defined by 16 NYCRR 1000.2(an) as those persons who may be affected or concerned by any issues within the Siting Board's jurisdiction relating to the proposed major electric generating facility and any decision being made by it.

SECTION 1: INTRODUCTION

In support of New York State’s Clean Energy Standard (“CES”) mandate to secure 50 percent of the State’s electrical supply from renewable sources by 2030, Bear Ridge Solar, LLC (hereafter the “Applicant”), a wholly owned subsidiary of Cypress Creek Renewables, LLC (“Cypress Creek”) is proposing to construct a 100 megawatt (“MW”) alternating current (“AC”) photovoltaic (“PV”) solar energy generation facility (the “Facility” or “Project”) in the towns of Cambria and Pendleton, Niagara County, New York.

Given the proposed size of the Facility, it is considered a “major electric generating facility” under Article 10 of the New York State Public Service Law. Generally, Article 10 provides for the siting review of new major electric generating facilities in New York State by the Board of Electric Generation Siting and the Environment (the “Siting Board”) in a unified proceeding, instead of requiring a developer of such a facility to apply for numerous state and local permits.

The Public Involvement Program Plan (“PIP”) is a very important part of this process. The information that the Applicant receives through its public outreach program will assist in defining the scope of the studies that will ultimately form the basis of the Application to the Siting Board. Through this process, stakeholder concerns, interests, local knowledge, and recommendations will be evaluated, addressed and considered by the Applicant and the Siting Board. The Applicant also commits to consulting with Department of Public Service (“DPS”) Staff at appropriate times during the outreach period, including during early development of the Preliminary Scoping Statement (“PSS”).

The Siting Board’s rules require that applicants proposing to submit an Application to construct a major electric generating facility under Article 10 initiate the regulatory review process by first filing a PIP. Under the Siting Board’s rules, the PIP must be submitted to the DPS Staff for review at least 150 days prior to filing a PSS.

This document represents the Applicant’s PIP and describes the public outreach and involvement activities that will be utilized throughout the Article 10 review process. Through this PIP, the Applicant (1) formally introduces the Facility; (2) describes the Article 10 process to the local community, stakeholders, and other

interested parties; and (3) outlines future activities related to sharing Facility-related information and establishing how the public can participate in the stakeholder process, including opportunities to ask questions and provide comments.

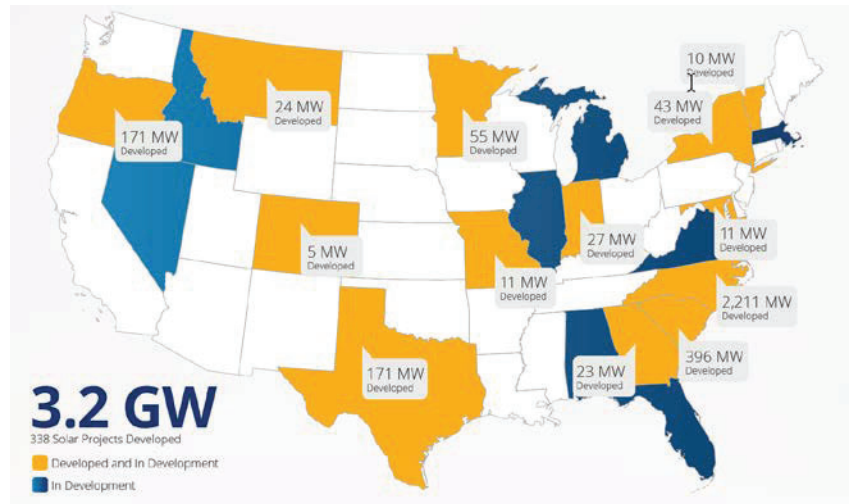
More specifically, as required by the Siting Board's rules and regulations, this PIP includes the following components:

- (1) Consultation with the affected agencies and other stakeholders;
- (2) Pre-application activities to encourage stakeholders to participate at the earliest opportunity;
- (3) Activities designed to educate the public as to the specific proposal and the Article 10 review process, including the availability of intervenor funding for municipal and local parties;
- (4) The establishment of a website to disseminate information to the public and updates regarding the Facility and the Article 10 process;
- (5) Notifications to affected agencies and other stakeholders; and
- (6) Activities designed to encourage participation by stakeholders in the certification and compliance process.

1.1 ABOUT CYPRESS CREEK RENEWABLES

Cypress Creek Renewables (Cypress Creek), one of the nation's largest dedicated providers of solar projects, has established a proven history of partnering with local communities, governments, and utilities to help advance a national clean energy program. Cypress Creek's projects contribute to local economic development and job growth and increase the use of renewables for a cleaner, more affordable, and more reliable source of power nationwide. In 2017 alone, Cypress Creek built nearly 15 percent of all utility-scale solar installed in the United States, more than any other utility-scale solar developer.

Nationally, Cypress Creek has developed over 3 GW of electricity and owns and operates a portfolio of 1.5 GW across four states—enough to power 500,000 homes. The Company has projects operational or in development in 32 states across the country, many in communities like Cambria and Pendleton. Cypress Creek has invested over \$2.8 billion in communities across the United States, creating millions of dollars in local tax revenue and thousands of construction jobs.



Cypress Creek is committed to empowering strong and healthy communities and providing positive benefits to the localities the company serves. The benefits include the following:

- A source of consistent, annual income for the landowners, which is especially helpful when the landowner’s occupation provides variable income, as is often the case year-to-year for farmers;
- New job creation both in temporary construction jobs and long-term solar farm operations, and a stimulus for local business growth and expansion to provide needed services to support the new solar facility;
- New tax revenue streams for the communities it serves; and
- A community commitment by working together with local communities in advancing local projects and helping fulfill community needs, like playgrounds, ballfields, emergency services equipment, job training, and science, technology, engineering, and mathematics (STEM) programs.

1.2 CYPRESS CREEK PROJECTS IN NEW YORK STATE

Cypress Creek has already delivered millions of dollars in investment and economic development to communities across New York State through the completion of 25 permitted community solar projects and the continued development of over 70 community and utility-scale projects.

These are just some of the benefits:

- A partnership with the Hudson Valley Community College Workforce Development Institute to reduce course fees in solar job training, with a focus on recruiting veterans, women, and underrepresented communities into the solar industry.
- Improved soil and agricultural productivity for local farmland resulting from the installation of an on-site pollinator habitat. Through planting and managing native, pollinator-friendly vegetation, stormwater runoff can be reduced by 8-23 percent,¹ and wild pollinator populations, such as bees and butterflies, can be restored and sustained. In 2016, New York lost half of its managed pollinator populations, which are vital for the crop yield of pollinator-dependent crops worth \$344 million to the State's agricultural industry.² Cypress Creek's projects will provide thousands of acres of healthy habitat for insects urgently needed to support agriculture.
- Investments in new solar installations of approximately \$500 million dollars in the next five years, much of it going to the local communities where the solar farms will be developed.
- Clean power to help meet New York State's renewable energy goal of 50 percent clean energy by 2030.

The utility-scale Bear Ridge Solar Facility in Cambria and Pendleton will further increase the Company's contribution to the State by creating approximately 100 MW of clean energy while bringing jobs, investment, and a stable source of revenue into the community.

1.3 BEAR RIDGE SOLAR PROJECT SUMMARY

The Applicant is proposing a 100 MW-AC solar energy facility in the Towns of Cambria and Pendleton in Niagara County, providing enough clean, renewable energy to power approximately 25,000 single-family homes.³ The Facility is proposed to be sited on approximately 900 acres, 750 of which will in Cambria and 150 in

¹ "Soil, Crop, & Storm Water Benefits of Solar Sites." Fresh Energy, 22 Mar. 2016. Web. <https://fresh-energy.org/tag/storm-water/>.

² NYS Beekeeper Tech Team. 2017 NYS Beekeeper Tech Team report. (Cornell University, 2018).

³ Estimate derived from average electricity use per household in New York State ('Household Energy Use in New York'. https://www.eia.gov/consumption/residential/reports/2009/state_briefs/pdf/NY.pdf) and the estimated electricity production of the Bear Ridge Solar Project.

Pendleton, and will connect to the grid at the existing Mountain—Lockport 115-kV transmission line.

The plans for the Facility began in 2016 with conversations between the Applicant and a group of local farmers/landowners who have lived and farmed in the community for generations. As a result of these informal discussions, Cypress Creek established partnerships with the landowners, who have served as community guides, helping provide local and regional context. With Project approval, these farmers/landowners will be able to continue their long tradition of agricultural production on the rest of their land by partnering with Cypress Creek.

The Applicant estimates that it will invest approximately \$210 million including all construction, material, labor, and professional service-related expenditures. This investment is expected to provide a significant economic stimulus to the area during construction by providing approximately 300 local construction jobs and local contracts, as well as locally-sourced expenditures in goods and services, significant long-term economic benefits through lease revenue to the local landowners, and tax revenue to the community.

Cypress Creek has a proven track record for hiring locally in New York during construction. By the end of 2018, Cypress Creek will have 11 solar projects generating power in the State and over 22 local, NY contractors managing landscaping, construction, electrical work, surveying, and civil work⁴.

The anticipated power output of the Facility is approximately 200 million kWh annually, which will offset an estimated 42,000 tons of carbon dioxide (CO₂) annually, the equivalent of removing 8,000 cars from the road each year.⁵ According to the U.S. Environmental Protection Agency's (EPA) Social Cost of Carbon, a measure, in dollars, of the long-term damage done by a ton of CO₂ emissions in a single year and the value of damages avoided through an emission

⁴Stakeholders or other interested parties who wish to know more can find additional information on the Projects website at: BearRidgeSolar.com.

⁵'U.S. Environmental Protection Agency Emissions & Generation Resource Integrated Database (eGRID).' Web. 2018. <https://www.epa.gov/energy/emissions-generation-resource-integrated-database-egrid>.

reduction, the environmental benefit of this Project will provide an economic benefit equivalent to \$6.2 million per year to the State of New York.⁶

The Facility will include rows of PV panels, also referred to as modules, mounted on posts set in the ground. These rows of PV panels are referred to as “solar arrays.” The solar panels will be supported by a fixed-tilt racking or single-axis tracking racking system no more than 12 feet in height. The anticipated power output of the Project is approximately 200 million kWh annually. Inverters will be placed throughout the Facility (internal to the panel arrays) to convert direct current (DC) electricity to alternating current (AC) electricity. Transformers will be sited near the inverter locations to convert the AC electricity to a voltage transmittable across the electrical grid. Energy storage devices may be constructed and will be sited internal to the panel arrays. No new transmission lines will be constructed to support the Facility. To deliver solar-generated power to the New York State electric grid, the Applicant proposes to interconnect the proposed Facility with the existing Mountain—Lockport 115-kV transmission line, which is owned and operated by National Grid. This transmission line traverses the northern portion of the proposed Facility Area (see Figure 2) in an east—west orientation. At this location near Comstock Road, in the Town of Cambria, the Applicant plans to construct:

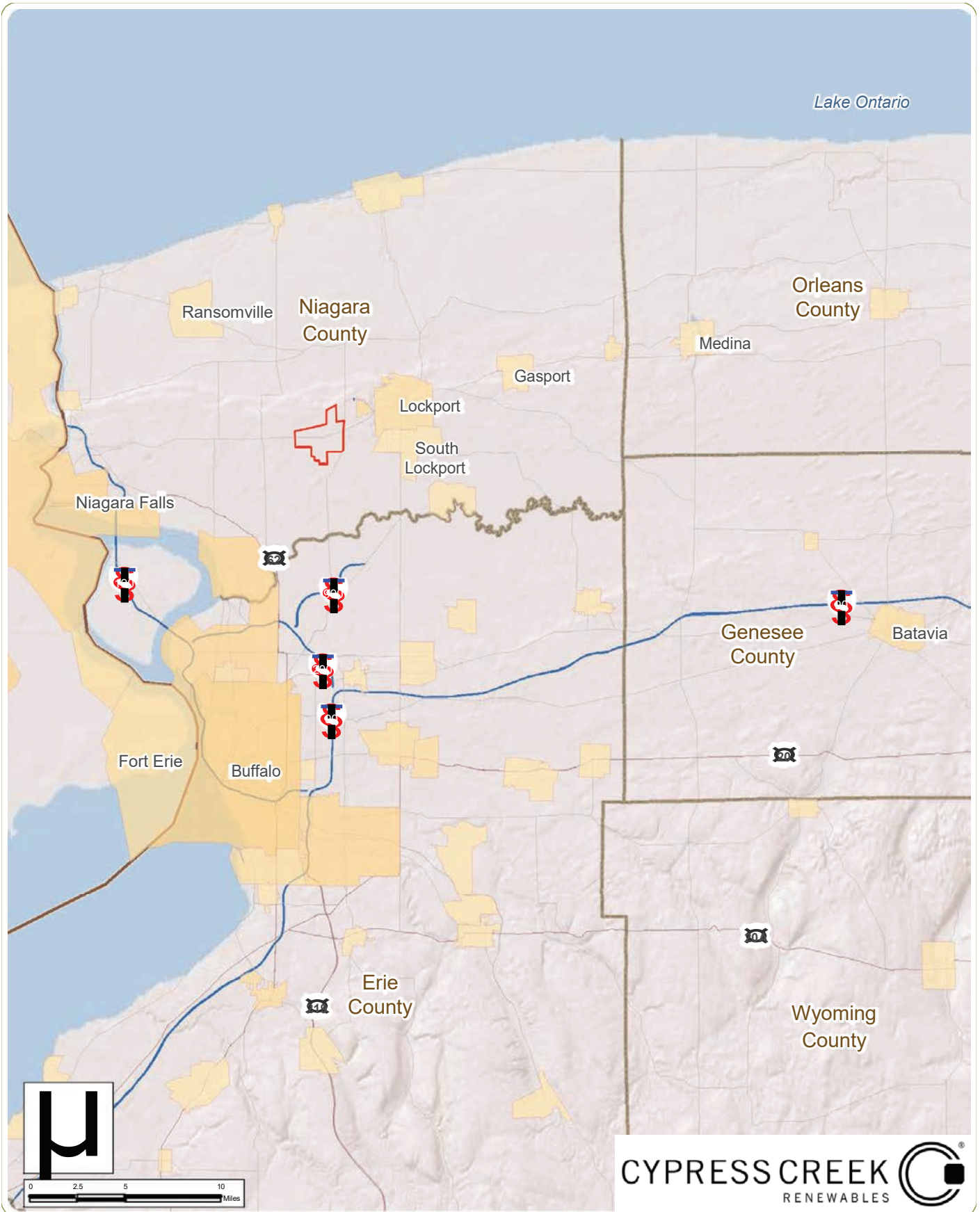
- A secure, fenced-in substation where the Facility’s electrical output voltage will be combined, and its voltage increased to the transmission line voltage of 115-kV via step-up transformers;
- A 115-kV generation tie line (gen-tie) less than 0.5 miles in length that will connect the Facility substation to the switching substation;
- A switching station, to be constructed by Niagara Mohawk Power Corporation (d/b/a National Grid), or by the Applicant, according to the specifications of National Grid, where the electricity will be injected into the existing bulk transmission system;
- A site access road (less than 0.5 miles) to provide permanent access to the above substation facilities;
- Temporary laydown areas for equipment staging during construction; and
- Internal infrastructure including access roads and fencing.

⁶ ‘U.S. Environmental Protection Agency Social Cost of Carbon.’ Web. 2018.
https://19january2017snapshot.epa.gov/climatechange/social-cost-carbon_.html.

In 2016, the Applicant commissioned a transmission injection study of the capacity of the electric grid in the region. This study looked at several alternative interconnection options, estimating the maximum injection capability during various contingencies prior to the thermal limits of transmission lines and transformers in the area being exceeded. The results of the study suggested that interconnecting a 100 MW solar project to this National Grid 115-kV transmission line would be the preferred alternative.

In April 2018, the Applicant filed an Application with the New York Independent System Operator (the “NYISO”) for interconnection of 100 MW into the Mountain – Lockport 115-kV transmission line. The System Reliability Impact Study is currently under way, and therefore the Applicant has secured its position on this transmission line. Cost-effective interconnection of the Facility is a key element that will allow the Applicant to deliver clean and affordable electricity to New York State residents and businesses, helping the State achieve its goal of 50 percent renewable energy by 2030. A preliminary Project schedule, including expected commercial operation and construction commencement, is contained in Appendix B.

The lands that are being evaluated for potential solar development are in the towns of Cambria and Pendleton and are identified in Figures 1 and 2 as the “Facility Area.” Not all the land included in this area will be included in the Project. Rather, the Facility Area represents the broader area within which selected parcels will be developed with solar facilities. This provides flexibility during the Project development phase to minimize and avoid impacts to wetlands, cultural resources, visual resources, wildlife habitat, and other sensitive resources as needed. While the Facility Area encompasses approximately 2,600 acres, the Facility will ultimately be sited on approximately 900 acres of leased private land within the Facility Area, which consists primarily of agricultural land. The Applicant will be leasing the land from private landowners.




Bear Ridge Solar Project

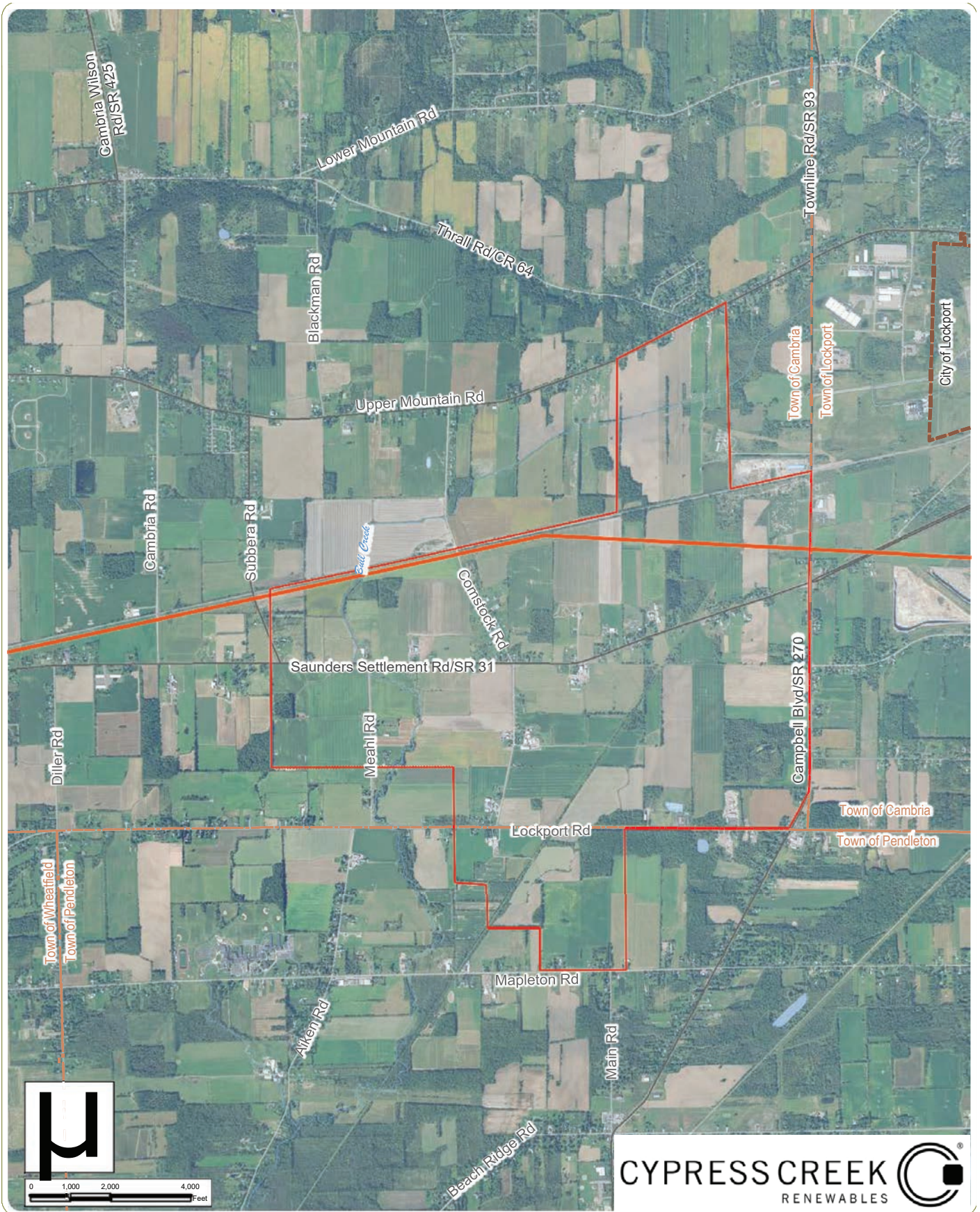
Towns of Cambria and Pendleton, Niagara County, New York

Figure 1: Regional Facility Location

Notes: 1. Basemap:ESRI ArcGIS Online "World Shaded Relief" map service. 2. This map was generated in ArcMap on August 3, 2018. 3. This is a color graphic. Reproduction in grayscale may misrepresent the data.

 Facility Area





Bear Ridge Solar Project

Towns of Cambria and Pendleton, Niagara County, New York

Figure 2: Facility Area

Notes: 1. Basemap: USDA NAIP "2017 New York 0.5m" orthoimagery map service. 2. This map was generated in ArcMap on August 3, 2018. 3. This is a color graphic. Reproduction in grayscale may misrepresent the data.

- Existing 115 kV Transmission Line
- Facility Area
- City/Village Boundary
- Town Boundary



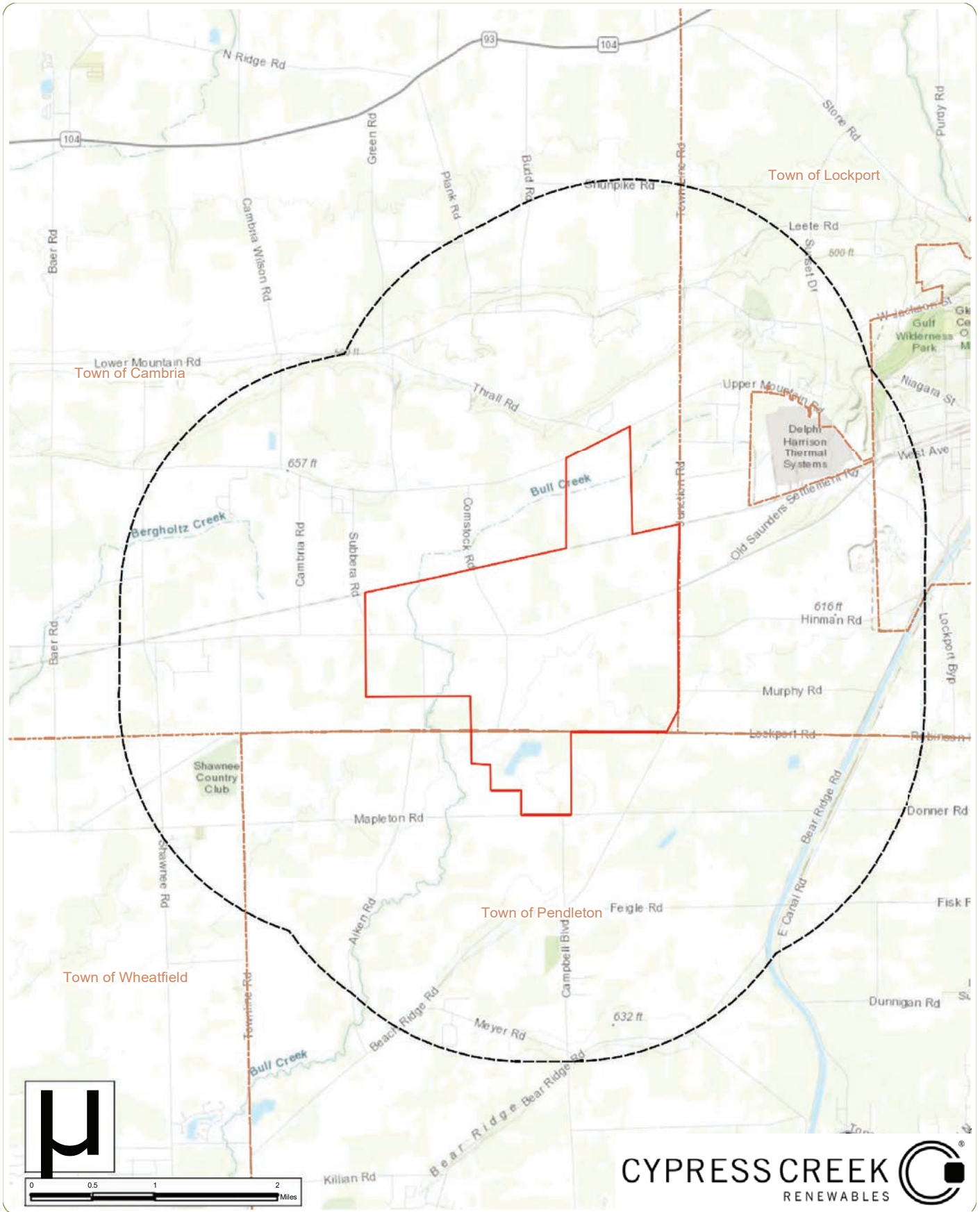
1.4 STUDY AREA

The Siting Board's rules define the Study Area to be used for analysis of major electric generating facilities as "an area generally related to the *nature of the technology* and the *setting* of the proposed site. For large facilities or wind power facilities with components spread across a rural landscape, the study area shall generally include the area within a radius of at least five miles from all generating facility components, interconnections and related facilities and alternative location sites."

With respect to the nature of the technology, the Applicant is proposing a solar energy facility. Unlike a wind power project that contains wind turbines that may be 500 feet or more in height and visible from a relatively large surrounding area (e.g., five miles or more), a solar generating facility does not have any prominently visible components. The tallest components of the generating portion of the proposed Facility will be the PV panels and inverter equipment, which have a relatively low profile, and are not expected to be more than 12 feet above grade, less than a single-story residence. Therefore, the nature of the technology is such that visibility is anticipated to be relatively limited to those areas located adjacent to the Facility. As such, the Applicant conducted a preliminary viewshed analysis for the proposed Facility using the assumption that 12-foot photovoltaic (PV) panels would be used (see Figure 4). The preliminary viewshed analysis graphically represents the potential PV panel viewshed visibility based on the screening effects of existing topography and vegetation, and an assumption that 12-foot PV panels would be placed on all areas that could potentially be developed within the proposed Facility Area. The results of this analysis demonstrate visibility is primarily limited to the areas located within and immediately adjacent to the Facility Area, with fewer panels visible with increasing distance and nearly all visibility limited to within a one-mile radius of the Facility Area. While these results suggest that a one-mile radius is an appropriate study area, the Applicant has defined a two-mile Study Area to address all necessary impacts and concerns related to the visibility of the proposed Facility. Municipalities within this Study Area include the towns of Cambria, Lockport, Pendleton, and Wheatfield, and the city of Lockport, all of which are in Niagara County (see Figure 4). The Applicant will consult with DPS Staff prior to filing the PSS regarding the Study Area proposed for visual resource evaluation.

With respect to setting, the Facility Area is located within the Ontario Lowland physiographic province of New York. Elevations within the Facility Area are

approximately 595± feet to approximately 655± feet above mean sea level (AMSL), while elevations for Niagara County range from approximately 250 feet AMSL along Lake Ontario up to approximately 660 feet AMSL along some of the ridges. Land cover within the Facility area is dominated by active agriculture, interspersed with stands of forest, hedgerows and some existing development such as scattered farms and single-family residences generally occurring along the road frontage.






Bear Ridge Solar Project

Towns of Cambria and Pendleton, Niagara County, New York

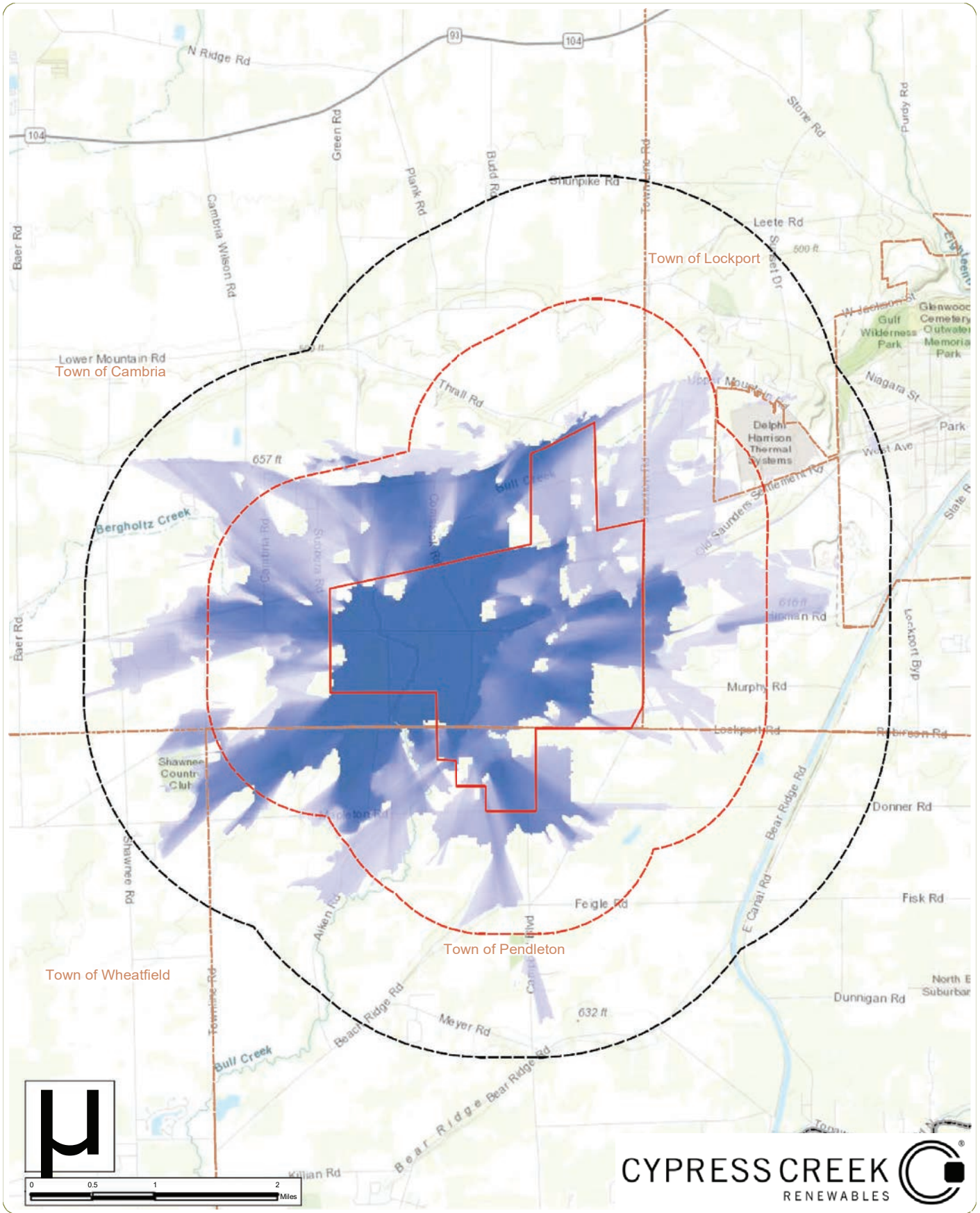
Figure 3: Facility Study Area

Notes: 1. Basemap: ESRI ArcGIS Online "World Topographic Map" map service. 2. This map was generated in ArcMap on August 3, 2018. 3. This is a color graphic. Reproduction in grayscale may misrepresent the data.

-  2 mile Study Area
-  Facility Area
-  Town Boundary

CYPRESS CREEK
RENEWABLES





Bear Ridge Solar Project

Towns of Cambria and Pendleton, Niagara County, New York

Figure 4: Preliminary Viewshed Analysis

Notes: 1. Basemap: ESRI ArcGIS Online "World Topographic Map" map service. 2. This map was generated in ArcMap on August 3, 2018. 3. Potential solar panel visibility based on topography and screening effects of mapped forest vegetation. 4. This is a color graphic. Reproduction in grayscale may misrepresent the data.

- 1-mile Study Area
- 2-mile Study Area
- Facility Area
- More Panels Potentially Visible
- Fewer Panels Potentially Visible

CYPRESS CREEK
RENEWABLES



www.edrpsc.com

SECTION 2: HOST MUNICIPALITIES

The Facility is sited in the towns of Cambria and Pendleton, Niagara County, New York.

Niagara County is in the extreme western part of New York State, north of Buffalo, adjacent to Lake Ontario on its northern border and the Niagara River and Canada on its western border.

2.1 TOWN OF CAMBRIA

Cambria has a population of 5,839 with a density of 147 individuals per square mile. Cambria is 39.7 square miles.⁷ Cambria's population decreased 0.8 percent between 2010-2016.

The median household income of \$69,330 is about 1.4 times higher than the amount for Niagara County (\$50,094) and 10 percent higher than the median for New York State's \$60,741. The average house or condominium value is \$157,500.⁶ Cambria has a low poverty rate of 4.1 percent, about one third of the Niagara County rate of 13.6 percent, and one quarter of New York State's poverty rate.

Cambria's median age is 44.9 years, about 20 percent higher than the median age of 38.2 for New York State. Cambria is primarily white (96.9 percent) and English speaking (95 percent).⁶ Cambria's veteran population of 10 percent is consistent with Niagara County but is 1.5 times higher than the rate for New York State.

In Cambria, 97 percent of the population completed high school. That is more than 10 percent higher than that of New York State (85.9 percent). However, Cambria's higher education attainment (bachelor's degree or higher) of 26 percent, is only about three-quarters the rate for New York State at 34.7 percent.⁷

⁷ United States Census Bureau / American FactFinder, "2016 American Community Survey" accessed April 5, 2018. Web. < <https://factfinder.census.gov/> >

2.2 TOWN OF PENDLETON

Pendleton is a town in the southern part of Niagara County, east of Niagara Falls. The town has a population of 6,558. The population density in Pendleton is approximately 236 people per square mile. Pendleton's area comprises 27 square miles. Pendleton's population grew by 4.4 percent between 2000 and 2016.

The median age in Pendleton is 44.1 years old, which is just above the New York State median of 38.2 years. Pendleton is primarily white (98.4 percent), with a comparatively low 4 percent of the population living below the poverty line.⁸

Pendleton's estimated household income in 2016 was \$81,797, higher than the New York State median of \$60,741. Estimated house or condominium values in 2016 were \$179,400.

Pendleton high school educational attainment was 96.4 percent, higher than the New York State median of 85.9 percent, while attainment of a bachelor's degree or higher education was 29.9 percent, below the rate for New York State at 34.7 percent.

2.3 LANGUAGE

The Siting Board's regulations require a PIP to identify (1) any language other than English spoken according to U.S. Census data by 5,000 or more persons residing in any 5-digit zip code postal zone in which any portion of such zone is located within the Study Area for the Facility; and (2) any language other than English spoken by a significant population of persons residing in close proximity to the proposed facility, alternative locations, or interconnections.

The Study Area includes a portion of Niagara County. According to the US Census Bureau American Community Survey ("ACS") data from 2016, 4 percent of Niagara County residents age 5 or older speak a language other than English at home. With a population estimate of 202,321 persons, this means an estimated 8,230 people in the County speak a language other than English at home.

⁸ United States Census Bureau / American FactFinder, "2016 American Community Survey" accessed April 5, 2018. Web <https://factfinder.census.gov/>

The Study Area contains portions of four 5-digit zip codes. The following table summarizes the most prevalent non-English languages spoken in each of these zip codes. As no language other than English is spoken by at least 5,000 people residing in the zip codes within the Study Area, the Applicant is not proposing to disseminate Project and Article 10-related materials in a second language.

Table 1. Most Prevalent Non-English Languages Spoken in Study Area Zip Codes⁹

<i>Zip Code</i>	<i>Language Spoken</i>	<i>Number of Speakers</i>
14094 (Pendleton/Lockport)	Spanish or Spanish Creole	934
14132 (Sanborn)	German	44
14131 (Cambria/Ransomville)	Spanish or Spanish Creole	57
14120 (North Tonawanda)	Polish	600

2.4 ENVIRONMENTAL JUSTICE POPULATIONS

DEC’s Environmental Justice Policy, CP-29, Potential Environmental Justice Areas, focuses on census block groups featuring populations that meet or exceed at least one of the following statistical thresholds:

- (1) At least 51.1 percent of the population in an urban area reported themselves to be members of minority groups; or
- (2) At least 33.8 percent of the population in a rural area reported themselves to be members of minority groups; or
- (3) At least 23.59 percent of the population in an urban or rural area had household incomes below the federal poverty level.

Based on data obtained from the DEC’s Geospatial Information System (GIS) Tools for Environmental Justice website, the nearest Potential Environmental Justice Area to the Facility is found in an eastern portion of the City of Lockport. Lockport

⁹ MLA Language Map Data Center, accessed April 13, 2018. Web. http://www.mla.org/map_data

city limits are located approximately 2.7 miles east of the Facility Area. No portion of Lockport's Potential Environmental Justice Area is located within the Facility Area, nor is the Potential Environmental Justice Area located within the Study Area.¹⁰

DEC's Commissioner Policy-29 (CP-29), dealing with consideration of Environmental Justice concerns, is intended to ensure that DEC's environmental permit process promotes Environmental Justice. CP-29 defines Environmental Justice as "the fair treatment and meaningful involvement of all people regardless of race, color, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or socioeconomic group, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local and tribal programs and policies."

CP-29 directs that DEC permitting staff in receipt of an application for a permit covered by the Policy conduct a preliminary screen to identify whether the proposed action is in or near a Potential Environmental Justice Area and determine whether potential adverse environmental impacts related to the action are likely to affect a Potential Environmental Justice area.

This Project will not have any sources of air emissions, so no air permits are required. The only environmental quality permit required for this Project is the stormwater State Pollutant Discharge Elimination System (SPDES) permit – a general permit that is not subject to DEC's Environmental Justice policy.

CP-29 is applicable only to permit applications for major projects and major modifications for permits authorized by certain specifically listed provisions of the Environmental Conservation Law (environmental quality permits). The Facility will not invoke any of CP-29's applicability provisions because of no such permits are required. However, assuming the Facility required an environmental quality permit triggering one of CP-29's applicability provisions, CP-29 would still not be

¹⁰ New York State Department of Environmental Conservation, Maps & Geospatial Information System Tools for Environmental Justice, "Potential Environmental Justice Areas" accessed April 5. Web. https://www.dec.ny.gov/docs/permits_ej_operations_pdf/niagaraej.pdf

applicable to this Project due to the fact that no portion of the Facility, or even the Facility's Study Area, falls within the mapped Potential Environmental Justice Area of the City of Lockport.

To the extent required, further discussion on Potential Environmental Justice Areas, including the cumulative impact of existing sources of air pollutants and the projected emission of air pollutants from the proposed Facility, will be provided in the PSS and the Application pursuant to the Siting Board's rule, as provided in Section 1001.28 of Article 10 regulations.

SECTION 3: CONTACT AND RESOURCE INFORMATION

Marisa Scavo

Project Developer, Development

Cypress Creek Renewables
c/o Harris Beach
Larkin at Exchange 726
Exchange Street, Suite 1000
Buffalo, NY 14210
(213) 357-5417
scavo@ccrenew.com

Kevin Kohlstedt

Project Developer, Development

Cypress Creek Renewables
c/o Harris Beach
Larkin at Exchange 726
Exchange Street, Suite 1000
Buffalo, NY 14210
(213) 432-1970
kevin.kohlstedt@ccrnew.com

Community Outreach Office

Location TBD

Hours of Operation TBD

The location and hours of the local office will be posted to the website as soon as available.

Project Website: www.bearridgesolar.com

Toll-free number: 1-800-385-1802

Calls to this number will be answered during regular business hours, and messages will be responded to within 48 hours.

Local Document Repositories

Ensuring public access to Project documents is essential to keeping stakeholders informed and apprised throughout the Article 10 process. A list of repository locations and contact information is as follows:

Sanborn-Pekin Free Library

5884 West Street, POB 176
Sanborn, NY 14132
(716) 731-9933
<http://www.sanbornpekinlibrary.com/>

Lockport Public Library

23 East Avenue
Lockport, NY 14094
(716) 433-5935
<https://lockportlibrary.org>

Town of Pendleton Town Hall

6570 Campbell Boulevard

Lockport, NY, 14094

(716) 625-8833

<http://pendletonny.us/>

SECTION 4: STAKEHOLDER AWARENESS, ENGAGEMENT, INVOLVEMENT PLAN

4.1 PROPOSED PUBLIC INVOLVEMENT PROGRAM PLAN

The purpose of Bear Ridge Solar’s PIP is to document its commitment to robust, inclusive, and transparent public involvement, and to detail the approach to public engagement that the Applicant will utilize to satisfy all Siting Board requirements. Specifically, these include the following:

- (1) Consultation with the affected agencies and other stakeholders
- (2) Pre-application activities to encourage stakeholders to participate at the earliest opportunity
- (3) Activities designed to educate the public as to the specific proposal and the Article 10 review process, including the availability of intervenor funding for municipal and local parties
- (4) Establishment of a website to disseminate information to the public
- (5) Notifications
- (6) Activities designed to encourage participation by stakeholders in the certification and compliance process

The Applicant has developed this PIP to facilitate the provision of information to the public and stakeholders; consider their input in the development and implementation of solutions when applicable; and ensure they are made aware of its commitment to consistent, frequent, and transparent outreach and communications throughout the Article 10 process.

Public outreach and involvement will be an ongoing, evolving part of the process throughout all phases of the Article 10 review (pre-application phase, application phase, hearing and decision phase, and post-certification phase), intended to disseminate information regarding the Facility to stakeholders, solicit information from those stakeholders during public outreach events, and generally foster participation in the Article 10 review.

Central to the Applicant’s proposed PIP is early and frequent communication with the Host Communities, including the Town of Cambria, the Town of Pendleton, and Niagara County. The PIP will be made available at the document repositories listed in Section 3. Aside from the towns and County, there are many important stakeholders to consider in developing a solar project of this scale.

4.1.1 STAKEHOLDER IDENTIFICATION

Cypress Creek is committed to partnering with local communities, governments, utilities, and others to advance solar energy by demonstrating its contribution to local economic development, job growth, and increased use of renewables for a cleaner, more affordable, and more reliable energy source for New York. Cypress Creek has or is currently developing over 70 community and utility-scale solar projects in 55 communities in New York State. Based on this experience, Cypress Creek has successfully engaged with interested agencies, municipalities, utilities, host landowners, and other potential stakeholders to build support through a robust and transparent public involvement process that builds awareness and understanding of its projects. Specific stakeholders are identified by information provided by members of the community, DPS guidance; prior submissions of other Article 10 PIP plans; review of County GIS records, tax records, research, and experience advancing similar projects.

Cypress Creek considered the following in compiling its stakeholder list for the Project:

- The anticipated locations of Facility components within the Facility Area
- The Point of Interconnection (POI)
- “Local Party,” as defined in the Siting Board’s rules ¹⁰
- “Affected Agencies,” as that term is used in the Siting Board’s rules ¹¹
- Host Municipalities, which, for the purposes of this PIP, refers to those municipalities that are currently within the Facility Area and are anticipated to host Facility components (to be further described in the PSS)
- Public interest groups
- State and federal elected officials representing the Host Municipalities and, if different, other municipalities within the Study Area

¹⁰ 16 NYCRR §1000.2[s]

¹¹ 16 NYCRR § 1000 et seq.

A master list of stakeholders, which includes all known, potentially interested stakeholders and parties, was developed based upon the combination of efforts described above and is in Appendix A.

To ensure the PIP considers the communication needs of all stakeholders, the Applicant has completed, and will continually update, a “goals of consultation” list for each category of stakeholder, with methods defined to meet their information needs and concerns and deliver information via their preferred communication channels. The stakeholder list will be updated as necessary based on information received as the Project progresses and as requests are made by interested stakeholders during PIP activities; these updates will be provided to DPS along with the PIP tracking submissions.

The Applicant will collect the input of a broad range of stakeholder perspectives during the development of the Facility and throughout the Article 10 process. Project stakeholder categories are identified and described in the subsections below.

4.1.1.1 HOST AND ADJACENT PROPERTY OWNERS

For purposes of this PIP, property owners include host property owners—those landowners who have or will enter into an agreement with Cypress Creek for the purpose of installing Project Facilities on their land; and adjacent property owners—those who own property within 2,500 feet of a solar collector array or substation or within 500 feet of other Project components (e.g., collection lines, POI, O&M facility, etc.).

Potential host and adjacent landowner information has been collected from County GIS records, tax records, and personal visits by representatives of the Applicant.

Host and adjacent landowners will be included in mailings, outreach activities and notifications that are provided to the stakeholders identified in this PIP and as the Project progresses. However, for privacy purposes, the stakeholder list may include addresses or parcel numbers rather than landowner identification.

Host and adjacent landowners will be contacted by letter, delivered via postal mail or via email if they request, simultaneously with the publication of the first legal notice in the *Lockport Union-Sun & Journal*, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter* announcing the filing of the PSS and the

Article 10 application. This initial correspondence will provide detailed information on how the Applicant will communicate with them, collect their input, and respond to their inquiries during the Article 10 process. They will be invited to attend public information meetings, sign up for email updates and newsletters, and view website postings. Outreach will continue to host landowners and municipal officials during decommissioning and restoration activities.

4.1.1.2 HOST AND ADJACENT MUNICIPALITIES; ELECTED LEADERSHIP; FEDERAL, STATE AND LOCAL AGENCIES; SCHOOL DISTRICTS; INTERESTED PARTIES AND INTERVENORS

Host and adjacent municipalities; elected leadership; federal, State, and local agencies; interested parties; school districts; and intervenors are acutely aware of the concerns and needs of their constituents and consequently must be informed about the Project's progress.

Each agency and municipality in the Project area will be informed about the Project and provided with information, notices, and flyers for distribution to their constituents. Bear Ridge Solar representatives will meet with each municipality or agency, consult with representatives, disseminate and request information, and schedule follow-up meetings as appropriate. Specific information provided to the affected agencies and municipalities will include a description of the Facility and location; explanation of the phases of the Article 10 process and how the agency or municipality can participate in each step; description of the available intervenor funding and the process for obtaining funding; description of the ad hoc committee process and local municipal responsibility; information about other planned consultations; and sources of additional information about the Facility and Article 10 (e.g., the Facility and Siting Board websites). Information to be requested from affected municipalities and agencies may vary by the involvement of each one, but may include topics such as local laws, emergency response, environmental impact review, and determination of news sources to be used for official notices.

4.1.1.3 INTERVENOR STATUS AND FUNDS

Intervenor refers to a party that joins an Article 10 proceeding as a third-party for the protection of an interest. Some intervenors join as a matter of right, others are permitted to join by the Presiding Examiner or the Siting Board. Article 10 entitles the municipal and local parties to intervenor funding provided by the Applicant to be used to defray certain expenses incurred in their participation in the pre-application scoping process. Intervenors and interested parties have

specific interests and issues of concern, and communication with them will therefore extend beyond that which is conducted with other audiences to provide them with as much detail as possible to address their information needs.

4.1.1.3.1 INTERVENOR FUNDS

The Applicant will deposit intervenor funds with the DPS at the time the pre-Application Preliminary Scoping Statement is filed in an amount equal to \$350 for each 1,000 kilowatts (i.e. 1 MW) of generating capacity of the Facility, but no more than \$200,000. Pre-application funds will be dispersed to qualifying parties to aid in their participation in the Scoping phase of this proceeding. Each request for pre-Application funds will be submitted to the Presiding Examiner assigned to the proceeding before the Siting Board, and at least 50 percent of the pre-application intervenor funds shall be reserved for potential awards to municipalities. Additional funds for intervenor participation will be deposited with the DPS at the time the Project Application is filed in an amount equal to \$1,000 for each 1,000 kilowatts of capacity, but no more than \$400,000. Funds deposited with the Application may be used by parties for qualifying consultants and activities in the post-Application phase of the proceeding.

4.1.1.4 SCHOOL, CIVIC, COMMUNITY, AND BUSINESS GROUPS

The “eyes and ears” of the local area, civic, community, and business groups will play an important role in communication related to the Project and will be kept current about the Project. They will be invited to attend public information meetings, share comments, sign up for email updates and newsletters, and view website postings.

4.1.1.5 NON-GOVERNMENT ORGANIZATIONS AND SPECIAL INTEREST GROUPS

Non-government organizations and special interest groups (including recreational users, environmental groups, Native American tribes, etc.) will include those formed specifically to address this Project and those that have been formed around another primary area of focus, but that have an interest in the outcome of the Project and the impact of construction during the Project. These groups, located within the Facility Area and surrounding Study Areas will be invited to attend public information meetings, share comments, sign up for email updates and newsletters, and view website postings.

4.1.1.6 MEDIA

Media, including print, broadcast, cable, and social media outlets serving the Project area will be kept apprised with regular press releases related to Project milestones, briefings as needed, and distribution of fact sheets and other materials. The media will be invited to attend public information meetings, and sign up for email updates and newsletters, and view website postings. Legal notices will be published in the *Lockport Union-Sun & Journal*, the newspaper of record for the Host Municipalities, and the *Niagara Gazette*.

4.1.1.7 AIRPORTS AND HELIPORTS

Evaluation of potential Project impacts on aviation is governed by the rules of the Federal Aviation Administration (“FAA”). The proposed Facility does not meet any of the thresholds for review as set forth in the FAA’s regulations. The proposed Facility will not involve the construction of any structure that exceeds 200 feet above ground level (“AGL”), and the nearest civilian public airport, heliport, or military airport is more than three miles from the Facility Area boundary. Consequently, the filing of a notice with the FAA will not be required for the Facility. The closest public use airport is the North Buffalo Suburban Airport, located approximately 3.3 miles southeast of the Facility Area.

4.2 OUTREACH AND ENGAGEMENT

A wide and varied range of communication methods is critical to ensuring that all stakeholders and the public are fully informed, and that appropriate outreach is occurring to meet the information needs of a diverse audience. All outreach activities will be maintained on a meeting log that will provide specifics including dates, times, locations, attendees, purpose and discussion topics. In addition, the meeting log will include concerns and issues raised as well as, to the extent possible, the Applicant’s response on how such concerns will be addressed. DPS staff will be provided with a quarterly PIP Activity Tracking Report throughout the Article 10 process. The communication methods identified in this section will be further discussed in Section 5 of this document and will be used throughout the Project to engage stakeholders as applicable.

4.2.1 STAKEHOLDER COMMUNICATION METHODS/MATERIALS

As discussed further in Section 5.1.4, property owners in the Study Area will receive mail notification at least 14 days prior to open houses and public information meetings. Two open-house style public information meetings will be held at two separate times on the same day. Two meetings will be held prior to filing the PSS and two after. These public meetings will include informational material about the Project, provide an opportunity for questions from the public, and information about the Article 10 process. The Applicant will publish a notice regarding the filing of the PSS no more than three days before the official submission.

4.2.1.1 PUBLIC INFORMATION MEETINGS AND OUTREACH EVENTS

STAKEHOLDERS: ALL

In addition to required public hearings, the Applicant plans to continue to utilize a variety of workshops, open houses, and information sessions to provide the public with multiple opportunities to obtain Project information, ask questions, and share comments. Annual and periodic public information meetings, which will be advertised in display ads in the *Lockport Union-Sun & Journal*, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter*, will be conducted to keep the public informed and provide opportunities for input on topics related to the Project. Outreach efforts and materials will include Project contact information, resources and tools available to the public to obtain additional Project information, and requirements for becoming a stakeholder. Meeting materials such as comment cards and/or questionnaires/surveys will be provided to gather feedback for future consideration. Outreach actions will be fully documented and made available to stakeholders and the public through the Project website in a quarterly Activity Tracking Report. The Applicant will provide an affidavit stating that the stakeholder list was used for notification distribution, and a copy of all names and addresses will be filed with the Secretary of the Public Service Commission.

4.2.1.2 DIRECT MEETINGS

STAKEHOLDERS: LOCAL, STATE AND FEDERAL AGENCIES, AND ELECTED OFFICIALS

The Applicant will continue to conduct direct outreach to inform elected officials and provide Project updates and information on the Article 10 process as

appropriate. These activities will include discussion of the process for obtaining intervenor funds and the opportunities available to submit comments. The Applicant will also engage with appropriate local, state, and federal resource agencies with respect to the scopes and methodologies of studies to be conducted for the Facility.

4.2.1.3 COMMUNITY OUTREACH OFFICE

STAKEHOLDERS – ALL

CCR plans to staff a community office and hold regular office hours where questions and feedback will be welcomed from the community. This location will be staffed for an average of 5-15 hours per week, starting in October 2018. Outside of those hours, Cypress Creek welcomes calls to its Partner Relations toll-free phone line (1-800-385-1802) during regular business hours, and comments on its Bear Ridge Solar project website at any time. Phone calls and emails will be responded to within approximately 48 hours.

4.2.1.4 ADVISORY WORKING GROUPS

STAKEHOLDERS: ALL

As needed, periodic informal Advisory Working Group (AWG) meetings will be held to provide stakeholders with an opportunity to interact in small groups with Project experts on topical issues. Such meetings, which are not a requirement of the Article 10 process, will be scheduled to foster an open exchange of information, and provide the Project team with an opportunity to interact with participants. AWGs will be well publicized, and attendance will remain open throughout the Project.

4.2.1.5 POP-UP MEETINGS

STAKEHOLDERS: ALL

Informal “pop-up” meetings, booths, display tables, or exhibits will be scheduled during existing or previously planned, local events and activities, such as farmers markets and fairs to create opportunities to bring Project information to the public, supplementing formal public information meetings and public hearings. These meetings will be posted to the website.

4.2.2 COMMUNICATION CHANNELS

4.2.2.1 WEBSITE

The Project website (www.bearridgesolar.com) will serve as the online communication center for the Project, providing a user-friendly resource for all Article 10 information. The website will be maintained monthly to ensure timely, relevant, accurate, and complete Project information is available to all stakeholders and the public throughout the life of the Project. The website will include the following components:

- Facility description
- Maps of the Facility and Study Areas
- Copies of all outreach materials such as Project brochure(s), newsletters, and factsheets
- Facility benefits and need
- Links to the Siting Board Article 10 Public Information Coordinator, the Siting Board home page, and case-specific documents
- Information on the Article 10 process
- Summary of the Intervenor Funding process and how to apply
- Facility contact information, including email address and toll-free telephone number
- Digital copies of Article 10 documents filed by the Applicant
- Addresses of local document repositories
- An Outreach event schedule and key milestone dates, such as when the Application will be filed
- Sign-up for inclusion in the stakeholder list
- Tracking reports summarizing the Facility's PIP activities to date

Additional information regarding the Project website is provided in Section 5.1.3 of this report.

4.2.2.2 DISTRIBUTION DATABASE

A stakeholder database has been established for the Project. It will be maintained and continually updated to reflect efforts to attract and engage new stakeholders throughout the Article 10 process. The database will serve as the master distribution list to provide the public and stakeholders with Project information, as well as opportunities to ask questions and share comments. The Applicant will

provide addresses and phone numbers as a confidential document, to protect citizens privacy, when providing proof of mailing/notifications to the Secretary of the Commission.

These methods will be used to expand the distribution list:

- Opt-in sign up for email updates on the Project website;
- Invitations to sign up for notifications on meeting announcements and Project communication distributed via US Postal Service or email, if requested; and
- Opportunities to sign up for notifications at meetings and outreach events.

4.2.2.3 E-BLASTS

E-blasts, which are one-page emails designed to be distributed to a large number of email addresses simultaneously, will be used to announce meetings and important Project-related information.

4.2.2.4 DIRECT MAIL

Letters will be mailed via first-class postal mail directly to host landowners and property owners adjacent to the proposed Project, to provide information regarding the Project, milestones, and contact information. Broad dissemination of additional direct mail may be conducted to announce upcoming meetings and outreach events. Notice at least 14 days in advance of the mandatory pre- and post-PSS meetings will be sent to all property owners in the Study Area via this method.

4.2.2.5 PROJECT BROCHURE

A brochure will provide an overview of the Project, its goals, and key participants, and it will detail resources for additional Project information, along with opportunities to participate in the Article 10 process. The brochure will address frequently asked questions, provide answers to concerns surrounding the Project and its potential impact, and will drive interested parties to the Project website. Additionally, the Project brochure will include the Applicant's contact information, toll-free number, locations of document repositories, the Project Website, and the details for open houses and public meetings regarding the Facility.

4.2.2.6 PUBLIC/LEGAL NOTIFICATIONS

Required notices for public hearings and Project filings will be published pursuant to the Siting Board's rules establishing the notification for serving documents. Notifications will be posted in the newspaper of record, the *Lockport Union-Sun & Journal*, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter*. Notices will also be posted on the Project website to provide timely and appropriate information for stakeholder and public use. Public notices will be in plain language, prepared and published to conform to all applicable regulations and guidelines.

Legal Notices will be placed in accordance with existing Siting Board guidelines; such Notices will be placed in the *Lockport Union-Sun & Journal*, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter* 3 days prior to filing the Preliminary Scoping Statement with the DPS.

- Notices will be placed to announce the date, time, and location of Public Hearings
- Other notices may be placed as required by the Presiding Examiner or other section of Article 10 in the manner prescribed by the Presiding Examiner or under the procedures contained in Article 10.

4.2.2.7 POSTERS/FLYERS

Posters and flyers will be created and posted on community bulletin boards and calendars or distributed in high traffic areas, such as shopping centers, libraries, and senior centers throughout the Project area to inform the public of upcoming meetings and encourage visits to the Project website.

4.2.2.8 ADVERTISEMENTS

Display advertisements, in addition to legal notices, will be placed in daily and weekly newspapers to promote attendance at public meetings, workshops, and other outreach events as necessary.

4.2.2.9 MEDIA RELATIONS

A database of media contacts (print, radio, and electronic) has been developed for this Project, and is available in Appendix A.

Media releases will be developed and distributed to announce completion of Project milestones and to announce outreach events, meetings, and Project news. News outlets will be encouraged to direct their readers to the Project website.

4.2.2.10 DOCUMENT REPOSITORY

Ensuring public access to Project documents is essential for keeping stakeholders informed throughout the Article 10 process. A repository of documents will be maintained on the Project website at (www.bearridgesolar.com).

Additionally, documents will be made available in local document repositories as follows:

Sanborn-Pekin Free Library

5884 West Street, POB 176
Sanborn, NY 14132
(716) 731-9933
<http://www.sanbornpekinlibrary.com/>

Lockport Public Library

23 East Avenue
Lockport, NY 14094
(716) 433-5935
<https://lockportlibrary.org>

Town of Pendleton Town Hall

6570 Campbell Boulevard
Lockport, NY, 14094
(716) 625-8833
<http://pendletonny.us/>

4.2.2.11 ADDITIONAL COMMUNICATION METHODS

Other communication methods and vehicles necessary to support the communications phase may be identified as the Project progresses and will be included in PIP updates as appropriate.

SECTION 5: PROJECT MILESTONES

5. PROJECT MILESTONES

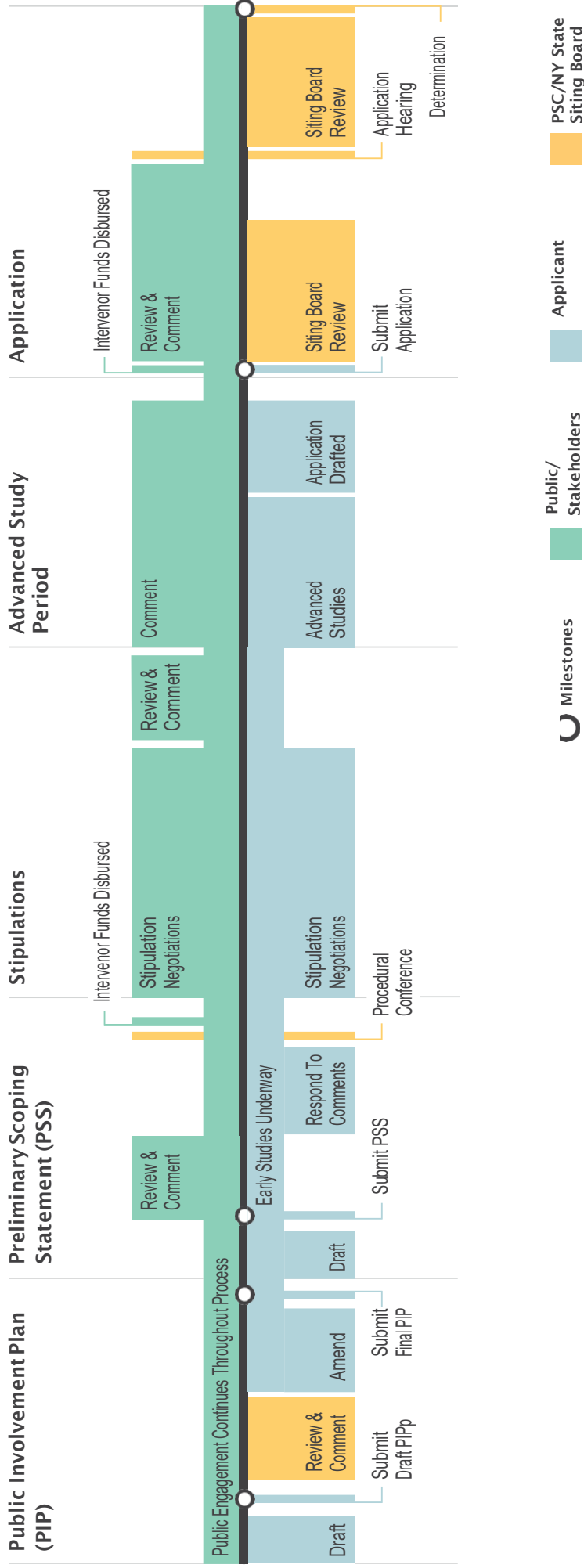
The PIP Plan is designed to ensure that the public has opportunities to participate in all phases of the Article 10 process (pre-application phase, application phase, hearing and decision phase, and post-certification phase). It is a commitment from the Applicant to disseminate information regarding the Project to stakeholders, solicit information from stakeholders during public outreach events and generally foster participation in the Article 10 review. This section provides an overview of the public outreach activities that will take place during each phase of the Article 10 process. Bear Ridge Solar will carefully track and document all public outreach activities and include them in an Activity Report that will be filed with DPS quarterly. The Activity Report will include all outreach activities including a meeting log that will provide specifics such as dates, times, locations, attendees, purpose and discussion topics.

5.1 PRE-APPLICATION & APPLICATION PHASE

5.1.1 CONSULTATION WITH AFFECTED AGENCIES & STAKEHOLDERS

The Applicant's proposed PIP focuses on early and frequent communication with stakeholders, with particular attention placed on Host Communities, including the Towns of Cambria and Pendleton, within the Study Area including Lockport and Wheatfield, and Niagara County. The Applicant will conduct a methodical, outreach effort during this phase to ensure that each stakeholder group identified in this PIP has the opportunity to learn about and comment on this Project. The Applicant will manage a PIP Tracking Report to be submitted to the DPS. This report will include all stakeholder consultation meetings as well as concerns and questions raised by the public as well as, to the extent possible, the Applicant's response.

New York Article 10 Process



5.1.2 STAKEHOLDER ENGAGEMENT

As part of the pre-application phase, using a wide array of communication methods discussed in the previous Outreach and Engagement section, Bear Ridge Solar will build awareness of the Project, the technology being used, its location, the proposed Study Area, the scope of studies to be provided in the application, and Intervenor Funding available. These activities will encourage stakeholder participation with educational materials and identify opportunities for stakeholders to provide input.

5.1.3 PROJECT WEBSITE

The Bear Ridge Solar website will be the communication hub for the Project throughout the Article 10 process. The website has been set up to be user-friendly, easy-to-read in plain English, and meet all requirements outlined in the Outreach and Engagement section in Section 4. The website provides information on the response process to public inquiries and comments. This process will consist of same-day notification confirming the receipt of comments, and a response will be sent approximately 48 hours after the comment was received. For inquiries that require written documentation, the Applicant will provide an estimated mailing date of said materials. The website will be updated on at least a monthly basis or more frequently as required to ensure that stakeholders have current information about the Project throughout the Article 10 process. The Project website URL is www.bearridgesolar.com.

5.1.4 STAKEHOLDER NOTIFICATION

During the pre-application phase Bear Ridge Solar will sponsor two open-house style public information sessions prior to submittal of the PSS and two public meetings following submittal of the PSS and prior to submitting the Application. The meetings may be held at different times on the same day. Representatives for the Applicant will be present to provide Project information, answer questions, and share contact information. These meetings will be held at a public meeting space in reasonable proximity to the Facility Area. All property owners in the Study Area will receive mail notification at least 14 days in advance. The Applicant will provide an affidavit stating that the stakeholder list was used for notification distribution, and a copy of all names and addresses will be filed with the Secretary of the Public Service Commission.

The open-house style public information sessions, and two public meetings following submittal of the PSS will be advertised in display ads in the *Lockport*

Union-Sun & Journal, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter* in at least a ten-point font using plain language. In addition, the public meetings will be posted on the Project website and announced via email blast distributed to the stakeholders at least 14 days in advance of the public meeting. The public meetings will provide informational/educational materials about the Project, provide opportunities to ask questions of the Applicant, and offer information on the proposed Facility, as well as links to and information on the Article 10 process, intervenor funding, and other important stakeholder topics.

The Applicant will provide DPS staff with informal notice of all scheduled public meetings. The public meetings will enable the Applicant to engage with stakeholders regarding the proposed Facility and will offer multiple avenues of information distribution and comment collection so that stakeholders and the public have multiple opportunities to obtain information on the Project and participate in the proceedings. Meeting materials will include maps and graphics enlarged to be viewable at public meetings. In addition, materials such as factsheets and brochures, will be distributed at public meetings, made available through local libraries, distributed as mailings to stakeholders and additional addresses obtained through public meetings and the Project website, and posted on the Project website.

Prior to filing the PSS (no fewer than three days before filing of the PSS and the Application), the Applicant will publish a notice of the PSS and the Application in the *Lockport Union-Sun & Journal*, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter*, and will provide written notice to each member of the State Legislature in whose district any portion of the proposed Facility is to be located as well as to those persons who have filed a statement with the Secretary to the Commission of the New York State Public Service Department within the past 12 months who wish to receive such notices. Further, the Applicant will provide mail and email (as available) notification to all parties on the Master Stakeholder List. In addition, notifications will be posted on the Bear Ridge Solar website and delivered to libraries and document repositories listed in Section 3 for public inspection.

The Applicant will publish any other notices required by the DPS Presiding Examiner or other section of Article 10 in the manner prescribed by the Presiding Examiner or under the procedures contained in Article 10.

LEGAL NOTICE PUBLICATION

Bear Ridge Solar will publish all required notices including for public hearings, the filing of the PSS and Application, in the *Lockport Union-Sun & Journal*, *Niagara Gazette*, and the subscription-free newspaper the *Niagara Reporter*. In the Pre-Application phase Bear Ridge Solar will publish a notice containing a plain language summary of the PSS no fewer than three days before filing of the PSS and the Application.

LETTER TO INTERESTED PARTIES/INTERVENORS

Bear Ridge Solar will mail/email a notice containing a plain language summary of the PSS no less than three days before filing of the PSS and the Application, to all Intervenors and Interested Parties.

LETTER TO TOWNS

Bear Ridge Solar will, no fewer than three days before filing of the PSS and the Application, provide written notification in the form of mail and email (as available) to all parties on the Master Stakeholder List – including the Towns of Cambria and Pendleton.

Meeting invitations will be mailed to all residents of host and adjacent communities, to facilitate additional access to and comment on the Project PSS in the 21-day public comment period following PSS submission.

5.2 POST-APPLICATION PHASE

The Applicant will build upon its established public outreach activities throughout the Post-Application Phase (Administrative Hearing, Siting Board Decision, and Post Certification), utilizing all appropriate/required communication channels to encourage stakeholder participation and awareness. The Applicant will keep stakeholders informed on the ongoing Article 10 process, identify and discuss any changes or updates to the Project and collect comments to continue to inform and improve the Project. The outreach activities may include meetings with stakeholder groups, hosting and/or sponsoring community events, providing periodic updates to Project neighbors by mail or electronically, and posting updates and notices in online and print community news resources. The Applicant will continue to build and update stakeholder lists as it conducts public outreach and will record and post outreach activities in the Activity Tracking Report. The Project website will continue to serve as the hub of communication with updated

Project information, as required. Updated Project information will be distributed to local libraries identified as document repositories for inspection by the public.

APPENDIX A

Stakeholder Notification List

FEDERAL AND STATE AGENCIES

New York State Governor

Andrew Cuomo
NY State Capital Building
Albany, NY 12224
(518) 474-8390

New York Department of State

Rosana Rosado, Secretary of State
99 Washington Avenue
Albany, NY 12231

US Senator

Charles Schumer
780 Third Avenue, Suite 2301
New York, NY 10017
(212) 486-4430, NYC Office

US Senator

Kirsten Gillibrand
780 Third Avenue, Suite 2601
New York, NY 10017
(212) 688-6262

US Congressman, 27th District

Chris Collins
128 Main Street
Geneseo, NY 14454
(585) 519-4002

NY State Assemblyman, NYS 145th Assembly District

Angelo J. Morinello
800 Main St, Suite 2C
Niagara Falls, NY 14310
(716) 282-6062, District Office
morinelloa@nyassembly.gov

NY State Senator, NYS 62nd Senate District

Robert G. Ortt
175 Walnut St., Suite 6
Lockport, NY 14094
(716) 434-0680
ortt@nysenate.gov

Assemblyman, 146th District

Raymond Walter
5500 Main Street
Williamsville, NY 14221
(716) 634-1895

NYS Department of Environmental Conservation

Basil Seggos, Commissioner
625 Broadway
Albany, NY 12233
(518) 402-8545

**NYS Department of
Environmental Conservation**

Abby Snyder, Regional
Director – Region 9
270 Michigan Avenue
Buffalo, NY 14203
(716) 851-7200
region9@dec.ny.gov

**New York State Energy
Research and
Development Authority**

Alicia Barton, President
17 Columbia Circle, Albany,
NY 12203
(518) 62-1090
info@nyserda.ny.gov

**New York State Energy
Research and
Development Authority**

Richard Kaufmann, Chair
17 Columbia Circle, Albany,
NY 12203
(518) 862-1090
info@nyserda.ny.gov

**NYS Empire State
Development**

Howard Zemsky,
Commissioner
633 Third Avenue, Floor 37
New York, NY 10017
nys-nyc@esd.ny.gov

**NYS Empire State
Development**

Christopher Schoepflin
Senior Vice President, Empire
State Development Western
NY
95 Perry Street
Suite 500
Buffalo New York 14203-
3030

**New York Independent
Service Operators**

Michael Bemis, Board Chair
10 Krey Blvd.
Rensselaer, NY 12144
(518) 356-6060
stakeholder_services@nyiso.
com

**NYS Department of Public
Service**

John B. Rhodes, Chair and
CEO
3 Empire State Plaza
Agency Building 3
Albany, NY 12223
(518) 474-6530
secretary@dps.ny.gov

**NYS Department of
Agriculture and Markets**

Richard Ball, Commissioner
10B Airline Drive
Albany, NY 12235
(585) 457-8876
info@agriculture.ny.gov

NYS Department of Health

Howard Zucker,
Commissioner
Corning Tower, Empire State
Plaza
Albany, NY 12237
dohweb@health.ny.gov

**NYS Office of Parks,
Recreation and Historic
Preservation**

Rose Harvey, Commissioner
625 Broadway
Albany, NY 12207
(518) 474-0456

New York Power Authority

Gil Quiniones, President and
CEO
123 Main St.
Mail Stop 10 - H
White Plains, NY 10601-3170
(914) 681-6200
info@nypa.gov

**NY State Historic
Preservation Office**

Michael Lynch, Division
Director
Peebles Island State Park
P.O. Box 189
Waterford, NY 12188
(518) 237-8643

**NYS Farm Bureau, Eastern
Office**

Felicia Dougherty
173 Main St., P.O. Box 370
Salem, NY 12865
(866) 995-7300
eny@nyfb.org

NY Thruway Authority

Matthew J. Driscoll, Acting
Executive Director
Administrative Headquarters
200 Southern Blvd. P.O. Box
189
Albany, NY 12201
(518) 436-2700

NYS Canal Corporation

Brian Stratton, Director of Canals
30 South Pearl St.
Albany NY 12207
(518) 449-6000

**NYSDEC Mohawk River
Basin Program**

Katherine M. Czajkowski,
Watershed Coordinator
1130 N. Westcott Rd.
Schenectady, NY 12306
(518) 357-2383
mohawk@gw.dec.state.ny.us

**Erie Canalway National
Heritage Corridor**

Bob Radliff, Executive
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P.O. Box 219
Waterford, NY 12188
(518) 237-7000 ext. 207
bob_radliff@partner.nps.gov

US Army Corps of Engineers

Steve Metivier
Regulatory Branch
1776 Niagara Street
Buffalo, New York 14207
(716) 879-4314
steven.v.metivier@usace.army.mil

**US Federal Aviation
Administration**

Carmine Gallo, Regional
Administrator
1 Aviation Plaza
Jamaica, NY 11434
(718) 553-3001

National Park Service

Mike Caldwell, Northeast
Regional Director
U.S. Custom House, 200
Chestnut Street,
5th Floor, Philadelphia, PA
19106
(215) 597-7013
Mike_Caldwell@nps.gov

US Fish and Wildlife Service

New York Field Office
3817 Luker Road
Cortland, NY 13045
(607) 753-9334
fw5es_nyfo@fws.gov

U.S. Department of Defense

James Mattis, Secretary of
Defense
1400 Defense Pentagon
Washington, DC 20301
(703) 571-3343

**NYS Department of
Transportation, Region Five**

Francis Cirillo, Regional
Director
100 Seneca Street
Buffalo, NY 14203
(716) 847-3238

**New York State Public
Service Commission**

Hon. Kathleen H. Burgess
Secretary to the Commission
Empire State Plaza
Agency Building 3
Albany, NY 12223-1350
Phone: (518) 474-6530
Email: secretary@dps.ny.gov
Fax: (518) 474-984

**New York State Public
Service Commission**

James Denn, Public
Information Officer
Empire State Plaza,
Agency Building 3
Albany, NY 12223
(518) 474-7080
James.denn@dps.ny.gov

**New York State Public
Service Commission**

Andrew Davis,
Utility Supervisor
3 Empire State Plaza
Albany, NY 12223

**New York State Department
of Public Service**

Graham Jesmer, Assistant
Counsel
3 Empire State Plaza
Albany, NY 12223
(518) 473-4628

**NYS Department of Public
Service**

Lorna Gillings
Office of Consumer Services
3 Empire State Plaza
Albany, NY 12223
(518) 474-1788
lorna.gillings@dps.ny.gov

**New York State Attorney
General**

Barbara D. Underwood,
Attorney General
The Capitol
Albany, NY 12224
(518) 776-2000

**NYS Division of Homeland
Security and Emergency
Services**

1220 Washington Avenue,
Building 7A, Suite 710
(518) 242-5000

**NYS Department of
Transportation, Region Five**

Francis Cirillo, Regional
Director
100 Seneca Street
Buffalo, NY 14203
(716) 847-3238

**NYS Office of General
Services**

RoAnn M. Destito,
Commissioner
Empire State Plaza, 4th Floor
Albany, NY 12242
(518) 457- 3899

**LOCAL AGENCIES, HOST MUNICIPALITIES AND LANDOWNERS,
COMMUNITY ORGANIZATIONS**

Niagara County Manager

Richard Updegrove
59 Park Ave, 2nd Floor
Lockport, NY 14094
(716) 439-7213
Richard.Updegrove@niagaracounty.com

Chairman, Niagara County

Legislature
Wm. Keith McNall
Niagara County Courthouse
175 Hawley Street
Lockport, NY 14094

Niagara County Clerk

Joseph A. Jastrzemski
Niagara County Courthouse,
PO Box 461
175 Hawley St., 1st Floor
Lockport, NY 14095
(716) 439-7022
niagaracounty.clerk@niagaracounty.com

**Niagara County Sheriff's
Office**

Michael J Filicetti,
Undersheriff
5526 Niagara St Ext.,
PO Box 496
Lockport, NY 14095
(716) 438-3393

**Niagara County Department
of Public Works**

59 Park Avenue
Lockport, NY 14094
(716) 439-7951

**Niagara County Sheriff's
Office**

James R. Voutour, Sheriff
5526 Niagara Street Ext.
PO Box 496
Lockport, NY 14095
(716) 438-3393
<http://www.niagarasheriff.com>

**Niagara County Emergency
Services & Fire**

Jonathan Schultz, Director of
Emergency Services & Fire
Coordinator
5574 Niagara Street Ext.
Lockport, NY 14094
(716) 438-3171
Jonathan.Schultz@niagaracounty.com

**Niagara County Legislator -
District 10**

David E. Godfrey
403 Deerfield Dr.
N. Tonawanda, NY 14120
(716) 751-9606
David.godfrey@niagaracounty.com

**Niagara County Emergency
Management Office**

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5574 Niagara Street Ext.
Lockport, NY 14094
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Jonathan.Schultz@niagaracounty.com

**Niagara County Economic
Development**

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6311 Inducon Corporate Dr.
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(518) 853-8334

**Niagara County Soil and
Water Conservation District**

Mark Seider, District
Engineer
4487 Lake Avenue
Lockport, NY 14094
(716) 434-4949 Ext. 4
Mark.seider@ny.nacdnet.net

**Niagara County Public
Health Department**

Daniel Stapleton, Director
5467 Upper Mountain Road
Lockport, NY 14094
(716) 439-7435

**Niagara Chamber of
Commerce**

Kory Schuler, President
(716) 285-1702
kschuler@niagarachamber.org

**Cornell Cooperative
Extension**

Niagara County

Cathy Lovejoy Maloney,
Executive Director
4487 Lake Avenue,
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(716) 433-8839 ext. 234
clm84@cornell.edu

Niagara County Historical Society

Melissa Dunlap
Executive Director
215 Niagara Street
Lockport, NY 14094
(716) 434-7433
info@niagarahistory.org
<http://niagarahistory.org/>

**Niagara Falls International
Airport**

William Vanecek, Director of
Aviation
2035 Niagara Falls Boulevard
9716) 630-6070

Buffalo Niagara River-Land Trust

2475 Niagara Street
Buffalo, NY 14207
[https://www.niagarariverlan
dtrust.org/contact-us.html](https://www.niagarariverlandtrust.org/contact-us.html)

**Western NY Land
Conservancy**

Nancy Smith, Executive
Director
P.O. Box 471
East Aurora, NY 14052-0471
(716) 687-1225
info@wnylc.org

Cambria Town Supervisor

Wright Ellis
4160 Upper Mountain Rd
Sanborn, NY 14132
(716) 433-8523
supervisor@townofcambria.
com

Cambria Town Assessor, Tax Collector

Debra Littere
4160 Upper Mountain Rd
Sanborn, NY 14132
(716) 433-8161 ext 122
dlittere@townofcambria.com

Cambria Town Clerk

Tamara Cooper
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Sanborn, NY 14132
(716) 433-7664
townclerk@townofcambria.com

Cambria Planning Board Chair

William Amacher
4160 Upper Mountain Rd
Sanborn, NY 14132
(716) 731-5277

Cambria Zoning Board Chair

Peter Smith
4160 Upper Mountain Rd
Sanborn, NY 14132
(716) 481-2222

**Cambria Building Inspector/
Code Enforcement Officer**

James P. McCann
4160 Upper Mountain Rd
Sanborn, NY 14132
(716) 433 – 8161
bldginsp@townofcambria.com

**Cambria Superintendent of
Highways**

Jon MacSwan
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Sanborn, NY 14132
(716) 433-8829
townofmindenhighway@gmail.com

Cambria Town Historian

Brooke Genter
(716) 433-0387
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Cambria Fire Department

Jonathan Pressley, Chief
4631 Cambria-Wilson Rd
Lockport, NY 14094-9738
(716) 534-4397
cambriavolunteerfire@cambriavolunteerfire.com
<http://www.cambriavolunteerfire.com/>

Pendleton Town Supervisor

Joel Maerten
716-625-8833 X 113
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Lockport, NY 14094

Pendleton Town Clerk

Deborah Maurer
(716) 625-8833
dmaurer@pendletonny.us

**Pendleton Planning Board
Chair**

Joseph McCaffrey
6570 Campbell Blvd.
Lockport, NY 14094
(716) 625-8833 ext. 125
jmccaffrey@pendletonny.us

**Pendleton Zoning Board of
Appeals Chair**

Wolfgang Buechler
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Lockport, NY 14094
(716) 625-8833

**Pendleton Superintendent
of Highways**

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6570 Campbell Blvd.
Lockport, NY 14094
(716) 625-8033
jstowell@pendletonny.us

Pendleton Fire Department

Albert Zeisz, President
7340 Campbell Blvd.
North Tonawanda, New York
14120
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wvfcinfor@wendelvillevfc.com

**Pendleton Building
Inspector / Code**

Enforcement
Timothy Masters
(716) 625-8833
jstriegel@pendletonny.us

Pendleton Town Historian

Stephanie Chase
(716) 625-8833
6570 Campbell Blvd.

**Starpoint Central School
District**

President of the Board
Joseph Miller
4363 Mapleton Road
Lockport, NY 14094
(716) 438-0995
jmiller@starpointcsd.org

**Starpoint Central School
District Superintendent**

Dr. Sean M. Croft
4363 Mapleton Road
Lockport, NY 14094
(716) 210-2352
scroft@starpointcsd.org

**Lockport Town Board
Supervisor**

Mark Crocker
6560 Dysinger Road
Lockport, NY 14094
(716) 439-9524
crocker@elockport.com
[http://www.elockport.com/
board-town-lockport.php](http://www.elockport.com/board-town-lockport.php)

Lockport Town Clerk

Judith A. Newbold
6560 Dysinger Road
Lockport, NY 14094
(716) 439-9524
j_newbold@elockport.com
[http://www.elockport.com/
department-clerk-
lockport.php](http://www.elockport.com/department-clerk-lockport.php)

**Lockport Building
Department/ Planning**

Brian Belson/ Richard Forsey
Senior Building Inspector/
Chairman
6560 Dysinger Road
Lockport, NY 14094
(716) 439 9527
[http://www.elockport.com/
board-planning-town-
lockport.php](http://www.elockport.com/board-planning-town-lockport.php)

**Lockport Recreation
Department**

Chairwoman
Jeanine Hughes-Shaw
6560 Dysinger Road
Lockport, NY 14094
(716) 433-7876
[http://www.elockport.com/departments-recreation-lockport.php](http://www.elockport.com/departments/recreation-lockport.php)

**Lockport Department of
Economic Development**

Marc R. Smith, IDA
Coordinator
6560 Dysinger Road
Lockport, NY 14094
(716) 478- 0608
LED@elockport.com
<http://lockporteconomicdevelopment.com/>

Discover Lockport

24 Church Street
Lockport, NY 14094
(716) 439-0431
drkinyon@roadrunner.com
<http://discoverlockport.com/>

Lockport Board of Education

John Linderman, President
130 Beattie Ave.
Lockport, NY 14094
(716) 478-4800
john.linderman@lockportschools.net

Lockport City School District

Michelle T. Bradley,
Superintendent
130 Beattie Ave.
Lockport, NY 14094
(716) 478-4800
mbradley@lockportschools.net

Lockport Police Department

Michael Niethé, Police Chief
Lockport Municipal Building
One Locks Plaza
Lockport, New York 14094
(716) 439-6717
info@lockportny.gov
<https://www.lockportny.gov/>

**City of Lockport Mayors
Office**

Office of the Mayor
One Lock Plaza
Lockport, NY 14094
(716) 439-6665

**City of Lockport Common
Council**

David R. Wohleben,
Common Council President
One Lock Plaza
Lockport, NY 14094
(716) 471-4394

**Eastern Niagara Health
System**

Clare A. Haar, Chief Executive
Officer
521 East Ave
Lockport NY, 14094
(716) 514-5501
<http://www.enhs.org/>

Wheatfield Town Board

Don MacSwan, Supervisor
2800 Church Rd.
Wheatfield, NY 14120
(716) 694-6680
Supervisor@wheatfield.ny.us

Wheatfield Town Clerk

Kathleen Harrington-
McDonell
2800 Church Rd.
Wheatfield, NY 14120
(716) 694-6441
kathyh@wheatfield.ny.us
[http://wheatfield.ny.us/172/
Town-Clerks-Office](http://wheatfield.ny.us/172/Town-Clerks-Office)

**Host and Adjacent
Landowners**

(Individual names and
addresses omitted)

**Tuscarora Nation
Reservation**

Leo Henry,
Chief
2006 Mount Hope Road
Lewiston, NY 14092

**Niagara County Agricultural
and Farmland Protection
Board**

John Syracuse
Chairman
6091 Condren Road
Newfane, NY 14108
John.Syracuse@niagaracount
y.com
(716) 778-5064

**Town of Pendleton
Conservation Board**

Sara Siracuse, Chair
ssiracuse@pendletonny.us

**Town of Pendleton
Recreation Committee**

Beatrice Mattina,
Program Director
Pendleton Town Hall,
6570 Campbell Blvd.
Lockport, NY 14094
(716) 417-0965

ADDITIONAL STAKEHOLDERS

Western New York

Environmental Alliance

Antonina Simeti, Executive
Director
Attn: The Western New York
Environmental Alliance and
GrowWNY
617 Main Street Suite 300
Buffalo, NY 14203
(716) 245-4570
info@growwny.org
[http://www.growwny.org/w
nyea/](http://www.growwny.org/w
nyea/)

Buffalo Niagara Partnership

Dottie Gallagher-Cohen,
President & CEO
257 St Genesee Street, Suite
600
Buffalo, NY 14202
(716) 852-7100
connect@thepartnership.org
[https://www.thepartnership.
org/](https://www.thepartnership.
org/)

Division of Smart Growth

Scott Pruitt, Administrator
Office of Community
Revitalization (MC 1807T)
U.S. Environmental
Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460
(202) 566-2878
smartgrowth@epa.gov
[https://www.epa.gov/smartg
rowth](https://www.epa.gov/smartg
rowth)

Shawnee Sno Chiefs

Gary Broderick, President
3747 Lockport Road
Sanborn, New York 14132
(716) 807-7002
www.snochiefs.net

Pendleton Snowmobile Club

5612 Tonawanda Creek Road
Lockport, NY 14094
(716) 316-0990
pendletonnysnoclub@gmail.com

Western New York Regional Economic Development Council

Jeff Belt, CEO
95 Perry Street
Suite 500
Buffalo, NY 14203-3030
(716) 846-8200
NYS-WNY-REDC@esd.ny.gov

Niagara Power Project

Gil C. Quiniones, CEO
123 Main Street
Corporate Communications
Mail Stop 10 B
White Plains, NY 10601-3170
Info@nypa.gov
(914) 681-6200
[https://www.nypa.gov/power/gener
ation/niagara-power-project](https://www.nypa.gov/power/gener
ation/niagara-power-project)

Niagara County Community College

Dr. William J. Murabito, Interim
President
3111 Saunders Settlement Rd
Sanborn, NY 14132
(716) 614-NCCC (6222)

Sierra Club

Michael Brune, Executive
Director
744 Broadway
Albany, NY 12207
(518) 426-9144
sierraclubvolunteer@gmail.com
<https://www.sierraclub.org>

Niagara Wind and Solar

7510 Porter Road Suite 4
(716) 215-1930

Re-Tree WNY

Paul Maurer, Chairman
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WNY Sustainable Energy**Association Trust**

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Buffalo, NY 14222
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(716) 881-1639

Buffalo Niagara Waterkeeper

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The Nature Conservancy

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Rochester, NY 14607
(585) 546-8030

The Buffalo Audubon Society

Jeff Beich, President
1610 Welch Road
North Java, New York 14113
(585) 457-3228

National Grid

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Syracuse, NY 13202
1-800-642-4272

Spectrum

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Niagara Falls, NY 14305
866-874-2389

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Niagara Frontier Publications Niagara Gazette

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Niagara Reporter

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Niagarareporter@gmail.com

Broadcast:

WGRZ-TV - Channel 2 News 2 On Your Side

259 Delaware Ave.
Buffalo, NY 14202
(716) 849-2222
<https://www.wgrz.com/>

WKBW-TV - Eyewitness News This Morning at 5am

Michael Nurse, General Manager
7 Broadcast Plaza
Buffalo, NY 14202
(716) 845-6100
<https://www.wkbw.com/>

WIVB-TV - News 4

2077 Elmwood Ave
Buffalo, NY 14207
(716) 874-4410
feedback@wivb.com
<http://www.wivb.com/>

WLVL-AM - Lockport's Early Morning News

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Lockport, NY 14094
(716) 433-5944
cstrickland@wvl.com
<http://wvl.com/>

APPENDIX B

Proposed Project Schedule

Bear Ridge Solar

Project Schedule

**Please note – all dates are estimated and subject to change*

Date	Entity	Milestone
August 2018	Article 10	File Final Public Involvement Program Plan with NYS DPS
October 2018	Host Municipality	Public Open House Informational Meeting
January 2019	Article 10	File Preliminary Scoping Statement with NYS DPS – 21-day public comment period
February 2019	Article 10	Nominations Considered for Local Members of Siting Board
March 2019	Article 10	Intervenor Funding Made Available to Municipal and Local Parties
April 2019	Host Municipality	Public Open House Informational Meeting
August 2019	Article 10	Full Application Submitted to NYS DPS
October 2019	Article 10	Full Application Deemed Complete by NYS DPS
October 2019 – September 2020	Article 10	Adjudicatory Process – Public Hearings
September 2020	Article 10	Siting Board Decision
September 2020	Article 10	NYISO Interconnection Studies Complete
October 2020	Construction	Commence Project Construction
October 2021	Construction	Commence Commercial Operation

APPENDIX C OUTREACH LOG

<i>Date</i>	<i>Outreach Event</i>	<i>Location</i>	<i>Attendees</i>	<i>Purpose</i>	<i>Follow-Up</i>	<i>Stakeholder Type</i>
7/20/17	Landowner Roundtable	Ohol Barn	John Ohol – Property Owner Joseph Ohol – Town Resident Fran Barone – Property Owner Alex Schild – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager	Gathering of landowners to discuss project schedule		Host Property Owners
11/13/17	Town of Cambria Sketch Meeting	Cambria Town Hall	Wright Ellis – Town Supervisor Joseph Ohol – Town Resident John Ohol – Property Owner Daniel Compitello – CCR Permitting & Outreach Manager	Introduced Cypress Creek Renewables to the Town Supervisor and discussed several solar projects	Request for more information on project location and schedule	Host Municipality
3/29/18	Landowner Roundtable	Ohol Barn	John Ohol – Property Owner Joseph Ohol – Town Resident Thomas Ohol – Property Owner Pat Danielwicz – Property Owner Kevin Kohlstedt – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager Lisa Jaccoma – Arch Street Communications Nora Madonick – Arch Street Communications Jacob Runner – EDR	Gathering of landowners to discuss the Article 10 process and community values		Host Property Owners

<i>Date</i>	<i>Outreach Event</i>	<i>Location</i>	<i>Attendees</i>	<i>Purpose</i>	<i>Follow-Up</i>	<i>Stakeholder Type</i>
3/29/18	Town of Cambria Sketch Meeting	Cambria Town Hall	Wright Ellis – Town Supervisor Debra Littere – Town Assessor James McCann – Building Inspector Gary Billingsley – Planning Board Attorney Robert S. Roberson – Town Attorney Joseph Ohol – Town Resident John Ohol – Property Owner Kevin Kohlstedt – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager Nora Madonick – Arch Street Communications Lisa Jaccoma – Arch Street Communications Jacob Runner – EDR	Introduction of project and Article 10 to Town Staff members	Request for more information regarding relationship with IDA and the “shovel-ready” sites.	Host Municipality
5/3/18	Town of Pendleton Sketch Meeting	Pendleton Town Hall	David Kantor - Planning Board Joseph Killion - Planning Board Nick Kwasniak - Planning Board John Lavrich - Planning Board David Naus - Planning Board Daniel Vivian - Planning Board Joel Maerten - Town Supervisor David Leible - Town Councilman John Ohol - landowner Kevin Kohlstedt, Dan Compitello - CCR Lisa Jaccoma - ASC Dave Britton - Town Engineer	Introduction of project to the Planning Board	Request for more information on any proposed tree clearing; Request for PIP walkthrough after filing	Host Municipality

<i>Date</i>	<i>Outreach Event</i>	<i>Location</i>	<i>Attendees</i>	<i>Purpose</i>	<i>Follow-Up</i>	<i>Stakeholder Type</i>
5/8/18	Intro Meeting with NYS DPC, NYSDEC, and NYSDAM	Empire State Plaza, Albany, NY	Gene Kelly – Harris Beach Steve Wilson – Harris Beach John Binder – NYSDEC Mike Higgins – NYSDEC Colleen Kimber – NYSDEC Brian Ossias – NYS DPS Greg Liberman – EDR Jeremy Flaum – NYS DPS Tara Wells – NYSDAM Kate Close – NYSDAM John Wojcikiewicz – EDR Graham Jesmer – NYS DPS Jim Austin – NYS DPS Andrew Davis – NYS DPS Jennifer Sherwood – CCR Environmental Manager Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer	Introduction of project to State agencies		State Agency
5/11/18	One Region Forward Meeting	Via Conference Call	Jason Kulaszewski – University of Buffalo Bartholomew Roberts – University of Buffalo Daniel Compitello – CCR Permitting & Outreach Manager Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer	Introduction of project to regional planning committee		Interested Party

<i>Date</i>	<i>Outreach Event</i>	<i>Location</i>	<i>Attendees</i>	<i>Purpose</i>	<i>Follow-Up</i>	<i>Stakeholder Type</i>
5/15/18	Niagara County IDA Meeting	Sanborn, NY	Michael Casale – Niagara County Center for Economic Development Susan Langdon – Niagara County IDA Ben Bidell – Niagara County Center for Economic Development Andrea Klyczek – Niagara County IDA Amy Fisk – Niagara County Center for Economic Development Ben Broder – CCR Economic Development Manager Kevin Kohlstedt – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager	Introduce project to IDA and discuss shovel ready parcels	Request for follow up on marketing of “shovel ready” parcels	Local Agency
6/8/2018	Pendleton Planning Board Meeting	Pendleton Town Hall	Kevin Kohlstedt - CCR Project Developer Marisa Scavo - CCR Project Developer Lisa Jaccoma - Arch Street Communications Joe McCaffrey - Pendleton PB Chairman Joe Killion - Pendleton PB John Lavrich - Pendleton PB Dan Vivian - Pendleton PB Dave Naus - Pendleton PB Nick Kwasniak - Pendleton PB Dave Kantor - Pendleton PB Dave Britton - Town Engineer	Review Draft PIP with PB, introduce project to Planning Board Chairman		Local Agency

<i>Date</i>	<i>Outreach Event</i>	<i>Location</i>	<i>Attendees</i>	<i>Purpose</i>	<i>Follow-Up</i>	<i>Stakeholder Type</i>
6/28/18	Town of Cambria, Niagara County Department of Economic Development and Niagara County Industrial Development Agency	Niagara County IDA	Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer Jacob Runner – EDR Pat Heaton - EDR Lisa Jaccoma – Arch Street Communications Gene Kelly – Harris Beach Wright Ellis – Town Supervisor Robert S. Roberson – Town Attorney Mark Davis – Lipped Mathias Wexler Friedman Drew Reilly – Wendel Matt Foe - Town of Cambria Bill Amacher – Town of Cambria Jim McCann – Town of Cambria Brian Seaman – Niagara County Attorney Office John Shoemaker – Niagara County Director Real Property Tax Service	Bear Ridge Project Update		Local Agency
7/18/18	Introductory meeting with New York State Senator	Lockport, NY	Robert Ortt – New York State Senator Bob Welch – Senior Staff Member Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer	Introduce project		Elected Officials
7/18/18	Introductory meeting with New York State Assemblyman	Williamsville, NY	Raymond Walter – New York State Representative Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer	Introduce project		Elected Officials

<i>Date</i>	<i>Outreach Event</i>	<i>Location</i>	<i>Attendees</i>	<i>Purpose</i>	<i>Follow-Up</i>	<i>Stakeholder Type</i>
7/19/18	Agency Meeting	Albany, NY	Edick, Rudyard – DEC Binder, Jonathan A – DEC Denoncour, Brianna M – DEC Kimble, Colleen E – DEC Baginski, Kenneth S – DEC Rosenburg, Charles P – DEC Davis, Andrew – DPS Wells, Tara –DAM Rosenthal, Jeremy – DPS Austin, James – DPS Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer Jen Sherwood – CCR Gene Kelly – HB Jacob Runner – EDR Ben Brazell – EDR	Discussion of Field Activities		State Agency
8/20/18	Niagara County Community College	Sanborn, NY	Kevin Kohlstedt – CCR Project Developer Deborah Brewer – NCCC Mark Voisinet – NCCC Brian Michel – NCCC Lydia Ulatowski – NCCC	Discuss Workforce Development Partnership		Community Partnership
8/23/18	Site Visit with Department of Agriculture & Markets	Cambria, NY	Mike Saviola – NYSDAM Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer John Ohol – Property Owner	Site Tour		State Agency

APPENDIX D
STAKEHOLDER INVOLVEMENT

GOALS & OBJECTIVES

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Host Municipalities</i>		
Towns of Cambria and Pendleton (Host Municipalities)	Provide general information on the Project, Article 10 process, intervenor funding, and contact information. Discuss potential avoidance, minimization, and mitigation measures to address identified impacts.	Provide timely public/stakeholder notices and information on public comment periods, scheduled meetings/information sessions, and opportunities for participation. Initiate direct contact with local officials and boards regarding upcoming Article 10 milestones, submission of PSS (at least two weeks prior to filing).
	Provide notice to Town two weeks prior to submittal of PSS.	Mail notice.
	Notifications as required by Article 10.	As per schedule in regulations
	Solicit local feedback. Provide answers to specific questions or concerns.	By phone, mail, or in person as requested.
	Work with local departments to develop appropriate emergency response plans for construction and operational phases of the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Host Municipalities (continued)</i>		
Towns of Cambria and Pendleton (Host Municipalities), <i>(continued)</i>	<p>Obtain all relevant local laws, building codes, comprehensive plans, zoning maps, etc. Determine whether all local laws potentially applicable to the Project have been identified.</p>	<p>Initial meeting or telephone conference no later than one month prior to submittal of PSS.</p>
	<p>Discuss transportation routes, use of right-of-way and other issues of local concern with Town Highway Departments.</p>	<p>Meeting with Town Highway Departments before submittal of PSS to discuss capital improvement projects and future plans, during Article 10 process as needed, and prior to mobilization to site for construction.</p>
	<p>Inform local emergency responders of contingency plans in the event of an emergency during construction or operational phases of the Project.</p>	<p>Meeting or telephone conference during Article 10 process and at least two months prior to mobilization of site for construction</p>
Town of Cambria Historian	<p>Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project.</p>	<p>Initial correspondence no later than one month prior to submittal of PSS.</p>

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Host Municipalities (continued)</i>		
Town of Pendleton Historian	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
Starpoint Central School District Cambria and Pendleton Joint School District (host school districts)	Provide general information on the Project, Article 10 process, and intervenor funding, and contact information.	Provide timely public/stakeholder notices and information on public comment periods, scheduled meetings/ information sessions, and opportunities for participation. Initiate direct contact with local officials and boards regarding upcoming Article 10 milestones, submission of PSS (at least two weeks prior to filing), etc. Letter to be sent before submittal of PSS.
	Notifications, as required by Article 10.	As per schedule in regulations.
	Solicitation of local feedback. Provide answers to specific questions or concerns.	By phone, mail, or in person as requested. Public Information Open House Sessions and attendance at local meetings. At least two public sessions currently planned—one prior to, and one following submittal of the PSS.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Host Municipalities (continued)</i>		
Starpoint Central School District Cambria and Pendleton Joint School District (host school districts), <i>(continued)</i>	Solicitation of local feedback. Provide answers to specific questions or concerns. <i>(continued)</i>	Establish a contact phone number, and dedicated project email address to respond to inquiries and accept public comments.
	Explain and discuss delivery methods of project components and transportation routes and timing; discuss and address school district concerns regarding transportation and project impacts pre- and post-construction.	Meeting or telephone conference at least two months prior to mobilization to site for construction.
<i>Host County</i>		
Niagara County (Host County)	Provide general information on the Project, Article 10 process, intervenor funding, and contact information.	Letter to be sent before submittal of PSS.
	Provide notice to County two weeks prior to submittal of PSS	Mail notice.
	Notifications, as required by Article 10.	As per schedule in regulations.
	Solicit local feedback. Provide answers to specific questions or concerns.	By phone, mail, or in person as requested by County.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Host County (continued)</i>		
Niagara County (Host County), <i>(continued)</i>	Obtain all relevant local laws, building codes, comprehensive plans, zoning maps, etc. Determine whether all local laws potentially applicable to the Project have been identified.	Initial meeting or telephone conference no later than one month prior to submittal of PSS.
	Review County Division of Transportation requirements, transportation routes, and use of right-of-ways.	Meeting with Division of Transportation before submittal of PSS to discuss capital improvement projects and future plans, during Article 10 process as needed, and prior to mobilization to site for construction.
	Work with County Emergency Management Office to develop appropriate emergency response plans for construction and operational phases of the Project	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.
Niagara County Agricultural and Farmland Protection Board	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Host County (continued)</i>		
Niagara County Soil and Water Conservation District	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project.	Initial correspondence no later than one month prior to submittal of PSS.
Niagara County Department of Economic Development and Planning	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss existing and future planning documents, associated objectives, and how such objectives may be affected or promoted by the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.
Niagara County Department of Public Works	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss facilities that may be affected by the Project.	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.
Niagara County Airports	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss facilities that may be affected by the Project	Initial meeting(s) during development of the PSS with subsequent meeting(s) during development of the Application and as needed throughout Article 10 process.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Study Area Municipalities</i>		
Towns of Lockport and Wheatfield	Provide general information on the Project, Article 10 process, and contact information.	Provide timely public/ stakeholder notices and information on public comment periods, scheduled meetings/ information sessions, and opportunities for participation.
	Provide notice to Towns two weeks prior to submittal of PSS.	Mail notice.
	Notifications, as required by Article 10.	As per schedule in regulations
	Solicit local feedback. Provide answers to specific questions or concerns.	By phone, mail, or in person as requested.
	Work with local Fire Departments to develop appropriate emergency response plans for construction and operational phases of the Project.	Meeting or telephone conference during Article 10 process and at least two months prior to mobilization to site for construction.
<i>Study Area Schools</i>		
Lockport City School District	Provide general information on the Project, Article 10 process, intervenor funding, and contact information.	Provide timely public/ stakeholder notices and information on public comment periods, scheduled meetings/ information sessions, and

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Study Area Schools (continued)</i>		
Lockport City School District, <i>(continued)</i>	Provide general information on the Project, Article 10 process, intervenor funding, and contact information. <i>(continued)</i>	opportunities for participation. Initiate direct contact with local officials and boards regarding upcoming Article 10 milestones, submission of PSS (at least two weeks prior to filing), etc. Letter to be sent before submittal of PSS.
	Notifications, as required by Article 10.	As per schedule in regulations.
	Solicitation of local feedback. Provide answers to specific questions or concerns.	By phone, mail, or in person as requested. Public Information Open House Sessions and attendance at local meetings. At least two public sessions currently planned, one—prior to and one following submittal of the PSS. Establish a contact phone number and dedicated project email address to respond to inquiries and accept public comments.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Study Area Schools (continued)</i>		
Lockport City School District, <i>(continued)</i>	Explain and discuss delivery methods of project components and transportation routes and timing; discuss and address school district concerns regarding transportation and project impacts pre- and post-construction.	Meeting or telephone conference at least two months prior to mobilization to site for construction.
<i>State Agencies/Representatives</i>		
Member of NYS Assembly for District 145 and NYS Senator for District 62	Provide general information on the Project, Article 10 process, and intervenor funding, and provide contact information	Letter to be sent before submittal of PSS.
	Notifications, as required by Article 10.	As per schedule in regulations
	Solicit feedback. Provide answers to specific questions or concerns.	By phone, mail, or in person as requested.
New York State Department of Environmental Conservation (NYSDEC)	Identify agency concerns to incorporate feedback into environmental study design.	Initial meeting or telephone conference no later than one month prior to submittal of PSS. Obtain agency comment/approval
	Notifications, as required by Article 10.	As per schedule in regulations.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>State Agencies/Representatives (continued)</i>		
New York State Department of Environmental Conservation (NYSDEC) <i>(continued)</i>	Determine whether all NYSDEC regulations potentially applicable to the Project have been identified,	Initial meeting or telephone conference no later than one month prior to submittal of PSS
NYSDEC Region 4	Notifications, as required by Article 10.	As per schedule in regulations.
New York State Research and Development Authority (NYSERDA)	Notifications, as required by Article 10.	As per schedule in regulations.
Empire State Development Corporation	Notifications, as required by Article 10.	As per schedule in regulations.
NYS Attorney General	Notifications, as required by Article 10.	As per schedule in regulations.
New York State Department of Health (NYSDOH)	Notifications, as required by Article 10.	As per schedule in regulations.
	Determine whether all NYSDOH regulations potentially applicable to the Project have been identified	Initial meeting or telephone conference no later than one month prior to submittal of PSS.
NYS Department of Agriculture and Markets (NYS&M)	Notifications, as required by Article 10.	As per schedule in regulations.
	Determine whether all NYS&M regulations potentially applicable to the Project have been identified.	Initial meeting or telephone conference no later than one month prior to submittal of PSS.
NYS Department of State (NYSDOS)	Notifications, as required by Article 10	As per schedule in regulations.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>State Agencies/Representatives (continued)</i>		
NYS Department of State (NYSDOS) <i>(continued)</i>	Determine whether all NYSDOS regulations potentially applicable to the Project have been identified.	Initial meeting or telephone conference no later than one month prior to submittal of PSS.
NYS Office of General Services	Notifications, as required by Article 10	As per schedule in regulations.
NYS Governor’s Office	Notifications, as required by Article 10	As per schedule in regulations.
NYS Division of Homeland Security and Emergency Services	Notifications, as required by Article 10	As per schedule in regulations.
NYS Department of Defense	Notifications, as required by Article 10.	As per schedule in regulations.
NYS Office of Parks, Recreation and Historic Preservation	Consultation in accordance with Section 14.09 of the New York State Parks, Recreation, and Historic Preservation Law and/or Section 106 of the Historic Preservation Act, as required.	Meetings to develop work plans and content of cultural resources studies prior to submittal of PSS, ongoing review of studies and mitigation recommendations.
NYS Department of Public Service	Facilitate Article 10 review process.	Meetings throughout process.
NYS Department of Transportation and NYS Thruway Authority	Identify constraints associated with roads used for component transport.	Prior to submittal of Article 10 Application.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>State Agencies/Representatives (continued)</i>		
New York Independent System Operator	Generator interconnection studies and timing	Prior to submittal of Article 10 Application and throughout Article X process.
New York State Canal Corporation (New York Power Authority)	Notifications, as required by Article 10.	As per schedule in regulations.
<i>Federal Agencies/Representatives</i>		
US Army Corps of Engineers	Determine jurisdiction and permits necessary under Section 404 of the Clean Water Act.	Pre-application meeting anticipated as final design of Project nears completion.
US Fish and Wildlife Service	Determine potential concerns regarding compliance with applicable federal laws and regulations.	Prior to submittal of the PSS.
US Federal Aviation Administration	No Hazard Determinations	Prior to submittal of Article 10 Application.
US Department of Defense	Information dissemination on proposed Project. If necessary, develop avoidance, minimization and mitigation plans to address potential Project impacts.	Prior to submittal of Article 10 Application.
US Senator Charles E. Schumer	Notifications, as required by Article 10.	As per schedule in regulations.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Federal Agencies/Representatives (continued)</i>		
US Senator Kirsten E. Gillibrand	Notifications, as required by Article 10.	As per schedule in regulations.
US Representative Chris Collins 27 th District	Notifications, as required by Article 10.	As per schedule in regulations.
<i>Other Stakeholders (Regional or Locational Agencies)</i>		
Cornell Cooperative Extension Niagara County	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
Buffalo Niagara River-Land Trust	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
Niagara Chamber of Commerce	Provide information on the Project and Article 10 process, intervenor funding and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Other Stakeholders (Regional or Locational Agencies) (continued)</i>		
Western New York Environmental Alliance* Buffalo Niagara Partnership Division of Smart Growth Western New York Regional Economic Development Council Niagara Wind & Solar Niagara Power Project WNY Sustainable Energy Association Trust Niagara County Community College Re-Tree WNY Sierra Club	Provide information on the Project and Article 10 process, intervenor funding and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
Western NY Land Conservancy	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
The Nature Conservancy/Buffalo Niagara Waterkeeper	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Other Stakeholders (Regional or Locational Agencies) (continued)</i>		
Buffalo Audubon Society - NY	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
National Grid	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
Niagara Area – Regional Tribal Nations	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
Time Warner Cable/Charter Communications	Provide information on the Project and Article 10 process, intervenor funding, contact information, and discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.

<i>Agency/Municipality</i>	<i>Goals of Consultation</i>	<i>Plan/Method and General Schedule for Consultation</i>
<i>Other Stakeholders (Regional or Locational Agencies) (continued)</i>		
Telecommunications Providers with Equipment, Easements or Rights-of-way within Facility Area	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.
Natural Gas Transmission Line Owners with Infrastructure, Easements or Rights-of-way within Facility Area	Provide information on the Project and Article 10 process, intervenor funding, and contact information; discuss stakeholder initiatives that may be affected or promoted by the Project	Initial correspondence no later than one month prior to submittal of PSS.

APPENDIX B

HCA and PILOT Information

Host Community Agreement

How will the town benefit? What groups will partner with CCR?





Bear Ridge Host Community Agreement

WORKFORCE DEVELOPMENT, JOBS, AND EDUCATION:

- Niagara County Community College
- Starpoint Central School District – STEM Education

VETERANS INITIATIVES:

- Niagara Falls Air Reserve Station Sponsorship and Support

PUBLIC IMPROVEMENTS:

- Electricity Rate Discounts – 10-yr, \$90/mo credit: 173 homes within 1000’ of project
- Cambria, Sanborn, Pekin, Wendelville Fire Company Support

CONSERVATION:

- Cambria and Pendleton Town Park Improvements
- Youth Farming Programs

Host Community Agreements

Bear Ridge will work with the community to build a Host Community Agreement (HCA) that benefits the community. An HCA aims to deliver local improvements and community support for the project.

Here are some of the areas we will explore:



Public Improvements



Conservation



Workforce
Development, Jobs,
and Education



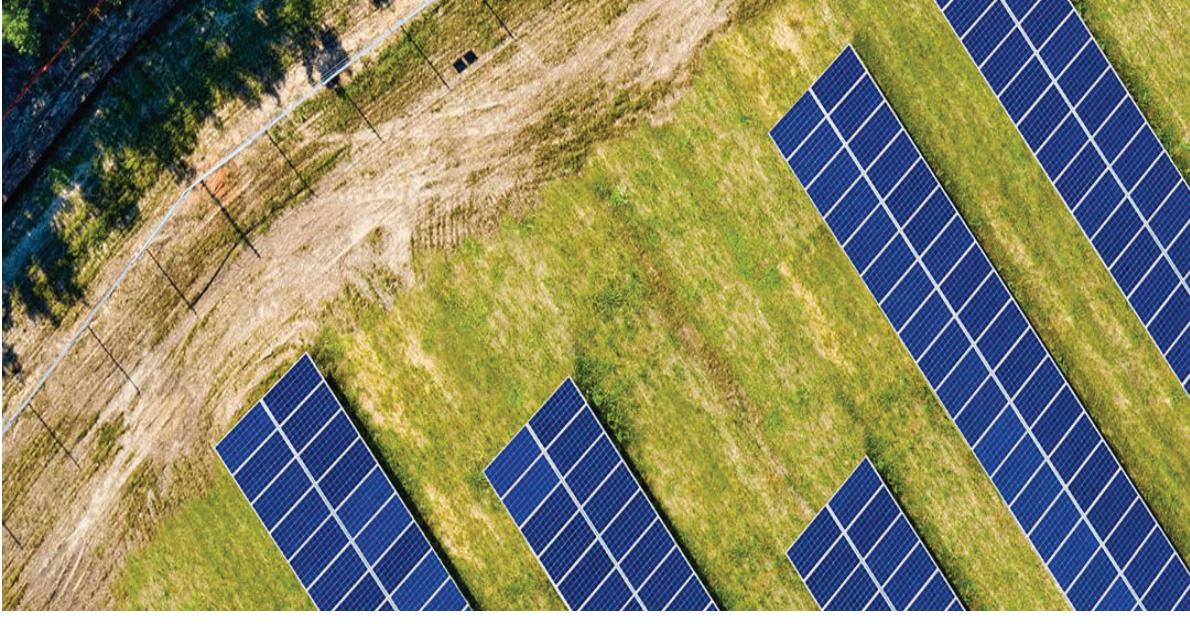
Veterans Initiatives



Payment-in-Lieu-of-Tax (PILOT) Agreement

Under New York State tax law, renewable energy projects are typically exempt from property taxes; however, Bear Ridge Solar is committed to offering a PILOT agreement to all taxing jurisdictions.

- PILOTs provide consistent, annual payments for the first 15 years of the operational period
- County IDAs can negotiate PILOTs up to 20 years
- The exact payments are still unknown, and require negotiation with the taxing jurisdictions
- The industry standard for transmission projects of this size is an average of \$3,200 per MW-AC per year, or, \$320,000 in tax revenue every year for a project the size of Bear Ridge
- Bear Ridge Solar would like to initiate PILOT negotiations in August 2019



APPENDIX C

Letters of Support

Date: 10/9/19

RE: Letter of Support for Bear Ridge Solar farm, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar farm located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

Moving forward with Bear Ridge Solar will deliver vital economic and environmental benefits to our local schools, region, and state. Cypress Creek has a strong track record of successfully developing and safely operating solar facilities throughout New York and the broader United States, and a commitment to responsible development in Cambria and Pendleton.

I support the project for many reasons, including:

- Bear Ridge Solar will create approximately 150 jobs during construction and drive more than \$100 million in local spending and economic development.
- The project has committed to a \$10 million community benefit package for Cambria and Pendleton.
- Bear Ridge Solar is a passive use of the land that, once in operation, will not place new burdens on the infrastructure in the Towns of Cambria and Pendleton:
 - The project will not generate traffic or emissions, use any water, or require significant emergency services.
 - The project will contribute substantial PILOT revenue to the Starpoint School District without adding students to the enrollment.
 - The project will enable local farmers to retain their land, preventing high service demand development and the loss of agricultural property.
- Bear Ridge Solar will generate enough independent energy to power over 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar farm and support its approval.

Sincerely,

Name: Kenneth J. Horvath

Title: KENNETH J. HORVATH

Address: 6484 BARTZ RD LOCKPORT, NY 14094

Date: 2/17/2020

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

To Town of Cambria, Town of Pendleton, and the Article 10 NY State Siting Board:

I write to you in support of Cypress Creek Renewables' Bear Ridge Solar project located at 5832 Comstock Road, Cambria, NY 14094. This project provides the opportunity to generate new investment, jobs, and clean energy for our community.

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I support the project for many reasons, including:

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- The project has committed to a \$10 million community benefit package for Cambria and Pendleton.
- Bear Ridge Solar is a passive use of the land that, once in operation, will not place new burdens on the infrastructure in the Towns of Cambria and Pendleton:
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 - The project will enable local farmers to retain their land, preventing high service demand development and the loss of agricultural property.
- Bear Ridge Solar will generate enough independent energy to power roughly 25,000 New York homes and businesses with clean, affordable energy.
- The approval of Bear Ridge Solar is the equivalent to offsetting 42,000 tons of carbon per year or removing 8,000 cars from the road.

I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: John Scherrer

Title: Business Manager IBEW Local 237

Address: 8803 Niagara Falls Blvd, Niagara Falls, NY 14304

'Statement of Support' for the Bear Ridge Solar Project

NAME	ADDRESS
1. Nicolaus Coyle	927 92 St Niagara Falls NY 14304
2. Aaron Browne	1058 Caravelle Dr. N.F. N.Y. 14304
3. Matthew Ventry	8523 Frontiers Ave N.F. NY 14304
4. Jacob Joseph	687 Blairville Rd Youngstown NY 14174
5. Ryan Armele	421 77th Street Niagara Falls NY 14304
6. Chad Gailor	6 Howard Ave. Lockport NY 14094
7. Thomas Martin	4551 Wilson-Burt Rd. Wilson NY 14172
8. Ryan Clark	417 North Avenue North Tonawanda NY 14120
9. Lukas Hansen	1639 Johnson Creek Buffalo 14012
10. Nicholas Brown	364 Church St. Youngstown NY 14174
11. Anthony Chester	646 69th St Niagara Falls NY 14304
12. Timothy Rax	319 38th St NIGARA FALLS, NY 14303
13. Joe Scrivano	6961 Tanya Dr Niagara Falls NY 14304
14. Jeff Haseley	4285 Budd Rd, Lockport NY 14094
15. Matt Biskam	1336 Garrett Ave NF 14305
16. Michael J. Seric	6864 Wood Rd. NF NY 14304
17. Jonathan Siejka	2908 Mack km Ave. NF, NY, 14305
18. Kevin Robinson	6019 Graver Rd NF, NY 14305
19. Tony Clark	3266 HESS RD LOCKPORT NY 14094
20. Jordan Dewel	854 Birch Wood Lockport NY 14094
21. Brian Mendel	5604 Chestnut Rd Newfane, NY 14108
22. Terry Mandaville	2945 Hosmer Rd Grapport NY 14067
23. Nick Mazerbo	3001 St. Paul St Niagara Falls NY 14305
24. Mark Kinney	172 Erie St Lockport NY 14094
25. Karl Kirsch	3916 Lockport rd. Sanborn NY 14132
26. Tom Ryan	266 WILCOX ST WILSON NY 14172
27. Nathaniel Bischoff	641 Payne Ave NY 14120
28. Quinton Gregory	4532 Rundlewood drive Lockport 14094
29. Erik Domin	347 Miller St North Tonawanda 14120
30. Desai Mathews	524 24th Street Niagara Falls, NY, 14301
31. Joseph Mundier	537 81st Street Niagara Falls, NY 14304
32. Phillip Violanti	8716 Lindbergh Ave, Niagara Falls, NY, 14304
33. Josh Vivian	198 Schenck St. North Tonawanda, NY 14120
34. Cotten McMillard	5690 Dunnigan Rd Lockport NY, 14094
35. Keny Daunce	3602 Estes Place Ransomville NY, 14131
36. Brandon Lum	1286 Mall Street North Tonawanda, NY 14120

'Statement of Support' for the Bear Ridge Solar Project

NAME

ADDRESS

1. _____
2. Christopher Brown 1857 Saunders Settlement Rd, N.E., NY, 14304
3. Salim Kinan 602-72 st Nia. Falls, N.Y. 14304
4. Larry Krueger 1360 FORBES ST. N.T. 14120
5. Scott Scheller 95 COMMUNITY DR. H.T. NY. 14120
6. James W Bailor 2459 Willow AVE Niagara Falls N.Y. 14308
7. LINDA MANGUS 194 Jackson Ave. North Tonawanda, NY 14120
8. Dawn Amato 8618 Frank Ave. N.F. N.Y. 14304
9. Faith Brzelinski - Fine 246 Seminary St. Wilson NY 14172
10. Jeff Fine 246 Seminary St Wilson NY 14170
11. Colin Walter 7734 3rd Ave Niagara Falls NY 14304
12. Susan Gemmati 7734 3rd Ave Niagara Falls NY 14304
13. JERARD J. STANISH 5922 STEPHENSON AVE, NIAGARA FALLS, New York 14304
14. Linda A Mayflower 3355 Miller Rd Niagara Falls, NY 14304
15. Timothy D. Smal 6989 PLAZA DR APT #2 NIAGARA FALLS, N.Y. 14304
16. Susan Capton 2141 Saunders Settlement, NE, NY 14304
17. Faith Capton 2141 Saunders Settlement, NE, NY, 14304
18. William Capton Jr 6694 Errick Rd, North Tonawanda NY, 14120
19. Stacy Baine 2459 Willow Ave Niagara Falls NY 14305
20. Staville 2520 Niagara Rd Niagara Falls NY 14304
21. _____
22. _____
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31. _____
32. _____
33. _____
34. _____
35. _____
36. _____

Date: 5/5/20

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I am in support of the Bear Ridge Solar project and support its approval.

Sincerely,

Name: Thomas Chalk

Title: owner

Address: 5832 Comstock Rd.

Date: 3/11/20

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Sincerely,

Name: Leanna Choi [Signature]

Title: owner

Address: 4321 Saunders Settlement Rd Sarburn ny 14132

Date: 3/11/20

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Sincerely,

Name: John D. Olaf Jensen

Title: Owner

Address: 4321 S.S. Scarborough, NY 14172

Date: _____

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Sincerely,

Name: Joseph Ochal

Title: _____

Address: 5817 Comstock Rd.
Lockport, N.Y.

Date: _____

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Sincerely,

Name:  _____

Title: _____

Address: 5545 Twilight Ln Lockport NY 14094

Date: 3/7/2020

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Date: 2-22-20

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Sincerely,

Name: James Behnke

Title: _____

Address: 5122 Bear Rd Seneca NY 14132

Date: 02-22-2020

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Sincerely,

Name: Mark B. Alt

Title: _____

Address: 6019 Miller Rd Lockport NY 14094

Date: 2/24/20

RE: Letter of Support for Bear Ridge Solar project, Article 10 Application – NY State

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Sincerely,

Name: CRAIG MCCAFFREY 

Title: _____

Address: 4875 SAUNDERS SETT

Date: _____

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Sincerely,

Name: Steve A. O'Neil

Title: _____

Address: 4256 Upper Mt. Rd Sanborn

Date: 2-24-2020

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Name: KIRK ZINKIEVICH

Title: _____

Address: _____

Date: 2/7/2020

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Sincerely,

Name: Melanie Behrke

Title: Homeowner

Address: 5122 Baer Rd Sarburn, NY 14132

Date: 3/11/20

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Sincerely,

Name: Douglas Zimmerman

Title: _____

Address: _____

Date: 3-11-2020

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Sincerely,

Name: Sally M. Amley

Title: Retired Court Clerk

Address: 51 Canal Street, Lockport NY 14094

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
7/20/2017	Landowner Roundtable	Ohol Barn	John Ohol – Property Owner Joseph Ohol – Town Resident Fran Barone – Property Owner Alex Schild – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager	Gathering of landowners to discuss project schedule		Host Property Owners
11/13/2017	Town of Cambria Sketch Meeting	Cambria Town Hall	Wright Ellis – Town Supervisor Joseph Ohol – Town Resident John Ohol – Property Owner Daniel Compitello – CCR Permitting & Outreach Manager	Introduced Cypress Creek Renewables to the Town Supervisor and discussed several solar projects	Request for more information on project location and schedule	Host Municipality
3/29/2018	Landowner Roundtable	Ohol Barn	John Ohol – Property Owner Joseph Ohol – Town Resident Thomas Ohol – Property Owner Pat Danielwicz – Property Owner Kevin Kohlstedt – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager Lisa Jaccoma – Arch Street Communications Nora Madonick – Arch Street Communications Jacob Runner – EDR	Gathering of landowners to discuss the Article 10 process and community values		Host Property Owners

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
3/29/2018	Town of Cambria Sketch Meeting	Cambria Town Hall	Wright Ellis – Town Supervisor Debra Littere – Town Assessor James McCann – Building Inspector Gary Billingsley – Planning Board Attorney Robert S. Roberson – Town Attorney Joseph Ohol – Town Resident John Ohol – Property Owner Kevin Kohlstedt – CCR Project Developer Daniel Compitello – CCR Permitting & Outreach Manager Nora Madonick – Arch Street Communications Lisa Jaccoma – Arch Street Communications Jacob Runner – EDR	Introduction of project and Article 10 to Town Staff members	Request for more information regarding relationship with IDA and the “shovel-ready” sites.	Host Municipality
5/3/2018	Town of Pendleton Sketch Meeting	Pendleton Town Hall	David Kantor - Planning Board Joseph Killion - Planning Board Nick Kwasniak - Planning Board John Lavrich - Planning Board David Naus - Planning Board Daniel Vivian - Planning Board Joel Maerten - Town Supervisor David Leible - Town Councilman John Ohol - Property Owner Kevin Kohlstedt, Dan Compitello - CCR Lisa Jaccoma - ASC Dave Britton - Town Engineer	Introduction of project to the Planning Board	Request for more information on any proposed tree clearing; Request for PIP walkthrough after filing	Host Municipality

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
5/8/2018	Intro Meeting with NYS DPC, NYSDEC, and NYSDAM	Empire State Plaza, Albany, NY	Gene Kelly – Harris Beach Steve Wilson – Harris Beach John Binder – NYSDEC Mike Higgins – NYSDEC Colleen Kimber – NYSDEC Brian Ossias – NYS DPS Greg Liberman – EDR Jeremy Flaum – NYS DPS Tara Wells – NYSDAM Kate Close – NYSDAM John Wojcikiewizc – EDR Graham Jesmer – NYS DPS Jim Austin – NYS DPS Andrew Davis – NYS DPS Jennifer Sherwood – CCR Environmental Manager Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer	Introduction of project to State agencies		State Agency
5/11/2018	One Region Forward Meeting	Via Conference Call	Jason Kulaszewski – University of Buffalo Bartholomew Roberts – University of Buffalo Daniel Compitello – CCR Permitting & Outreach Manager Kevin Kohlstedt – CCR Project Developer Marisa Scavo – CCR Project Developer	Introduction of project to regional planning committee		Interested Party

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
5/15/2018	Niagara County IDA Meeting	Sanborn, NY	Michael Casale – Niagara County Center for Economic Development Susan Langdon – Niagara County IDA Ben Bidell – Niagara County Center for Economic Development Andrea Klyczek – Niagara County IDA Amy Fisk – Niagara County Center for Economic Development Ben Broder – CCR Economic Development Manager Kevin Kohlstedt – CCR Daniel Compitello – CCR	Introduce project to IDA and discuss shovel ready parcels	Request for follow up on marketing of “shovel ready” parcels	Local Agency
6/8/2018	Pendleton Planning Board Meeting	Pendleton Town Hall	Kevin Kohlstedt - CCR Marisa Scavo - CCR Lisa Jaccoma - Arch Street Communications Joe McCaffrey - Pendleton PB Chairman Joe Killion - Pendleton Planning Board John Lavrich - Pendleton Planning Board Dan Vivian - Pendleton Planning Board Dave Naus - Pendleton Planning Board Nick Kwasniak - Pendleton Planning Board Dave Kantor - Pendleton Planning Board Dave Britton - Town Engineer	Review Draft PIP with PB, introduce project to Planning Board Chairman		Local Agency
6/8/2018	Town of Cambria	Cambria Town Hall, Cambria, NY	Kevin Kohlstedt – CCR Marisa Scavo – CCR Wright Ellis – Town Supervisor	Bear Ridge Project Update		Local Agency

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
6/28/2018	Town of Cambria, Niagara County Department of Economic Development and Niagara County Industrial Development Agency	Niagara County IDA	Kevin Kohlstedt – CCR Marisa Scavo – CCR Jacob Runner – EDR Pat Heaton - EDR Lisa Jaccoma – Arch Street Communications Gene Kelly – Harris Beach Wright Ellis – Town Supervisor Robert S. Roberson – Town Attorney Mark Davis – Lippe Mathias Wexler Friedman Drew Reilly – Wendel Matt Foe - Town of Cambria Bill Amacher – Town of Cambria Jim McCann – Town of Cambria Brian Seaman – Niagara County Attorney Office John Shoemaker – Niagara County Director Real Property Tax Service	Bear Ridge Project Update		Local Agency
7/18/2018	Introductory meeting with New York State Senator	Lockport, NY	Robert Ortt – New York State Senator Bob Welch – Senior Staff Member Kevin Kohlstedt – CCR Marisa Scavo – CCR	Introduce project		Elected Officials
7/18/2018	Introductory meeting with New York State Assemblyman	Williamsville, NY	Raymond Walter – New York State Representative Kevin Kohlstedt – CCR Marisa Scavo – CCR	Introduce project		Elected Officials

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
7/19/2018	Agency Meeting	Albany, NY	Rudyard Edick – DEC Jonathan Binder – DEC Brianna Denoncour– DEC Colleen Kimble – DEC Kenneth Baginski – DEC Charles Rosenburg – DEC Andrew Davis – DPS Tara Wells – DAM Jeremy Rosenthal – DPS James Austin – DPS Kevin Kohlstedt – CCR Marisa Scavo – CCR Jen Sherwood – CCR Gene Kelly – HB Jacob Runner – EDR	Discussion of Field Activities		State Agency
8/20/2018	Introductory Meeting with Niagara County Community College	Sanborn, NY	Kevin Kohlstedt - CCR Deborah Brewer - NCCC Brian Michel - NCCC Lydia Ulatowski - NCCC Mark Voisinet - NCCC	Introduce project, location and schedule; discussed workforce development needs and opportunities; and community benefits	Explore potential workforce development partnership	Local Stakeholder
8/23/2018	Site Visit with Department of Ag + Markets	Cambria and Pendleton, NY	Michael Saviola - DAM Marisa Scavo - CCR Kevin Kohlstedt - CCR John Ohol - Landowner	Introduce project, visit proposed project site		State Agency
10/3/2018	Solar 101 Open House	Niagara County Community College, Sanborn, NY	Residents (approximately 60) Marisa Scavo - CCR Kevin Kohlstedt - CCR Anne Waling - CCR Ethan Winter - CCR Ben Broder - CCR Ben Brazell - EDR Lesli Nordstrom - ASC Nora Madonick - ASC Jennifer Sherwood - CCR	Introduce project and utility-scale solar to residents of Cambria, Pendleton, and the surrounding region.		Community Members, Local Stakeholders, Elected Officials

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
10/4/2018	Solar 101 Open House	Cambria Fire Hall, Lockport, NY	Residents (approximately 40) Marisa Scavo - CCR Kevin Kohlstedt - CCR Anne Waling - CCR Ethan Winter - CCR Ben Broder - CCR Ben Brazell - EDR Lesli Nordstrom - ASC Nora Madonick - ASC Jennifer Sherwood - CCR	Introduce project and utility-scale solar to residents of Cambria, Pendleton, and the surrounding region.		Community Members, Local Stakeholders, Elected Officials
11/8/2018	Pendleton PB Workshop Meeting	Pendleton Town Hall, Pendleton, NY	Kevin Kohlstedt - CCR Marisa Scavo - CCR Joe McCaffrey - Pendleton PB Chairman Joe Killion - Pendleton PB John Lavrich - Pendleton PB Dan Vivian - Pendleton PB Dave Naus - Pendleton PB Nick Kwasniak - Pendleton PB Dave Kantor - Pendleton PB Dave Britton - Town Engineer	Provide project update, summary of open house feedback		Local Agency
11/8/2018	Update Meeting	Cambria Town Hall, Cambria, NY	Kevin Kohlstedt - CCR Marisa Scavo - CCR Wright Ellis – Town Supervisor	Provide project update		Local Agency
11/8/2018	Introductory Meeting	PUSH Buffalo Office, Buffalo, NY	Kevin Kohlstedt - CCR Marisa Scavo - CCR Sage Green – PUSH Buffalo Clarke Gocker – PUSH Buffalo	Introduce project, discuss potential partnership opportunities		Local Stakeholder
12/13/2018	Cambria Town Board Meeting	Cambria Town Hall, Cambria, NY	Residents Kevin Kohlstedt - CCR Marisa Scavo - CCR Wright Ellis – Town Supervisor Robert S. Roberson – Town Attorney Matt Foe - Town of Cambria Bill Amacher – Town of Cambria Jim McCann – Town of Cambria Joseph Ohol – Town of Cambria (recused) Brian Seaman – Niagara County	Provide project update, summary of open house feedback		Local Agency

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
12/14/2018	Buffalo Niagara Partnership	Buffalo Niagara Partnership, Buffalo, NY	Kevin Kohlstedt - CCR Marisa Scavo - CCR John Plante - Buffalo Niagara Partnership	Introduce project, discuss potential partnership opportunities		Local Stakeholder
2/12/2019	Update Meeting	Cambria Town Hall, Cambria, NY	Kevin Kohlstedt - CCR Marisa Scavo - CCR Wright Ellis – Town Supervisor Robert S. Roberson – Town Attorney Matt Foe - Town of Cambria	Provide project update		Local Agency
2/13/2019	Introductory Meeting	Niagara County Legislature, Lockport, NY	Kevin Kohlstedt - CCR Marisa Scavo - CCR Keith McNall - Niagara County Legislature Chairman	Introduce project		Elected Officials
2/13/2019	PSS Presentations	Cambria Fire Hall, Lockport, NY	Residents Kevin Kohlstedt - CCR Marisa Scavo - CCR Anne Waling - CCR Jason Funk - CCR Megan O’Keefe - EDR John Wojcikiewicz - EDR Anna Russell - ASC Nora Madonick - ASC Steve Wilson – Young Sommer	Provide project update, describe PSS portion of Article 10 process		Community Members, Local Stakeholders, Elected Officials
10/10/2019	Cambria Town Board Meeting	Cambria Town Hall	Rikki Cason - CCR Wright Ellis - Town Supervisor	Provide brief project update and answer questions by attendees		Elected Officials Local Stakeholders
10/23/2019	School Board Meeting	Starpoint Central School	Rikki Cason - CCR Kevin Kostedt - CCR	Attend Board Meeting and give presentation about the project and potential benefits to the school		Elected Officials Local Stakeholders

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
11/1/2019	Meeting with Niagara Chamber USA	6311 Inducon Corporate Dr # 2, Sanborn, NY 14132	Rikki Cason - CCR	Present to Board Members regarding project status and answer any remaining questions		Elected Officials
11/11/2019	Cambria Town Board Meeting	Cambria Town Hall	Rikki Cason - CCR Wright Ellis - Town Supervisor	Provide brief project update and answer questions by attendees		Elected Officials Local Stakeholders
12/10/2019	Cambria Town Board Meeting	Cambria Town Hall	Rikki Cason - CCR Wright Ellis - Town Supervisor	Provide brief project update and answer questions by attendees		Elected Officials Local Stakeholders
1/10/2020	Cambria Town Board Meeting	Cambria Town Hall	Rikki Cason - CCR Wright Ellis - Town Supervisor	Provide brief project update and answer questions by attendees		Elected Officials Local Stakeholders
1/13/2020	Workforce Development Meeting		Rikki Cason - CCR			
2/1/2020	Workforce Development Meeting		Rikki Cason - CCR			
2/10/2020	Cambria Town Board Meeting	Cambria Town Hall	Rikki Cason - CCR Wright Ellis - Town Supervisor	Provide brief project update and answer questions by attendees		Elected Officials Local Stakeholders
3/11/2020	Workforce Development Meeting		Rikki Cason - CCR			
3/12/2020	Cambria Town Board Meeting	Cambria Town Hall	Rikki Cason - CCR Wright Ellis - Town Supervisor	Provide brief project update and answer questions by attendees		Elected Officials Local Stakeholders
3/12/2020	Site walkthrough of potential community solar property	Project Site	Rikki Cason - CCR Kevin Kostedt - CCR	Walkthrough of property that could be of use in future community-scale solar project		

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
3/12/2020	Niagara Orleans BOCES	Niagara Orleans BOCES	Rikki Cason - CCR Kevin Kostedt - CCR	Discuss the ways that Bear Ridge can contribute to workforce development and to discuss potential partnership with the school		
5/21/2020	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
6/18/2020	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
7/16/2020	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
8/20/2020	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
9/17/2020	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
10/15/2020	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
11/19/2020	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
12/17/2020	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
1/21/2021	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
2/18/2021	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
3/18/2021	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
4/15/2021	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
5/11/2021	CCR and Town Officials	Zoom Meeting	Keith Silliman - CCR Emily Proutey - CCR Wright Ellis - Town Supervisor Mark Davis - Lippes Mathias Wexler Friedman Steve Wilson - Young Sommer	Provide project update		Elected Officials, Local Stakeholders

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
5/12/2021	CCR and IBEW Local 237	Zoom Meeting	Keith Silliman - CCR Rikki Cason - CCR Emily Proutey - CCR John Scherrer - IBEW Local 237 Ed Hill - IBEW Local 237	Discuss the potential work that Bear Ridge Solar would provide to the local electrical workers union		Local Stakeholders
5/20/2021	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
6/17/2021	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
6/23/2021	CCR and Town Supervisor	Email	Keith Silliman - CCR Wright Ellis - Town Supervisor Mark Davis - Lippes Mathias Wexler Friedman Steve Wilson - Young Sommer Emily Proutey - CCR Jacob Runner - EDR Matt Foe - Town of Cambria Andrew Reilly - Wendel Robert S. Roberson – Town Attorney	Set and confirm in-person meeting for 7/13/2021 as well as date and location of the community meeting on 7/14/2021		Elected Officials
7/2/2021	CCR and Town Supervisor	Email	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide a list of local substantive laws and send updated project layout		Elected Officials
7/6/2021	CCR and Town Supervisor	Email	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update and confirm list of local substantive laws		Elected Officials
7/13/2021	Update Meeting	Cambria Town Hall, Sanborn, NY	Keith Silliman - CCR Jacob Runner – EDR Steve Wilson – Young Sommer Wright Ellis - Town Supervisor Mark Davis - Lippes Mathias Wexler Friedman Matt Foe - Town of Cambria Andrew Reilly - Wendel Matthew Foe - Town of Cambria Robert S. Roberson – Town Attorney	Provide project update and discuss upcoming community outreach meeting/open house		Elected Officials

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
7/14/2021	Landowner Roundtable	Ohol Barn	John Ohol – Property Owner Joseph Ohol – Property Owner Thomas Ohol - Property Owner Fran Barone – Property Owner Keith Silliman - CCR Emily Proutey - CCR Rikki Cason - CCR Nick Hawvermale - CCR Jacob Runner - EDR Steve Wilson – Young Sommer	Gathering of landowners to discuss project progression and upcoming community meeting, site visit and tour with landowner		Host Property Owners
7/14/2021	Community Outreach Open House	Cambria Fire Hall, Lockport, NY	Residents (approximately 70) Keith Silliman - CCR Wright Ellis – Town Supervisor Emily Proutey – CCR Rikki Cason - CCR Jacob Runner – EDR Steve Wilson – Young Sommer Holly Kistner - EDR Lindsay Donahoe - EDR Nick Hawvermale - CCR Chris Akios - CCR Robert S. Roberson – Town Attorney Benjamin Joe - Lockport Union Sun & Journal John Scherrer - Internation Brotherhood of Ground Penetrating Radar Workers Scott Brydges - Iron Workers Local 9	Discuss project, inform community members about ongoing studies and application requirements, answer questions and talk with residents		Community Members, Local Stakeholders
7/15/2021	Meeting with Niagara County Administration	Philo J. Brooks Co. Office Bldg. Lockport, NY	Keith Silliman - CCR Jacob Runner – EDR Steve Wilson – Young Sommer	Discuss project, inform community members about ongoing studies and application requirements		Elected Officials
7/15/2021	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
8/19/2021	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
9/16/2021	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials

Date	Outreach Event	Location	Attendees	Purpose	Follow-Up	Stakeholder Type
10/14/2021	Update Meeting	Zoom Meeting	Keith Silliman - CCR Wright Ellis - Town Supervisor	Provide project update		Elected Officials
10/25/2021	Fire and Safety Consultation Meeting	Cambria Town Hall, Sanborn, NY	Keith Silliman, Rikki Cason, Jared Kird (via phone) - CCR Wright Ellis - Town of Cambria Supervisor Joel Maarten - Town of Pendleton Supervisor Steve Wilson - Young and Summer Johnathan Shultz - Niagara County Fire Coordinator Mark Hane - Niagara County HazMat Deputy Coordinator Robert Roberson - Town of Cambria Attorney Mark Davis - Town of Cambria Attorney David Godfrey - Niagara County Legislator, Chairman of County Safety Committee Matthew Berry - Wendelville Fire Chief Cambria Fire Chief Mark Walter - Town of Pendleton Sharon Tasner - Opposition Group VP Members of Sanborn Pekin, Cambria, and Wendelville Fire Departments	Discuss potential fire and safety issues at the Project; Gather feedback from local emergency responders regarding the safety response plan	Request for more information on various topics discussed at the meeting	Community Members, Local Stakeholders, Elected Officials

Community Meeting Materials

From: [Keith Silliman](#)
To: [Wright Ellis](#); "Mark C. Davis"
Cc: "Steven D. Wilson"; [Emily Proutey](#); [Andrew Reilly](#); [Matthew Foe](#); brblaw@yahoo.com
Subject: RE: Bear Ridge Solar Project
Date: Wednesday, June 23, 2021 2:45:25 PM

Supervisor Ellis:

Confirmed, and thank you.

It looks like we were able to reserve the Cambria Volunteer Fire Company's Hall for the community meeting on July 14th. We are still working out the details with the Fire Company—more to follow on this.

Keith

Keith Silliman
518.788.8665

From: Wright Ellis <supervisor@townofcambria.com>
Sent: Friday, June 18, 2021 1:24 PM
To: Keith Silliman <keith.silliman@ccrenew.com>; 'Mark C. Davis' <mdavis@lippes.com>
Cc: 'Steven D. Wilson' <swilson@youngsommer.com>; Emily Proutey <emily.proutey@ccrenew.com>; Andrew Reilly <areilly@wendelcompanies.com>; Matthew Foe <mittffoo.ny@netzero.net>; brblaw@yahoo.com
Subject: RE: Bear Ridge Solar Project

Good Afternoon Keith,

I suggest that we meet at 1:30 PM, on Tuesday, 13 July 2021, at the Cambria Town Hall. I am also inviting Councilman Matt Foe, Planning Consultant Drew Reilly and Town Attorney Bob Roberson. Please confirm. We will work on other possible topics of conversation.

Regards,

Wright H. Ellis, Supervisor
Town of Cambria
4160 Upper Mountain Road
Sanborn NY 14132
716-433-8523, Ext 119
Fax: 716-433-7164
supervisor@townofcambria.com

From: Keith Silliman [<mailto:keith.silliman@ccrenew.com>]
Sent: Friday, June 18, 2021 6:33 AM
To: 'Mark C. Davis'

Cc: Wright Ellis; Steven D. Wilson; Emily Proutey
Subject: Bear Ridge Solar Project

Mark,

We are gearing up for the preapplication consultations required under the 94-c Permitting Process. I discussed this with Supervisor Ellis yesterday; he asked that I bring you into the discussion.

We have tentatively set July 14th for the community meeting.

Steve and I will be in Western New York July 13th – 15th and would like to meet with you and Supervisor Ellis. Currently, we have availability the afternoon of the 13th, all day on the 14th, and the morning of the 15th.

The 94-c regulations set forth the following topics for discussion:

- ***Consultation with Local Agencies.*** No less than sixty (60) days before the date on which an applicant files an application, or files a transfer application other than for a pending Article 10 facility for which the Article 10 application has been deemed complete, the applicant shall conduct pre-application meeting(s) with the chief executive officer of the municipality(ies) in which the proposed facility will be located and any local agencies of such municipalities identified by the chief executive officer.
 - (1) A brief description of the proposed facility and its environmental setting;
 - (2) A map of the proposed facility showing project components and regulatory boundaries as it pertains to substantive law relevant to the proposed facility;
 - (3) A summary of the substantive provisions of local laws applicable to the construction, operation, maintenance, and decommissioning of the proposed facility;
 - (4) An identification of such substantive local law provisions for which the applicant will request that the Office make a finding that compliance therewith would be unreasonably burdensome;
 - (5) An explanation of all efforts by the applicant to comply with such substantive local law provisions through the consideration of design changes to the proposed facility, or otherwise;
 - (6) Any potential impacts of the facility for which consultation with the municipality(ies) is required to inform the preparation of the exhibits to the application (including, but not necessarily limited to, transportation and visual resources);
 - (7) A designated contact person, with telephone number, email address and mailing address, from whom information will be available on a going-forward basis, as well as a proposed project website to disseminate information to the public; and
 - (8) An anticipated application date and information regarding the future availability of local agency account funds, citing to the requirements set forth in Subpart 900-5 of this Part, including, but not limited to, the requirement that any local agency or potential community intervenor shall submit a request for initial funding within thirty (30) days of the date of application filing and that such request be made to the Office of Renewable Energy Siting, at the Albany, New York office, Attention: Request for Local Agency Account Funding.

We, of course, will be happy to address other topics of interest to the Town.

I will be forwarding a map of our latest project layout to Supervisor Ellis next week. We will also send a letter outlining our view of the local laws applicable to the project.

I hope the Town can accommodate this request for an in-person meeting; if this is possible, we are otherwise available via teleconference or Zoom.

Thank you.

Keith

Keith Silliman

Senior Project Developer

518.788.8665 | Cell

Cypress Creek Renewables

Albany, NY

From: [Wright Ellis](#)
To: [Keith Silliman](#); "Matthew Foe"
Cc: [Rikki Cason](#); [Emily Proutey](#); "Steven D. Wilson"; "Mark C. Davis"
Subject: RE: Bear Ridge Solar Project
Date: Thursday, June 17, 2021 10:44:19 AM

Good Morning Keith,

My apologies. The 14th will be fine. I used another date as reference without looking at a calendar. The venue is still a concern.

Thanks,

Wright H. Ellis, Supervisor
Town of Cambria
4160 Upper Mountain Road
Sanborn NY 14132
716-433-8523, Ext 119
Fax: 716-433-7164
supervisor@townofcambria.com

From: Keith Silliman [mailto:keith.silliman@ccrenew.com]
Sent: Thursday, June 17, 2021 10:24 AM
To: Wright Ellis; 'Matthew Foe'
Cc: Rikki Cason; Emily Proutey; 'Steven D. Wilson'; Mark C. Davis
Subject: RE: Bear Ridge Solar Project

Mr. Ellis,

Thank you for your response.

The 14th is a Wednesday, so it should not interfere with your July Board meeting, unless I misunderstood your email.

We will revisit the location; we have had difficulty securing an adequate facility.

Talk soon.

Keith

Keith Silliman
518.788.8665

From: Wright Ellis <supervisor@townofcambria.com>
Sent: Thursday, June 17, 2021 10:19 AM
To: Keith Silliman <keith.silliman@ccrenew.com>; 'Matthew Foe' <mittffoo.ny@netzero.net>

Cc: Rikki Cason <rikki.cason@ccrenew.com>; Emily Proutey <emily.proutey@ccrenew.com>; 'Steven D. Wilson' <swilson@youngsommer.com>; Mark C. Davis <mdavis@lippes.com>

Subject: RE: Bear Ridge Solar Project

Good Morning Keith,

Thanks for the update. As I am sure you know, The Town of Cambria Town Board meets on the second Thursday of the month. We will be meeting on the evening of the 14th, so it will be very difficult for Town Board members to attend the Community Meeting while preparing for our monthly meeting. Members of the public who wish to attend both will also find it difficult, along with finding time for the evening meal. The Wrights Corners Fire Hall is approximately four (4) miles East of the Northeast corner of the Town of Cambria and nine (9) miles East of the center of our town. What is wrong with the Cambria fire hall or Pekin fire hall or Niagara County Community College facilities, which I believe we discussed in an earlier conversation? Any of those would be much more convenient to citizens of the Town of Cambria who are the focus of the meeting, I assume. As far as a meeting with me, I will discuss with our legal counsel. Talk with you in a few hours.

Regards,

Wright H. Ellis, Supervisor
Town of Cambria
4160 Upper Mountain Road
Sanborn NY 14132
716-433-8523, Ext 119
Fax: 716-433-7164
supervisor@townofcambria.com

From: Keith Silliman [<mailto:keith.silliman@ccrenew.com>]
Sent: Wednesday, June 16, 2021 3:04 PM
To: Wright Ellis; Matthew Foe
Cc: Rikki Cason; Emily Proutey; Steven D. Wilson
Subject: Bear Ridge Solar Project

Supervisor Ellis,

Hope all is well with you, as we emerge from under the COVID restrictions in New York State.

I know we are talking tomorrow, but I wanted to let you know we just set July 14th as the date for the Community Meeting required under the new 94-c siting process. We have reserved the Wright Corners Fire Hall on July 14th from 5 – 7 PM. We are still working out the logistics with the fire company. Notices will be published and mailed shortly.

I would also appreciate the opportunity to meet with you in person to discuss the project. Would you have availability on either July 14th or 15th?

Looking forward to talking tomorrow.

Keith

Keith Silliman

Senior Project Developer

518.788.8665 | Cell

Cypress Creek Renewables

Albany, NY

From: [Keith Silliman](#)
To: [Mark C. Davis](#); [Benjamin Wisniewski, Esq.](#); [Wright Ellis](#); [Ed Saleh](#)
Cc: [Jacob Runner](#); [Jessey Horvat](#); [Emily Proutey](#); [Steven D. Wilson](#)
Subject: Bear Ridge Solar - Visual Impact Analysis
Date: Tuesday, August 31, 2021 2:01:48 PM

Hi folks,

I want to reiterate our offer to meet with you virtually regarding the visual impact analysis we are conducting for the Bear Ridge Solar Project.

As you know, the Office of Renewable Energy Siting's regulations require that a developer confer with host municipalities to determine representative viewpoints for analysis of a project's visual effect. Bear Ridge has had several in-person meetings with the Town of Cambria since 2018, when the Article 10 proceeding commenced, during which Bear Ridge received input on a number of issues including potentially sensitive visual receptors. On January 27, 2021, a written request for information identifying visually sensitive resources (VSRs) and potential viewpoints to be used in the production of visual simulations was distributed to interested stakeholders. On August 4, 2021, Bear Ridge provided a response to the comments received in which our visual consultant (EDR) outlined changes made to the proposed scope/methodology for the VIA outlining additions or adjustments made to the VSR inventory, LSZ delineation, and viewpoints selected for the development of visual simulations in order to address the outreach responses and Project layout changes. At this point we have met our consultation obligations and have factored the input received from stakeholders into our viewpoint selection.

Regardless, to maintain its good working relationship with the Town, Bear Ridge did not want to simply satisfy its minimum regulatory requirements and proposed an additional meeting last week to explain its August 4th response.

We again propose a virtual meeting to have EDR further elaborate and explain how we selected the viewpoints for analysis and how we considered and incorporated input received from stakeholders. At this point, we are proceeding with our analysis, in support of our 94-c application, which will include viewshed analysis and evaluation of visual simulations of the Project with and without mitigation.

Given that we have met our consultation obligations under the 94-c regulations and the limited purpose of this discussion, an in-person meeting including site visits is not necessary. Therefore, we continue to be willing to hold this meeting virtually.

We encourage interested stakeholders to participate. If you are interested in having this elaboration discussion regarding how we selected viewpoints, please provide dates you are available, and we will schedule a Zoom meeting.

Thank you.

Keith

Keith Silliman
Senior Project Developer
518.788.8665

Bear Ridge Solar Project

Bear Ridge Solar is a utility-scale solar project under development in the Towns of Cambria and Pendleton in Niagara County, New York. When complete, the 100 MW-AC solar project will produce enough clean, affordable energy to power approximately 25,000 homes. The project is currently advancing through the 94-c Siting Process for large scale renewable energy projects overseen by the NYS Office of Renewable Energy Siting. We anticipate filing our 94-c Application no later than the 4th Quarter of 2021.



Rikki Cason, our Community Engagement Manager, at the local Bear Ridge Office.

Frequently Asked Questions

Who We Are

Bear Ridge Solar is being developed by Cypress Creek Renewables, one of the nation's leading solar and energy storage companies, with a proven record of partnering with local communities, governments, and utilities to advance clean energy. Cypress Creek has developed over 30 projects in New York State. Other Projects that Cypress Creek is currently developing in New York State will result in:

- 1,700 construction jobs
- \$810M in total investment and \$450M in local spending

Location and Land

New solar projects represent a change in land use. Through responsible siting practices, we work to avoid environmentally sensitive areas, including wetlands and high-value wildlife habitat whenever possible. We are careful to protect land and water resources and comply with state and local agency requirements.

Leasing land to solar farms can provide benefits to local farming, providing a steady stream of revenue to farmers and allowing soil to rest and replenish.

Additionally, native flowers and seed mixes will be planted at Bear Ridge Solar in order to create a healthy habitat for essential pollinators, like honeybees and butterflies.

Community Benefits

In addition to creating jobs, producing renewable electricity to power approximately 25,000 homes, seeking to work with local vendors, and supporting local farming, Bear Ridge Solar will add significant revenue to the school system and Towns of Cambria and Pendleton. The Project will also provide a utility bill credit for residences in the Towns.

The Bear Ridge Solar community benefits package includes a \$10M Community Investment Plan featuring:

- 300+ construction jobs
- Significant long-term tax revenue for the community
- Direct contributions to support the Municipalities and local stakeholder groups
- Locally sourced expenditures in goods and services
- Emissions free, clean energy for 25,000 homes



Pollinator species at the Cypress Creek owned Baker Point Solar Project in Frederick County, MD

Project Development

Once operational, Bear Ridge Solar will generate enough clean, renewable energy for 25,000 homes. Important features of the project include:

- The project will connect to the existing Mountain-Lockport transmission line, with no need to construct a new transmission line
- Bear Ridge Solar will be responsible for clean-up and decommissioning costs
- Bear Ridge Solar will include a pollinator habitat to promote the health of bees and butterflies essential to improving soil quality for farming

Review

Project documents are available online at www.bearridgesolar.com and at:

- Town of Pendleton Town Hall 6570 Campbell Blvd., Lockport, NY 14094
- Sanborn-Pekin Free Library 5884 West St., Sanborn, NY 14132
- Lockport Public Library 23 East Ave., Lockport, NY 14094

Contact

Keith Silliman - Senior project Developer

- keith.silliman@ccrenew.com

Rikki Cason - Community Engagement Coordinator

- rikki.cason@ccrenew.com

Decommissioning

As part of the 94-c process, Bear Ridge Solar, LLC is required to file a decommissioning plan and surety with the State of New York to ensure the site is restored to its pre-existing (i.e., before project development) condition at the end of its useful life.

Get Involved

Bear Ridge Solar is being advanced by a community-focused team dedicated to engaging local stakeholders in project planning.

We encourage you to join our mailing list and check the website frequently for upcoming opportunities to get involved and stay informed.

If you would like a representative to meet with your group, please contact us.

Visit

Bear Ridge Solar Community Outreach Office
6421 Campbell Blvd, Ste B
Lockport, NY 14094

More Information

For more information, visit our Project Website at www.bearridgesolar.com!

Community Benefit Agreements

A project-specific agreement between a developer and a broad community coalition that details the project's contributions to the community and ensures community support for the project. Addressing a range of community issues, properly structured CBAs are legally binding and directly enforceable by the signatories.

Cypress Creek focuses on four disciplines when structuring CBAs:

Public Improvements

Conservation

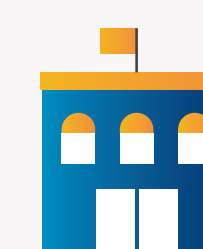
Workforce Development, Jobs, and Education

Veterans Initiatives



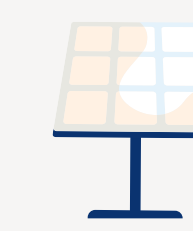
New York Solar + Pollinators Commitment

100% of Cypress Creek's solar farms in New York State will include abundant pollinator habitats to benefit bees, butterflies, and other pollinating insects vital to the region's food supply. Incorporating pollinator friendly habitats will benefit the environment, local agriculture, and the communities we serve.



\$100,000 Cornell Research Partnership

Cypress has partnered with Cornell in a groundbreaking study to determine the ecological and economic benefits of planting pollinator-friendly wildflowers and habitat on solar farms in New York. The three-year, \$100,000 partnership builds on Cypress Creek's commitment to include pollinator habitat at all of its solar projects in New York, and will fill an important gap in pollinator research.



Jefferson Solar – Watertown, NY NY's First Pollinator-Friendly Solar Facility Powering BOCES

Cypress Creek partners with the Jefferson-Lewis Board of Cooperative Educational Services to provide low-cost solar energy to the BOCES serving 28 school districts in Northern New York with programs geared towards career and technical education and professional development.



Hudson Valley Community College Workforce Development

Cypress Creek is partnering with Hudson Valley Community College in Troy, NY to strengthen the state's energy workforce by providing student scholarships for solar job training, with a focus on recruiting more women, veterans and underrepresented communities to the industry.



Project Activities

Community Outreach

Outreach is Ongoing

- Newsletters
- Community Meetings
- Weekly Office hours and by appointment

Fieldwork

Environmental Surveys

- Wetlands Delineated in 2018
- Avian Surveys Completed in 2018 and 2019
- Archaeological Fieldwork Completed in Spring 2021

Site Design Surveys

- Parcel Boundary Surveys Completed June 2021
- Geotechnical Surveys Completed 2019

Application Development

ORES

- "Office of Renewable Energy Siting"
- Has the final say on permit approval

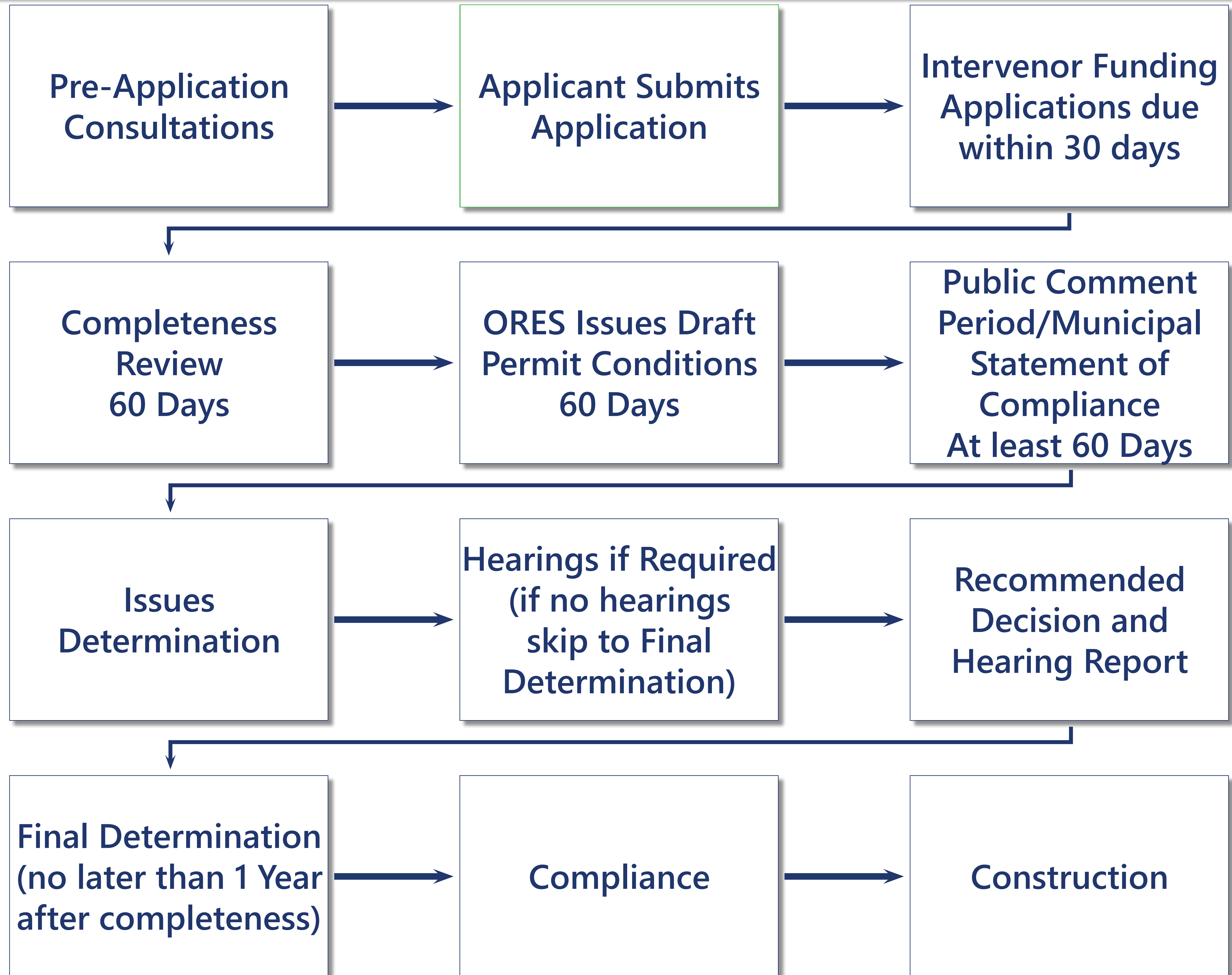
Fall 2021

- We plan to file our application in October 2021

We strive to be open and transparent; at any point during development, please reach out to Cypress Creek via our project website at <https://ccrenew.com/projects/bearridge>

Thank You!

Section 94c Process



Intervenor Funding

What is Intervenor Funding?

- Intervenor funding is money that Applicants such as Cypress Creek make available to qualified, locally affected parties and municipalities to offset certain expenses they incur in participating 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, Cypress Creek will post an intervenor fund of \$100,000 (\$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

- Made to the New York State Office of Renewable Energy Siting
- Submitted via first class mail or submitted via email
 - Copies must also be submitted to Administrative Law Judges and other Parties to the proceedings

Benefits to the Community



UTILITY BILL CREDIT

- Towns of Cambria and Pendleton residents will receive a credit on their local utility bill.



HOST COMMUNITY AGREEMENT

- In addition to property tax revenue, we will work with local stakeholders to build a Host Community Agreement (HCA) that benefits the community. An HCA aims to deliver local improvements and benefits directly to Cambria and Pendleton.

Examples of HCA components

- Workforce Development, Jobs and Educational opportunities for Niagara Community College students and Niagara One BOCES.
- with STEM Education funding for Starpoint Central School District or area programs
- Supporting veterans' initiatives in the Niagara County area.



CO-LOCATION WITH AGRICULTURE

- Bear Ridge Solar will include the installation of pollinator-friendly vegetation to support NY's pollinator population, which in turn support local farmers.
 - This work would be sub-contracted out to a local grazer, providing an agricultural business opportunity for farmers in the Towns of Cambria and Pendleton and Niagara County.

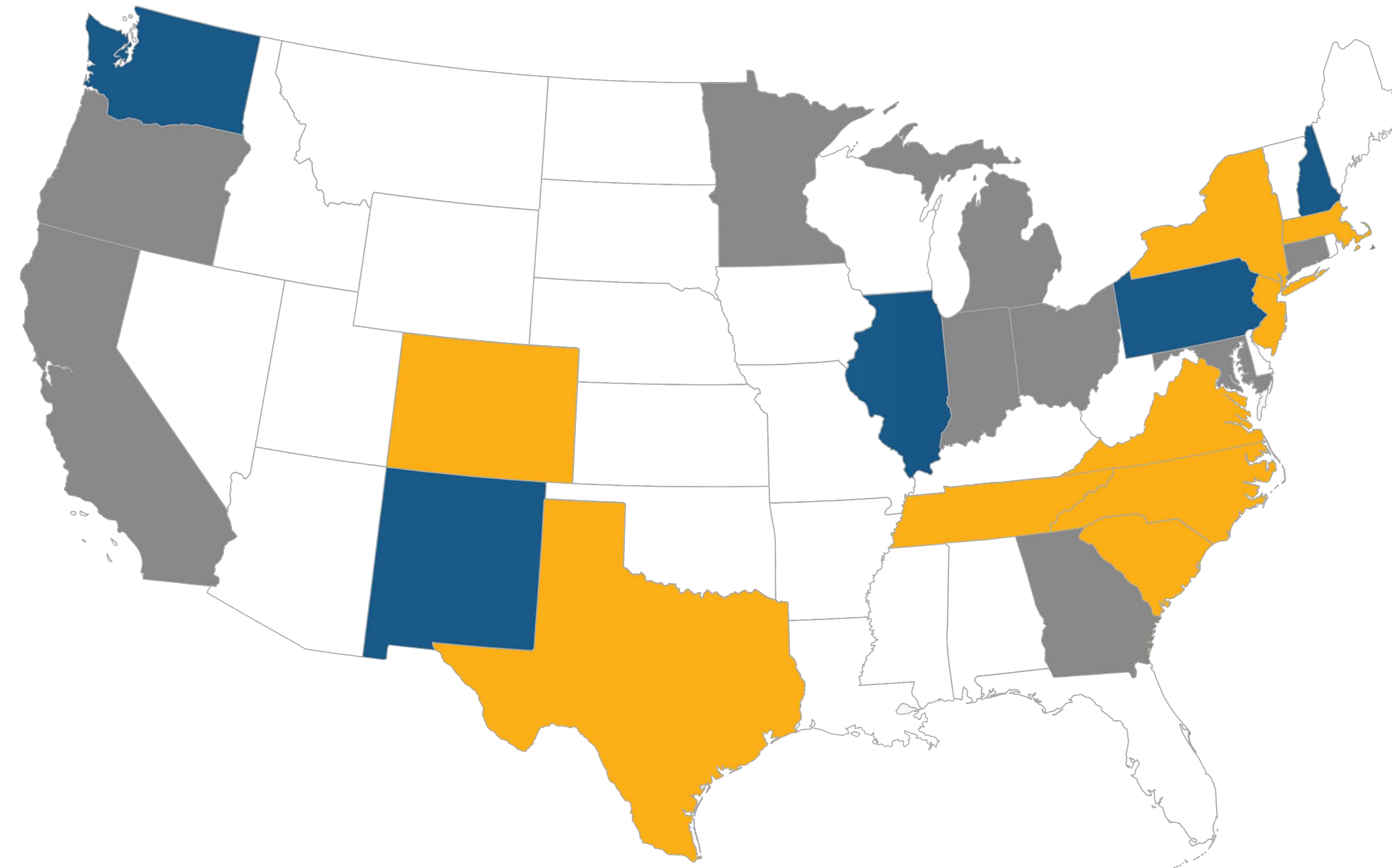


NEW SOURCE OF TAX REVENUE

- Bear Ridge Solar will increase local tax proceeds from the land where the project will be located by at least 10x without any new public infrastructure costs.

About Cypress Creek Renewables

We develop, finance, own and operate utility-scale and distributed facilities across the country.



■ DEVELOPING ■ OPERATING AND DEVELOPING ■ OPERATING

- 11 GW DEVELOPED**
Projects developed and/or sold by Cypress Creek
- 3.7 GW OPERATED**
Includes owned and third-party facilities operated by Cypress Creek O&M Services
- 2.4 GW MANAGED**
Includes owned and third-party facilities managed by Cypress Creek Asset Management Services
- 1.6 GW OWNED**
Operational projects owned by Cypress Creek

Electricity usage per house as well as solar performance varies state by state. 1GW can power more than 150,000 homes annually in NY¹

1. Source: SEIA, <https://www.seia.org/initiatives/whats-megawatt>

Solar + Pollinator Habitat

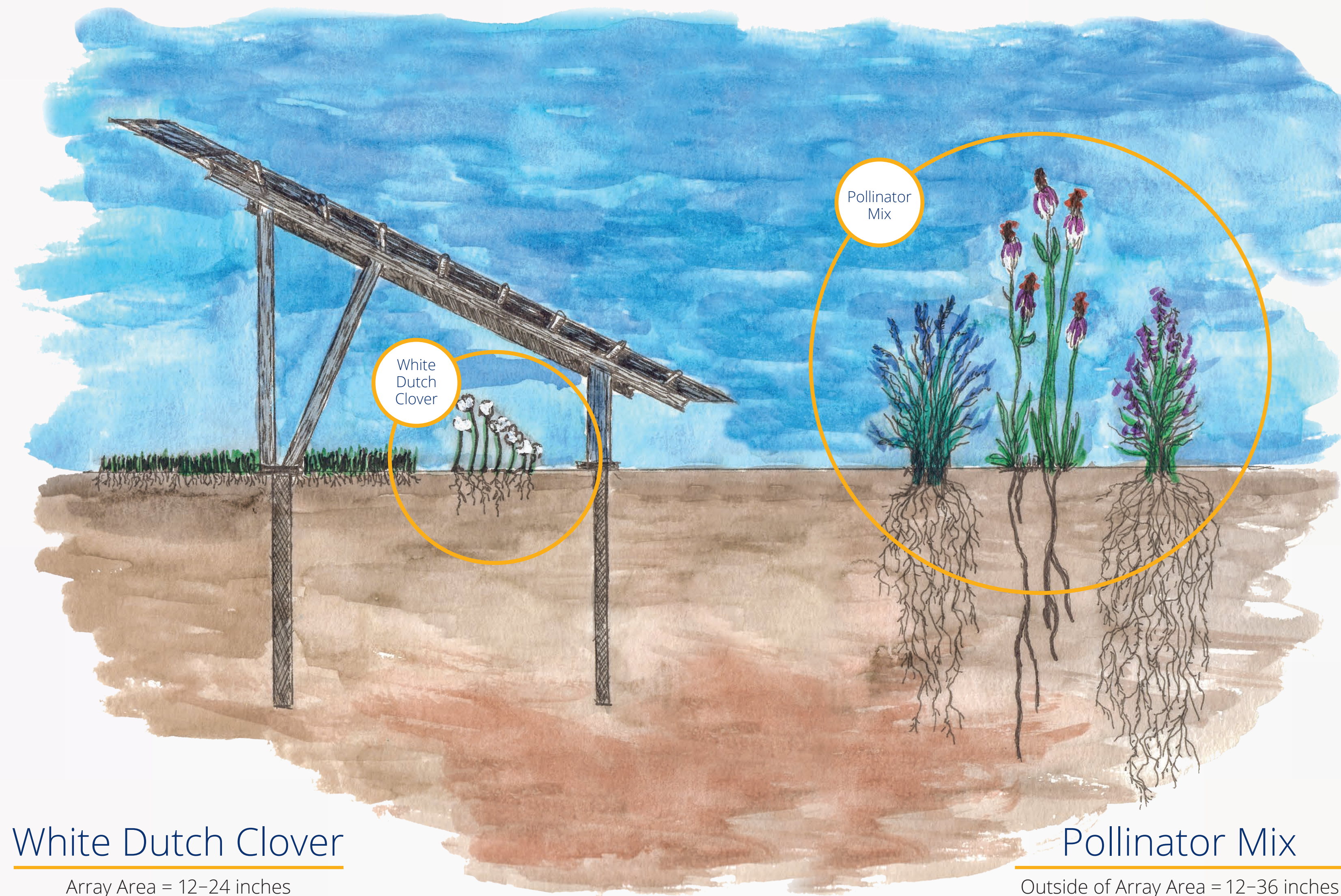
A Unique Land Stewardship Opportunity

- In addition to producing clean, renewable energy, solar farms present an opportunity to maintain large swaths of native, pollinator-friendly plant species



Pollinator habitat at the Cypress Creek owned Baker Point Solar Project in Frederick County, MD.

Pollinator Root Depth



White Dutch Clover

Array Area = 12–24 inches

Pollinator Mix

Outside of Array Area = 12–36 inches
(90% of roots will be 6–12 inches)

Benefits of Solar + Pollinators

- Continual source of nourishment for threatened pollinator populations that are critical to the nation’s agricultural industry
- Soils rest and rebuild while deep-rooted plants add organic matter and fertile soil
- Diverse seed mix has stronger hydrologic performance than turf grass and other monocropping practices, leading to reductions in soil erosion and storm water runoff
- Improved aesthetics of solar farm

1 MW = 4,000

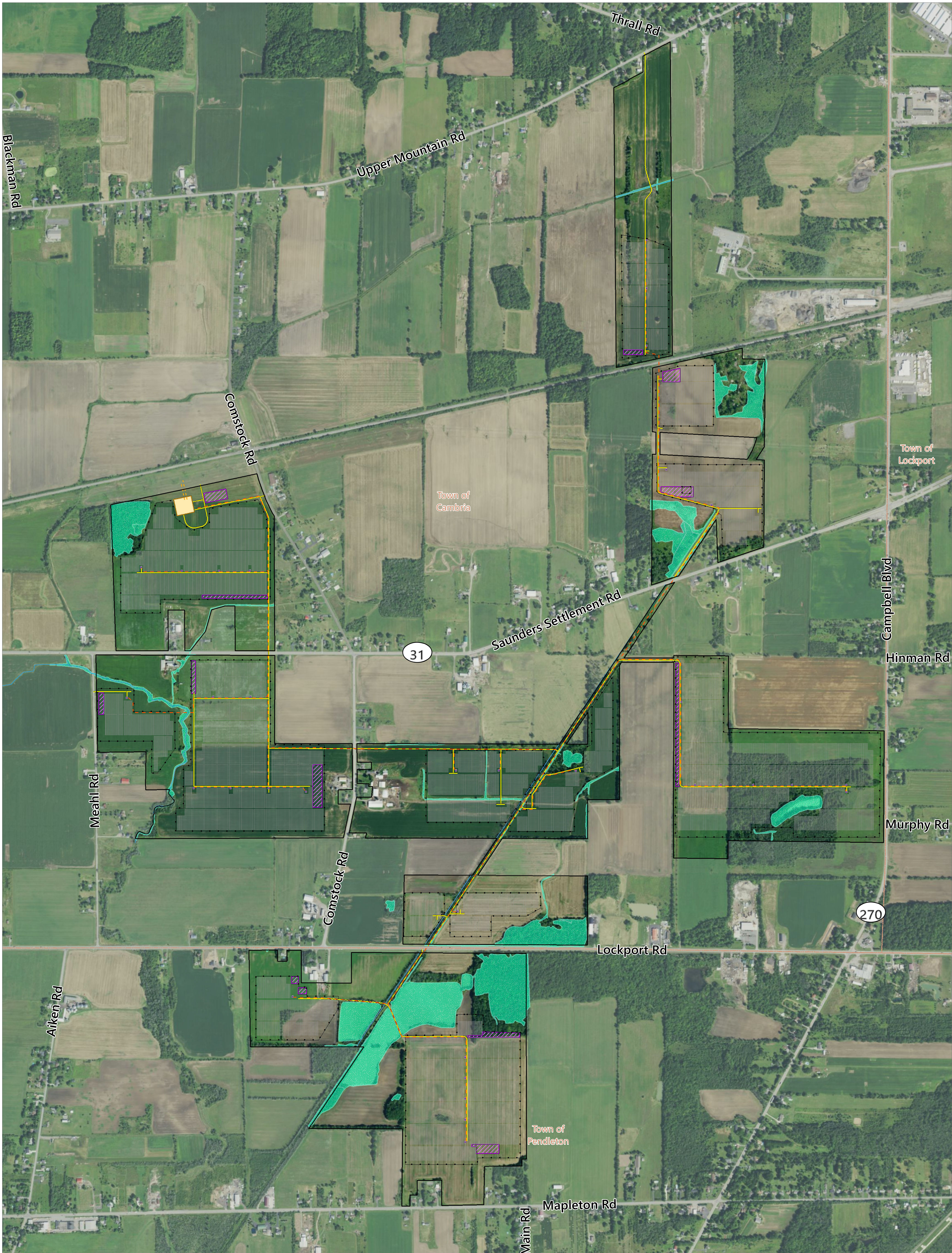
Pollinator Friendly Solar

Pollinator Friendly Backyard Gardens (~6' × 12')



Illustration is based on a general pollinator friendly seed mix to be used in the Northeast and root depth may vary based on geography.

Project Layout



Bear Ridge Solar Project

Towns of Cambria and Pendleton, Niagara County, New York

Facility Components

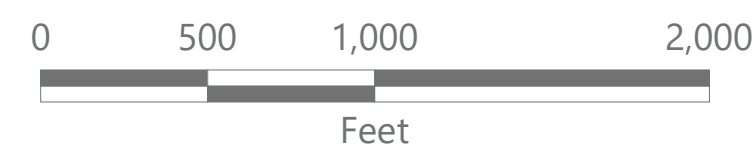
- Access Road
- Panel Array
- Fence Line
- Collection Line
- Transmission Line Tap

Environmental Features

- Substation
- Inverter
- Laydown Area
- Facility Site

Municipal Boundaries

- Delineated Stream
- Delineated Wetland
- City/Village Boundary
- Town Boundary

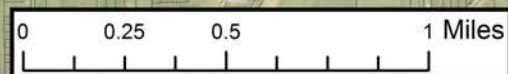
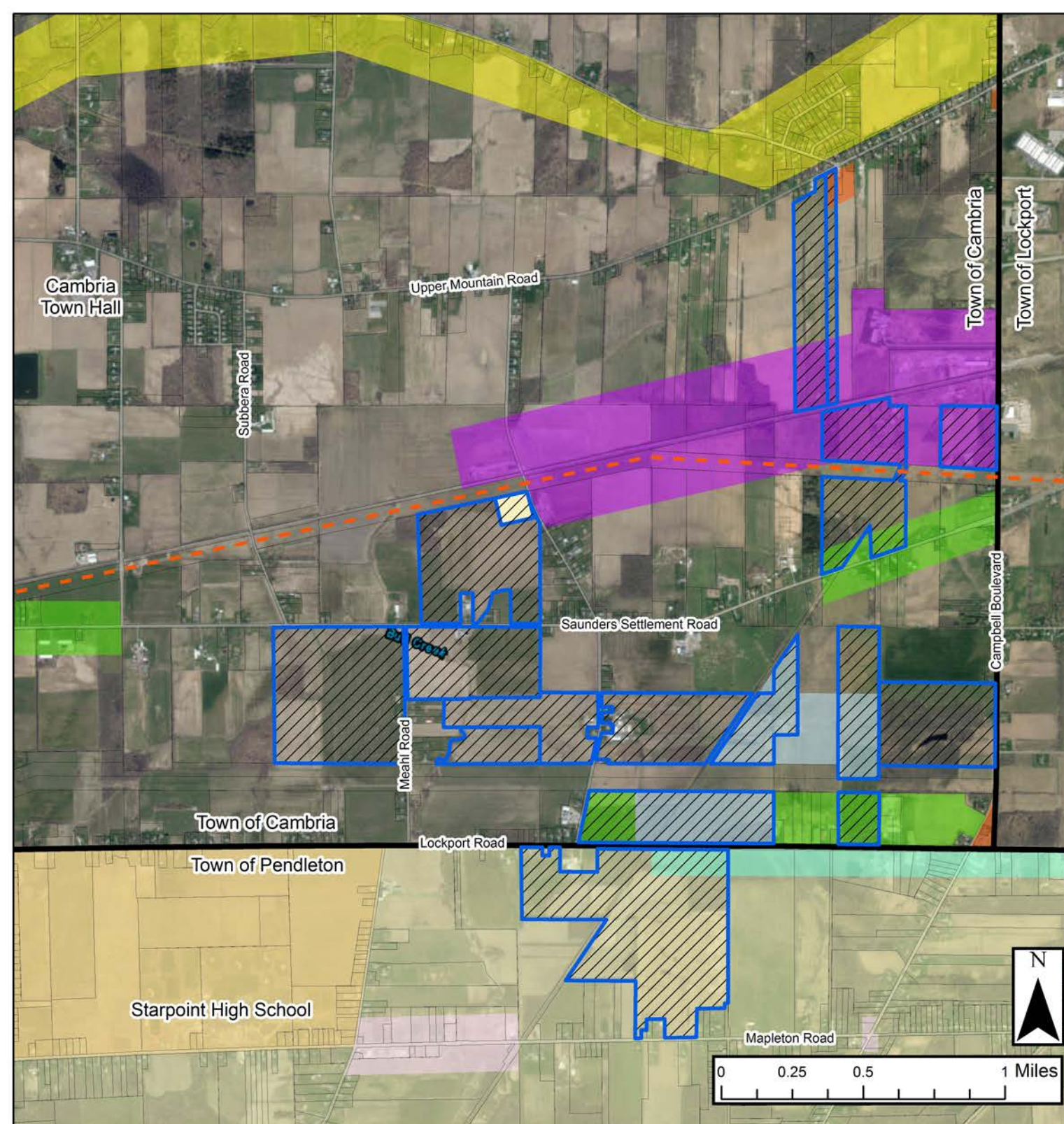


Bear Ridge Solar Project

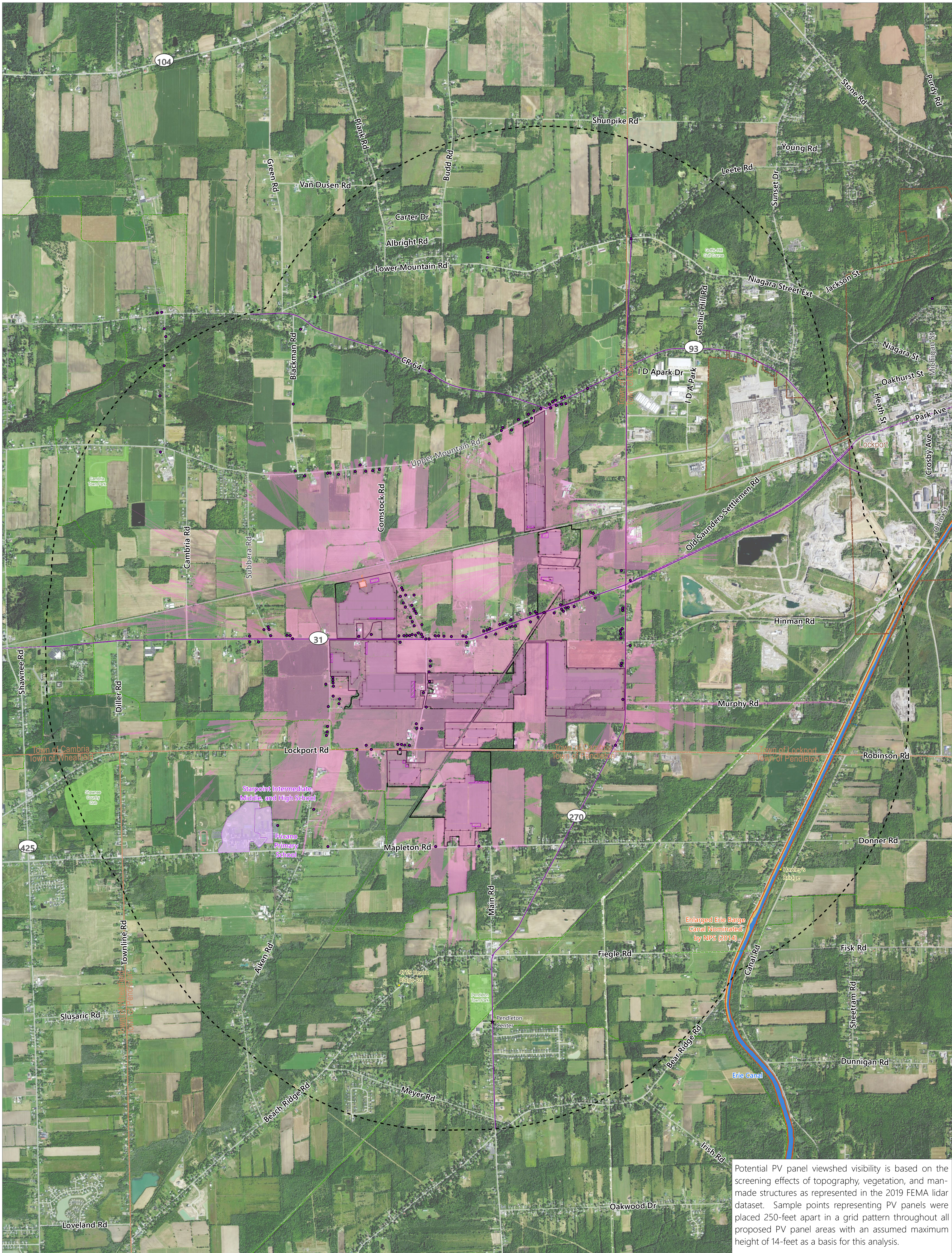
Towns of Cambria and Pendleton
Niagara County, New York



Map creation date: July 18, 2019
Note: This map should not be used for legal purposes.
It is intended for general reference use only.



Project Viewshed

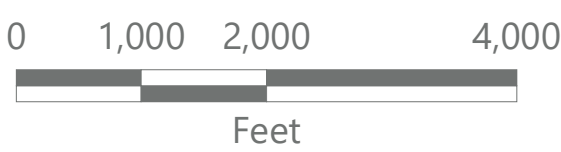


Potential PV panel viewshed visibility is based on the screening effects of topography, vegetation, and man-made structures as represented in the 2019 FEMA lidar dataset. Sample points representing PV panels were placed 250-feet apart in a grid pattern throughout all proposed PV panel areas with an assumed maximum height of 14-feet as a basis for this analysis.

Bear Ridge Solar Project

Towns of Cambria and Pendleton, Niagara County, New York

- Panel Array
- Fence Line
- Transmission Line Tap
- Substation
- Laydown Area
- Facility Site
- Potential PV Panel Visibility
- Stakeholder-Identified Location
- Stakeholder-Identified Route
- Hamlet
- NRHP-Eligible Resource
- Bike Trail
- Snowmobile Trail
- National Historic Landmark
- State Canal
- NRHP-Listed Resource
- Local Park or Recreation Area
- School



Local Agency Meetings and Consultation

Bear Ridge Solar Project

94-c LOCAL AGENCY CONSULTATION AGENDA

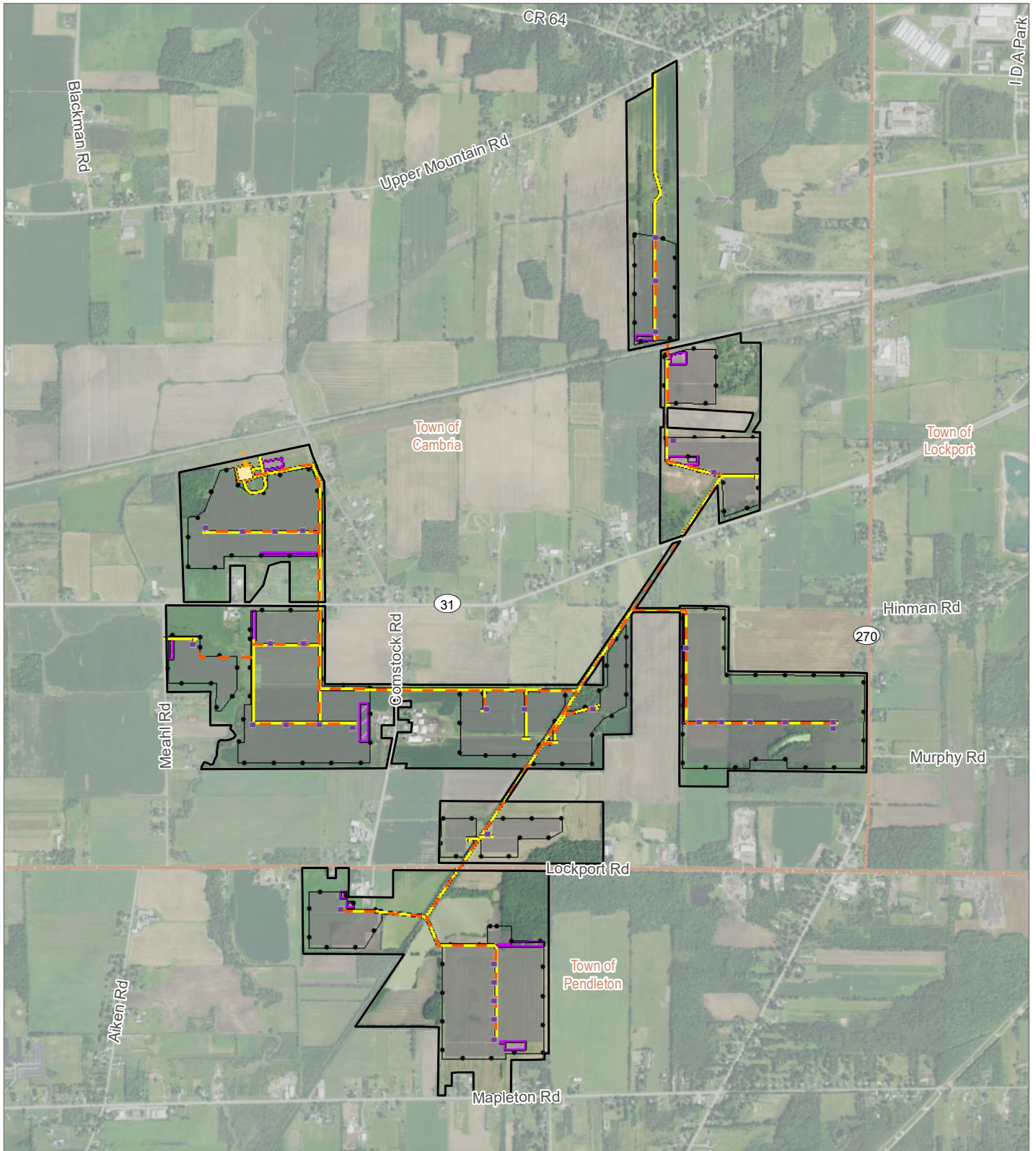
July 13th, 2021

1. General Update
 - a. Review map of the proposed facility showing project components
 - b. Status on application and studies
2. Wetlands and Streams
3. Visual Impact Assessment
4. Agricultural
5. Cultural Resources
6. Noise
7. Transportation
 - a. Road Use Agreement
8. Safety and Security Plans
9. Review of Local Issues
 - a. Review of design and compliance with local laws
 - c. Decommissioning
10. Next Steps
 - a. Anticipated application date: October 1, 2021
 - i. Any local agency or potential community intervenor shall submit a request for initial funding within thirty (30) days of the date of application filing and that such request be made to the Office of Renewable Energy Siting (“ORES”), at the Albany, New York office, Attention: Request for Local Agency Account Funding
 - b. Continuing Consultations

Materials Available for Meeting

- Facility Layout Poster
- Mineral Soil Groups 1-4 Map
- Request for Local Agency Account Funds
- 94-c/Local Law Letter

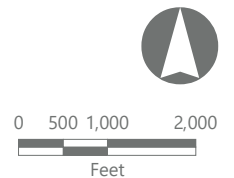
Facility Layout



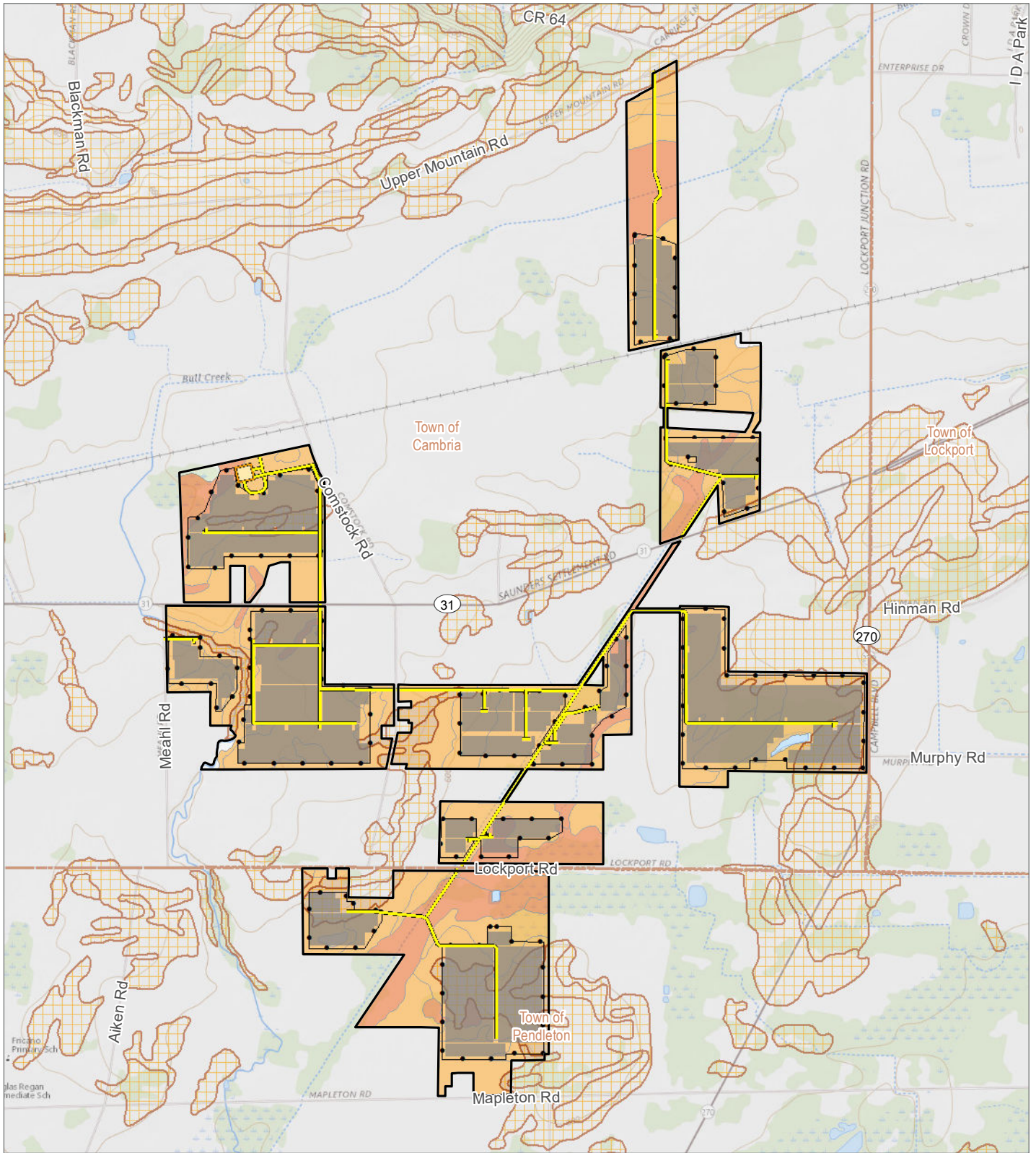
Bear Ridge Solar Project

Towns of Cambria and Pendleton, Niagara County, New York

- Panel Array
- Fence Line
- Access Road
- Collection Line
- Inverter
- Substation
- Laydown Area
- Facility Site



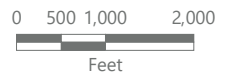
USDA and NYSDAM Agricultural Soils



Bear Ridge Solar Project

Towns of Cambria and Pendleton, Niagara County, New York

- Panel Array
- Fence Line
- Access Road
- Substation
- Facility Site
- Mineral Soil Group 1-4
- All areas are prime farmland
- Farmland of statewide importance
- Prime farmland if drained



Intervenor Funds

What is Intervenor Funding:

Intervenor funding is money that Applicants such as Cypress Creek make available to qualified, locally affected parties and municipalities to offset certain expenses they incur in participating in the state permitting process. These funds were created to encourage early and effective public involvement in project development and permitting.

Article 10 PSS Intervenor Fund:

- In February 2019, Bear Ridge made \$35,000 (\$350/MW) accessible for local community intervenors and the host town for the review of the project's PSS filing.
- The Towns of Cambria and Pendleton requested and were granted intervenor funds to assist with their review of project documents.

94-c Application Intervenor Fund:

- Upon the filing of a 94-c Application, Bear Ridge 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:

Complete the **Request For Local Agency Account Funding** form available at:
https://ores.ny.gov/system/files/documents/2021/04/laaf_request_form.pdf

Or by calling **Office of Renewable Energy Siting (ORES):** (518) 473-4590

This request shall be submitted electronically via e-mail to: general@ores.ny.gov.

Or by first class mail to:

Office of Renewable Energy Siting (ORES)

c/o: OGS Mailroom Empire State Plaza

240 State Street

P-1 South, J Dock

Albany, NY 12242

Copies must also be submitted to the assigned Administrative Law Judge and other parties to the proceeding.

From: [Keith Silliman](#)
To: [Wright Ellis](#)
Cc: ["Mark C. Davis"; Steven D. Wilson; Matthew Foe; Emily Proutey; Jacob Runner](#)
Subject: Bear Ridge Solar Project
Date: Friday, July 2, 2021 12:32:00 PM
Attachments: [BR ltr to Cambria RE Local Substantive Laws 07022021.pdf](#)
[Bear Ridge 2021-07-02 Project Layout.pdf](#)

Supervisor Ellis,

As discussed, I am attaching our letter regarding Town of Cambria local law compliance. I am also forwarding our latest layout. Looking forward to seeing you on July 13th.

Have a fun and safe Holiday weekend.

FYI – next week, I will only be working mornings; spending time with my family in the afternoons.

Keith

Keith Silliman

Senior Project Developer
518.788.8665 | Cell
Cypress Creek Renewables
Albany, NY

July 6, 2021

Wright Ellis
Town Supervisor
Town of Cambria
4160 Upper Mountain Road
Sanborn, NY 14132

Re: Bear Ridge Solar Project, Local Law Consultations

Dear Supervisor Ellis,

As you are aware, Bear Ridge Solar, LLC (“Bear Ridge”), a subsidiary of Cypress Creek Renewables, LLC, is proposing to construct the Bear Ridge Solar Project, a 100 megawatt (“MW”) photovoltaic (“PV”) solar generation facility (the “Facility”) in the Town of Cambria (“Town”).

The Facility is consistent with recent State policy encouraging the development of clean energy and renewable resources as a tool in combating climate change, curbing harmful air pollution, and greening New York State’s economy. The Facility will also provide an economic stimulus to the area during construction by providing jobs and local contracts for goods and services. During operation, the Facility will offer long-term highly skilled operational positions and significant long-term economic benefits through lease revenue to local landowners and property tax revenue to the community.

In April 2020, New York passed the Accelerated Renewable Energy Growth and Community Benefit Act (the “Act”). The Act is intended to assist New York State in achieving the renewable energy production and greenhouse gas emission reduction goals of the 2019 Climate Leadership and Community Protection Act establishing an expedited process for reviewing renewable energy projects to replace the Article 10 process (“Section 94-c” or “94-c”). Bear Ridge has elected to be subject to the jurisdiction of the Office of Renewable Energy and Siting (“ORES” or “Office”) under the new Section 94-c process.

Like Article 10, 94-c expressly preempts local procedural requirements, such as permits and approvals which would otherwise be required by the host municipalities for construction and operation of the Facility (*i.e.*, site plan, special use permit or variance approvals). However, local substantive requirements (*i.e.*, setbacks, height limits, lot coverage requirements) will still be applied to the Facility by the Office unless it elects to not apply the requirements because it finds them to be unreasonably burdensome or inconsistent with the requirements of 19 NYCRR § 900.6, the State’s uniform standards and conditions for renewable energy projects.

Section 94-c requires that applicants consult with local municipalities to determine what local substantive requirements apply to the Facility and whether design changes to the Facility can obviate the need to request the Office elect to not apply those requirements.

Bear Ridge has researched potentially applicable local ordinances, laws, resolutions, regulations, standards, and other requirements of a substantive nature required for the construction or operation of the proposed Facility. We have identified the Town of Cambria’s 2019 Zoning Law and the Town’s 2021 Solar Energy

Systems Law, Superseding Local Law No. 2 of 2017, and have listed only the substantive provisions and provided a preliminary assessment of the Facility's compliance with the substantive requirement in the list below.

We appreciate the Town reviewing this list and confirming, in writing that there are no other applicable laws and that substantive requirements have been identified.

Local Law No. 1 of the year, 2021 Local Law, Superseding Local Law No. 2 of 2017 Regulating Solar Energy Systems

4. Permits and Approvals Required and Applicable Zoning Districts

- D. Utility-scale solar energy systems (Tier 4) shall not be considered a permitted use unless shown to meet the requirements of a special use permit (and one is issued) pursuant to this Local Law and Article XI of the Town of Cambria Zoning Ordinance, and subject to site plan review by the Planning Board and requiring issuance of a building permit within the Industrial District I-I and Planned Development P-D (shown as an approved use on approved PUD Plan) zoning districts.

Facility status: The necessity to obtain a special use permit is a procedural requirement supplanted by 94-c process. Regardless, the Facility cannot be designed to comply with this requirement. The Facility is currently proposed in the Agri-Residential AR, Business B-2, Industrial I-1, and Planned Development P-D zoning districts.

6. Application and Permitting Requirements for Utility Grade Tier 3 Solar Energy Systems

- B. All applications for Tier 3 utility-scale solar energy systems shall include the following:

- (6) A sign not to exceed 8 SQ. FT. shall be displayed on or near the main access point and shall list the facility name, owner, and telephone number; and
- (7) A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers or substations not to exceed four square feet.

Facility status: The Facility will comply with the substantive requirements contained in subsection 6 and 7. The remaining requirements in this section are procedural requirements supplanted by 94-c process.

7. Application and Permitting Requirements Utility Grade Tier 4 Solar Energy Systems

- A. All applications for Tier 4 Industrial-scale solar energy systems shall include the following;

- (5) Any proposed Tier 4 Solar Energy System shall not be located on a parcel that consist of Prime Farmland soils (including Prime where drained) or Farmland soils of Statewide Importance on more than 50% of the parcel.

Facility status: The Facility cannot be designed to comply with this requirement. Given the amounts of these soil types within the Town, prohibiting placement of Facility components on such parcels could, therefore, effectively preclude solar development within the Town. In addition, other types of development within the Town do not appear to be subject to the same limitations.

9. General Provisions

A. All applications for large-scale or utility-scale solar energy systems shall be in accordance with the following:

- (1) All solar energy systems shall adhere to all applicable Town of Cambria building, plumbing, electrical, and fire codes.

Facility status: The Facility will be designed to comply with these requirements.

- (2) Development and operation of a solar energy system shall not have a significant adverse impact on fish, wildlife, or plant species or their critical habitats, or other significant habitats identified by the Town of Cambria or other federal or state regulatory agencies. The SEQR process shall be used to analyze all potential environmental impacts and determine the significance of these impacts.

Facility status: N/A, procedural requirement supplanted by 94-c process. Potential impacts from operation of the Facility on fish, wildlife, or plant species or their critical habitats, or other significant habitats will be addressed in the 94-c Application.

- (3) The design, construction, operation, and maintenance of any solar energy system shall prevent the misdirection and/or reflection of solar rays onto neighboring properties, public roads, and public parks.

Facility status: The Facility will be designed to comply with this requirement to the maximum extent practicable. With respect to "glare", we interpret this section that glare should be minimized to inhabited buildings and public roads, and that any requirements to minimize potentially specific impacts can be addressed in the Section 94-c process.

- (4) All structures and devices used to support solar collectors shall be nonreflective and/or painted a subtle or earth-tone color.

Facility status: All structures used to support solar panels are constructed from galvanized steel. The Applicant does not consider galvanized steel to be reflective and, therefore, believes the Facility will comply with this requirement.

- (5) All transmission lines and wiring associated with a solar energy system shall be buried and include necessary encasements in accordance with the National Electric Code and Town requirements. The Planning Board may recommend waiving this requirement if sufficient engineering data is submitted by the applicant to demonstrate that underground transmission lines are not feasible

or practical. The applicant is required to show the locations of all proposed overhead and underground electric utility lines, including substations and junction boxes and other electrical components for the project on the site plan.

Facility status: The Facility will substantially comply with this requirement. For engineering reasons, there will be a short overhead tap line from the substation to the existing adjacent utility line. The remainder of the collection lines are proposed underground.

- (6) All transmission lines and electrical wiring shall be in compliance with the utility company's requirements for interconnection.

Facility status: The Facility will comply with this requirement.

- (7) Artificial lighting of solar energy systems shall be limited to lighting required for safety and operational purposes and shall be shielded from all neighboring properties and public roads.

Facility status: The Facility will comply with this requirement.

10. Bulk and siting requirements for Utility Grade Systems.

- A. The maximum height of a ground-mounted utility grade solar energy system shall be 20 feet as measured from the finished grade.

Facility status: The Facility will comply with this requirement to the extent that it refers to the height of the solar panels.

- B. Utility-scale solar energy systems shall be located in their allowed zoning districts.

Facility status: The Facility cannot be designed to comply with this requirement.

C. Setbacks (Tier 3 and 4)

- (1) All Tier 3 and 4 Utility-scale solar energy systems (from the fence line) shall be setback in accordance with the following paragraphs.

- (2) For a participating property, the setback shall be 100 feet regardless of the zoning district.

Facility status: The Facility will comply with this requirement.

- (3) All solar energy equipment and components/structures developed as part of a utility-scale solar energy system (Tier 3 and 4) shall be set back from any non-participating property zoned AgriResidential AR, Residence R-1, Escarpment, Medium Density Residential Use or Recreational Campground R-C zoning districts, a public road, or any public park a minimum of 600 feet.

Facility status: The Facility cannot be designed to satisfy this requirement. The setbacks are 6 times the minimum setbacks established under the State's regulations for the Section 94-c process (100 feet from non-participating property lines; 50 feet from road centerline; 50 feet from non-

participating non-residential property line; 250 from non-participating occupied residences). It is extraordinarily difficult to apply this setback to the Bear Ridge Solar Project and have any developable parcels for solar generation. A setback of 100' is sufficient to mitigate any potential visual concerns.

- (4) All solar energy equipment and components/structures developed as part of a utility-scale solar energy system (Tier 3 and 4) shall be set back from any non-participating property zoned Light Retail Business B-1, General Business B-2, and Industrial I, a minimum of 300 feet.

Facility status: The Facility cannot be designed to satisfy this requirement. The setbacks are 3 times the minimum setbacks established under the State's regulations for the Section 94-c process (100 feet from non-participating property lines; 50 feet from road centerline; 50 feet from non-participating non-residential property line; 250 from non-participating occupied residences).

- D. Following construction of a utility-scale solar energy system, all disturbed areas where soil has been exposed shall be reseeded with grass and/or planted with low level vegetation capable of preventing soil erosion and airborne dust (In accordance with an approved SWPPP), and in accordance with the approved Operation and Maintenance Plan.

Facility status: The Facility will comply with substantive requirements of this provision. Filing of an Operation and Maintenance Plan is preempted by 94-c.

- E. Applications for utility-scale Tier 3 and 4 solar energy systems shall meet the following additional criteria:
- (2) Any site containing a utility-scale solar energy system shall contain fencing or other enclosure acceptable to the Town (and meeting State and National Code standards) enclosing all solar energy system components that present safety hazards.

Facility status: The Facility will be enclosed by a fence in conformance with the requirements of the 94-c regulations. Town approval of the fencing is a procedural requirement preempted by the 94-c process.

- (3) A berm, landscape screen, or other opaque enclosure, or any combination thereof acceptable to the Town capable of screening the site, shall be provided along any property line that abuts an important community resource, an existing residence or any property zoned other than Industrial 1-1 or Planned Development P-D.

Facility status: Screening will be provided along any property line that abuts an important community resource, existing residence or any property zoned other than Industrial 1-1 or Planned Development P-D. Town approval of the fencing is a procedural requirement preempted by the 94-c process.

F. Screening and Visibility.

- (1) Solar Energy Systems shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earthen berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area.

Facility status: The Facility will comply with this requirement.

G. Additional Agricultural Resources Requirements. For projects located on agricultural lands:

- (1) Tier 3 and 4 Solar Energy Systems located on Prime Farmland shall be constructed in accordance with the construction requirements of the New York State Department of Agriculture and Markets (See NYS Agriculture and Markets Guidelines).

Facility status: The Facility will be designed to comply with this requirement. Bear Ridge will comply with Agriculture and Markets Guidelines to the maximum extent practicable as required by § 900-2.16(c) of ORES' regulations.

- (2) Tier 3 and 4 Solar Energy System owners shall develop, implement, and maintain native vegetation to the extent practicable pursuant to a vegetation management plan by providing native perennial vegetation and foraging habitat beneficial to game birds, songbirds, and pollinators. To the extent practicable, when establishing perennial vegetation and beneficial foraging habitat, the owners shall use native plant species and seed mixes. Once established, other agriculture uses such as pasturing livestock and apiculture are permissible and encouraged. Input from the local farmers and Town Agricultural Committee will be needed to make these determinations.

Facility status: Submission of a vegetation management plan is a procedural requirement supplanted by the 94-c process. The Facility will comply with the substantive requirements of this provision.

- (3) Agricultural Restoration Requirements: once the system is decommissioned, the site shall be restored and remediated in accordance with the NYS Agriculture and Markets Guidelines (this will be a condition of the Special Use Permit).

Facility status: The Facility will comply with this requirement.

H. Noise: The Tier 3 or 4 project shall be shown to not have any adverse noise impacts on any surrounding homes or other sensitive receptors (use of NYSDEC regulations concerning noise).

Facility status: The Facility cannot be designed to comply with this requirement. The provision is overly broad and ambiguous with respect to "adverse" impacts. The Facility will be designed to comply with the noise levels contained in § 900-2.8(b)(2).

- I. Hazardous Materials: The Tier 3 or 4 project components shall not contain any hazardous materials that could contaminate soils or the air by their release (units shall not contain cadmium). Specific material data information/specifications shall be submitted on all components of the project. The applicant must ensure that no harmful chemicals will be leaked into the soils over the life of the project.

Facility status: At this time, we believe Bear Ridge can reasonably comply with this requirement.

- J. Glare: All Tier 3 or 4 Solar energy projects must complete a glare study to be submitted to the Niagara Falls Air Reserve Station and the Niagara Falls International Airport. The Town may also hire their own consultant to review that report.

Facility status: N/A, procedural requirement supplanted by 94-c process. However, a glare analysis will be performed as part of the Visual Impact Analysis submitted as Exhibit 8 of the 94-c Application. In addition, the Visual Impacts Minimization and Mitigation Plan will incorporate measures that Solar panels have anti-reflective coatings and provide an analysis demonstrating that solar glare exposure at any non-participating residence, airport or public roadway will be avoided or minimized, and will not result in complaints, impede traffic movements or create safety hazards.

- K. Abandonment or Decommissioning

- (1) Unsafe, inoperable, and/or abandoned Utility grade solar energy systems, and solar energy systems for which a special use permit has expired or revoked, shall be removed (equipment removed) by the owner within six months of this determination. A solar energy system shall be deemed abandoned when it fails to produce energy (50 % or more of its designated rating) for at least one year (based on yearly reports provided to the Town by the applicant/owners). All safety hazards created by the installation and operation of the solar energy system shall be eliminated and the site restored (complete restoration of the site) to its preexisting condition (or as determined in the Decommissioning Plan) within six months of the removal of the solar energy system.

Facility status: The procedural requirements of this provision are supplanted by 94-c process. The Facility will not comply with the substantive requirements of this provision to the extent that it requires removal of underground collection lines at a depth below 4 feet. The requirement to remove infrastructure greater than four (4) feet below grade is in excess of the New York State Department of Agriculture and Markets Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands (Revision 10/18/2019), which suggests that all components must be removed to a minimum depth of 48-inches (four (4) feet) below the soil surface, and that any underground electric conduits and buried conductors greater than four (4) feet below the surface may be abandoned in place.

(2) A Decommissioning Plan to ensure the proper removal of utility-scale solar energy systems is to be submitted as part of the special use permit application to the Town of Cambria for approval. The Plan must specify that after the utility-scale solar energy system is no longer in use (as determined by the owner/operator or the Building Inspector as outlined in paragraph (1)), it shall be removed by the applicant or any subsequent owner. The Decommissioning Plan shall identify the anticipated life of the project. The Plan shall demonstrate how the removal of all infrastructure and restoration shall be conducted to return the parcel to its original state prior to construction. In the case of Agricultural land or lands having Prime or Statewide important Ag soils, the Plan shall include, at a minimum, the standards of NYS Department of Agriculture and Markets. The plan shall also include an expected timeline for execution (not greater than 1 year) and a cost estimate for decommissioning prepared by a Professional Engineer or qualified Contractor. Cost estimates shall take inflation into consideration and be revised every five (5) years during operation of the system and not include any salvage value. Removal of the large-scale solar energy system must be completed in accordance with the approved Decommissioning Plan and meet the minimum standards provided as follows:

- i All structures and foundations associated with the large-scale solar energy systems shall be removed;
- ii All disturbed ground surfaces shall be restored to original conditions including topsoil and seeding as necessary; and
- iii All electrical systems shall be properly disconnected, and all cables and buried wiring shall be removed.

Facility status: The procedural requirement to file a decommissioning plan is supplanted by 94-c process The Facility will be designed to comply with subsections i and ii of this provision. With respect to subsection iii, the requirement to remove infrastructure greater than four (4) feet below grade is also in excess of the New York State Department of Agriculture and Markets Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands (Revision 10/18/2019), which suggests that all components must be removed to a minimum depth of 48-inches (four (4) feet) below the soil surface, and that any underground electric conduits and buried conductors greater than four (4) feet below the surface may be abandoned in place.

(3) Security

- a) The deposit, executions, or filing with the Town Clerk of cash, bond, or other form of security reasonably acceptable to the Town Attorney and/or engineer and approved by the Town Board, shall be in an amount sufficient to ensure the good faith performance of the terms and conditions of the permit issued pursuant hereto and to provide for the removal and restorations of the site subsequent to removal. The amount of the bond or security shall be 125 % of the cost of removal of the Utility Grade Solar Energy System and restoration of the property with an escalator of 2 % annually for the life of the Solar Energy System. The decommissioning amount shall not be

reduced by the amount of the estimated salvage value of the Solar Energy System. The bond shall be renewed every five (5) years or, as necessary, to reflect adjustments in the projected costs of decommissioning.

Facility status: In general, the decommissioning security requirements in the Town law are procedural in nature and thus preempted by 94-c. The requirement for the 25% cost contingency (100% of the decommissioning cost estimate plus 25% = 125% of the cost of removal in the form of security) could be viewed as substantive. The granular nature of the 94-c decommissioning cost estimate requirements ensures a fair estimate of the decommissioning cost, and therefore the 15% contingency required in § 900-2.24 will be used. Utilizing 25% would result in undue economic burden for the Facility in decommissioning surety carrying cost during the Facility's operations.

Zoning Ordinance of the Town of Cambria, 2019

- § 1105 – Signs

1. a) One sign shall be permitted on a single parcel of land in the A-R or R-1 Zoning district with a separate S.B.L. number which shall not exceed 12 square feet. Any additional sign shall be subject to approval by the Town Zoning Board by Special Permit pursuant to Section 1101 of this Ordinance.

Facility status: To the extent not superseded by the proposed Solar Energy System Law, the Facility will comply with this requirement.¹

- b) Size, location and construction of a sign which applicant proposes to be located in a Business or Industrial District or as part of a Subdivision submittal shall be reviewed by the Planning Board as part of its site plan or subdivision approval without the necessity of Zoning Board of Appeals approval. A sign in the business district attached to the sidewall of a building may not extend beyond or project from the building. No sign will hereinafter be erected pursuant to this Section which exceeds 32 square feet per business upon said premises, unless the Planning Board has expressly approved the use of a larger sign pursuant to its Site Plan Approval. Approval of a sign exceeding 32 square feet can be made by the Planning Board upon a finding that the applicant's business requires a larger sign, and that a sign limited to 32 square feet is not sufficient to meet the demonstrated needs of the applicant.

Facility status: To the extent not superseded by the proposed Solar Energy System Law, the Facility will comply with this requirement.

- c) Any freestanding sign larger than eight square feet shall have at least three feet of open space at the bottom, extending its entire length.

¹ Pursuant to the Solar Energy Systems Law, "This Article shall take precedence over any inconsistent provision of the Zoning Law of the Town of Cambria."

Facility status: To the extent not superseded by the proposed Solar Energy System Law, the Facility will comply with this requirement.

- d) Mobile signs including temporary signs are not permitted in any use district, except by permit issued pursuant to Section 1106.

Facility status: To the extent not superseded by the proposed Solar Energy System Law, the Facility will comply with this requirement.

- e) Flashing signs and electronic signs are not permitted in any use district, except by special permit issued pursuant to Section 1100.

Facility status: To the extent not superseded by the proposed Solar Energy System Law, the Facility will comply with this requirement.

- Section 1108 - Required Off-Street Parking and Automobile Storage Spaces

- 1. General Provisions:

- a) Permanent off-street automobile storage, parking or standing space shall be provided as set forth below at the time of the erection of any building or structure, at the time any building or structure is enlarged or increased in capacity by adding dwelling units, guest rooms, seats or floor area, or before conversion from one zoning use or occupancy to another. Such space shall be deemed to be required open space associated with the permitted use and shall not thereafter be reduced or encroached upon in any manner. No required front yard or portion thereof in any residential district shall be utilized to provide parking space required in this ordinance.
- b) If the vehicle storage space or standing space required by this ordinance cannot be reasonably provided on the same lot on which the principal use is conducted, the Board of Appeals may permit such space to be provided on other off-street property provided such space lies within 400 feet of the main entrance to such principal use. Such vehicle parking space shall be deemed to be required open space associated with the permitted use and shall not thereafter be reduced or encroached upon in any manner.
- c) Vehicle parking or storage space maintained in connection with an existing and continuing principal building, structure or land use on the effective date of this ordinance shall be continued and may not be counted as serving a new building, structure, addition or land use; nor shall any required parking space be substituted for an off-street loading and unloading space, nor any required loading and unloading space be substituted for parking space.
- d) The required parking space for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use at the same time, except that one-half of those parking spaces required for churches, theaters or assembly halls whose peak attendance will be at night or on a Sunday, may be assigned to a use which will be closed at night or on Sunday.

- e) No off-street automobile parking or storage space shall be used or designed, arranged, or constructed to be used in a manner that will obstruct or interfere with the free use of any street, alley or adjoining property.
- f) The parking spaces provided along with their necessary driveways and passageways shall be surfaced or finished in a manner adequate to eliminate dust and mud problems. Plans for such parking spaces are to be included with the plans for the construction of buildings and other structures and are to be presented to the Building Inspector at the time application for building permits are to be filed. Such parking areas are to be kept free of obstructions and unsightly objects. Intersections of parking areas with sidewalks or.

Facility status: The Facility will comply with the substantive requirements of this provision.

- Section 1109 - Required Off-Street Parking for Commercial Vehicles While Loading and Unloading
 1. On the same premises, with every building or structure or part thereof hereafter erected and occupied for the purpose of business, trade or industry, there shall be provided and maintained, as permitted in a Site Plan Approval by the Planning Board, adequate space for the parking of commercial vehicles while loading and unloading off the street or public alley. Such space shall have access to a public alley, or if there is no alley, to a street. Off-street loading and unloading space shall be in addition to and not considered as meeting a part of the requirements for off-street parking space. Off-street loading and unloading space shall not be used or designed, intended or constructed to be used in a manner to obstruct or interfere with the free use of any street, alley or adjoining property. Off-street loading and unloading space shall be provided as set forth below at the time of erection of any building or structure and/or at the time any building or structure is enlarged or increased in capacity as permitted in a Site Plan Approval by the Planning Board.

Facility status: The Facility will comply with the substantive requirements of this provision.

- Section 1112 - Obstruction of Vision and Fencing
 1. In all districts, on a corner lot within the triangular area formed by the center lines of streets from the intersection, as shown on the schedule below, there shall be no obstruction to vision between the height of three and one-half feet and the height of 10 feet above the average grade of each street on the center line thereof. The requirements of this section shall not be deemed to prohibit the construction of any necessary retaining wall.

Facility status: To the extent not superseded by the proposed Solar Energy System Law, the Facility will comply with this requirement.

- Section 1113.1 - Excavation
 1. No person, firm or corporation shall strip, excavate, or otherwise remove in any use district, top soil, gravel, fill or other material from the premises for sale or for use other than on the premises from which the same shall be taken, except in connection with the construction or alteration of a building on such premises, and excavation and/or grading incidental thereto, as well as excavation in the

Industrial District, in which district no excavation shall be made or maintained within 250 feet of any highway or street right-of-way line, public utility easement and/or railroad right-of-way or within 40 feet of any lot line.

Facility status: The Facility will comply with this requirement.

- a. The slope of any pit excavation shall be at an incline of at least two horizontal feet to one vertical foot.

Facility status: N/A

- b. No excavation shall be made less than two feet above the maximum ground water level at the site, nor shall the natural level of the water table be changed or altered in any respect by said excavation or by drains or any other means whatsoever.

Facility status: The Facility will comply with this requirement.

- c. No junk, waste, rubbish or toxic waste or materials shall be placed or permitted to be placed in any excavation.

Facility status: The Facility will comply with this requirement.

- d. No excavation shall be permitted in any use district in the Town, except for farm use, without a special permit issued pursuant to Section 1101 of this Ordinance. Such excavation shall not be permitted on premises less than five acres in size, nor closer than 100 feet from any street right of way or property line.

Facility status: The procedural requirements of this provision are supplanted by the 94-c process. The Facility will comply with the substantive requirements of this provision.

- Section 1113.3 - Storage of Excavated Material Including Rock

1. Notwithstanding any other provision herein, no excavated material including rocks shall be stored within 500 feet of any road right-of-way or lot line. No topsoil shall be removed from premises and such topsoil shall be preserved and maintained as topsoil and not buried under subsoil.

Facility status: The Facility will comply with this requirement

- Section 1115 - Storage of Flammable Liquids and Hazardous Materials

1. The storage of alcohol, gasoline, crude oil, liquefied petroleum gas or any other highly flammable liquid in above ground tanks in an amount greater than 1100 gallons shall be prohibited in all districts unless such tanks up to and including 10,000 gallons capacity are placed not less than 50 feet from all property lines and unless all such tanks of more than 10,000 gallons capacity are placed not less than 100 feet from all property lines. Any such storage having a capacity greater than 1100 gallons shall be properly diked with earthen dikes having a capacity not less than one and one-half times the capacity of the tank or tanks surrounded, the plans for which shall be reviewed and approved by the

Town Engineer. Such storage shall in any event comply with Article 40 of the New York State Environmental Conservation Law currently entitled “Hazardous Substances Bulk Storage Act.”

Facility status: The Facility will comply with this requirement.

- Section 1116 - Cesspools and Septic Tanks

1. No cesspool or drilled sink dry well shall be permitted.
2. Where a public sanitary sewer is not reasonably accessible, individual subsurface sewage disposal systems may be installed to serve lots of not less than 25,000 square feet in area, or on lots less than 25,000 square feet which for any reason are considered legal building lots hereunder by reason of their being in compliance with minimum building lot requirements formerly in effect, by reason of the granting of a variance, by reason of the granting of a subdivision approval, etc. All individual subsurface sewage disposal system installations shall conform to the requirements of the Niagara County Health Department. a) No such septic tank shall be permitted in low, swampy areas with a high water table (permanent, fluctuating or seasonal), areas with ledge rock, or areas that are subject to flooding. b) All individual subsurface sewage disposal system installations shall conform to the requirements of the Niagara County Health Department.

Facility status: The Facility will comply with this requirement.

- Section 1118 - Waste

1. The dumping or placing of septic tank effluent or waste of any kind in, under or upon the soil, except by means of a subsurface disposal system approved by the Niagara County Health Department, shall not be permitted in any use district. The placing of animal wastes upon soil for agricultural purposes is exempt in AR Districts.

Facility status: The Facility will comply with this requirement.

- Section 1129 - Stormwater Management And Erosion & Sediment Control Law

1. Section 7.1. Stormwater Pollution Prevention Plan Requirement

No application for approval of a land development activity shall be approved until the appropriate board has received a Stormwater Pollution Prevention Plan (SWPPP) prepared in accordance with the specifications in this ordinance.

2. Section 8. Performance and Design Criteria for Stormwater Management and Erosion and Sediment Control All land development activities shall be subject to the following performance and design criteria: [criteria omitted]

Facility status: The procedural requirement for filing of a SWPPP is supplanted by the 94-c process. The Facility will comply with all performance and design criteria contained in the SWPPP issued as part of the 94-c process. The SWPPP will be prepared in accordance with the applicable New York State Pollution Discharge Elimination System (SPDES)

General Permit for Stormwater Discharges from Construction Activity and the New York State Standards and Specifications for Erosion and Sediment Control.

Bear Ridge appreciates the Town's review of this list and note we have a meeting set for July 13th at Town Hall; at that time we can discuss (1) the applicable requirements (2) the process for obtaining needed determinations or whether they can be issued on the basis of this letter and (3) confirmation from the Town in both of these regards.

As always, you may reach me at 518.788.8665 or keith.silliman@ccrenew.com to discuss the Bear Ridge Solar Project.

Keith Silliman

Keith Silliman
Senior Project Developer

July 7, 2021

Joel Maerten
Supervisor, Town of Pendleton
Pendleton Town Hall
6570 Campbell Blvd.
Lockport, NY 14094

Re: Bear Ridge Solar Project, Local Law Consultations

Dear Supervisor Maerten,

As you are aware, Bear Ridge Solar, LLC (“Bear Ridge”), a subsidiary of Cypress Creek Renewables, LLC, is proposing to construct the Bear Ridge Solar Project, a 100 megawatt (“MW”) photovoltaic (“PV”) solar generation facility (the “Facility”) in the Towns of Pendleton and Cambria, New York.

The Facility is consistent with recent State policy encouraging the development of clean energy and renewable resources as a tool in combating climate change, curbing harmful air pollution, and greening New York State’s economy. The Facility will also provide an economic stimulus to the area during construction by providing jobs and local contracts for goods and services. During operation, the Facility will offer long-term highly skilled operational positions and significant long-term economic benefits through lease revenue to local landowners and property tax revenue to the community.

In April 2020, New York passed the Accelerated Renewable Energy Growth and Community Benefit Act (the “Act”). The Act is intended to assist New York State in achieving the renewable energy production and greenhouse gas emission reduction goals of the 2019 Climate Leadership and Community Protection Act establishing an expedited process for reviewing renewable energy projects to replace the Article 10 process (“Section 94-c” or “94-c”). Bear Ridge has elected to be subject to the jurisdiction of the Office of Renewable Energy and Siting (“ORES” or “Office”) under the new Section 94-c process.

Like Article 10, 94-c expressly preempts local procedural requirements, such as permits and approvals which would otherwise be required by the host municipalities for construction and operation of the Facility (i.e., site plan, special use permit or variance approvals). However, local substantive requirements (i.e., setbacks, height limits, lot coverage requirements) will still be applied to the Facility by the Office unless it elects to not apply the requirements because it finds them to be unreasonably burdensome or inconsistent with the requirements of 19 NYCRR § 900.6, the State’s uniform standards and conditions for renewable energy projects.

Section 94-c requires that applicants consult with local municipalities to determine what local substantive requirements apply to the Facility and whether design changes to the Facility can obviate the need to request the Office elect to not apply those requirements.

Bear Ridge has researched potentially applicable local ordinances, laws, resolutions, regulations, standards, and other requirements of the Town of Pendleton of a substantive nature required for the construction or

operation of the proposed Facility. We have identified the applicable provisions and provided a preliminary assessment of the Facility's compliance with the requirement in the list below.

We appreciate the Town of Pendleton reviewing this list and confirming, in writing that there are no other applicable laws and that substantive requirements have been identified.

Code of the Town of Pendleton

- **Chapter 122: Drainage**

- § 122-1 – Prohibited Acts

It shall be unlawful for any person, firm, entity or corporation without a permit issued by the Town of Pendleton to:

- E. Do any construction, soil movement and/or regrading where alteration of the natural drainage pattern results.

Status: Any construction, soil movement or regrading will be conducted pursuant to a Stormwater Pollution Prevention Plan to be submitted with the 94-c Application.

- § 122-3 - Plans to be submitted.

- All applicants for a permit to do any of the acts set forth above shall present plans to the Town of Pendleton Highway Superintendent, which plans shall be inclusive of, but not limited to, a description of the existing and subsequent drainage patterns together with a description of the affected adjoining properties. Such plans shall be accompanied by a stormwater pollution prevention plan (SWPPP), if required for the proposed land development activity under Article XIV of Chapter 247, Zoning, of the Town Code, together with the written recommendation of the Stormwater Management Officer to approve, approve with modifications, or disapprove the SWPPP pursuant to § 247-88B of the Town Code.

Status: The procedural requirement to apply for a permit is supplanted by the 94-c process. As noted above, a Stormwater Pollution Prevention Plan will be submitted with the 94-c Application.

- **Chapter 133 – Fire Prevention, Rapid Entry System**

- § 133-3 (A): Knox Box required for new commercial buildings. All new commercial buildings shall have installed a Knox Box of UL type and size approved by the Town Fire Official, in a location specified by the Town Fire Official prior to the issuance of the permit of occupancy.

Status: To the extent that a new commercial building is constructed (i.e. operation and maintenance building), the Facility will comply with this requirement.

- § 133-4 - Installation and maintenance. Lock boxes (Knox Boxes) shall be installed in a location as approved by the Fire Official and/or Code Enforcement Officer of the Town.

Status: The Facility will comply with this requirement, to the extent applicable.

- § 133-5 - Maintenance. It shall be the responsibility of the business or premises owner:
 - A. To assume all costs involved in the purchase and installation of the lock boxes (Knox Boxes) and supplying the required contents for it.
 - B. To keep said lock boxes (Knox Boxes) in good repair and visible to fire and code officials.
 - C. To ensure that all key information required to be contained in the lock boxes (Knox Boxes) shall be provided and kept current.

Status: The Facility will comply with this requirement, to the extent applicable.

- **Chapter 135: Flood Damage Prevention**

- § 135-11 – Floodplain development permit.

Status: Procedural requirement supplanted by 94-c.

- § 135 – 14: General Standards
- § 135 - 15: Standards for All Structures
- § 135 – 17: Non-Residential Structures

Status: An access road and collection line will be within the mapped 100-year Flood Hazard Area. It will be on an existing access road and the collection lines will be within that same area as well. In addition, part of the panels and fence will be within the 500-year Flood Hazard Area. The Facility will be designed to comply with floodplain provisions.

- **Chapter 198: Property Maintenance**

- § 198-4 Outdoor deposit or storage of waste.
 - A. No person, as owner, occupant, lessee or agent, or in any capacity, shall store, deposit, place, maintain, or cause or permit to be stored, deposited, placed or maintained outdoors any abandoned, junked, discarded, wholly or partially dismantled, unlicensed or unregistered motor vehicle or any solid waste, rubbish, or debris or weeds and vegetation as defined herein upon any private property within the Town.

Status: The Facility will comply with this requirement.

- **Chapter 200: Public Improvements**

- § 200-2: Public improvement permits required.

- A. All improvements that are completed by an individual, corporation or other entity that are to be dedicated to or maintained by the Town of Pendleton are considered public improvements and are required to be installed under public improvement permits.
- B. Public improvement permits are required for:
 - (1) Sanitary sewers.
 - (2) Water lines.
 - (3) Roadways.
 - (4) Public drainage and storm sewers.
 - (5) Curbs or sidewalks.
- C. These improvements are to be constructed to Town of Pendleton standards as well as Niagara County and New York State requirements upon real property in the town for the use of the general public.

Status: The requirement to obtain a permit is procedural and supplanted by 94-c. Any work that constitutes public improvements will comply with the substantive requirement that such work be consistent with Town of Pendleton standards as well as Niagara County and the State of New York.

- **Chapter 209: Sewers and Water**

- § 209-5: Discharge of water.

- A. No person shall discharge or cause to be discharged any stormwater, groundwater, roof runoff, subsurface drainage or drainage from downspouts, yard drains, sump pumps, yard foundations and ponds or law sprays into any sanitary sewer, except as provided by these rules and regulations. Water from dechlorinated swimming pools, unpolluted industrial water, such as water drains, blowoff pipes, or cooling water from various equipment, shall not be discharged into sanitary sewers if a closed storm sewer is available. If a closed storm sewer is not available, such water may be discharged into any sanitary sewer by indirect connection whereby such discharge is cooled, if required, and flows into the sanitary sewer at a rate not in excess of five gallons per minute, provided that the waste does not contain materials or substances in suspension or solution in violation of the limits prescribed by this chapter.

Status: The Facility will comply with this requirement, to the extent applicable.

- B. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Engineer. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Engineer, to a storm sewer, combined sewer or natural outlet.

Status: The Facility will comply with this requirement, to the extent applicable.

- **Chapter 235: Vehicles and Traffic**

- § 235-2 Establishment.

- A. The Town Board of the Town of Pendleton orders all vehicles to be excluded from using Killian Road with a gross vehicle weight of over eight (8) tons, pursuant to § 1660 of the Vehicle and Traffic Law. The Town Highway Superintendent shall erect the proper weight limit signs and have a notice published in the official town newspaper.

Status: The Facility will comply with this requirement

- B. The Town Board of the Town of Pendleton orders that all vehicles with a gross vehicle weight of over eight (8) tons be excluded from using the following town roads pursuant to § 1660 of the Vehicle and Traffic Law. The Town Highway Superintendent shall erect the proper weight limit signs and have a notice published in the official town newspaper.

- (1) Aiken Road from Beach Ridge Road to Lockport Road.
- (2) Donner Road from Transit Road to East Canal Road.
- (3) Dunnigan road from Transit Road to East Canal Road.
- (4) Fisk Road from Transit Road to East Canal Road.
- (5) Irish Road from Tonawanda Creek Road to Bear Ridge Road.
- (6) Main Road from Beach Ridge Road to Mapleton Road.
- (7) Mapleton Road from Campbell Boulevard to Bear Ridge Road.
- (8) Meadow Lane from Robinson Road to Transit Road.
- (9) Meyer Road from Campbell Boulevard to Beach Ridge Road.
- (10) Oakwood Drive from Campbell Boulevard to Irish Road.
- (11) Sheetram Road from Dunnigan Road to Fisk Road.

Status: The Facility will comply with this requirement.

- **Chapter 247: Zoning**

- § 247-68.18. Use districts where allowed.

- A. Solar energy systems shall be allowed in zoning districts as follows:

- (2) Allowable by special use:

- (a) Large-scale solar energy systems or solar farms: allowable in CO2 Medium Commercial, LI Light Industrial and SLI Special Light Industrial Districts only by special use.

Status: The Facility will not be located in these districts.

- (b) Large-scale solar energy systems or solar farms are not permitted by right or special use in the R-1 and R-2 Residential Zoning Districts and CO1 Light Commercial District.

Status: The Facility cannot be designed to comply with this requirement. Portions of the Facility will be located in the R-2 Residential District.

- § 247-68.19. General regulations

The placement, construction, and major modification of all solar energy systems within the boundaries of the Town of Pendleton shall be permitted only as follows:

- A. All solar energy systems shall adhere to all applicable federal, state, county and Town of Pendleton laws, regulations and building, plumbing, electrical, and fire codes.

Status: The Facility will be designed to comply with all applicable federal, state, county and Town of Pendleton laws, regulations and building, plumbing, electrical, and fire codes unless otherwise specified herein.

- D. Large-scale solar energy systems, upon site plan review and special use permit approval issued by the Town of Pendleton Planning Board, and upon issuance of a building permit issued by the Building Inspector/Code Enforcement Officer, shall be subject to all provisions of this article.

Status: The Facility's compliance with the provisions of this article are individually addressed.

- H. This article shall take precedence over any inconsistent provisions of the Zoning Law of the Town of Pendleton.

- § 247-68.21. Site plan review requirements for large-scale solar energy systems.

- A. Applicants for approval to place, construct, and make a major modification to a large-scale solar energy system within the boundaries of the Town of Pendleton shall submit an application for site plan review as provided in § 247-54 of the Town Zoning Code. In addition to the standard requirements in other articles of the Zoning Law, the following information shall be contained in the application:

- (7) A decommissioning plan to ensure the proper removal of large-scale solar energy systems is to be submitted to the Building Department for approval and must specify that after the large-scale solar energy system is no longer in use (as determined by the owner/operator or the Building Inspector/ Code Enforcement Officer), it shall be removed by the applicant or any subsequent owner. The plan shall demonstrate how the removal of all infrastructure and restoration shall be conducted to return the parcel to its original state prior to construction. The plan shall also include an expected timeline for execution and a cost estimate for decommissioning prepared by a professional engineer or qualified contractor. Cost estimates shall take inflation into

consideration and be revised every five years during operation of the system. Removal of the large-scale solar energy system must be completed in accordance with the approved decommissioning plan and the standards provided as follows:

- (a) All structures and foundations associated with the largescale solar energy systems shall be removed to a depth of 36 inches;
- (b) All disturbed ground surfaces shall be restored to original conditions, including topsoil and seeding as necessary;
- (c) All electrical systems shall be properly disconnected, and all cables and wiring buried less than 36 inches in depth shall be removed; and
- (d) A bond or other approved security shall be provided to cover the cost of removal and restoration of the area impacted by the solar energy system. Security shall be in an amount equal to 150% of the construction estimate as presented in the approved decommissioning plan.

Status: The procedural requirement to file a decommissioning plan is preempted by the Section 94-c process. However, the Facility will comply with subsections (a), (b) and (c) of this provision. The Facility will not comply with subsection (d). The requirement for the bond to be no less than 150% of the construction cost estimate (adjusted for inflation), to the extent this is considered a substantive requirement, is unreasonably burdensome. The 94-c decommissioning plan and cost estimate requires a granular roll-up of decommissioning cost expenses to decommission the Facility, which result in a substantially more precise estimate, as compared to a percentage of component/material costs of the Facility. Utilizing a percentage of material/cost-based methodology would result in a less accurate and likely substantially higher decommissioning surety amount, resulting in undue economic burden for the Facility in decommissioning surety carrying cost during the Facility's operations.

o § 247-68.22. Large-scale solar energy systems design criteria.

A. Design of large-scale solar energy systems shall meet the following conditions:

(1) Setbacks. Any utility-scale solar energy system shall adhere to the following setbacks:

- (a) A minimum of 200 feet from any property lot line.
- (b) A minimum of 250 feet from any building or structure on any adjacent lot.
- (c) A minimum of 500 feet from any dwelling.
- (d) A minimum of 200 feet from any public road or railroad (measured from the road right-of-way or property line).
- (e) A minimum of 750 feet from all property lot lines bordering a school or public park.

Status: The Facility cannot be designed to satisfy these requirements. The setbacks are far in excess of the minimum setbacks established under the State's regulations for the Section 94-c process (100 feet from non-participating property lines; 50 feet from road centerline; 50 feet from non-participating non-residential property line;

250 from non-participating occupied residences). It is extraordinarily difficult to apply this setback to the Bear Ridge Solar Project and have any developable parcels for solar generation. A setback of 100' is sufficient to mitigate any potential visual concerns.

- (2) Maximum overall height. The height of a large-scale solar energy system shall not exceed 20 feet when oriented at maximum tilt.

Status: The Facility will be designed to comply with this requirement. Solar panels will not exceed 20 feet in height.

- (3) Number of large-scale solar energy systems allowed per lot. There shall be allowed only one large-scale solar energy system per lot.

- (a) Minimum lot area shall be 15 acres.

Status: The Facility will comply with this provision

- (b) Maximum lot area shall be 100 acres.

Status: The Facility cannot be designed to comply with this provision: There is one parcel in Pendleton, it is 209 acres. Two panel areas on the lot. Panels occupy approximately 73 acres of the parcel.

- (c) The large-scale solar energy system proposed to be located in the CO2 Medium Commercial, LI Light Industrial or SLI Special Light Industrial Zoning Districts shall be subject to a maximum lot coverage area of 25% of the total acreage of property owned or leased on which proposed solar energy system is located, as calculated per the definition of "footprint" found in § 247-68.17 of this article.

Status: Portions of the Facility will be located in the Light Industrial and Medium Commercial Zoning Districts. The Facility cannot comply with this requirement given the definition of "footprint." "Footprint" is defined "[t]he total area of all solar panels, areas between panels, all support buildings and access roads to the panels are included in the footprint. Fencing around the footprint of the large-scale solar system must be installed, and all area within that fencing is included in the footprint." Because the definition includes all areas between the panels and inside the fence-line, the Facility cannot be designed to satisfy the 25 % restriction.

- (4) All structures and devices used to support solar collectors shall be nonreflective and/or painted a subtle or earth-tone color.

Status: The Facility will be designed to satisfy this requirement.

- (5) All transmission lines and wiring associated with a large-scale solar energy system shall be buried and include necessary encasements in accordance with the National Electrical Code and Town requirements. The applicant is required to show the locations

of all proposed overhead and underground electric utility lines, including substations and junction boxes and other electrical components for the project on the site plan.

Status: The Facility will comply with this requirement. After completion of a large-scale solar energy system, the applicant shall provide to the Building Inspector/Code Enforcement Officer a post-construction certification from a professional engineer registered in New York State that the project complies with applicable codes and industry practices and has been constructed and is operating according to the design plans.

Status: The procedural requirement to provide post-construction certification is preempted by the 94-c process. However, the 94-c Application will contain information regarding the local or state agency that will review and approve the building plans, inspect the construction work, and certify compliance with the New York State Uniform Fire Prevention and Building Code, the Energy Conservation Construction Code of New York State, and the substantive provisions of any applicable local electrical, plumbing or building code.

- C. Compliance with regulatory agencies. The applicant is required to obtain all necessary regulatory approvals and permits from all federal, state, county, and local agencies having jurisdiction and approval related to the completion of a large-scale solar energy system.

Status: The Applicant will obtain the necessary regulatory approvals and permits from all federal, state, county, and local agencies having jurisdiction and approval related to the completion of a large-scale solar energy system, to the extent not preempted by, or waived by ORES under, Section 94-c.

- D. Security fencing: Fencing around the footprint of the large-scale solar energy system must be installed, and all area within that fencing is included in the footprint.

Status: The Facility will comply with this requirement.

Bear Ridge appreciates the Town's review of this list and requests that we set up a time to discuss the applicable requirements and confirmation from the Town that all substantive requirements have been identified.

As always, you may reach me at 518.788.8665 or keith.silliman@ccrenew.com to discuss the Bear Ridge Solar Project.

Keith Silliman

Keith Silliman
Senior Project Developer

Young / Sommer LLC

ATTORNEYS AT LAW

EXECUTIVE WOODS, FIVE PALISADES DRIVE, ALBANY, NY 12205

Phone: 518-438-9907 • Fax: 518-438-9914

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swilson@youngsommer.com

July 2, 2021

Richard E. Updegrove
County Manager
Philo J. Brooks Co. Office Bldg.
2nd Floor
59 Park Ave.
Lockport, NY 14094

Re: Bear Ridge Solar Project, Local Law Consultations

Dear Mr. Updegrove,

As you are aware, Bear Ridge Solar, LLC (“Bear Ridge”), a subsidiary of Cypress Creek Renewables, LLC, is proposing to construct the Bear Ridge Solar Project, a 100 megawatt (“MW) photovoltaic (“PV”) solar generation facility (the “Facility”) in the Town of Cambria (“Town”).

The Facility is consistent with recent State policy encouraging the development of clean energy and renewable resources as a tool in combating climate change, curbing harmful air pollution, and greening New York State’s economy. The Facility will also provide an economic stimulus to the area during construction by providing jobs and local contracts for goods and services. During operation, the Facility will offer long-term highly skilled operational positions and significant long-term economic benefits through lease revenue to local landowners and property tax revenue to the community.

In April 2020, New York passed the Accelerated Renewable Energy Growth and Community Benefit Act (the “Act”). The Act is intended to assist New York State in achieving the renewable energy production and greenhouse gas emission reduction goals of the 2019 Climate Leadership and Community Protection Act establishing an expedited process for reviewing renewable energy projects to replace the Article 10 process (“Section 94-c” or “94-c”). Bear Ridge has elected to be subject to the jurisdiction of the Office of Renewable Energy and Siting (“ORES” or “Office”) under the new Section 94-c process.

Like Article 10, 94-c expressly preempts local procedural requirements, such as permits and approvals which would otherwise be required by the host municipalities for construction and operation of the Facility (*i.e.*, site plan, special use permit or variance approvals). However,

local substantive requirements (*i.e.*, setbacks, height limits, lot coverage requirements) will still be applied to the Facility by the Office unless it elects to not apply the requirements because it finds them to be unreasonably burdensome or inconsistent with the requirements of 19 NYCRR § 900.6, the State's uniform standards and conditions for renewable energy projects.

Section 94-c requires that applicants consult with local municipalities, defined to include the County, to determine what local substantive requirements apply to the Facility and whether design changes to the Facility can obviate the need to request the Office elect to not apply those requirements.

Bear Ridge has researched potentially applicable Niagara County local laws and other requirements of a substantive nature required for the construction or operation of the proposed Facility. We have listed below the only substantive provision identified as possibly applicable to the Facility and provided a preliminary assessment of the Facility's compliance with the substantive requirement.

- **Local Law No. 5 of 2007 – Stormwater Management and Erosion and Sediment Control**

Status: Please note that the procedural requirements of this local law are supplanted by the 94-c process and that a Stormwater Pollution Prevention Plan will be submitted to the Office of Renewable Energy Siting as part of the 94-c Application process. The Facility will otherwise comply with the substantive requirements of this local law.

We appreciate the County confirming, in writing, that there are no other applicable laws and that the only substantive requirement has been identified.

As you may also be aware, Bear Ridge Solar LLC is holding a public information meeting on July 14, 2021, at the Cambria Volunteer Fire Hall, 4631 Cambria Wilson Road, Lockport NY 14094. A brief informational presentation will begin at 5:15 p.m., followed by time for informational tables and questions. We would appreciate the opportunity to meet with the County during the morning of July 14th or 15th to further discuss the Project and answer any questions you may have. In lieu of an in-person meeting, we could arrange a virtual meeting at your convenience.

Thank you in advance for your cooperation.

Very truly yours,

/s/ **Steven D. Wilson**

Steven D. Wilson
Young/Sommer LLC

Attorneys for Bear Ridge Solar LLC

Young / Sommer LLC

ATTORNEYS AT LAW

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September 16, 2021

VIA FIRST CLASS AND ELECTRONIC MAIL

Town Supervisor Brian J. Kulpa
Supervising Code Enforcement Officer Douglas Gesel
Town of Amherst
5583 Main Street
Williamsville, New York 14221

Re: Bear Ridge Solar Project – Consultation on Proposed Land Use Development

Dear Supervisor Kulpa and Supervising Code Enforcement Officer Gesel,

As you may know, Bear Ridge Solar LLC is seeking to construct a 100 megawatt (MW) solar electric generating facility (the “Facility”) in the Towns of Cambria and Pendleton, Niagara County. Bear Ridge Solar will soon file an Application with the State Office of Renewable Energy Siting (“ORES”) under Section 94(c) of the New York Executive Law for a permit to construct the Facility.

To ensure that the Application accurately reflects current and proposed land uses within a 5-mile study area of the Facility, Bear Ridge Solar is reaching out at this time to solicit feedback from adjacent Towns and Villages regarding land use developments proposed or recently approved in the vicinity of the Bear Ridge Solar Project, which the Town would like considered by Bear Ridge for potential impacts. For example, if a nearby housing development, commercial building, or other project that has been approved or is pending review by the Town’s Planning or Zoning Boards, we would want to make sure to include that in our assessment of local land uses. A proposed Facility location map is included to assist the Town in identifying the project’s location relative to Town boundaries.

If the Town could please confirm whether any such developments are currently approved, but not built, or under review with the Town, we would sincerely appreciate it. There is no need to include other proposed solar or wind energy projects – we were able to access proposed plans for nearby renewable facilities online and have included them in our assessment of potential impacts.

Please feel free to contact our office with any questions regarding this matter. For more information about the proposed Bear Ridge Solar Project, please visit: <https://ccrenew.com/projects/bearridge>.

Thank you for your time,

/s/ *Steven D. Wilson*

Steven D. Wilson
Young/Sommer LLC
Attorneys for Bear Ridge Solar LLC

Young / Sommer LLC

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September 16, 2021

VIA FIRST CLASS AND ELECTRONIC MAIL

Mayor Michelle Roman
Chief Building Inspector Jason Dool
City of Lockport
Lockport Municipal Building
One Locks Plaza
Lockport, New York 14094

Re: Bear Ridge Solar Project – Consultation on Proposed Land Use Development

Dear Mayor Roman and Chief Building Inspector Dool,

As you may know, Bear Ridge Solar LLC is seeking to construct a 100 megawatt (MW) solar electric generating facility (the "Facility") in the Towns of Cambria and Pendleton, Niagara County. Bear Ridge Solar will soon file an Application with the State Office of Renewable Energy Siting ("ORES") under Section 94(c) of the New York Executive Law for a permit to construct the Facility.

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Please feel free to contact our office with any questions regarding this matter. For more information about the proposed Bear Ridge Solar Project, please visit: <https://ccrenew.com/projects/bearridge>.

Thank you for your time,

/s/ Steven D. Wilson

Steven D. Wilson
Young/Sommer LLC
Attorneys for Bear Ridge Solar LLC

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Young / Sommer LLC

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September 16, 2021

VIA FIRST CLASS AND ELECTRONIC MAIL

Town Supervisor Steve Broderick
Building Inspector Timothy Masters
Town of Lewiston
1375 Ridge Road
P.O. Box 330
Lewiston, New York 14092

Re: Bear Ridge Solar Project – Consultation on Proposed Land Use Development

Dear Supervisor Broderick and Building Inspector Timothy Masters,

As you may know, Bear Ridge Solar LLC is seeking to construct a 100 megawatt (MW) solar electric generating facility (the "Facility") in the Towns of Cambria and Pendleton, Niagara County. Bear Ridge Solar will soon file an Application with the State Office of Renewable Energy Siting ("ORES") under Section 94(c) of the New York Executive Law for a permit to construct the Facility.

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Please feel free to contact our office with any questions regarding this matter. For more information about the proposed Bear Ridge Solar Project, please visit: <https://ccrenew.com/projects/bearridge>.

Thank you for your time,

/s/ Steven D. Wilson

Steven D. Wilson
Young/Sommer LLC
Attorneys for Bear Ridge Solar LLC

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September 16, 2021

VIA FIRST CLASS AND ELECTRONIC MAIL

Town Supervisor Mark Crocker
Senior Building Inspector Brian Belson
Town of Lockport
6560 Dysinger Road
Lockport, New York 14094

Re: Bear Ridge Solar Project – Consultation on Proposed Land Use Development

Dear Supervisor Crocker and Senior Building Inspector Belson,

As you may know, Bear Ridge Solar LLC is seeking to construct a 100 megawatt (MW) solar electric generating facility (the “Facility”) in the Towns of Cambria and Pendleton, Niagara County. Bear Ridge Solar will soon file an Application with the State Office of Renewable Energy Siting (“ORES”) under Section 94(c) of the New York Executive Law for a permit to construct the Facility.

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Thank you for your time,

/s/ *Steven D. Wilson*

Steven D. Wilson
Young/Sommer LLC
Attorneys for Bear Ridge Solar LLC

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September 16, 2021

VIA FIRST CLASS AND ELECTRONIC MAIL

Town Supervisor Tim Horanburg
Building Inspector Douglas Nankey
Town of Newfane
2737 Main Street
Newfane, New York 14108

Re: Bear Ridge Solar Project – Consultation on Proposed Land Use Development

Dear Supervisor Horanburg and Building Inspector Nankey,

As you may know, Bear Ridge Solar LLC is seeking to construct a 100 megawatt (MW) solar electric generating facility (the “Facility”) in the Towns of Cambria and Pendleton, Niagara County. Bear Ridge Solar will soon file an Application with the State Office of Renewable Energy Siting (“ORES”) under Section 94(c) of the New York Executive Law for a permit to construct the Facility.

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Thank you for your time,

/s/ *Steven D. Wilson*

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Attorneys for Bear Ridge Solar LLC

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September 16, 2021

VIA FIRST CLASS AND ELECTRONIC MAIL

Town Supervisor Don MacSwan
Inspector Mike Klock
Town of Wheatfield
2800 Church Road
Wheatfield, New York 14120

Re: Bear Ridge Solar Project – Consultation on Proposed Land Use Development

Dear Supervisor MacSwan and Inspector Klock,

As you may know, Bear Ridge Solar LLC is seeking to construct a 100 megawatt (MW) solar electric generating facility (the “Facility”) in the Towns of Cambria and Pendleton, Niagara County. Bear Ridge Solar will soon file an Application with the State Office of Renewable Energy Siting (“ORES”) under Section 94(c) of the New York Executive Law for a permit to construct the Facility.

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Thank you for your time,

/s/ *Steven D. Wilson*

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Attorneys for Bear Ridge Solar LLC

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September 16, 2021

VIA FIRST CLASS AND ELECTRONIC MAIL

Town Supervisor Doyle Phillips
Building Inspector Chris Jordan
Town of Wilson
375 Lake Street
Wilson, New York 14172

Re: Bear Ridge Solar Project – Consultation on Proposed Land Use Development

Dear Supervisor Phillips and Building Inspector Jordan,

As you may know, Bear Ridge Solar LLC is seeking to construct a 100 megawatt (MW) solar electric generating facility (the “Facility”) in the Towns of Cambria and Pendleton, Niagara County. Bear Ridge Solar will soon file an Application with the State Office of Renewable Energy Siting (“ORES”) under Section 94(c) of the New York Executive Law for a permit to construct the Facility.

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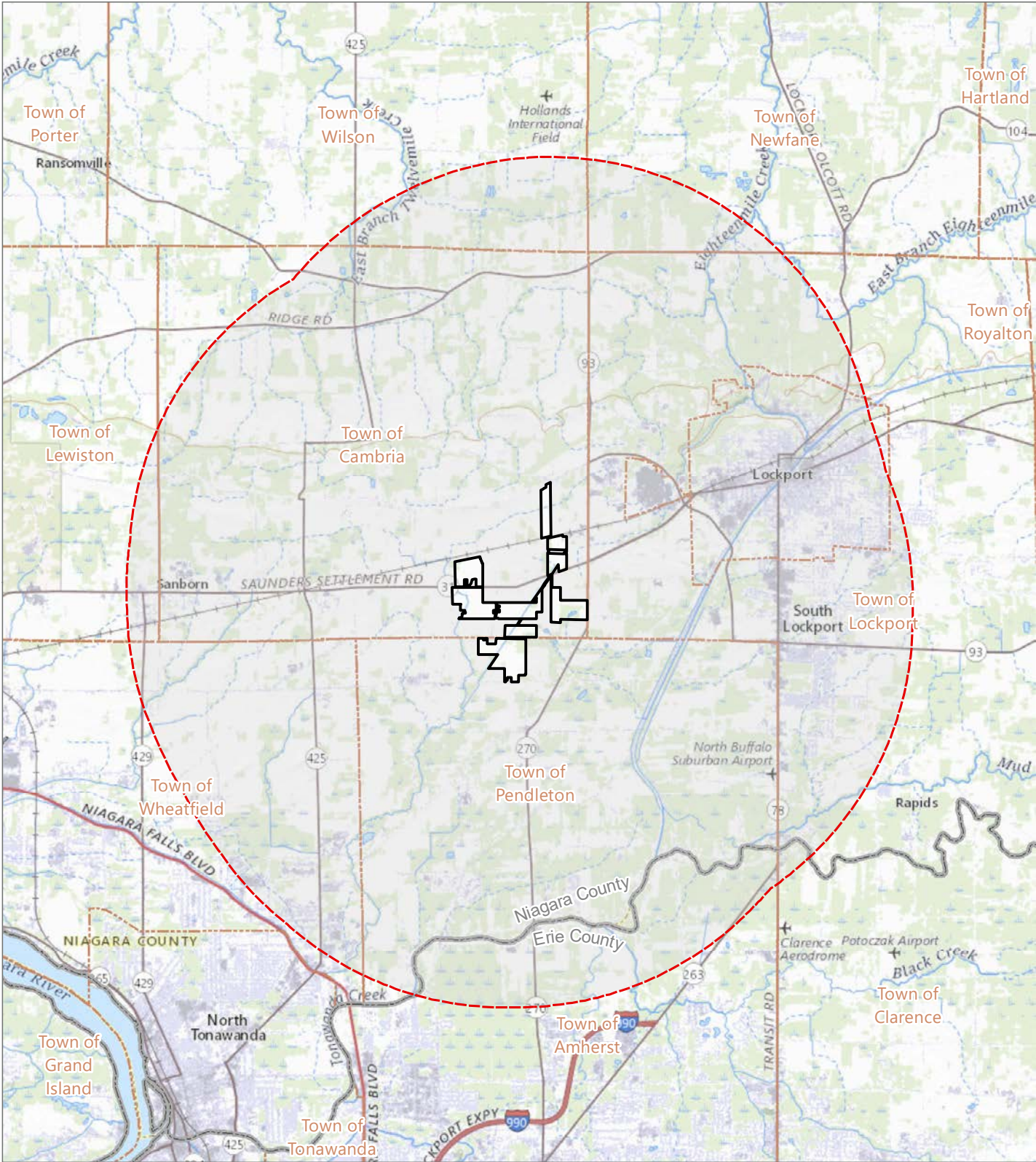
Please feel free to contact our office with any questions regarding this matter. For more information about the proposed Bear Ridge Solar Project, please visit: <https://ccrenew.com/projects/bearridge>.

Thank you for your time,

/s/ *Steven D. Wilson*






Steven D. Wilson
Young/Sommer LLC
Attorneys for Bear Ridge Solar LLC

5-Mile Study Area



Bear Ridge Solar Project

Towns of Cambria and Pendleton, Niagara County, New York

-  Facility Site
-  5 mile Study Area
-  City/Village Boundary
-  Town Boundary
-  County Boundary



Bear Ridge Solar Project

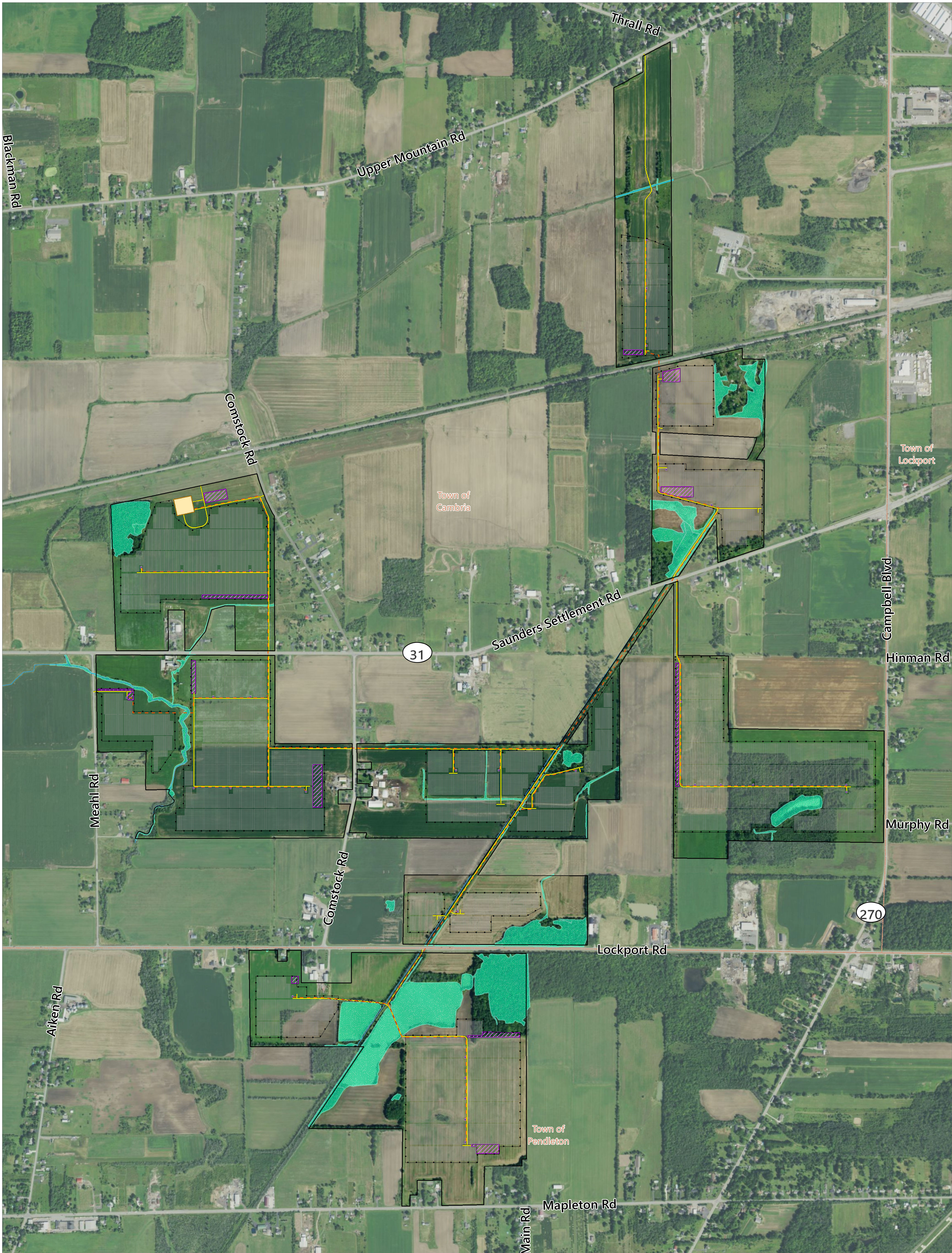
Agenda

Meeting with Emergency Responders

October 25, 2021

1. Introductions
2. Overview of Bear Ridge Project and Purpose of Meeting
3. Bear Ridge Presentation
 - a. Potential Emergency Situations at Bear Ridge Solar Project
 - b. Overview of Ingress and Egress Routes
 - c. Overview of Safety Plan
4. Discussion with Emergency Responders Regarding Preparedness for Emergency Event including:
 - a. Equipment
 - b. Training
5. Next Steps

Project Layout



Bear Ridge Solar Project

Towns of Cambria and Pendleton, Niagara County, New York

Facility Components

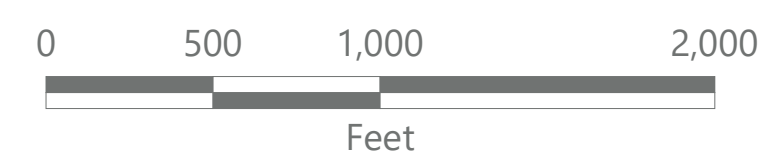
- Access Road
- Panel Array
- Fence Line
- Collection Line
- Transmission Line Tap
- Substation
- Inverter
- Laydown Area
- Facility Site

Environmental Features

- Delineated Stream
- Delineated Wetland

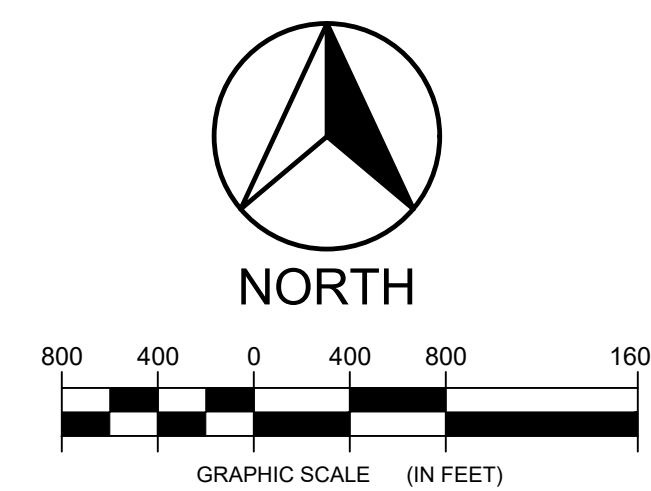
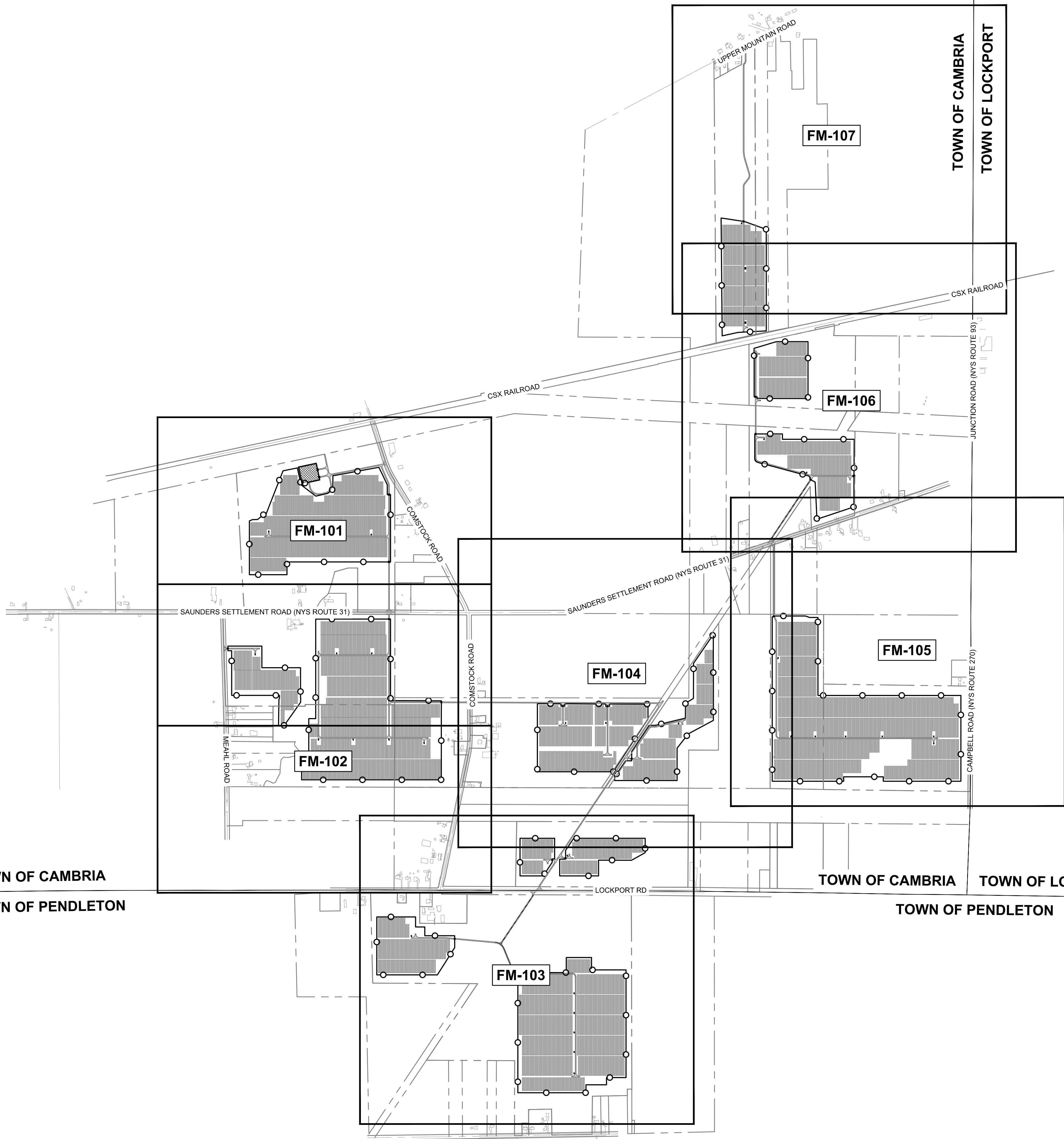
Municipal Boundaries

- City/Village Boundary
- Town Boundary



TOWN OF CAMBRIA
TOWN OF PENDLETON

TOWN OF CAMBRIA
TOWN OF LOCKPORT
TOWN OF PENDLETON



FOR PERMITTING ONLY

10/7/2021

NOT FOR CONSTRUCTION

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DRAWING REVISIONS	
NO.	DATE
1	
2	
3	
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PROJECT TITLE: **BEAR RIDGE SOLAR**

PROJECT LOCATION: **TOWN OF CAMBRIA, TOWN OF PENDLETON, NIAGARA COUNTY**

CLIENT: **CYPRESS CREEK RENEWABLES**

DRAWING TITLE: **OVERALL SITE PLAN**

DATE: **SEPTEMBER 2021**

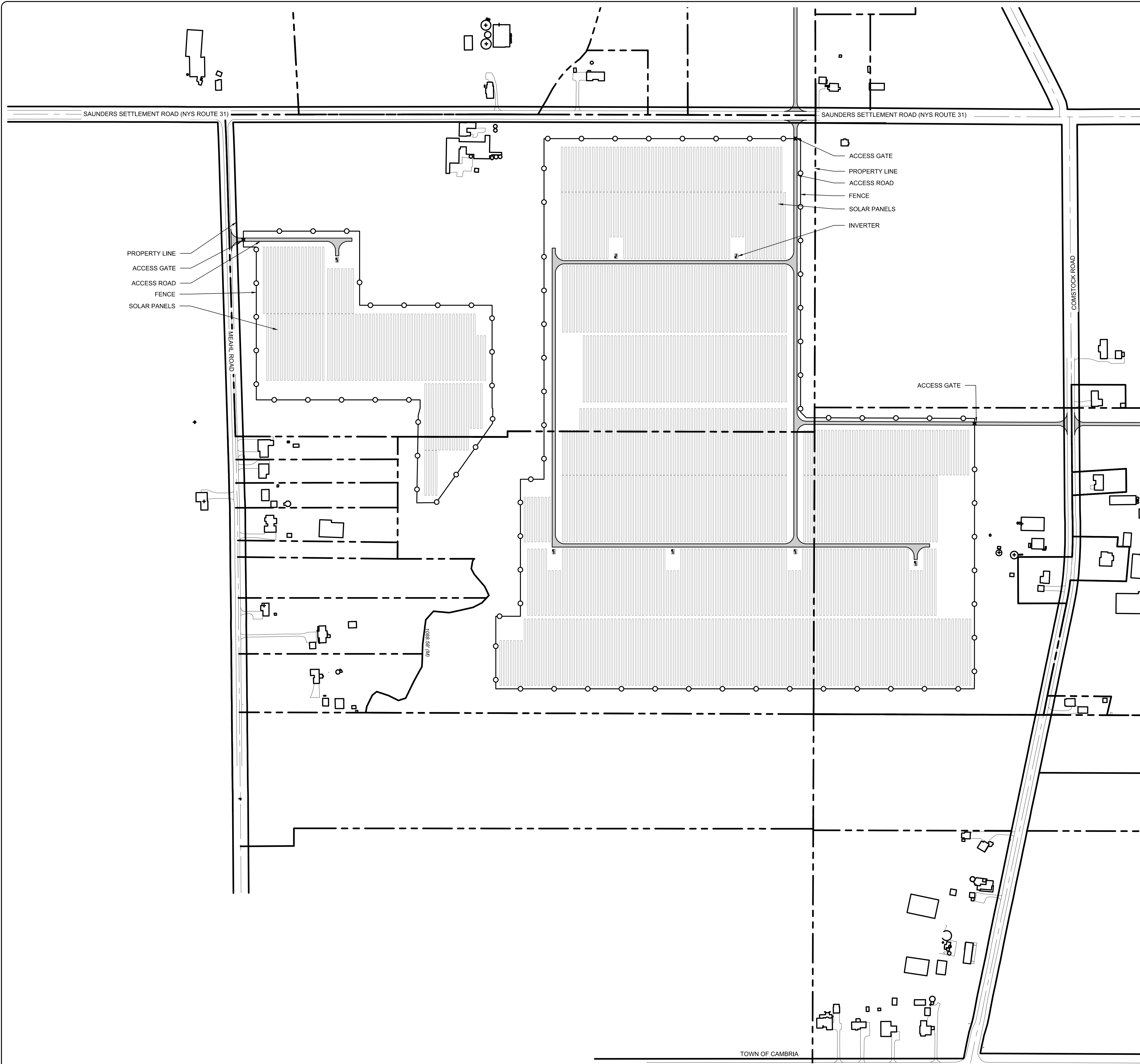
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EDR Job#: **17181**

DRAWN BY: **BL, ZR**

FILE NAME: **C-SITE-FM.dwg**

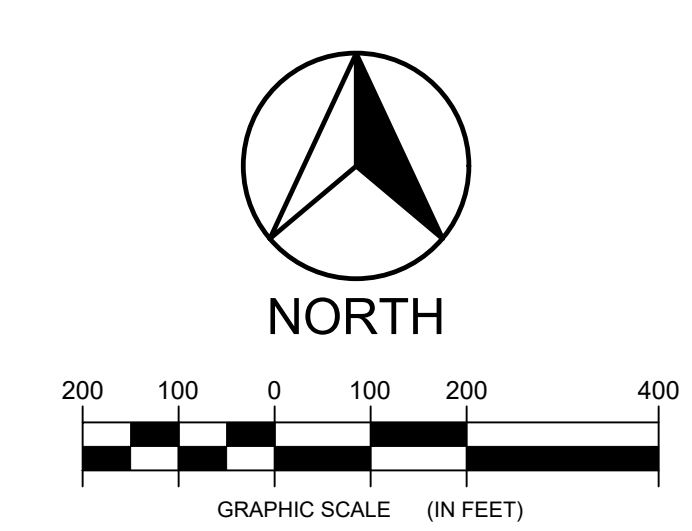
DRAWING NUMBER: **FM-100**



PROPERTY LINE
ACCESS GATE
ACCESS ROAD
FENCE
SOLAR PANELS

ACCESS GATE
PROPERTY LINE
ACCESS ROAD
FENCE
SOLAR PANELS
INVERTER

ACCESS GATE



FOR PERMITTING ONLY
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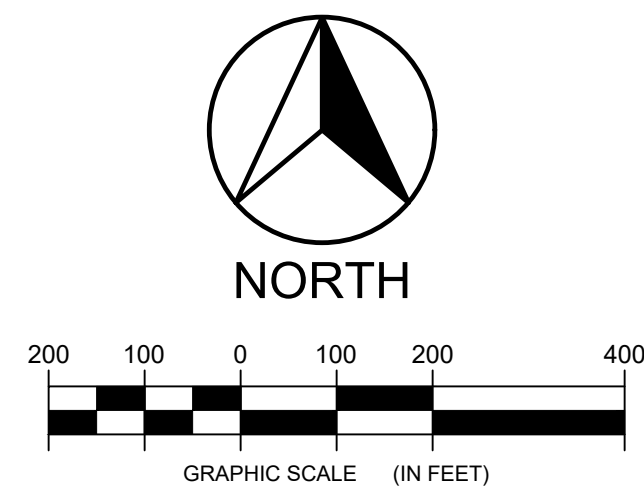
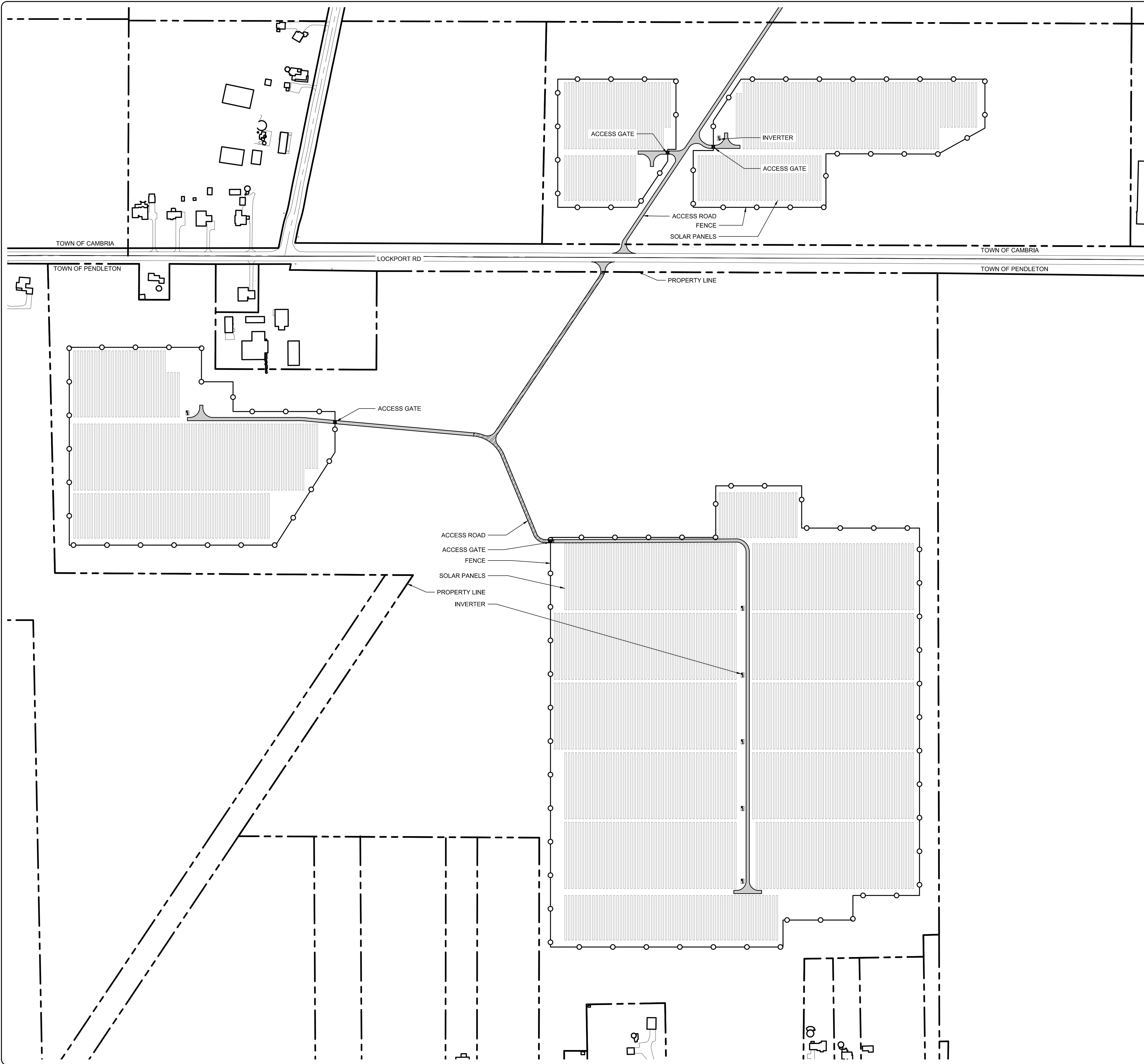
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PROJECT TITLE: **BEAR RIDGE SOLAR**
PROJECT LOCATION: TOWN OF CAMBRIA, TOWN OF PENDELTON, NIAGARA COUNTY
CLIENT: CYPRESS CREEK RENEWABLES
DRAWING TITLE: **SITE PLAN**

DATE: **SEPTEMBER 2021**
SCALE: **1" = 200'**
EDR Job#: 17181
DRAWN BY: **BL, ZR**
FILE NAME: **C-SITE-FM.dwg**
DRAWING NUMBER: **FM-102**

Date Plotted: 10/7/2021 1:30:21 PM

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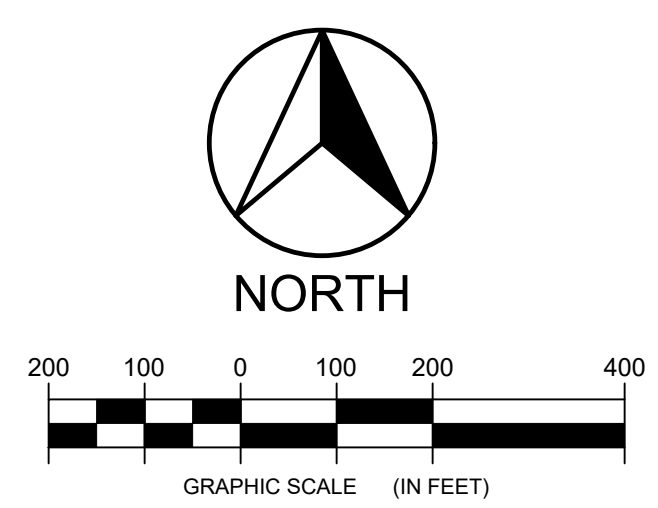
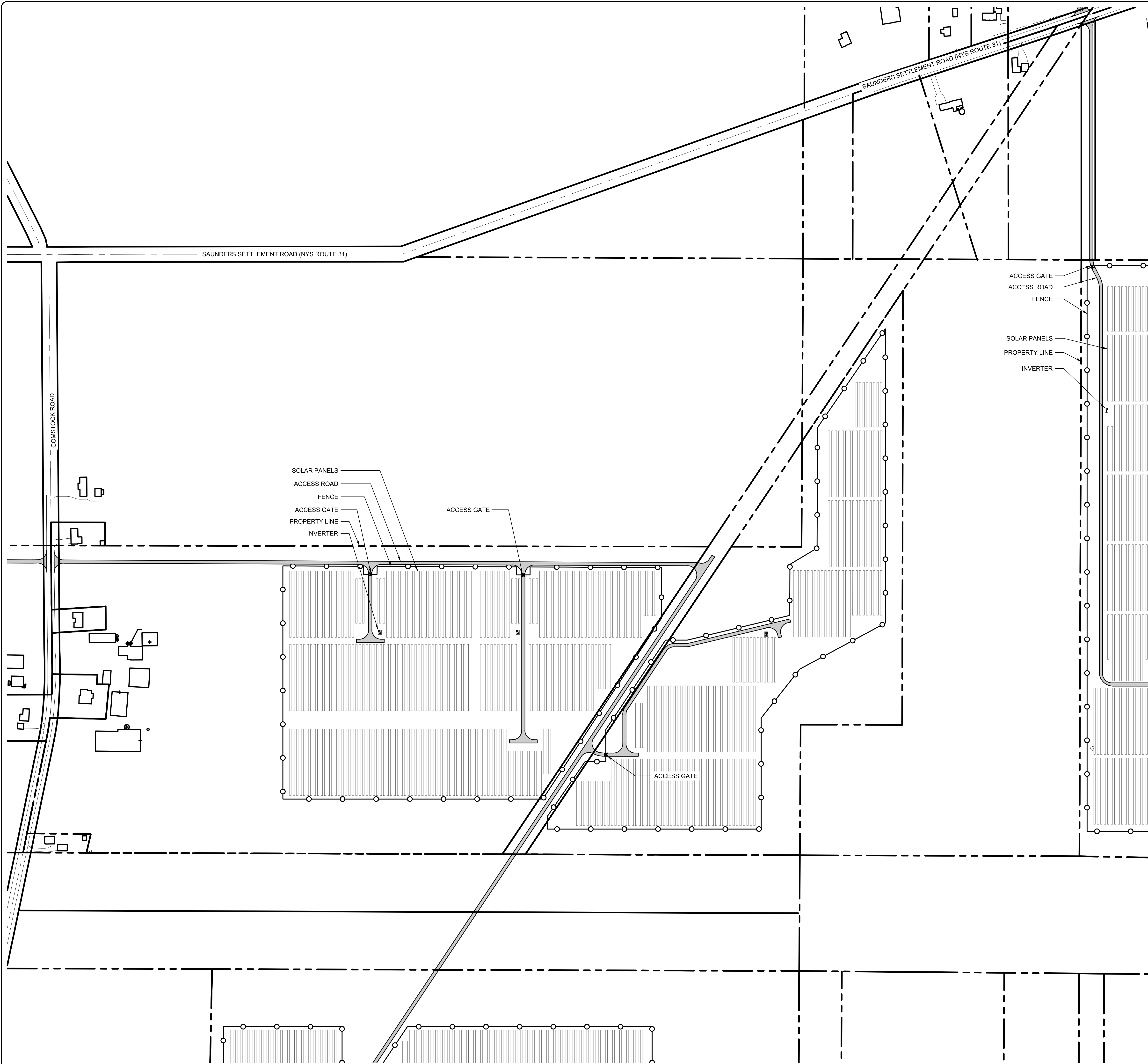
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CLIENT: CYPRESS CREEK RENEWABLES
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DATE: SEPTEMBER 2021
SCALE: 1" = 200'
 EDR Job#: 17181
 DRAWN BY: BL, ZR
 FILE NAME: C-SITE-FM.dwg
 DRAWING NUMBER: **FM-103**

Date Plotted: 10/27/2021 1:30:30 PM

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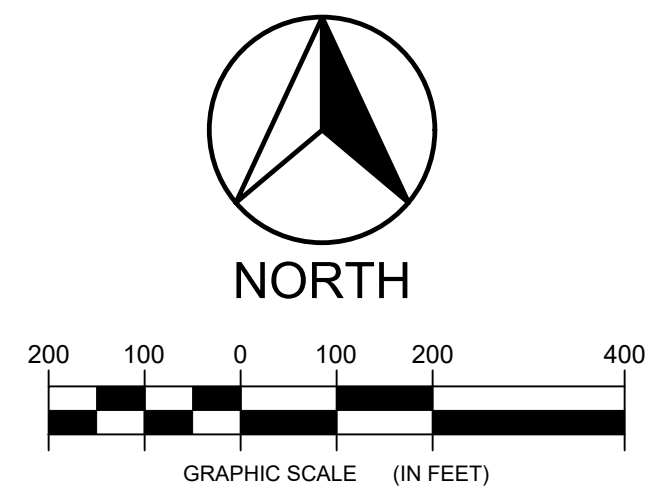
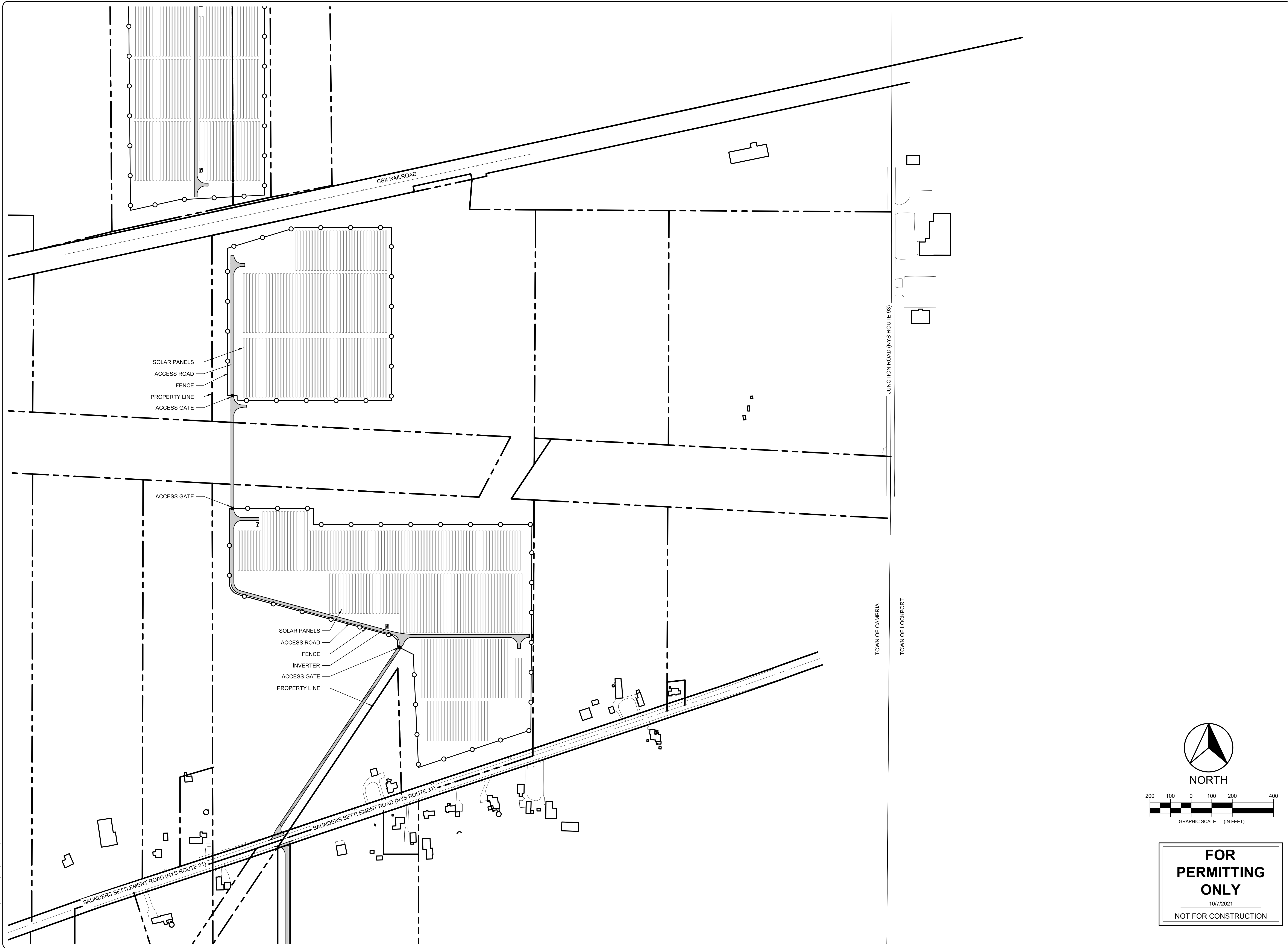
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DRAWING NUMBER: **FM-104**



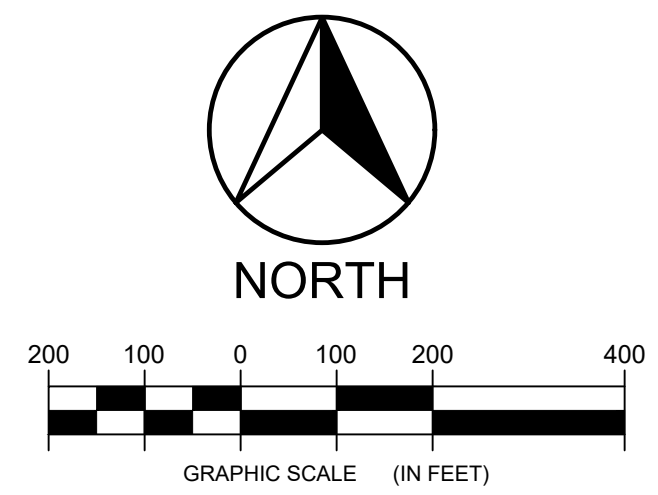
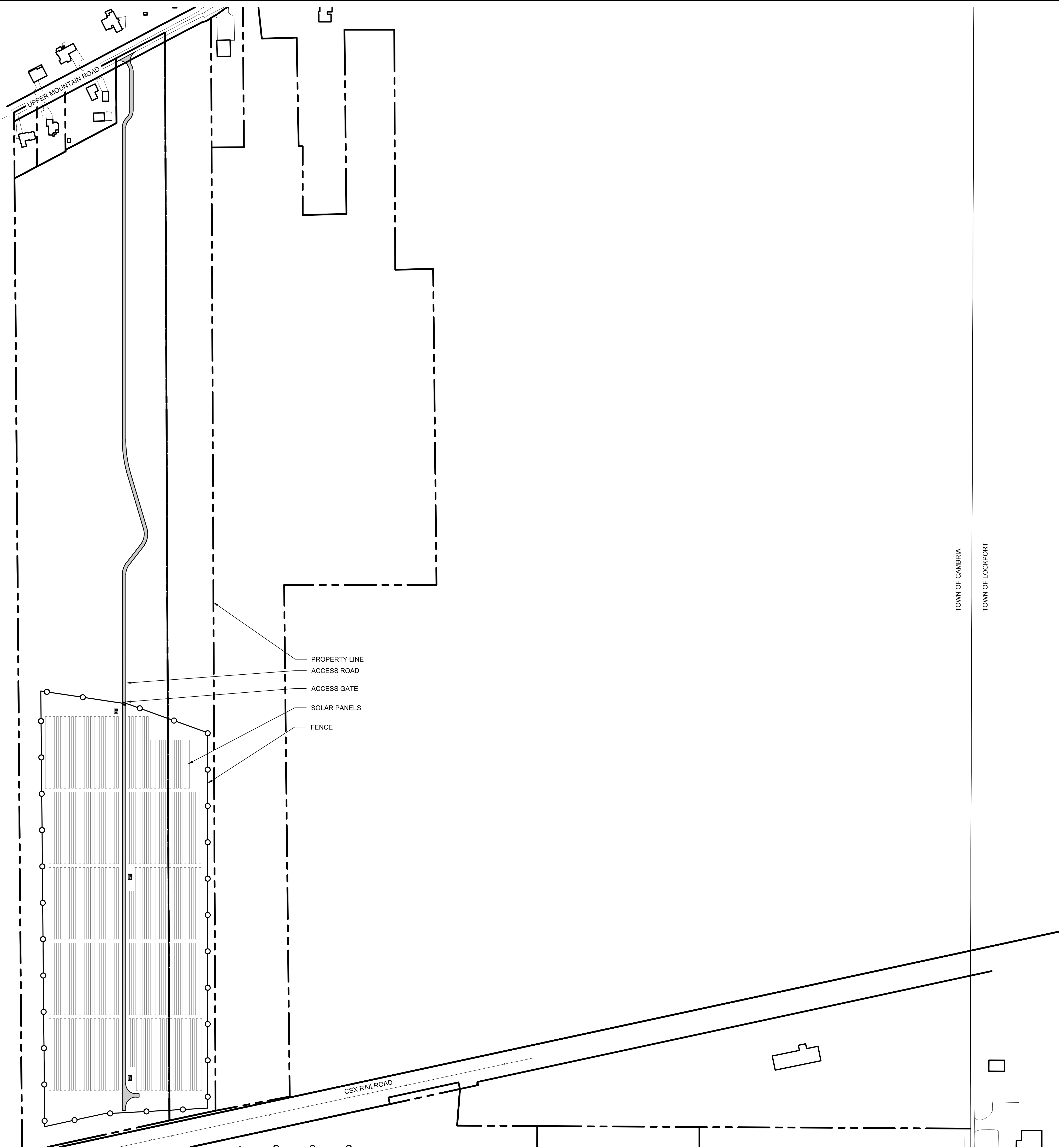
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EDR Job#: 17181
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FILE NAME: **C-SITE-FM.dwg**
DRAWING NUMBER: **FM-107**



Meeting Minutes

Project Name: Bear Ridge Solar Project – Fire and Safety Consultation Meeting

EDR Project No: 17181

Date: October 25, 2021

Persons Present: Megan Quinn, EDR
Steve Wilson, Young / Sommer Law Firm
Keith Silliman, CCR
Rikki Cason, CCR
Jared Kirk, CCR (via Phone)
Wright Ellis, Town of Cambria Supervisor
Matt Foe, Councilman, Town of Cambria
Joel Maarten, Town of Pendleton Supervisor
Sharon Tasner, COIS group Vice President
Robert Roberson, Town of Cambria Attorney
David Godfrey, Niagara County Legislator and Chairman of County Safety Committee
Mark Davis, Outside Counsel, Town of Cambria
Mark Walter Dep Town Pendleton
Legislative officer, Town of Cambria
Jonathan Schultz, Niagara County Fire Coordinator
Cambria Fire Chief
Assistant Fire Chief, Cambria
Mathew Berry, Wendelville Fire Chief
Mark Hane Deputy Coordinator of HazMat, Niagara County
Members of Sanborn Pekin, Cambria, and Wendelville Fire Departments

Overview of Project and Purpose of Meeting (Keith Silliman, CCR)

- CCR provided an overview of the project and permit timeline. CCR also explained the purpose of the meeting including fire company involvement to (1) convey potential emergency or hazardous substance incidents at the Facility, and (2) receive feedback regarding fire companies' preparedness. CCR conveyed that the goal is safety through all phases of the project (construction and operation, decommissioning)
- CCR provided current status of the Project regarding 94-c Application and discussions with National Grid on interconnection agreement, and NYSEDA contracts
- CCR provided background on the company including installation of 4 GW of solar throughout the country and are therefore familiar with operations and maintenance

Potential Emergency Situations (Jared Kirk, CCR)

- Facility remotely and constantly monitored for emergency incidents from Durham NC monitoring station (e.g., electricity can be turned off during an emergency)
- Any electrical faults or mis-controls will be understood from the data collection center

- When Ops has full care/custody/control of the site, there will be 24/7 365 monitoring from Durham NC with onsite staff during business hours (2-3 people in addition to other subcontractors)
- Common risks:
 - Trespass –
 - Perimeter fencing will be checked at the start of each shift to ensure plant status control and no non-authorized access has occurred
 - Fire –
 - Staffing of the facility and monitoring efforts are preventative measures along with routine equipment maintenance, in addition to drone thermal scans of the site to determine differences in ambient air temperatures
 - Prevention, maintenance, and training are the key means to address this risk
 - Most common occurrence are small incipient fires that are generally able to be extinguished by site staff (fire extinguishers substation control house, in tools, and in trucks)
 - Incident commander policy and procedures will be in effect during the operational period
 - Contact of 911 (first) for dispatch of local emergency services and Dispatch of site plan manager (second)
 - Health and Safety Response Plan – includes information for each emergency contingency
 - Types of fires:
 - Electrical injuries
 - Vegetation fires due to faulty equipment
 - Injury on site (OSHA 300, NFE 70-E, and other trainings)
- Training and working with local law enforcement and emergency responders provide for an immediate and coordinated response rather than reactive response

Question and Answer Discussion

- Question from Fire Coordinator Jonathan Schultz – why delay moving of emergency responders if CCR is aware of the fire? Should this be a direct call to 911
 - If the fire occurs on the opposite end of the site it would be difficult to extinguish in time.
 - Can local fire departments work with CCR to investigate incidents?
- Question from Supervisor Wright Ellis – How many staff people and where will they be based?
 - No O&M facility planned at this time, CCR is still determining details of the site operations plan (Plan will be in place before construction)
- Question about use of UAVs – How will the site be monitored by drones during poor weather conditions?
 - Policing of areas of concern would be on foot in poor weather or poor visibility conditions
- Involvement of local departments – “How can we be assured that all the incidents will be communicated with the fire service at the site?”
 - CCR will review every incident and provide a report back to the departments and/or involve them in the investigation

- CCR is updating the Safety Response Plan to reflect that local emergency responders should be contacted in the event of any fire, regardless of whether onsite staff can extinguish.
 - Feedback on the Safety Response Plan from Fire Coordinator Jonathan Shultz –
 - The plan is very basic and does not include enough information regarding training type, who will be conducting the training, what would it be, when would training occur, what types of fire extinguishers will be present at the site, etc.
 - Per CCR, this is the first version of the plan to meet regulatory requirements; we want to work in emergency responder concerns and will update the Plans along the way to ensure that we can work together effectively and efficiently when the Project is built
 - Training would include Mock fire drills, man down drills, substation malfunction drills, dialogue interaction, etc.
 - Organizations in the renewable energy sector do provide fire prevention and training and CCR would be willing to bring a consultant in to provide training
 - Question regarding who will be contracted to construct the Facility –
 - IBEW local will be contracted to install the site per CCR
 - Comment from Town legislator regarding Safety Plans and Security Plans
 - CCR will provide a couple plans from existing facilities for review, with contact information for those implementing the plans.
 - Question from Fire Coordinator Jonathan Schultz regarding how monitoring of the Facility occurs –
 - Substation building has a number of computer servers and internet connections with remote operating center as part of SCADA system, every combiner box, inverter, transformer, etc, all are mapped through network communication. A cellular modem for internet connection will be utilized with additional backups for coverage loss prevention
 - If Comms/SCADA communication are lost, the onsite technician would be contacted to investigate
 - Sub-contracted network engineers on retainer could also be called to fix the problem
 - This is not a common problem, and communications are generally quickly restored
 - Question from Niagara County HazMat Coordinator –
 - Worst case scenario from HazMat standpoint would be that a derailment occurs on the CSX line through the site, communications/monitoring of the facility is down, and onsite techs are not allowed access because of the HazMat situation. How would this be handled?
 - Per CCR – in addition to procedures in the safety plan, utility (National Grid) could disconnect the Facility if communications and monitoring are not available, no techs can access the site, etc.
 - Question regarding access of the site during off hours –
 - Keyed access is typically done by combination lock; Emergency Action Plan signage outside the entrance gate with contact information as well
 - Knox boxes may also be used or multi-lock solution, depending on local responder preferences
-

- Question regarding how the Site Security and Safety Response plans are reviewed by the state -
 - In tandem with state 94-c application review
 - Question regarding vegetation maintenance of the site – What is the plan? Are the driveways plowed during winter?
 - A subcontractor will be staffed full time on site with mowing equipment
 - Insurance requirements do not allow vegetation to grow above 18 inches
 - Vegetation management is necessary to prevent module shading, health and safety risks. This is a huge part of maintenance and fire prevention strategy
 - Vegetative screening buffers will be treated differently
 - Long term vegetation management plan will be filed with DPS/ORES prior to construction and will address these issues
 - Oversight of facility management from the state is more intensive than a SEQRA/locally approved project
 - Question regarding decommissioning and safety – how will safety be addressed for this phase of the project?
 - Decommissioning bonds go back to the towns so there is a mechanism for decommissioning
 - Question regarding storage of damaged panels –
 - Per CCR, a Module recycling company will be contracted during operation of the Facility. Panels may be stored on site until they can be recycled; damaged panels will not be disposed of in a land fill
 - Question regarding any additional storage needs at the Facility –
 - Per CCR, a 40-foot container for storage of non-climate controlled equipment (new and damaged modules) will likely be needed Would be stored near the entrance of a locked gate or an O&M facility
 - Question regarding access roads and emergency vehicle accessibility -
 - Road width, road type? CCR responded that access roads are planned at 16 feet wide comprised of gravel. CCR to provide additional information.
 - No hydrants or ponds are proposed to provide for water source in case of a fire
 - Question regarding grounding requirements
 - None specific to vehicles per CCR as only a 115kV tie line is proposed adjacent to the substation.
 - Question regarding access road construction with NYSDAM guidelines and topsoil storage
 - NYSDAM guidelines will be followed for construction in agricultural areas. CCR will provide additional information regarding topsoil storage in agricultural areas at the project site.
 - Construction drawings will indicate topsoil storage areas
 - Question regarding security lighting at the Project–
 - No permanent lighting is proposed in PV arrays; OSHA guidelines will be followed during construction and maintenance activities to provide temporary lighting. Only permanent lighting is that required in the substation yard
 - No lighting is installed across the site for illuminating during emergencies or for security reasons. If trespass becomes an issue, security cameras may be installed with night vision;
-

movement will be indicated in the control center. Other deterrent factors can be used if requested by the Facility owner or the Towns.

- Question regarding size of inverter stations -
 - Usually 600-800 kW; 2-3 MW inverters could also be used at larger sites. CCR will provide additional information regarding the size of inverters planned at the Facility.
- Question regarding hazardous materials at the Facility –
 - CCR has a master contract with US waste for hazardous spill clean up
 - The only oil storage at the site is in the transformer at the substation (oil)
 - CCR will verify whether or not the inverters also hold a small amount of oil
 - CCR to provide the PV module type planned at the project
 - SDS for transformers, oil types, and PV panels will be provided.
- Question from Fire Coordinator Jonathan Schultz regarding site mapping and numbering -
 - Right now no numbering is established, but will be when the Facility is constructed. This information will be provided to emergency responders.
- Question regarding how are modules cleaned -
 - CCR cleans PV modules with water and friction only. A machine attached to a truck runs along the row of PV modules.
 - CCR to provide information regarding mitigation of wash water at the site (SWPPP)
- Question regarding material needs for emergency response –
 - CCR will provide any materials needed specifically for emergency response at the solar Facility.
- Question regarding trespass or vandalism – are there any triggers to the Durham NC monitoring system?
 - Yes, motion camera solutions at access/egress and easier during the day time
 - Would be based on need for security if these issues arise
 - These incidents would be investigated and could be made available if local agencies are interested
 - What if a gate is left open at night? Gate alarms are not currently built into the design of this facility per CCR.

Next Steps and Action Items

- CCR to provide information regarding the following items related to the fire and safety discussion:
 - How often do thermal scans occur?
 - CCR to provide the Draft SPCC and the Health and Safety Plan for review
 - CCR to provide the number of transformers, amount of oil containment, material of solar panels, SDS sheets, inverter size and any oil storage, PV module type and composition
 - Has a 209-U evaluation of the general municipal law been conducted?
 - CCR to provide fencing feet and access road feet planned at the Project
 - Fire and safety plans, health and safety plans from other operating projects – Town of Cambria would like these provided within a week
- CCR to provide information regarding ancillary items:
 - Topsoil storage in agricultural areas

- Mitigation of wash water from PV module washing – CCR to provide draft SWPPP.
- The Safety Response Plan will be updated to reflect the following:
 - In case of a fire emergency, the ground will be sprayed rather than the panels
 - Investigation of incidents will be added, including state reporting protocols and contact of local emergency responders
 - Health and Safety Plan reference will be added to the Safety Response Plan
 - The Plan will be updated to include information about specific safety risks from the following sources:
 - Bull Creek
 - CSX Rail Line
 - DOT Transportation Route 31
 - Proximity to public buildings (e.g., schools)
 - Local responders will be contacted in the events of any emergency by the Site Manager or observer of an emergency event (e.g., fire, spills, medical emergencies, security concerns)

Copies To: file
email

These meeting minutes have been prepared by Megan Quinn of EDR. If there are any discrepancies, please notify our office within three business days of receipt.

Megan Quinn

From: Keith Silliman <keith.silliman@ccrenew.com>
Sent: Thursday, October 28, 2021 7:35 AM
To: Jonathan F Schultz; Daniel C Leven; Mark A. Hain; cambriafire@roadrunner.com; pressleyjonathan@yahoo.com; lamacherjr@pekinfire.com; 17firerescue@gmail.com; sanbornchief@gmail.com; Wright Ellis; 237mberry@gmail.com; 'nickribevmar@aol.com'; David E. Godfrey; jmaerten@pendletonny.us; Rikki Cason; wquinn@edrdpc.com; mdavis@lippes.com
Cc: Megan Quinn; Rikki Cason; Jacob Runner; Jared Kirk
Subject: RE: Bear Ridge Solar meeting recap

[EXTERNAL SENDER]

Thank you Jonathan. We will include your recap in our consultation log.

Keith

Keith Silliman
518.788.8665

From: Jonathan F Schultz <Jonathan.Schultz@niagaracounty.com>
Sent: Wednesday, October 27, 2021 6:10 PM
To: Daniel C Leven <Daniel.Leven@niagaracounty.com>; Mark A. Hain <Mark.Hain@niagaracounty.com>; cambriafire@roadrunner.com; pressleyjonathan@yahoo.com; lamacherjr@pekinfire.com; 17firerescue@gmail.com; sanbornchief@gmail.com; Wright Ellis <supervisor@townofcambria.com>; 237mberry@gmail.com; 'nickribevmar@aol.com' <nickribevmar@aol.com>; David E. Godfrey <David.Godfrey@niagaracounty.com>; jmaerten@pendletonny.us; Rikki Cason <rikki.cason@ccrenew.com>; Keith Silliman <keith.silliman@ccrenew.com>; wquinn@edrdpc.com; mdavis@lippes.com
Subject: Bear Ridge Solar meeting recap

Good Evening,

Below is a recap of the meeting between Cypress Creek renewables and the following agencies;

Cambria Volunteer Fire Company
Wendelville Volunteer Fire Company
Sanborn Volunteer Fire Company
Pekin Volunteer Fire Company
Town of Cambria Supervisor
Town of Pendelton Supervisor
Niagara County Legislative Public Safety Chair
Niagara County Emergency Services – EM, Fire & HazMat
Cypress Creek Renewables
EDR

Meeting was held October 25, 2021 to discuss the safety response plan for Bear Ridge Solar Project and concerns from the first responders. The following are concerns and topics that will be followed up by Cypress Creek Renewables

- Safety response plans being utilized at operating facilities by Cypress Creek (2-3) – for review
- Criteria for being part of the thermal task force after an incident
- Health and Safety plan for this site and plans being utilized at other sites for review

- Spill Prevention Control and Countermeasure Plan (SPCC) for this site
- SDS for this site
- 209U of the GML
- Layout of how each site will be depicted for understanding of which location to respond to
- Type of panel and cut sheet for responders
- Training program that will be offered to first responders to include Energy Lock Out Training as well along with equipment for the local responders to have on their trucks to comply with standards during an emergency
- Compliance with OSHA 1910.302 through 1910.308 with NFPA 70E compliance as well
- Onsite Inspection and Review by the AHJ's during the construction phase if so inclined by the AHJ,s
- Determination of on-site hazardous waste storage, what and where
- Waterway, and wetland protection throughout all phases
- Any impact on the Tennessee Gas Pipeline

Concern for the proposed emergency communications link between Durham, North Carolina and the proposed site in the towns of Cambria and Pendleton. There needs to be a focus and understanding that the Health and Safety of the citizens and first responders needs to have a high priority while not being focused on profits and satisfying the requirements of the Office of Renewable Energy.

Many other concerns and challenges were discussed amongst the first responders and the company. It was stated that the company is willing to meet and train with the responders as the project continues and gets closer to building and completion. If you have any questions or comments please let me know.

Thank you,

JONATHAN SCHULTZ_{CEM}

Fire Coordinator & Director of Emergency Services
 5574 Niagara St. Ext.
 Lockport NY 14094
 716-946-7037 – Cell
 716-438-3171 - Office

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**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
Written Comments Provided During the Public Comment Period						
1	1A	12/30/2022	Jan Palmer	With an average of 54 sunny days per YEAR in this area why would this be a good place for solar?	<i>Viability of solar in Western NY</i>	<p>Energy generation by the panels will be able to continue in cloudy weather as well as in light snow. In the event of heavy snowfall or wind, the solar panels that will be used in this design have tracker technology which will be used to configure panels to automatically move into a snow-safe position. Similarly, in the event of high wind, the solar panels will move into a user-configured high-wind-safe position (Appendix 05-C). The panels are designed to withstand up to 25 mm diameter hail at 23 m/s, Wind: 2400 Pa, 245 kg/m² front & back, and Snow: 5400 Pa, 550 kg/m² front. By avoiding heavy snow accumulation, solar can be collected after a snowfall without extensive snow clearing from the panel surfaces.</p> <p>The current efforts to install solar in New York State are also driven by initiatives and goals set forth by the New York State government. The State recognized the urgent need to reduce dependence on fossil fuels and reduce carbon emissions that contribute to climate change. The CLCPA requires that 70% of statewide electricity come from renewable energy sources by 2030 and the State achieves a zero-emission electricity system by 2040. This advancement includes the installation of 6,000 megawatts (MW) of distributed solar by 2025. As indicated, solar panels are sun dependent which is why the State has emphasized the need for a diverse renewable energy portfolio. Renewable energy in the forms of land-based wind and solar, battery energy storage, and offshore wind are key components of transitioning the State to a carbon-neutral economy. The Bear Ridge Solar Project will be complimentary to other renewable energy generation and storage facilities being installed within the State.</p>
2	2A	12/29/2022	Jan Palmer	I am expressing opposition to the Bear Ridge Solar Project in the Town of Cambria, there is certainly a better use for the community for using this land productively.	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
	2B			There is no benefit to the citizens, if it were developed, the taxes would certainly benefit the community.	<i>Economic benefits</i>	<p>The Bear Ridge Facility is anticipated to have local, countywide, and statewide economic benefits towards job creation, purchasing local materials and services, and payments to local municipalities and Niagara County. These benefits are explained further in Exhibit 18 of the 94-c Application.</p> <p>The list below outlines financial benefits that will be provided to the towns, county, and school districts for hosting the Facility Site:</p> <ul style="list-style-type: none"> • Lease and easement payments during construction and installation; • Lease and easement payments during the Facility's operating lifetime; • Payment in Lieu of Taxes (PILOT) Agreement payments to the Towns of Cambria and Pendleton, the Starpoint Central School District, and Niagara County; • Host Community Agreement (HCA) payments to the Towns of Cambria and Pendleton to be distributed over a 20-year term; • Payments to the Cambria and Wendelville Fire Protection Districts to cover the Fire District Tax; • Purchases of local goods and services within host communities during construction and installation; • Purchases of local goods and services within host communities during the Facility's operating lifetime.
	2C			Only 3 landowners, at least 1 is absentee and not a resident, are benefiting.	<i>Economic benefits</i>	While landowners receive lease payments, the remaining benefits will impact all residents of the community. See Exhibit 18 or Comment 2B (above) for further breakdown of funds and benefits to be received for hosting the Facility.
	2D			Not only is there no benefit to the taxpayers, we lose twice because the value of our houses will be adversely affected.	<i>Property Values</i>	Numerous property value studies based on statistical analysis of real estate transactions have found that solar facilities do not have significant impact on property values (Kirkland, 2018; CohnReznick, LLP, 2018; McGarr, 2018; Solar Energy Industries Association, 2019). Given the

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
						results of these studies, it is reasonable to conclude that the proposed Facility will not have a significant adverse impact on local property values.
	2E			There is no valid reason to put this in a town where nobody wants this! the only people that are for this that spoke up at the ALJ hearing were not even residents of Cambria or Pendleton.	<i>Consistency with Energy Planning Objectives</i>	<p>Solar energy generation has a wide range of benefits from reducing dependency on fossil fuel (Exhibit 17 Section (b)), diversifying New York State’s energy portfolio (Exhibit 17 Section (c)), bettering global air quality (Exhibit 6 Section (a)), and promoting public health and welfare (Exhibit 6 Section (a)). These benefits have been recognized at both the Federal and State level and are reflected in policy changes that highlight the importance of transitioning the United States energy portfolio to include solar.</p> <p>In June 2019, New York State passed the Climate Leadership and Community Protection Act (CLCPA), which is designed to combat climate change and set the state on a path to reach 100% zero-emission electricity generation by 2040 and 85% reduction in greenhouse gas (GHG) emissions by 2050. The Bear Ridge Solar Project is directly consistent with this policy and helps to further the state’s energy planning objectives by increasing renewable energy generation, adding to the state’s energy generation capacity, and fueling diversity, resiliency, and reliability in the state’s energy systems.</p> <p>Additionally, at the federal level, recent laws have been passed under the Biden Administration including the Bipartisan Infrastructure Law of 2021 and Inflation Reduction Act of 2022 which serve as some of the most aggressive and laws ever to be passed in order to fight climate change (The White House, 2022). Both laws highlight an increased national focus on converting U.S. energy systems to contain more renewable energy.</p> <p>While there are impacts to the environment through the construction of the Facility, the long-term impacts resulting from the large-scale transition to renewable energies will outweigh the environmental costs. The Bear Ridge Solar Facility will directly contribute to helping NYS and the United State reach their renewable energy goals and will contribute to all previously listed benefits that are associated with solar energy. More information on benefits of transitioning to Solar Energy are outlined in Exhibit 6 and further explanation of the Facility’s impact towards meeting NYS climate goals is described in Exhibit 17.</p>
3	3A	12/28/2022	Jan Palmer	I am opposed to the Bear Ridge Solar Project in our agricultural area of the Town of Cambria, when entering the Town of Cambria there is a prominently placed sign "Welcome to Cambria, a Right to Farm Community". This rural setting was exactly what we are looking to keep, not an industrial solar "farm". This peaceful, quite area with working farms, down to earth people, a great school system and a beautiful landscape is the perfect place live.	<i>Visual</i>	This comment has previously been addressed on the record. Please see the response to comment 10B for discussion of visual impacts.
	3B			b.) Please force this project into the industrial area of the town OR the brownfields in the county.	<i>Siting constraints</i>	The Applicant is limited to land meeting certain criteria such as cooperative landowners, proximity to grid interconnection, and areas with limited impacts to sensitive cultural and environmental resources. Due to the size of the Facility, the Facility Site needs a collection of parcels that comprise enough acreage to host the Facility while also being somewhat contiguous to reduce costs associated with connecting Facility Components and construction-related impacts to the environment. The industrial areas and brownfields within the Towns of Cambria and Pendleton are not suitable areas for development due to their relatively small area and non-contiguous nature. Acknowledging these constraints, the Applicant has taken efforts towards minimizing impacts on environmental, community, and agricultural resources, to the maximum extent practicable under the given constraints.
4	4A	12/27/2022	Donna Heiser	We had a blizzard. How in the world are solar panels effective in that kind of weather. We don't get much in the way of sun here during the winter and it's dark by 5:00. Cypress Creek wouldn't even want to be in our town except for the incentives offered by the state. The very state that we live in and pay our taxes to. Our own state government officials need to listen to the people they are supposed to represent!	<i>Viability of solar in western NY</i>	This comment has previously been addressed on the record. Please refer to the response for comment 1A for discussion on the viability of solar in Western New York.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
5	5A	12/23/2022	Nancy Reminder	To Whom It May Concern, I am opposed to the Bear Ridge Solar site in my area. This is all farmland not for industrial business.	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
	5B			This site is very close to Starpoint Central High School, there should be a 5-mile radius from any school property.	<i>Public Health, Safety, and Security</i>	Solar panels do not contain sufficient hazardous materials to pose a danger to the environmental and human health (ACPA, 2022; NC Clean Energy, 2017). In fact, there are several benefits of switching from conventional fossil fuels to renewable energy including increased air quality which contributes to long term public health benefits (Exhibit 6 Section (a)). During the normal operation of the Facility, solar panels will release no air pollution and no hazardous material releases. The solar panels that will be used in the Facility will contain crystalline silicon solar cells, of which the primary component is silicon, the second most common element on Earth. See Comment 5E for further explanation of what materials are found in solar panels. In the event of an emergency at the Facility, emergency response training is addressed in the Safety Response Plan included as Appendix 6-B to the Application. Specifically, Section 4.0 (Training and Drills) addresses on-site personnel training (Section 4.1), first responder training (Section 4.2), and drills and exercises (Section 4.3).
	5C			Also, there is no plan in place if these panels catch on fire, who is going to put that out,	<i>Public Health, Safety, and Security</i>	In compliance with New York State Uniform Fire Prevention and Building Code, the Applicant has developed contingency plans for fire and hazardous incidents that could potentially happen at the Facility. These contingency plans are outlined in the Safety Response Plan (Section 4.1 of Appendix 6-B) and Public Health Safety and Security Plan (Section 6 of Exhibit 6) in the Applicant's 94-c Application (March 22, 2022). In the event that the community needs to be notified of an emergency situation that is specific to the Facility and/or has the potential to affect the public or public services (churches, schools, etc.), the Facility Manager will notify local officials and emergency responders, as appropriate. The Applicant has developed a number of fire safety materials and plans to ensure public safety in case of an emergency. Section 4 of the Safety Response Plan (Appendix 6-B) outlines contingency plans in the event of Fire and Hazardous Incidents. Any fire should be extinguished at the ground level within the PV array areas. Fire extinguisher chemicals or water used to extinguish a fire could damage PV modules or cause further electrical issues or emergencies at the Facility. In general, equipment to respond to fire emergencies will be stored in the off-site O&M facility, and on-site in the substation yard. Section 6 of the Public Health, Safety, and Security Plan (Exhibit 6) states that fire at the Facility's collection substation or at one of the intra-array inverters would be contained through a combination of the underlying gravel pad and/or the substation access road. The gravel pad and the access road will provide a buffer between the component and surrounding vegetation to help prevent the spread of fire. In addition, the collection substation will be constructed within a fenced gravel yard. Routine maintenance of the gravel yard will, eliminate combustible material within the buffer area between equipment and the substation fence line.
	5D			what happens to these panels when they are old and no good any more to be recyclable, nothing has been planned or no one has been deemed responsible to take care of these issues.	<i>Decommissioning</i>	At the conclusion of the project, Bear Ridge Solar, LLC Project shall implement the approved Decommissioning and Site Restoration Plan as required by Section 900-2.24 of the 94-c Regulations. The project will have a lifespan of between 30 and 40 years. Decommissioning will include the removal of all solar panels, ground supports & racking, electrical wiring, ancillary equipment, inverters, substation, buildings, fencing, access drives and all foundations. The Decommissioning Plan is outlined in Appendix 23-A of the 94-c Application. Solar panels that are still functional will be reused at other solar facilities or will be resold on the market. If the solar panels cannot be reused or resold, they will be recycled by a company such as WeRecycleSolar, Inc., or disassembled and sold for scrap. Most components used to construct solar panels can be recycled after the panel is no longer functional. Glass, which consists of about

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
						<p>75 percent of a panel, is a well-established recycling industry. Copper, plastic, and aluminum are also easily recycled. Internal silver and copper wires are valuable components but are more difficult to recycle but these metals represent very small amounts within the panels (EPA, 2022). Any other materials included in the panels or within the racking (such as lubricants) will be removed and disposed of in accordance with all applicable federal, state, and local standards. Further information on the removal and recycling of solar panels is outlined in the decommissioning plan, Appendix 23-A Section (II)(A).</p> <p>Financial responsibilities of decommissioning are outlined in Section 900-6.6 of the 94-c Application. A letter of credit (LOC) or other financial assurance approved by the Office, will be established by Bear Ridge Solar, LLC to be held by both the Town of Cambria and the Town of Pendleton while they host the facility components. The amount of the LOC will be equal to the net decommissioning and site restoration estimate plus 15 percent contingency costs.</p>
	5E			We have not been told what these panels are going to be made out of, chemicals involved and trying to cover up these issues.	<i>Public Health, Safety, and Security</i>	<p>Compositions of solar panels vary by manufacturer and type of solar technology. The solar panel model has likely not been released due to the project not being at the procurement stage yet. However, Bear Ridge is included in the group of CCR projects currently assigned to receive Maxeon solar panels. The model is the "Maxeon Performance 5 SPR-P5-535-UPP". The solar modules are monocrystalline Silicon. The doping agent is Gallium. The solar cell encapsulant is Polyolefin Elastomer (POE). The module is bifacial, and the front/rear panels are tempered glass, which hold everything in and are designed to withstand significant environmental stressors. The frame is Class 2 silver anodized.</p> <p>According to the EPA, crystalline-silicone solar technology represents most of the solar market share. These panels are constructed with an aluminum frame, glass, copper wire, polymer layers and a back sheet, silicon solar cells and a plastic junction box. Crystalline silicon solar PVs are the most common and efficient solar panel technology sold today (EPA, 2022).</p> <p>Several commentors raised concerns surrounding exposure to cadmium, lead and other toxic chemicals. Trace amounts of these elements are sometimes found in crystalline-silicon solar cells. However, evidence has shown that the amounts of hazardous materials, even when considering the volume within utility scale solar facilities, do not pose significant health risks (ACPA, 2022, NC Clean Energy, 2017).</p>
	5F			This site will devalue our homes and	<i>Property values</i>	This comment has previously been addressed on the record. Please refer to the response to comment 2D for discussion of property value impacts.
	5G			we will not benefit from the solar as it is all going to be going to downstate.	<i>Economic Benefits</i>	This comment has previously been addressed on the record. Please refer to the response to comment 2B for discussion of economic benefits provided to the towns.
	5H			I am greatly opposed to the Bear Ridge Solar site in my neighborhood.	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
6	6A	12/23/2022	Alyssa Jaques	I am against this project.	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
	6B			Why use perfectly good farming land to contaminate all the land when there is non farmable land in Niagara falls that they could use.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please refer to the response to comment 7A for discussion on impacts to agriculture.
	6C			This isn't very green and what do we need solar panels for when we are getting our power from Niagara falls.	<i>Consistency with Energy Planning Objectives</i>	Please refer to the response to comment 2E.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
7	7A	12/23/2022	Adam Jaques	As a 40 year resident and 3rd generation homeowner, I oppose this project from being completed in agricultural land. This is a waste of farmable land that will ruin it for generations to come.	<i>Agriculture</i>	<p>Agriculture is a primary industry in Western New York and is expected to face some of the greatest risks from climate change. Agricultural-related threats from climate change include increased insect and disease pressure, weed pressure, and inconsistent rainfall (NYSERDA, 2011). NYSERDA identifies several opportunities farmers can take to adapt in the face of the changing climate, including farmers entering the market for expanding renewable energies, such as solar on marginal land (NYSERDA, 2011).</p> <p>Within the Towns of Cambria and Pendleton, 550 acres are included within the limits of disturbance and will experience temporary impacts from construction of the Facility. The 937-acre project area is the area of all participating parcels including areas not within the construction limits of disturbance. Of the 550 acres within the limits of disturbance, 502 acres are classified by the NLCD as agricultural lands. In the Town of Cambria, there are a total of 17,872 acres of agricultural land. Within the Town of Pendleton, there are 7,971 acres of agricultural land. The agricultural land included within the project area represent a small fraction of total agricultural land within the host towns and will result in minimal impacts to farmland within the host towns.</p> <p>There are 10 agriculturally active parcels within the lease area consisting of row crop operations and one dairy farm. All landowners indicated that they would continue active agricultural operations on other parcels or portions of parcels not hosting Facility Components following construction of the Facility. Nearly every landowner indicated that solar development was a good alternative to residential development pressures in the region, and that the additional income from the Project made it a compatible use. These claims are supported by regional trends towards fewer farms and larger farm sizes shown in Table 15-2 in Exhibit 15 Section (a)(6). Throughout the Section 94-c process, the Applicant will continue to work with landowners and NYSDAM to avoid, minimize, and mitigate impacts to active agricultural land wherever possible. Farmland will be restored following the decommissioning of the Facility as explained in the Decommissioning Plan (Appendix 23-A). Further information regarding potential agricultural impacts is provided in Exhibit 15. Additionally, the Applicant prepared an Agriculture and Markets (NYSDAM) Guidelines, which is included as Appendix 15-A to the provided 94-C application.</p>
	7B			Not only that bit the wetlands in that area already pose an issue with water drainage that will only be made worse		<i>Water Resources and Aquatic Ecology</i>

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
						take place as needed. Drainage issues resulting from Facility construction that are affecting or likely to reduce crop productivity of adjacent areas will be remediated through surface drainage or sub-surface drainage repair or equivalent measures. If concerns arise after the construction of the Facility, landowners can submit comments to the Project through the process outlined in the Compliant Management Plan.
8	8A	12/23/2022	David Pluff	I built on my family's farm to persevere the history. I've hunted this land my whole life and plan on having my children do the same. This land is meaningful and important to my family and myself. I am adamantly opposed to the solar panels. It is unlawful that the company is proceeding to attempt to put this field made of unnatural resources in an area that is residential.	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
	8B			Solar panels are not welcome and should not be permitted to be built when so many community members are highly against the attempt. The companies should be prohibited and stopped immediately. The home rule law should stand and protection of agricultural land with the right to farm Community supported; this should be honored with this legislation.	<i>Local Laws</i>	<p>Municipalities are authorized to implement and enforce only those local laws that are consistent with New York State general laws like the CLCPA and Executive Law § 94-c. To the extent that a local law is inconsistent with the CLCPA, Executive Law § 94-c(5)(e) authorizes ORES to exercise discretion as to its application. Arguments that the 94-c process and/or ORES' waiver of local laws violates the home rule doctrine has been considered and rejected in other proceedings. See Ores Matter # 21-00962, Tracy Solar, Ruling of the Administrative Law Judges on Issues and Party Status, and Order of Disposition (December 1, 2022), pp. 26-29.</p> <p>The State has stressed both the need to construct significant additional renewables, and the importance of siting those new generation assets in locations with reliable access to the existing electrical grid, avoiding the need to construct large new major transmission lines at significant additional cost to ratepayers. It is critical, then, that ORES does not allow municipalities to wholly bar solar development on open, undeveloped lands adjacent to existing transmission infrastructure with willing host landowners. Further explanation for waiving specific town laws and ordinances is found in Exhibit 24 Section (c).</p> <p>The Applicant anticipates complying with all substantive local laws and ordinances to the greatest extent practicable shown in Table 24-2 of Exhibit 24. The Office of Renewable Energy Siting (ORES) may elect to not apply, in whole or in part, any local law or ordinance which would otherwise be applicable if it makes a finding that it is unreasonably burdensome in view of the Climate Leadership and Community Protection Act (CLCPA) targets and the environmental benefits of the proposed facility. Although it is the Applicant's intent and desire to comply with all substantive local laws and ordinances, there are some substantive provisions of the local zoning ordinances that the Applicant has demonstrated are simply unworkable for the Project and are unreasonably burdensome under the statute and regulations, either because they preclude construction of the Project entirely, thereby minimizing the Project's environmental benefits, or, if applied to the Project, would cause a more significant impact on the community or the environment than if the requirement were not applied (e.g., connecting widely-spaced, small parcels of land within approved zoning districts would cause more significant disruption through the process of connecting the parcels).</p>
9	9A	12/23/2022	Amanda Pluff	My husband and I built a few years ago on land that has been in his family for generations. Now, our home will be impacted by solar panels when we've had no say in this matter; I guess this equates to our say. I have two young children who will be growing up right next door to these panels- something I am very much opposed to. This is residential land that an industrial company is building on claiming these solar panels are "farms". Farms of industrialized material next door to our farm of agricultural necessity. Not only am I concerned for my children's welfare,	<i>Public Health, Safety, and Security</i>	<p>Solar is widely regarded as a safer form of energy generation technology when compared to other methods of energy generation (See Exhibit 6 Section (a)). There are minimal to no risks associated with air pollution (Comment 20B), soil contamination (Comment 9B), water contamination (Comment 36G), or radiation (Comment 113C). There are also minimal impacts to natural resources (Comment 26C).</p> <p>Additionally, the Project has taken efforts to mitigate any potential risks through the development of emergency response training addressed in the Safety Response Plan included as Appendix 6-B to the Application. In the Safety Response Plan (Appendix 6-B), The Applicant outlines how they plan to address emergency response in the event of medical emergencies on site, fire emergencies, earthquakes, electrical emergencies, hazardous material spills or releases, severe weather conditions, or physical security threats or criminal activities.</p>

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
	9B			chemicals being released into the soil,	<i>Geology, Seismology and Soils</i>	There are no expected releases into the soil from energy generation operations of the PV panels, see comment 5E above regarding composition of solar panels. In the construction process, waste will be limited to standard construction-related wastes (i.e., packing materials) and will be handled by the contractor in accordance with all applicable laws and regulations pertaining to such wastes. See Exhibit 6 Section (a)(1) for explanation of wastes anticipated to be generated during Facility operations.
	9C			but also my property values decreasing.	<i>Property values</i>	This comment has previously been addressed on the record. Please refer to the response to comment 2D for discussion on property values.
	9D			I am unequivocally opposed to the Bear Ridge Solar panels.	<i>Statement of opposition</i>	Comments noted. Please see above for responses to specific questions and concerns.
10	10A	12/23/2022	Daniel Pluff	We have owned our home for 32+ years in Pendleton. It's the original farmhouse (1835) on the property that's been in my wife's family since before that time and most likely purchased from the Holland Land Co. We have constantly revived and updated our property with numerous projects and always keeping the farmhouse in the original architecture. We, as many homeowners do in Cambria and Pendleton, have personally invested our lives, time and money into preserving our homes and property. I do not agree with surveys stating property values are not affected negatively by having solar projects such as this in the area.	<i>Property values</i>	This comment has previously been addressed on the record. Please refer to the response to comment 2D for discussion on property values.
	10B			I now could have 1300 ft + of my home and property adjacent to this eyesore and	<i>Visual</i>	As stated in Exhibit 8, viewshed analysis is based on existing topography, vegetation and structures indicates that the proposed PV arrays will be screened from approximately 84.8% of the VSA (i.e., 15.2% of the VSA is indicated as having potential visibility of the PV arrays). This limited visibility from the surrounding area is primarily attributable to the low profile/height of the proposed PV modules combined with level topography throughout the VSA and the abundance of hedgerows and woodlots that obstruct long distance views. Although the Facility will add new visual elements (Project components) to the area, the Facility is consistent with the active agricultural use of the region. In addition, host landowner payments will allow farmers in the area to continue active operations on other lands in the vicinity of the Project helping to preserve the area's agricultural character into the future. Project components will not be sited on, nor impede the utilization of, the property of non-participating landowners. See Appendix 08-A, Attachment D, Parts 1 through 7 for examples of visual mitigation efforts to screen solar panels. While solar will be visible within the area and from nearby houses, efforts have been taken to reduce interruptions to the agricultural landscape to protect the agricultural character of the region.
	10C			unknown contamination to the soil.	<i>Geology, Seismology and Soils</i>	This comment has previously been addressed on the record. Please refer to the response to comment 9B for further discussion on soil impacts.
	10D			In the beginning Cypress Creek representatives stated if the community does not want this project then they will leave. Yet, they are still here. This is about money. Money to be made by capital investors, architects, lawyers etc etc. The people paying this money for these solar incentives are the local residents and citizens of New York State.	<i>Pre-application information sessions</i>	This was a policy of CCR under prior management and ownership, in particular for community solar develop. As CCR Expanded into large scale development under new ownership, the policy was not continued.
	10E			Besides fiscal pressure on us we loosing farm land and the natural views and beauty that makes our town what it is-FARMLAND. Cypress Creek stated it "could " result in lower power bills to residents and the closer you live to the project the more savings one may realize. In the late 1950s and 60s the same lies were told to my parents when the Niagara Power Project was being built. Yet their descendants still have never seen that to be true.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please refer to the response to comment 7A for discussion on agricultural impacts.
	10F			Solar panels have not proved the answer to what needs to be fixed in this world. Greta Thunberg gave an interview recently and my take on it was she did not mean for all current sources of power be eliminated and go green, she was advocating alternate power supplies be explored where feasible. The cost of recycling solar panels cannot be accurately projected 20-30 yrs from now. That industry is just beginning to see end of life panels for disposal and many are stored in vacant warehouses until economical alternatives are found. What happens when no more vacant building are found? Let politician's estates be liable for these costs in the future and damage to farmlands. Oh, but politician's also grant themselves	<i>Decommissioning</i>	This comment has previously been addressed on the record. Please refer to the response to comment 5D for discussion on decommissioning.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				impunity for their bad decisions. If solar is so great then let New York put them on their property and benefits off the leases.		
	10G			This is not only us claiming NIMBY. Cypress Creek stated they were prohibited from these projects on Federal land, Wetlands, flood plains or New York State lands.	<i>Siting constraints</i>	This comment has previously been addressed on the record. Please refer to the response to comment 3B for discussion on siting constraints related to the Project.
	10H			In the 1970's and 80s the scientific community convinced the government if the world's temp would rise 2 degrees we would have longer growing season to feed the world's starving people. People still hungry. Now that rise in temp is going to end the earth! The current scientific community is now exclaiming how bad that is. As a younger man I thought older people were cynical probably because hardened of arteries or some other health problems. But now as I am older in great health I learned it's because people find that government ideas and policies have failed its citizens time and time again.	<i>Comment not relevant to draft permit</i>	Comment noted. Comment not relevant to draft permit.
	10I			I understand we have constitution home rule, yet this project violates that.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please refer to the response to comment 8B for further information on the Project's consistency with local laws.
	10J			This is a right to farm community and have laws in place to protect our farmland. We are residential and agriculture. For 32+ yrs I have had the agricultural board, the soil and water department, the Federal Wetlands act the flood plain map, the town board and the conservation board, to name a few, have guidelines on what I can do on my farm property. China contributes estimated 2/3 of the earth's industrial pollution. Methane gas erupting from the oceans and volcanic activity contributes more pollution than man does in years. There are things to be done to improve the world in which we live but also realizing much of this is cyclic and will happen. Don't take our farmland away! No one is making anymore of it!!!	<i>Local Laws</i>	This comment has previously been addressed on the record. Please refer to the response to comment 8B for further information on the Project's consistency with local laws.
	11A			This project obviously infringes on Home Rule and the will of the people.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please refer to the response to comment 8B for further information on the Project's consistency with local laws.
11	11B	12/23/2022	Trever Ganshaw	At any meetings or presentations that I attended there was never anyone in support of placing this industrial solar project on agriculturally zoned land. The state is basically saying zoning laws no longer matter. This is a slippery slope. What comes next? More chemical plants or dumping grounds wherever they want...oh wait we've all seen how that works out in our area. I'm not against green energy at all but rushing these projects through to meet the states unattainable energy goal is not good business. Why not work with town officials and community leaders to find the best sites available? NYS has completely failed us. I hope that some political appointee that is reading all these comments takes a second to understand our frustration and deny this permit and come back to us with a better more viable plan that we could agree with.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please refer to the response to comment 8B for further information on the Project's consistency with local laws.
	12A			We are fiercely opposed to this solar project, which will be right next to our home within 100 feet. Here's why:	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
12	12B	12/23/2022	Sandra Pluff	Over 200 years ago our ancestors came to Niagara County from Germany mainly for the fertile farming ground. Our 80 acre working farm has been in our family of farmers for 6 generations since the 1830's. Our home was built in the 1830's by our ancestors. As you see, we have a long-term vested interest here. We cannot fathom how 3 landowners can ultimately change the focus and purpose of our community, because of their greed for money. Why aren't our elected government officials who we pay with our tax dollars, fighting for keeping our farms alive in Niagara County?	<i>Community vision</i>	The Applicant considers comprehensive plans for the Town of Cambria, the Town of Pendleton, and Niagara County in the development of the Project. See Exhibit 3 Section (h) for a review of regional comprehensive plans and an explanation of compatibility with the Bear Ridge Solar Project. The Facility will work to protect and promote agriculture within the Town of Cambria and Pendleton by supporting existing farmers with lease payments and encouraging them to continue farming on portions or parcels not hosting Facility Components or within the near vicinity of the Facility. The Facility will also serve to improve economic conditions of the town through the implementation of PILOT programs to the Towns of Cambria and Pendleton. Of the 937-acre Facility Site, a maximum of approximately 550 acres are within the limits of disturbance and will be impacted by temporary disturbances from construction of the Facility. These impacted areas represent a fraction of total agricultural land in the Towns of Cambria and Pendleton as described in Exhibit 15 Rev. 1. These disturbances are located the corner of the Town of Cambria, and along the edge of the Town of Pendleton. Additionally, the Project encourages landowners to continue agricultural practices and the facilities are designed in a such a way to minimize negative impacts to rural agricultural character of the region.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
						At the county level, the Facility is directly in line with some small specific goals outlined in the Niagara County comprehensive plan. These goals include, "attract and retain economic activity by implementing sustainable development practices" and "increase countywide employment opportunities.... in cutting edge industries such as clean energy alternatives." The development of the Bear Ridge Solar Project will reduce the County's "ecological footprint" and introduce a new funding source through additional tax revenue and landowner lease payments. Additionally, the Bear Ridge Facility is anticipated to create local jobs as outlined in Exhibit 18.
	12C			Why are 3 greedy people allowed to devalue our property and steal our livelihood?	<i>Property values</i>	This comment has previously been addressed on the record. Please see the response to comment 2D for further discussion on property value impacts.
	12D			What is happening to our right to farm? Our land is zoned agricultural/residential. Cypress Creek is circumventing the Home Rule Law of the Constitution! This project is contrary to all of our State and Local laws!	<i>Right to farm/zoning/Home Rule Law</i>	This comment has previously been addressed on the record. Please refer to the response to comment 8B for further information on the Project's consistency with local laws.
	12E			Cypress Creek has lied to our residents about so many things, first and foremost which we all heard in the first meeting "If the citizens of this community don't want us here, we will leave". Why are they still here?	<i>Pre-application information sessions</i>	This comment has previously been addressed on the record. Please see comment 10D for the Applicant's response.
	12F			Living next to solar panels raises many concerns for us and our grandchildren who now live next to us on our farm. We are of course concerned about safety and health, and the real possibility of fires.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 5C for information on health and safety related to the Facility.
	12G			What happens with these panels after 20 years? Who removes these eyesores? Cypress Creek doesn't have answers! We have a lot of wildlife on our property, including bald eagles. Our son hunts here, and snowmobiles enjoy our trails. We will never sign OUR land over for solar greed! We strongly urge you to stop this ridiculous greed of 3 people at the high cost of so many in our community!	<i>Decommissioning</i>	This comment has previously been addressed on the record. Please see the response to comment 5D for discussion on decommissioning plans.
13	13A	12/22/2022	James Ellis	A Review of Exhibit 15- Rev. 1 Agricultural Resources. 1) Why are Inverter Pads a permanent structure? On page 7 "...approximately 59 acres (8%) of active agricultural land within the Facility Site will be permanently impacted due to the installation of the substation and inverter pads, and minimal areas of grading. Figure 11-1 depicts the temporary and long-term impact areas to the active agricultural land" Portions of Figure 11-1 shown in the attachment. I believe Inverter Pads are scattered across the facility footprint. Why can't these pads be removed to enable the land to return to full agricultural or residential use? I count 35 pads (small purple squares on Figure 11-1). The pads significantly reduce the agricultural and residential potential of the surrounding land after decommissioning because of their widely dispersed pattern. Leaving permanent pads after decommissioning will significantly degrade the future agricultural use of the 105.1 acres of mineral soil groups 1-4 that will be covered by the facility footprint. On page 9, Table 15-4 of Exhibit 15 - Rev.1, the impact of the permanent inverter pads to Active Agricultural Areas is ignored! Table 15-4's 3rd footnote states: "3 Areas of permanent impact, include areas where significant grading is required and installation of impervious surface (e.g., where the substation is proposed)". There is no mention of the ~35 inverter pads? Cypress Creeks omits the very negative impact that leaving permanent inverter pads after decommissioning will have on active agricultural areas and mineral soil groups 1-4, in particular.	<i>Inverter pads</i>	Exhibit 23 Site Restoration and Decommissioning notes that "All below ground infrastructure including buried collection lines at a depth of up to 48 inches in agricultural land and 36 inches in non-agricultural land will be removed." This will include the inverter pad concrete foundations, which typically have a concrete depth of 12" over 18" of gravel.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
	13B			<p>2) Least Productive Soils On page 12, Section (9) of the Exhibit 15 - Rev. 1, Cypress Creek states: It is the Applicant's understanding that the parcels where the Facility is proposed were identified by the participating landowners to be their least productive fields. This statement should be supported with documents from the participating landowners.</p> <p>3) Looking for Appendix 15-C in the Nov 2021 94c Application On page 6. The Agricultural Resources Exhibit 15 - Rev. 1 (modified on 12/17/2022) has an additional sentence on page 6 compared to the Agricultural Resources Exhibit 15 (created on 11/4/2021) This sentence references Appendix 15-C "Responses to the landowner surveys are attached as Appendix 15-C." In the 94c Application digital database (delivered to J. Ellis via a flash drive - folder dated 12/15/2021) Exhibit 15-C is missing. Are these landowner surveys in the latest 94c Application delivery to the Town of Cambria?</p> <p>From Exhibit 15 - Rev.1: "To better understand potential impacts of the Facility on agricultural businesses and operations, a survey was distributed in July of 2021 to ten landowners of agricultural lands in the Facility Site who have agreed to host Facility components. Surveys were returned for all 10 agricultural parcels associated with the Project Responses to the landowner surveys are attached as Appendix 15-C. "</p>	Where can citizens find the latest landowner surveys?	Appendix 15-C was not included in the original 94-c Application provided to the Town on November 29, 2021 by clerical error. In the first revision of the 94-c Application (March 22, 2022), the landowner agricultural survey responses were included as an additional appendix, Appendix 15-C.
14	14A	12/22/2022	Eileen m Scovazzo	we have let Cypress Creek and the powers that be that we are against this take over of 900 acres of farm land that will never be used for farming again.	Statement of opposition	Comment noted. Please see below for responses to specific questions and concerns.
	14B			We are also concerned that when offered industrial land they refused to listen. this is in violation of our local laws. we are losing faith in our elected officials in Albany to hear us. Please don't let this project destroy our town	Local Laws	This comment has previously been addressed on the record. Please see the response to comment 3B for further discussion on local laws.
15	15A	12/22/2022	Dennis Scovazzo	I am against this project.	Statement of opposition	Comments noted. Please see below for responses to specific questions and concerns.
	15B			I am concerned that the voices of the taxpayers here have lost the right to have anything to say in regards to what is happening in our town. We have been fighting this for years with countless misinformation.	Town outreach	The Facility began outreach to the local community and landowners in mid-2017 under Article 10. In accordance with Article 10, a Public Involvement Program (PIP) plan was developed to describe and outline the Applicant's outreach activities and identify relevant stakeholders and other interested parties. The project transfers outreach requirements to the Section 94-c process in February of 2021 and has continued recording outreach efforts according to the new law (Exhibit 2 Section (b)). Efforts taken towards community outreach and engagement are documented in Appendix 02-A.
	15C			we were told if the town didn't want this Cypress Creek would leave.	Pre-application information sessions	This comment has previously been addressed on the record. Please see comment 10D for the Applicant's response.
	15D			that was the first lie they are still coming after our farmland. why when industrial land was offered. Please hear the voices of our town. we don't want 900 acre of farm land destroyed Thank you	Local Laws	Please see the response to comment 8B. Parcels hosting project components total 937 acres; however, the actual project footprint is a maximum of approximately 550 acres. Of the 550 acres involved, about 500 are classified farmland by the NLCD (Exhibit 15 Rev. 1). Farmland will be restored following the decommissioning of the project as outlined in the Decommissioning Plan (Appendix 23-A).
16	16A	12/22/2022	Jan Palmer	As a 30 year resident of the Town of Cambria, I am expressing opposition to the Bear Ridge Solar Project on 900 acres of agricultural land.	Statement of opposition	Comments noted. Please see below for responses to specific questions and concerns.
	16B			Niagara County has had its share of disasters, such as Model City, Love Canal which left behind brownfields, is this 900 acres in the midst of residential area in the Town of Cambria the next host if a 900-acre brownfield?	Public Health, Safety, and Security	Comments noted. We recognized that this county has experienced past harm as a result of improper environmental management by large companies and government negligence. To prevent future harm, the Bear Ridge Solar Facility has taken measures outlined in the 94-c regulation to ensure the Facility will operate safely with minimal risks to host community. There is no anticipated waste to be generated from the operation of the Facility beyond general construction waste which will be properly managed following procedures outlines in Exhibit 6.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
	16C			This project does not belong at the proposed site. It makes far more sense to utilize the already contaminated and save the resources we have.	<i>Siting constraints</i>	Additionally, decommissioning plans and disposal of solar panels are further explained in comment 5D and composition of panels are further explained in comment 5E. This comment has previously been addressed on the record. Please see the response to comment 3B for discussion on siting constraints.
17	17A	12/22/2022	Dawn Timm Niagara County	Comments File attached recommending Extended Producer Responsibility (EPR), See DMM for legislation	<i>Local Laws</i>	The recycling law provides that “no manufacturer, distributor, retailer or installer may sell or offer for sale a photovoltaic module in or into the County unless the manufacturer of the photovoltaic module is in full compliance with this Local law.” Bear Ridge is not selling or offering to sell solar panels in or into the County. Accordingly, the recycling law does not apply to Bear Ridge.
18	18A	12/22/2022	Wright H. Ellis Supervisor, Town of Cambria	I am writing to provide additional information on the Cambria Technology Park and its formation, referred to in my oral and written statements presented at the AJL Public Comment Hearing on 13 December 2022. The Rezoning attachment states the action taken by the Town Board to rezone the site and establish the Zoning Thresholds, stating the Permitted Uses within the Shovel Ready Site (Cambria Technology Park). Thank you for your consideration. 21 December 2022 Supervisor Wright H. Ellis Town of Cambria 4160 Upper Mountain Road Sanborn, NY, 14132 I am writing to provide additional information on the Cambria Technology Park to which I referred in my oral and written statements presented at the AJL Public Comment Hearing on 13 December 2022. As Town Supervisor, I have been integrally involved in developing and drafting the Town’s local laws and Comprehensive Plan that guide and govern the Town’s vision. Instrumental to the Town’s vision is the Shovel-Ready Site designated as the Cambria Technology Park. The Cambria Technology Park was developed in line with Niagara County’s plan to establish a technology corridor through the Town of Cambria and the adjacent Town of Lockport and in accordance with the State Shovel-Ready certification program. To accommodate the Cambria Technology Park, the Town established a Planned Development District for the site. Article X of the Town’s Zoning Ordinance provides for the establishment of a Planned Development District, which is a zoning district within the Town where diverse uses may be brought together in a unified plan of development. The procedure requires an application to be made to the Town Board requesting the establishment of a Planned Development District. The application must contain sufficient information to provide an understanding of the proposed development, such as preliminary plans, drawings, and specifications. The application is then referred to the Town Planning Board for review and to provide recommendations to the Town Board. Once the Town Planning Board provides its recommendations to the Town Board, a public hearing on the proposal, with public notice as provided by law in the case of an amendment to the Town’s Zoning Ordinance, is held. After the public hearing, the Town Board may then amend the Zoning Ordinance so as to define the boundaries of the Planned Development District. On October 13, 2011, through a resolution passed by the Town Board, a Planned Development District was established for the Cambria Technology Park. This resolution rezoned the land from Agricultural Residential and General Business to Planned Development. More importantly, the resolution included a PUD Plan that set forth the permissible uses for the Planned Development District housing the Cambria Technology Park. Specifically, the PUD Plan provides “zoning thresholds” applicable to the Shovel-Ready Site, none of which contemplate or permit solar development. In its application materials, the Applicant has not requested waiver of the zoning thresholds applicable to the Shovel-Ready Site. And, even assuming the Applicant requested a waiver, the Applicant has failed to provide any cost-benefit analysis which would support a finding that the Planned Development Zone designation is unduly burdensome. In this regard, the Shovel-Ready site contains 152-acres. The Applicant is seeking to encumber the Shovel-Ready Site with over 120 acres of solar panels which would effectively render the Shovel-Ready Site useless and deprive the Town of one of its most valuable assets. Indeed, Niagara County conducted an economic impact study of the Shovel-Ready Site that projected the Cambria Technology	<i>Cambria Technology Park</i>	See Applicant's response to Town of Cambria's Petition for Party Status and Municipal Statement of Compliance.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				Park would create 200 new jobs and contribute over \$200 million of annual income. The application is completely devoid of any information, analysis, or discussions regarding the ShovelReady Site and the Town's substantive laws governing same. It is imperative that the Town is granted a hearing on this issue so that it may present evidence regarding the adverse effects of the Bear Ridge Solar Project on the Town's Shovel-Ready Site.		
19	19A	12/21/2022	Cody Proefrock	I am writing this post as a town of Cambria resident to oppose the approval and operation of the bear ridge solar project.	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
	19B			This project has no business being in this area as this is a small agriculture setting style community.	<i>Siting constraints</i>	This comment has previously been addressed on the record. Please see the response to comment 3B for discussion on siting constraints.
	19C			This will have no benefit at all to the town whatsoever and I have reason to believe that it will impact the local township and nearby communities negatively. This solar project is not wanted here do not build it for as myself and many others do not want it. Maybe they should look into putting more of these solar panels into the major cities like Niagara falls and or buffalo, where those that are in favor of this will deem it more suitable and or beneficial.	<i>Economic Benefits</i>	This comment has previously been addressed on the record. Please see the response to comment 2B for discussion on economic benefits for the host municipalities and school districts.
20	20A	12/21/2022	Jan Palmer	The opposition to this project runs deep. Starpoint school, which is in close proximity of The proposed project, houses all The children from our town and surrounding towns on this campus.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 9A for discussion on health and safety related to the Facility.
	20B			As heat degrades solar panels during a fire, they generate toxic air pollution. The devices may contain cadmium telluride, lead, cadmium gallium selenide, silicon tetrachloride, hexafluoroethane, and more. When a fire melts these elements, they create health-hazardous smoke. What if The wind is blowing in The direction of The school? Another reason this should be in The industrial area or on a brownfield, which are plentiful in Niagara County!	<i>Public Health, Safety, and Security</i>	In standard use, solar panels release no air pollution into the environment making them a favorable alternative to fossil fuels. The public health benefits and environmental benefits of transitioning to renewable energy have been primary factors driving New York State's energy policy and acceptance of the Climate Leadership and Community Protection Act (CLCPA) (NYCAC, 2019). Additionally, the 100MW Facility stands to offset approximately 136,708 tons of carbon dioxide and other greenhouse gas emissions that are produced from traditional fossil-fuel based energy production. * For more detail on the benefits of solar energy, see Exhibit 6 Section (a). Minor amounts of air pollution and waste from the facility will be generated during construction. Instructions for how construction-related wastes will be handles are included in Exhibit 6 Section (a)(1). Overall, transitioning to solar from the use of fossil fuels will have a positive impact on air quality, as outlined in Exhibit 6. In the event solar panels catch fire, the Applicant has developed a plan for containing a fire while keeping both employees and residents safe. See Comment 5C and Exhibit 6 for more details on the Bear Ridge Solar Project's fire management plan. *Estimate derived from average electricity use per household in New York State ('Household Energy Use in New York'. https://www.eia.gov/consumption/residential/reports/2009/state_briefs/pdf/NY.pdf) and the estimated electricity production of the Bear Ridge Solar Project.
21	21A	12/21/2022	Wright H. Ellis Supervisor, Town of Cambria	I have attached the text of my statement to the ALJ Public Comment Hearing on 13 December 2022. I was not able to complete my oral presentation of the statement due to the time limit. Therefore I am submitting the complete text for inclusion in the record. Thank you. Supervisor's Statement at the ALJ Public Comment Hearing, 13 December 2022. Good Evening. I am Wright Ellis, Supervisor of the Town of Cambria. I have had the honor and privilege to serve as the Town of Cambria Supervisor for the past 31 years. Through that service, I have participated in the legislative process for many local laws, including the local solar and zoning laws that the applicant has requested ORES to waive. I have also been significantly involved in developing the Town's current Comprehensive Plan, which has been updated twice in my tenure. With this collective experience and perspective, I respectfully submit that I am qualified to speak on the Town's local laws and the adverse effects on the	<i>Local Laws</i>	See Applicant's response to Town of Cambria's Petition for Party Status and Municipal Statement of Compliance.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				Town and its community of citizens if said local laws are waived. The Applicant has requested ORES to waive certain provisions of the Town's Solar Law on the basis that "the laws are unduly burdensome in light of the state's renewable energy goals and will make this project unviable for the Applicant." Some specific provisions address where industrial sized solar facilities are permitted within the Town, the property setbacks applicable to such facilities, and the decommissioning requirements imposed on a sited facility. At the outset, it is important to note that the Town is not opposed to solar. Indeed, there is no Town law that imposes a blanket prohibition or moratorium against solar facilities. Instead, the Town's Solar Law and Comprehensive Plan set forth the Town's solar plan and vision. Collectively, the Solar Law and Comprehensive Plan recognize the importance of solar and emerging needs for renewable energy, but define the confines in which solar facilities can exist in the Town. Put simply, the Town's laws are not anti-solar. Rather, the laws regulate solar in a manner consistent with its vision and Comprehensive Plan. For example, the Solar law (Section 4-D) does not permit industrial sized solar facilities, like the one here, without the issuance of a special permit, site plan review by the Planning Board, and issuance of a building permit for siting within the Town's Industrial District Zone or a Planned Development District (P-D), but only if the PUD plan for that specific site allows solar as a permitted use. Importantly, Section 4-D is not a blanket prohibition against industrial sized solar facilities. Through Section 4-D, it is the Town's goal to restrict industrial sized solar facilities to the Industrial Zone and/or a Planned Development District where solar is an approved use. There are currently three (3) Planned Development Districts in the Town; two (2) are designated for Mixed Business/Residential and the third for Economic Development. The majority of the Project is currently planned for land zoned Agricultural-Residential (A-R), which is why the Applicant has requested waiver of Section 4-D.		
	21B			The Applicant, however, has failed to recognize that other portions of the Project are set to be sited on the aforementioned third Planned Development District, specifically, the site designed to be the Cambria Technology Park, a New York State Shovel Ready Certified Site. The history of the site is important to this proceeding. The Shovel Ready Site is the culmination of a plan developed by all three levels of New York's municipal governments: town, county, and state. It was the State's initiative to foster economic growth, the County's implementation of a regional economic development plan, and the Town's plan to carry out same. Here, given the Shovel-Ready Site's strategic location within the Town and its proximity to the Tech-Park across the road in the Town of Lockport, the P-D District was created to attract developers and businesses to build out a Tech Park. The goal of the Shovel Ready Site was to bring anchor businesses into the Town to grow its economy; anchor businesses that would provide economic and job growth for the Town, as contemplated in the Comprehensive Plan. The Comprehensive Plan states, "There has been no large-scale industrial development since 2015, but the Town has created the Cambria Technology Park and sees this Park as a major job growth area for the Town. "Simply put, the Shovel Ready site was never designed, developed, and rezoned to permit solar energy facilities. It was designed to diversify the Town's economy, which is almost entirely supported by agriculture and argi-tourism.	<i>Cambria Technology Park</i>	See Applicant's response to Town of Cambria's Petition for Party Status and Municipal Statement of Compliance.
	21C			Indeed, the agriculture and farmlands in the Town represent over 10% of all of agricultural land in the County, not including parcels categorized as residential that contain significant acreage of farmed lands. Importantly, almost all of Cambria's farm soils are classified as "Prime" soils and are of statewide importance. To protect this valuable resource, the Town Solar Law (Section 7.A.6) restricts industrial sized solar facilities to only 50% of a parcel that has prime agricultural land.	<i>Agriculture</i>	See Applicant's response to Town of Cambria's Petition for Party Status and Municipal Statement of Compliance.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
	21D			Similarly, Section I 0-K requires that all underground cables be removed from the ground upon decommissioning of a solar facility. The purpose of this requirement is to protect the Town's farmland. The Department of Agriculture and Markets has taken the position that industrial sized solar facilities permanently convert agricultural land into non-agricultural land. As a result, the Town's Solar Law is designed to mitigate the complete conversion of town agland into land not suitable for cultivation.	<i>Decommissioning</i>	See Applicant's response to Town of Cambria's Petition for Party Status and Municipal Statement of Compliance.
	21F			In sum, the Town's Shovel Ready Site and its Prime Agricultural lands are of utmost importance to the Town's future. This future is set forth in the Comprehensive Plan and the Town's vision. While the Town recognizes the importance of renewable energy and sees a place for same in the Town, it has carefully enacted laws and implemented a Comprehensive Plan to ensure that industrial solar does not impede attainment of the Town's goals and vision. If sited, this Project will adversely impact the Town's land use and planning for decades. For these reasons, it is imperative that a hearing be granted on the issues identified by the Town in relation to this Project's compliance with local laws. Thank you	<i>Section 94-c process</i>	See Applicant's response to Town of Cambria's Petition for Party Status and Municipal Statement of Compliance.
22	22A	12/20/2022	Lisa Belling	I am against this take over of our farmland for a project that is not even going to help this town. Cypress Creek says how much money they will be giving the town we don't want your money we want you to go.	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
	22B			the local laws are not being followed.	<i>Local laws</i>	This comment has previously been addressed on the record. Please see the response to comment 8B for further discussion on the Project's compliance with local laws.
	22C			it should be in the industrial area that was offered	<i>Siting constraints</i>	This comment has previously been addressed on the record. Please see the response to comment 3B for discussion on siting constraints associated with the project.
23	23A	12/20/2022	Eileen M Scovazzo	I am against this 900 acre project. for a number of reasons. This is a huge project within a short distance to a huge school that has over 3000 children plus staff. It takes 2 bus runs to get the children to school and also 2 bus runs to get them home. I have yet to hear a plan that would work to evacuate the children if this "farm" caught on fire. We are told it doesn't happen but it has happened elsewhere. I would like a plan in place for to keep our children safe.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 5C for further information on the Project's fire management plan.
24	24A	12/20/2022	Dennis Scovazzo	I am posting my comments concerning this project. I am against this 900 acre solar farm to call it a farm is a joke.	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
	24B			this is going to ruin a beautiful town forever we will become another Love Canal.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 16B for discussion of hazardous waste management.
	24C			the land will never be able to be s\used for anything else.	<i>Decommissioning</i>	This comment has previously been addressed on the record. Please see the response to comment 5D for discussion of decommissioning.
	24D			I also think our elected officials are turning a deaf ear to the concerns of the people. the town has more than let Cypress Creek and the siting board we do not want this in our town. Please listen to the people how live here.	<i>Section 94-c process</i>	Please see the response to comment 15B for a discussion of efforts taken towards public outreach and communication with community members.
25	25A	12/20/2022	PATRICIA A SHEPHERD	PLEASE DO NOT LET THIS SOLAR PROJECT COME TO TOWN OF CAMBRIA....THIS IS A BEAUTIFUL COMMUNITY AND I HAVE LIVED HERE FOR OVER 40YEARS..I LIVED IN THE CITY OF NIAGARA FALLS AND MOVED TO GET AWAY FROM THE POLUTION OF THE CITY AND DO NOT WANT THIS TO BECOME ANOTHER LOVE CANAL PROBLEM....	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 16B for discussion of hazardous waste management.
	25B			OUR FARMLANDS WILL BE DEVISTATED	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see the response to comment 7A for discussion of agricultural impacts.
	25C			ALONG WITH OUR HEALTH..	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 9A for discussion of health impacts.
	25D			ALSO WE NEED THE FARMERS TO GROW OUR FOOD..	<i>Food security</i>	There is no significant expected decrease in crop production resulting from the development of the Bear Ridge Solar Facility. Results from the landowner agricultural surveys indicated all landowners would continue active agricultural operations on other parcels and on portions of parcels not hosting Facility Components following the construction of the Facility (Exhibit 15,

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
						Section (a)(6)). See the response to comment 7A for further discussion on impacts to agricultural land resulting from the construction and operation of the Facility.
	25E			THERE IS NOT ONERESIDENT OF THIS COMMUNITY THAT WANTS THIS PROJECT...HERE IS PLENTY OF INDUSTRIAL LAND THAT CAN BE USED ELSEWHERE... THERE ARE ENOUGH PROBLEMS IN THE WORLD WE HAVE TO WORRY ABOUT WITHOUT HAVING TO WORRY ABOUT OUR OWN PROPERTY AND HEALTH THAT THIS WILL CREATE....	<i>Siting constraints</i>	This comment has previously been addressed on the record. Please see the response to comment 3B for discussion of siting constraints associated with the Project.
	25F			PLEASE PLEASE DO NOT DISTRICT OUR BEAUTIFUL LAND FOR GREED OF A FEW PEOPLE WHO DONT CARE ABOUT HUMANITY EXCEPT TO GET THEIR POCKETS FULL.	<i>Statement of opposition</i>	Comment noted. Please see above for responses to specific questions and concerns.
	25G			ALSO THEY MAY NEVER GET TO ENJOY THEIR PROFITS DUE TO HEALTH REASONS WHICH WILL DEVELOP	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 9A for an explanation of health impacts associated with the Facility.
26	26A	12/20/2022	Jan Palmer	As shown in the past disasters with solar farms, there is a real possibility of toxic leakage in the ground should damage occur.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 9B for an explanation of health impacts associated with the Facility.
	26B			The proposed site for this project is in close proximity of Bull Creek which runs through several towns in the area,	<i>Water Resources and Aquatic Ecology</i>	This comment has previously been addressed on the record. Please see the response to comment 7B for discussion of drainage impacts.
	26C			this is a natural habitat for several fish and bird species which will cause harmful or fatal damage to these species and to the people in the community that are around the creek.	<i>Natural Resources</i>	A Wildlife Site Characterization Report, in accordance with §900-1.3(g)(1), summarizes existing public information on bird, bat, and other wildlife species at the proposed Facility and surrounding area. The WSC report is found in Appendix 12-A. Findings indicated the Facility is primarily comprised of relatively common species typically found in an agricultural habitat. Some state and federally listed species were found throughout the wildlife study. To address impacts to these state and federally listed species, the applicant developed a Net Conservation Benefit plan, see Appendix 12-F of the 94-c Application. Through this extensive review, the Applicant and ORES have agreed that the benefits to the environment from the development of the Bear Ridge Solar Facility outweigh the costs associated with the development of the Facility. The construction of the Facility will reduce/eliminate fertilizer and herbicide applications, will replace annual row crops with a suite of native perennial plant species, and will improve stormwater management within and adjacent to the Facility. These changes will improve vegetation density and diversity, below ground biomass and carbon storage, soil stability, stormwater control, and nutrient and sediment retention. This is expected to result in an improvement to certain functions and values including groundwater recharge and discharge, discharge and nutrient removal, and sediment and toxicant retention. See Exhibit 14 for more information on impacts to vegetation. Panels proposed to be used in the Facility are not expected to cause significant negative impacts to health of humans or wildlife, see the response to comment 9A. Additionally, please see the response to comment 5C for further information on panel composition.
27	27A	12/19/2022	Joshua Bancroft	The Bear Ridge Solar Complex is an invasion of our community. I refuse to call it a Solar Farm, it is a Solar Industrial Complex. It is a New York State enabled theft of our identity as a right to farm community due to New York State Executive Law 94-C. This law violates our state constitution to preserve agricultural land and home rule law. It strips us from our right to determine what is best for our community.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please refer to the response to comment 8B for discussion of local laws.
	27B			This is nothing more than a money grab to benefit a few at the expense of an entire community, and it is being disguised as a benefit for the environment.	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see the response to comment 2E for discussion on the benefits of renewable energy.
	27C			The 900 acres is not industrial zoned land, this industrial solar complex will surround my home and the homes of my neighbors in a residential/agricultural zoned neighborhood. If you really want to help the environment there are many vacant industrial buildings in Niagara Falls that are near the necessary electrical line that could benefit from the hazardous material cleanup and that can be repurposed as the perfect location for this industrial project. If you really care about the environment that would make the largest impact and avoid permanently destroying valuable agricultural land. These are the concerns that I have for my family and my community:	<i>Siting constraints</i>	The Facility construction recognizes the importance of prime agricultural land and mineral soil groups 1-4 and avoids impacts to the maximum extent possible. According to Exhibit 15 Section (a)(9) after construction, full restoration of temporarily disturbed agricultural land will be completed according to the Agricultural Plan (Appendix 15-A), which was developed by the Applicant in accordance with NYSDAM Guidelines. During the operation of the Facility, agricultural production is anticipated to take place on portions of parcels not hosting Facility Components. Further, the Decommissioning and Site Restoration Plan (Appendix 23-A) explains methods to

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
						restructure agricultural areas by working with landowners to plant desired crops in decommissioned areas. While these areas will be disturbed from construction activities, efforts will be taken to restore land. Specific explanation for land restoration is described in the Decommissioning and Site Restoration Plan (Appendix 23-A). Please see the response to comment 3B for further discussion on limiting factors for developable areas and see the response to comment 7A for further explanations of agricultural impacts.
	27E			The negative impact on our home values - no one wants to live near these things!	<i>Property Value</i>	This comment has previously been addressed on the record. Please see the response to comment 2D for discussion of housing value impacts.
	27F			The imposed change of our identity as a community from a right to farm to an industrial solar complex.	<i>Community vision</i>	Please see the response to comment 12B. Additionally, the Facility has been designed to mitigate visual impacts and to preserve the rural character of the area through efforts described in Exhibit 8.
	27G			The noise pollution, the drawings show these panels coming right up to my property line. A 100 Megawatt complex will generate a lot of electricity and therefore a lot of noise.	<i>Noise</i>	While construction activities for the Project will generate noise, the activities that generate any significant sound are few and will not extend through the full phase of construction. Everyday operation of the Facility is expected to produce minimal impact from sound in comparison with most other types of power generation facilities. The Applicant performed a comprehensive noise impact analysis for both the construction and operation phases of the Project and has committed to meeting the noise limits at non-participating property boundaries and residences required by the 94-c regulations. Additionally, several areas throughout the Facility Site partake in agricultural operations which often require the use of heavy machinery generating similar amounts of noise. Please refer to Exhibit 7 of the Application and the Project Noise Impact Assessment (Appendix 07-A) for more information and a complete analysis of the potential noise impacts from construction and operation of the Project and proposed minimization and mitigation techniques the Applicant will employ.
	27H			The health risks to my wife, children and animals due to being so close to a 100 Megawatt facility.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 9A for health and safety impacts.
	27I			The safety risk posed to my family and the community if there is a fire, the panels are toxic and our fire department is not equipped to put the fire out. It is my understanding that the strategy would be to let it just burn?	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 5C for fire management discussions.
	27J			When I sit out on my back deck I can see farmland, that will be replaced with the solar pollution that New York State is allowing Cypress Creek to put up.	<i>Visual</i>	This comment has previously been addressed on the record. Please see the response to comment 10B for discussion on visual impacts.
	27K			The bear Ridge Industrial Solar complex will be right next to Starpoint Central School district, something as large as the proposed 100 Megawatt facility will certainly pose unnecessary health and safety risks to our children.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 9A for discussion on health and safety impacts.
	27L			Companies like Cypress Creek make all sorts of promises. They make it sound so wonderful and promise that they will put in all sorts of landscaping to attract animals and insects, they make it sound like it will be the garden of Eden. Nothing could be further from the truth, these industrial solar installations are usually sold after the project is passed by New York State. Meaning the new owners are not accountable to these promises and what the community is left with is an eye sore.	<i>Project Ownership, Visual</i>	If the project changes ownership, then whomever buys it will be required to adhere to all the permit conditions set forth in the 94-c Application. All visual minimization and mitigation measures described in Exhibit 8 will be upheld in the even the project changes ownership. At this point, Cypress Creek does not intend to sell the project and would instead transfer it to its operational division within the company. The operational division is still responsible for adhering to all permit conditions set forth in the 94-c application. Please see the response to comment 10B for further discussion on visual impacts from the Facility.
	27M			Shame on you New York State and shame on the politicians for allowing this to happen. If you approve this you will have aided in destroying a community. I worry that these hearings and this post is all just part of checking a box as part of a process for a predetermined outcome. I hope you prove me wrong.	<i>Statement of opposition</i>	Comment noted. Please see above for responses to specific questions and concerns.
28	28A	12/19/2022	Donna Heiser	Please do not allow industrial solar on to our farmland. If there is a catastrophic event, bankruptcy, abandonment, or insufficient funds to decommission the project, then the taxpayers pay! These solar companies often will start the project and sell it off. Who's left holding the bag? The TAXPAYER!, ..	<i>Decommissioning</i>	Please see the response to comment 5D for an explanation of decommissioning for the Facility. As required by 19 NYCRR §§ 900-6.6(b), the Applicant will give the Town a decommissioning security amount that totals the estimated cost for decommissioning plus a 15% contingency cost.
29	29A	12/19/2022	Jan Palmer	I am expressing my opposition to this project.	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
	29B			What if these panels catch fire? This has been known to happen! Remember Walmart, August 2019 headlines? When a fire starts at a solar farm our fire department was advised to contain any fire and let burn? What a dangerous thought!	<i>Public Health, Safety, and Security</i>	Walmart has been committed to solar for nearly two decades. Walmart continues to expand their investments in renewable energies and is recognized by the U.S. Environmental Protection Agency as the largest onsite energy user in America (Ozment, 2014). Walmart had previously worked with SolarCity to supply solar panels and began with Tesla Solar when SolarCity was bought out in 2016. Several rooftop solar-related fires occurred in a short period of time leading to legal action against Tesla. IN contrast with Tesla solar panels, a report by the National Renewable Energy Laboratory in 2017 indicated that of solar installations between 2000 and 2015, there was a mean failure rate of 5 panels out of 10,000 annually. This is a 0.05% failure rate while the Tesla failure rate on Walmart rooftops was 2.9% (Gautam, 2022). The lawsuit between Walmart and Tesla was based on negligence in facility operation rather than inherent combustion risks of solar panels. To mitigate risk from fire-related events, the Applicant has put together a Safety Response Plan outlined in Appendix 06-B. Additionally, several preventative measures have been taken to reduce impacts in the event of a fire at the Facility. As outlined in Exhibit 6 Section (c)(6), fires that take place at the substation or intra-array inverters would be contained through a combination of the underlying gravel pad and/or the substation access road. For further information of fire management and public safety, please see the response to comment 5C.
	29C			This project is within a short distance from our K-12 school campus, and what about the 350 houses that reside within a 1 mile radius?	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 9A for discussion on health and safety. .
	29D			The toxic fumes will be harmful to the people of our town as well as any livestock in the area that may inhale the fumes from possible harmful metals such as lead and cadmium which are common in panels.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 20B for discussion on air impacts.
	29E			We have not been made privileged to what panels will be used to confirm possible other harmful metals in the project.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 5E for discussion on panel composition.
30	30A	12/19/2022	Dale Heiser	I have been a volunteer fireman with the town of Cambria for 28 years. I am also a retired fire Marshall for New York State, with extensive training in firefighting and code enforcement. Cypress Creek has shown little to no regard to public safety for our town.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 9A for discussion on impacts to health and safety.
	30B			They have not offered any training, no fire safety plan, no specialized equipment, and	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 5C for discussion on fire safety.
	30C			no information on the composition of the panels.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 5E for discussion on panel composition.
	30D			Therefore I believe that this project could be a hazard to the town's residents and to the dedicated people of the fire department.	<i>Public Health, Safety, and Security</i>	Comment noted. Please see above for responses to specific questions and concerns.
31	31A	12/19/2022	Eileen M Scovazzo	I am so against this take over of the town of Cambria by a few people. it is almost hard to believe that 3 land owners can decide what will be the future of a town, at the 2 meetings I know the judges saw the passion we have for our town, I am hoping that plays a part in the decision. Please put the solar in an area that will not ruin 900 of beautiful farm land we don't want this in our town.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see the response to comment 7A for discussion on agriculture.
32	32A	12/19/2022	Dennis Scovazzo	I have lived in Cambria for over 15 years before that I was in Pendleton for 20 years I chose this area because of the rural area and the people. the right to farm was a huge factor in my decision.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see the response to comment 8B for discussion on compliance with local laws.
	32B			I am concerned that when you take 900 acres from nature where are the animals to go? If you don't live here you might know realize how many animals live on 900 acers.	<i>Where will the farm animals go?</i>	While the parcels involved in the project total 937 acres, the limits of construction will impact a maximum of 550 acres. Please see comment 26 for discussion on the impacts to wildlife within the Facility Site. Additionally, the Applicant conducted a survey of 10 existing landowners within the Facility Site who owned agriculturally active parcels that are to be included in the Facility Site. Of the 10 landowners, one landowner hosted livestock in addition to crops. All landowners indicated that they would continue active agricultural operations on other parcels or portions of parcels not

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
						hosting Facility Components following construction of the Facility. The dairy cows present within the Facility Site will be relocated to nearby farm or to portions of the landowner's property not hosting Facility components. See Exhibit 15 for more information on impacts to livestock production resulting from the Facility Site.
	32C			I would think in the conversation and meetings that have been held someone should have given some thought to the destruction of wildlife habit.	<i>Natural resources</i>	This comment has previously been addressed on the record. Please see the response to comment 26C for discussions on natural resources.
	32D			I am opposed to this project. and hope that the voices of the people will be heard . Thank you	<i>Statement of opposition</i>	Comments noted. Please see above for responses to specific questions and concerns.
33	33A	12/17/2022	Susan Fischer	We don't want this 900 acre solar field in Cambria since it will be no use to us at all.	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
	33B			Why should we have to power other areas of the State by using our beautiful town to do it. Too many people will be affected and not in a good way.	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see the response to comment 2E for discussion on State energy goals.
	33C			We are a community of many retired people and farmers. They don't need their health comprised by solar panels	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 9A for discussion on public health.
	33D			that we don't know what they are made of, where they came from, or what is in them.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 5E for discussion on panel composition.
	33E			We still don't know what happens to them as they break down with age. Too many questions to be comfortable about having these in our area.	<i>Decommissioning</i>	This comment has previously been addressed on the record. Please see the response to comment 5D for discussion on decommissioning.
34	34A	12/17/2022	SUSAN FISCHER	I am very concerned about taking productive farmland and putting in solar. It's insane. Then it leaves the soil toxic.	<i>Agriculture</i>	Please see the response to comment 7A for information on impacts to farmland and see comment 9B for information on impacts to soil.
	34B			Who is going to clean up this toxic land? Also concerned about the decommissioning factor. It will lead to millions of garbage panels to clean up. Who is going to pay to get rid of all this mess?	<i>Decommissioning</i>	This comment has previously been addressed on the record. Please see the response to comment 5D for discussion on decommissioning.
	34C			Our land should be used to grow food and feed animals!	<i>Food security</i>	This comment has previously been addressed on the record. Please see the responses to comment 25D for discussion on food production.
35	35A	12/17/2022	Darlene Ordian	Please do NOT approve this industrial solar project and allow it to deface our beautiful 'farming ' community. This area is not zoned for industry , the people who live and work and raise their families moved here because it is NOT zoned for industry . The farm roads and farm land will be destroyed for decades to profit only a few and hurt many who live here and want a quiet peaceful community.	<i>Local laws</i>	This comment has previously been addressed on the record. Please see the responses to comment 3B for discussion on siting constraints and comment 8B for discussion on local laws.
	35B			No one wants the sound,	<i>Noise</i>	This comment has previously been addressed on the record. Please see the response to comment 27G for discussion on noise impacts.
	35C			sight and	<i>Visual</i>	This comment has previously been addressed on the record. Please see the response to comment 10B for discussion on visual impacts.
	35D			traffic of industrial solar here. We do not have the roads or	<i>Traffic</i>	The effects the Facility will have on transportation are described in Exhibit 16 of the 94-c application. The applicant has conducted a Route Evaluation study to identify and characterize anticipated haul routes, document existing conditions of public roads, estimate the vehicular trips generated by the construction and operations of the Facility and identify potential impacts of the associated traffic (Appendix 16-A – Rev. 1). To mitigate impacts from increased transportation resulting from construction and operation of the Facility, the applicant will work with the town to develop a Road Use Agreement (RUA) to address/mitigate impacts to local roads that may be impacted during transportation of major Facility components during construction.
	35E			fire company to handle such a huge project.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 5C for discussion on fire safety.
	35F			Local government and people who live here do not want this in our area.	<i>Community vision</i>	This comment has previously been addressed on the record. Please see the response to comment 12B for discussion on consistencies with town and county visions.
	35G			It is too close to homes and roads where people can see it and hear it.	<i>Comment addressed above</i>	This comment has previously been addressed on the record. Please see the responses to comments 10B for discussion on visual impacts and 27G for discussion on noise.
	35H			It will eventually end up a huge dump when the panels no longer work or are damaged and cannot be recycled.	<i>Decommissioning</i>	This comment has previously been addressed on the record. Please see the response to comment 5D for discussion on decommissioning.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
	35I			This project makes no sense due to snow fall and lack of sunshine for a lot of the year . Please so not approve this project .	<i>Viability of solar in Western NY</i>	This comment has previously been addressed on the record. Please see the response to comment 1A for discussion on viability of solar in Western NY.
36	36A	12/16/2022	Jenna Warren	Town ordinances being broken for this project- what kind of precedent does this set for the future of our town? Where will it ever end if they allow this solar farm to happen?	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see the response to comment 8B for discussion of compliance with local laws.
	36B			Property values- there is a reason so many people are moving into Niagara county, one being the land and natural beautyz	<i>Property values</i>	This comment has previously been addressed on the record. Please see the response to comment 2D for discussion of property value impacts.
	36C			nobody wants to have a huge, ugly solar panel 100 ft from their neighborhood.	<i>Visual</i>	This comment has previously been addressed on the record. Please see the response to comment 10B for discussion of visual impacts.
	36D			Aren't we a right to farm community? Where does this solar panel stuff all fit into that?	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see the response to comment 8B for discussion of compliance with local laws.
	36E			Run off issues- I live directly on the escarpment in Cambria, with potentially 900 acres of land being up for grabs here, I am worried about how the runoff will be affected. I know that it was a freak rain storm 2 summers ago, but my property is literally the run off point from upper mountain, thrall, carriage lane and escarpment dr. I am truly worried that my house, along with others, could flood if we ever get another storm like that. Our neighborhoods weren't built with a solar farm in the equation. The engineers and land developers weren't accounting for this. There was a literally lake surrounding my house and the water traveled around my house and down off the escarpment. The escarpment became a waterfall.	<i>Water Resources and Aquatic Ecology</i>	This comment has previously been addressed on the record. Please see the response to comment 7B for discussion of impacts to drainage.
	36F			Speaking of storms- how will these solar panels handled the hail, ice, etc we get around here?	<i>Project viability in Western NY</i>	This comment has previously been addressed on the record. Please see the response to comment 1A for discussion of project viability in Western NY.
	36G			When then break, what will be leaking into our ground water?	<i>Water Resources and Aquatic Ecology; Public Health, Safety, and Security</i>	Exhibit 13 of the Application addresses potential impacts to water resources. Exhibit 13(a)(3) concludes that based on the careful siting of Project components and the implementation of various avoidance, minimization, and mitigation measures (e.g., SPCC Plan, SWPPP), the construction and operation of the Facility is not anticipated to result in any significant impacts to groundwater quality or quantity, or to the private drinking water supply wells, aquifer protection zones, or groundwater aquifers within the Facility Site, or within a 1-mile radius of the Facility Site. More detail about impacts to drainage resulting from the Project are found in the response to comment 7B. Panel composition and materials included in panels are described in the response to comment 5E.
	36H			Where are the "storage facilities" going to be for these solar panels? I would assume there will be times when the energy these panels gather will be more than DOWN STATE is using. Where and how is this energy stored?	<i>Energy Storage</i>	No energy storage facilities will be co-located with the Bear Ridge solar. The solar will be fully delivered (no anticipated curtailment issues) onto the system for consumption. [On December 28th, the Public Service Commission released a new energy storage roadmap which places focus on downstate storage for managing the load/demand imbalance anticipated with increasing renewable resources. Storage will continue to provide value in many locations, but it is not required for this project's deliverability.]
	36I			Why are they building here when the energy ISN'T even for us? That seems a bit intrusive to our community huh?	<i>Comment not relevant</i>	Comment noted. Comment not relevant to draft permit.
37	37A	12/16/2022	William Fischer	How can the solar panels work at maximum efficiency in an area that only gets minimal sun? Out of 365 days a year, our area only gets sun 157 days and that's in a GOOD year. We also are prone to 7 feet of snow during snowstorms. How is that going to handled to keep snow off the panels??	<i>Project viability in Western NY</i>	This comment has previously been addressed on the record. Please see the response to comment 1A for discussion of Project viability in Western New York.
38	38A	12/16/2022	Susan Fischer	The 900 acre solar industrial project is going to be in direct line with the Niagara Falls Air Base flight line. We have jets that come and go and also have the Blue Angels and Thunderbirds that come to town. I am wondering how the sonic boom from the planes are going to impact the solar panels. Can they withstand that. My son is law is a pilot and he says there are many times the glare from the panels glow into his eyes and it is hard to see. We have the C135 planes that fly very low and they even shake my house. How will that effect the panels also.	<i>Impacts to Facility from the Niagara Falls Air Base flight line</i>	The Obstruction Evaluation / Airport Airspace Analysis (OE/AAA) is conducted by the Federal Aviation Administration (FAA) Obstruction Evaluation Group (OEG). The purpose of the OEG is to conduct formal aeronautical studies as stated in Title 14, Code of Federal Regulations (14 CFR) Part 77. The OEG consists of ten different offices within both the FAA and the Department of Defense (DoD) including the Air Force, Navy, Army, and the DoD Siting Clearinghouse. As such, by submitting a 7460-1 filing within the OE/AAA the DoD review process was initiated. Under this process each office within the OEG reviews the information provided and provides a

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
						determination, if a concern is raised by an office then additional consultation would commence. On April 25, 2022 the FAA OEG issued Determinations of No Hazard to Air Navigation for the Facility (see Appendix 16-C), as such no concerns were raised. See Exhibit 6 Section (a)(9) a Glare Analysis Report was prepared to evaluate glare form the Facility. Findings indicate that no glare would be received at any identified residences, airports, or travel routes evaluated. Additionally, several measures have been taken to reduce glare including the use of single tracker technology, a flat neutral finish on the inverters, and at least one anti-reflective coating on the PV modules.
39	39A	12/16/2022	Christopher Doak	We are firmly against this project. My wife and I grew up in the city of North Tonawanda. We did not want to raise our family in the city, we wanted them to experience the joys and scenery of living in the country. Since moving to Cambria we have fallen in love with the community and have become family with our neighbors. We loved the town so much that we bought property the next block over on Cambria road and were hoping to build our future home. That project is on hold waiting to see how this solar project plays out. This project will tear this community apart,	<i>Visual</i>	This comment has previously been addressed on the record. Please see the response to comment 10B for discussion of visual impacts.
	39B			we along with others will leave this town to not be sorely fed by these hideous industrial solar fields.	<i>Visual</i>	This comment has previously been addressed on the record. Please see the response to comment 10B for discussion of visual impacts.
	39C			There are tons of locations hidden away to stash these why our community? I am an energy efficiency engineer that works a ton in renewables. I understand the importance but THIS IS NOT THE PLACE for it.	<i>Visual</i>	This comment has previously been addressed on the record. Please see the response to comment 10B for discussion of visual impacts.
40	40A	12/16/2022	Sharon Tasner	I strongly oppose the Bear Ridge Solar Project	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
	40B			It is a blatant violation of town zoning laws in a community who has voiced strongly against this project through the past four years This is an industrial electric generating Facility which belongs only on industrial zoned areas	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see the response to comment 8B for discussion of Project compliance with local laws.
41	41A	12/16/2022	Donna Heiser	This solar project is not wanted by a majority of residents in the town of Cambria. The administrative law judge that heard public comments recently must realize this after listening to just over 4 hours of our towns people voicing their opinions. Backed up with many facts against the project also. Not one person residing here spoke up in favor! That speaks volumes. Please say no to Bear Ridge solar!	<i>Community vision</i>	This comment has previously been addressed on the record. Please see the response to comment 12B for discussion of Project consistency with community vision.
42	42A	12/15/2022	Kyle Schwab	I am strongly opposed to this industrial solar project in the Town of Cambria.	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
	42B			It violates and silences our home rule and local zoning laws.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see the response to comment 8B for discussion of Project compliance with local laws and comment 3B for discussion on the Home Rule Law.
	42C			Our town has existing industrial zoning land that Bear Ridge Solar refuses and wants to use and destroy 937 acres of prime farmland. This project needs to be stopped!	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see the response to comment 7A for discussion on agricultural impacts.
43	43A	12/15/2022	Craig Dumbleton	I have been a resident in Cambria for over 30 years. Some of the reasons we decided to raise our family here is the school system, the non-developed farm area and the people of the community, that have integrity, empathy and compassion for one another. A little old fashion and maybe corny, but that is what makes this town what it is. Our farmer's work ethic is simply amazing and does not go unnoticed by their fellow town's people. A smell of cow manure is a small price to pay for the work they do. We can have fresh pressed cider, fresh vegetables, apples and grapes without leaving this area. I used the word integrity above as that is what seems to be at the heart of this matter. There are rules, laws and legislation in place so that we keep this and other areas, free of people and or companies from coming in and doing things they deem to be correct and beneficial to the area.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see the response to comment 8B for discussion on local laws.
	43B			Rules, laws and legislation ARE in place to prevent this solar farm to be placed on irreplaceable farmland.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see the response to comment 7A for discussion on agricultural impacts.
	43C			The permit clearly states that this should go to an industrial area, brownfield or other location. If these laws are in place and prevent this from happening, how do we justify	<i>Siting constraints</i>	This comment has previously been addressed on the record. Please see the response to comment 3B for discussion on project siting constraints.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				<p>circumventing these laws? Why have these laws that are no stronger than these that are being overridden by money and greed. Your integrity is at stake here. Simply follow the laws in place. We are not against solar, but follow the rules and put it in its designated location.</p> <p>This land is already lending itself to renewable energy, by supplying corn to the ethanol plant in Medina, so in reality, it is a zero sum gain. I would think that when the decision was made to try and shoehorn this project into this community, that the company thought that this quiet little farming community would barely raise an eye to it. I have learned even more about the people of our town. They are informed, educated, and they have integrity and will fight injustices, which is exactly what this is.</p>		
	43D			<p>I will close with this, directly quoted off your own website:</p> <p>"We take into consideration LOCAL LAWS, public health and safety, environmental, social and economical factors" "Deliver economic benefits to the local communities where they are built"</p> <p>If the above two comments are indeed true, then the decision is easy to make. The integrity of our leaders, which is you, should make the decision based on the above and stay true to the people who live and work here, that is how America was built</p>	<i>Local laws, economic benefits</i>	This comment has previously been addressed on the record. Please see the response to comment 8B for discussion on local laws and see comment 2B for discussion of economic benefit for hosting the Facility.
44	44A	12/15/2022	Frank Yuroshoski	Solar power is not sustainable and an extremely toxic when they break down.	<i>Consistency with energy planning objectives, panel composition</i>	Please see the response to comment 2E. Please see the response to comment 5D for further information on decommissioning of the Facility and recycling solar panels. Additionally, see the response to comment 5E for further information on solar panel composition.
	44B			Converting farmland in a right to farm community is treasonous at the very least. Anyone pushing this is part of the problem. We do not want solar power fields in WHEATFIELD!!!	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see the response to comment 7A for discussion on agricultural impacts.
45	45A	12/15/2022	Celeste Held	I am opposed to using our farmland for these solar farms and I am tired of having these policies and projects shoved down our throats.	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
	45B			We have acres and acres of brownfields that would be more than suitable for these projects. Clean up and use these areas and leave our rural areas alone!	<i>Siting constraints</i>	This comment has previously been addressed on the record. Please see the response to comment 3B for discussion on project siting constraints.
	45C			I came up here from the city to enjoy the real environment not to see ugly solar farms and wind turbines. Leave our area alone!	<i>Visual</i>	This comment has previously been addressed on the record. Please see the response to comment 10B for discussion of visual impacts.
46	46A	12/14/2022	Kenneth G Mayer	To Chief ALJ James McClymonds, I attended the Bear Ridge solar hearing at the Cambria Firehall Dec. 13th at 5pm. I would like to say that I agree with all my neighbors who oppose the 900-acre, Bear Ridge Solar project, for all those reasons stated at the meeting. I am also opposed to local interest groups and individuals being allowed to speak on an issue where they do not reside. Their voices should carry absolutely no weight in this matter and should be struck from the record. I, like most of Cambria's residents, believe solar and other forms of renewable energy are necessary for the future, however should be placed in a pre-established, designated areas that conform with local laws and the long-term goals of those townships affected.	<i>Statement of opposition; Local laws; Community vision.</i>	Comments noted. Please see below for responses to specific questions and concerns. Please see the responses to comment 12B. Please see the responses to comment 3B and comment 8B.
	46B			As you heard, the risks for thousands, both present and future, outweigh the benefit of the few looking for immediate financial gain. Again, I am opposed to this project. Respectfully, Kenneth G. Mayer 3996 Lower Mountain Rd	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 9A for discussion on public health and safety.
47	47A	12/14/2022	Kenneth G Mayer	To Chief ALJ James McClymonds, I attended the Bear Ridge solar hearing at the Cambria Firehall Dec. 13th at 5pm. I would like to say that I agree with all my neighbors who oppose the 900-acre, Bear Ridge Solar project, for all those reasons stated at the meeting. I am also opposed to local interest groups and individuals being allowed to speak on an issue where they do not reside. Their voices should carry absolutely no weight in this matter and should be struck from the	<i>This comment is a duplicate, see comment 46</i>	<i>This comment is a duplicate, see comment 47</i>

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				record. I, like most of Cambria's residents, believe solar and other forms of renewable energy are necessary for the future, however should be placed in a pre-established, designated areas that conform with local laws and the long-term goals of those townships effected. As you heard, the risks for thousands, both present and future, outweigh the benefit of the few looking for immediate financial gain. Again, I am opposed to this project. Respectfully, Kenneth G. Mayer 3996 Lower Mountain Rd		
48	48A	12/14/2022	Erin Zwack	My husband and I moved here because we love the openness, green space, and rich farmlands. For this reason, I completely object and oppose any proposed project for these solar farms in our area.	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
	48B			It makes no sense to waste greenspace when our environment is suffering from climate change and over-development as it is.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see the response to comment 7A for discussion on agricultural impacts.
	48C			There are plenty of other options that would be more suitable for solar farms and could actually utilize dead space. For example, unused parking lots or tops of buildings that have no purpose.	<i>Siting constraints</i>	This comment has previously been addressed on the record. Please see the response to comment 3B for discussion on project siting constraints.
	48D			This company isn't invested in our community and only want to capitalize on an investment opportunity for themselves. This land is not for sale!	<i>Economic Benefits</i>	This comment has previously been addressed on the record. Please see the response to comment 2B for discussion of economic benefit for hosting the Facility.
49	49A	12/14/2022	Andrew Zwack	I am opposed to this project!	<i>Statement of opposition</i>	Comments noted. Please see below for responses to specific questions and concerns.
	49B			It is senseless to develop "greenfields" with commercial/industrial solar arrays. Niagara County is home to MANY solid waste landfills, hazardous waste landfills, superfund sites, and brownfield sites. It makes much more sense to develop these properties that have extremely limited uses if any at all, with green energy projects.	<i>Siting constraints</i>	This comment has previously been addressed on the record. Please see the response to comment 3B for discussion on project siting constraints.
	49C			Furthermore, it seems out of state entities seek to exploit NYS subsidies and tax breaks to line their pockets; there is no benefit to the community or Town.	<i>Economic Benefits</i>	This comment has previously been addressed on the record. Please see the response to comment 2B for discussion of economic benefit for hosting the Facility.
	49D			The Town is known for fruit orchards, wineries, and farms. I believe the installation a large commercial/industrial solar arrays would be detrimental to these businesses as the esthetic would be compromised.	<i>Esthetics/visual</i>	This comment has previously been addressed on the record. Please see the response to comment 10B for discussion of visual impacts.
	49E			I am not opposed to green energy projects, just not at the expense of "clean" land. Why can't these project be implemented in a more innovative way to take advantage of spaces already developed, for example: the median in the thruway, landfills, elevated above parking lots, on top of large building developments, etc... This project should not move forward!	<i>Difficulties with innovative solar</i>	Through the passing of the state-level CLCPA and the federal-level Inflation Reduction Act, development of renewable energy has been recognized as critical for long term environmental health and energy stability within the state and country (See Exhibit 17). In New York State, utility scale solar allows solar facility to be developed in a manner as to achieve goals outlined by the CLCPA to combat the increasing threats from climate change. Please see response to comment 2E for discussion on difficulties with innovative solar.
50	50A	12/14/2022	Andrew Zwack	I am opposed to this project! It is senseless to develop "greenfields" with commercial/industrial solar arrays. Niagara County is home to MANY solid waste landfills, hazardous waste landfills, superfund sites, and brownfield sites. It makes much more sense to develop these properties that have extremely limited uses if any at all, with green energy projects. Furthermore, it seems out of state entities seek to exploit NYS subsidies and tax breaks to line their pockets; there is no benefit to the community or Town. The Town is known for fruit orchards, wineries, and farms. I believe the installation a large commercial/industrial solar arrays would be detrimental to these businesses as the esthetic would be compromised. I am not opposed to green energy projects, just not at the expense of "clean" land. Why can't these project be implemented in a more innovative way to take advantage of spaces already developed, for example: the median in the thruway, landfills, elevated above parking lots, on top of large building developments, etc... This project should not move forward!	<i>This comment is a duplicate, see comment 49</i>	This comment is a duplicate, see comment 49.
51	51A	12/14/2022	Stephen Larson	As a 30 plus years resident of the town of Cambria if I want to put up a 10x10 storage shed I need to obtain a building permit. I don't understand why a corporation can come into the town and plan to use over 900 acres of land with NO planning input from the town of	<i>Local Laws</i>	This comment has previously been addressed on the record. Please refer to the response to comment 8B for discussion on local laws.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				Cambria totally undermining home rule laws of the town which are in the state constitution. There is land available for this type of project without taking away productive farmland and would not affect people's home values or lifestyles.		
	51B			NO permits from the town of Cambria	<i>Local Laws</i>	This comment has previously been addressed on the record. Please refer to the response to comment 8B for discussion on local laws.
52	52A	12/13/2022	James Ellis	ORES should pause the processing and approval of 94c Applications until that they can demonstrate to NYS residents that they are promoting industrial solar developments on inactive landfills and infrastructure and utility corridors across NYS to minimize the loss of agricultural land. Developers are independently driving the decision of where to locate new industrial scale solar fields in NYS. I don't see ORES being active in guiding developers to sites that fulfill NYS's environmental and agricultural land preservation goals. DEC's NYS Inactive Landfill Initiative (May 2021) identified 1,901 inactive landfills. I attach a map. Besides these inactive landfills, there is extensive acreage across NYS already impacted by infrastructure and utility corridors that would serve as optimum sites for industrial-scale solar fields.	<i>Siting constraints</i>	This comment has previously been addressed on the record. Please see response to comment 3B for discussion on siting constraints faced by the Project.
	52B			ORES' passivity enables developers to ignore local governments' land use designation as Residential and Agricultural.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please refer to the response to comment 8B for discussion on local laws.
	52C			In addition, there is no guidance in the ORES Bear Ridge Draft Permit that pressures developers to layout arrays and associated facilities in a compact manner. The Bear Ridge Solar project is a classic case where the developer has an excessively spread-out design covering miles based on discontinuous acreage from 3 landowners willing to lease land. ORES clearly is not following their website mission statement that "...takes into consideration local laws, public health and safety, environmental, social and economic factors pertinent to the decision to permit such facilities...while maintaining the State's strong environmental and public participation standards..." Again, ORES should pause their processing and approval of 94c Applications until they can demonstrate to NYS residents that they are fulfilling their mission statement.	<i>Design efforts taken to make design compact</i>	The 100-megawatt (MW) Facility is located on 937 acres, of which approximately 524 acres will be occupied by Facility components. The Facility is restricted to only those portions of leased parcels where the landowner has agreed to have components while also avoiding environmental constraints and meeting setbacks. . The Applicant has worked to meet and/or adhere to numerous siting and setback constraints (i.e., Section 94-c setbacks, address specific landowner concerns or preferences, etc.) while developing the Facility layout. These layout constraints may not be apparent while looking at a panel or road layout, but the overall design must accommodate these factors. In regard to panel layout, there are several technical constraints that come into play in the layout of arrays most notably the string length (or the panel array length controlled by a motor). Further consolidation of parcel areas is not possible given the current restraints. The Facility has been built to accommodate construction within the available land. The greatest distance between parcels is approximately 0.21 miles.
53	53A	12/11/2022	Gale Palmer	As a 30 year resident of Cambria I am strongly opposed to the Bear Ridge Solar complex that Cypress Creek is trying to place on our agricultural land in our beautiful rural town.	<i>Statement of Opposition</i>	Comment noted. See below for responses to specific questions and comments.
	53B			Not only will this devalue my home but it is also	<i>Property Values</i>	This comment has previously been addressed on the record. Please see the response to comment 2D for discussion on impacts to housing values.
	53C			disturbing the wildlife that lives within the proposed locations of the solar panels throughout our	<i>Natural Resources</i>	This comment has previously been addressed on the record. Please see the response to comment 26C for discussion on impacts to natural resources.
	53D			quiet residential community. Please listen to our residents and not corporate greed.	<i>Noise</i>	This comment has previously been addressed on the record. Please see the response to comment 27G for discussion on noise impacts.
54	54A	12/11/2022	Gale Palmer	Attached you will find comments #1-51 of 600 which are being re-entered from case #18-F-0338 under article 10.	<i>Comment not relevant to draft permit</i>	The commentor included screenshot images of the Bear Ridge Solar LLC, DMM Matter Number 18-01352. The attached screenshots display comment fragments rather than complete comments making the submitted comment illegible. From a review of Article 10 comments, the applicant found that substantive comments submitted through Article 10 are addressed in the 94-c public comment responses. Substantive comments brought up under Article 10 include topics such as loss of agricultural land, decreases in housing values, visual disturbances, noise disturbance, air pollution, inconsistencies with state and local laws, traffic, wildlife, health concerns, and fire risk. Several concerns brought up under Article 10 are no longer relevant under Section 94-c. In the event a question or comment was submitted under Article 10 and was not adequately responded to through the 94-c Public Comment response, please note that the knowledge of the transition from the Article 10 Process to the Section 94-c process was made available to the community in June of 2021 (Appendix 02-A).

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
55	55A	12/11/2022	Gale Palmer	Attached you will find comments #52-103 of 600 which are being re-entered from case # 18-F-0338 under article 10.	<i>Comment not relevant to draft permit</i>	This comment has previously been addressed on the record. Please see the response to comment 54A for response to comments submitted under Article 10.
56	56A	12/11/2022	Gale Palmer	Attached you will find comments #353-404 of 600 which are being re-entered from case # 18-F-0338 under article 10.	<i>Comment not relevant to draft permit</i>	This comment has previously been addressed on the record. Please see the response to comment 54A for response to comments submitted under Article 10.
57	57A	12/11/2022	Gale Palmer	Attached you will find comments #405-456 of 600 which are being re-entered from case # 18-F-0338 under article 10.	<i>Comment not relevant to draft permit</i>	This comment has previously been addressed on the record. Please see the response to comment 54A for response to comments submitted under Article 10.
58	57A	12/11/2022	Gale Palmer	Attached you will find comments #205-250 of 600 which are being re-entered from case # 18-F-0338 under article 10.	<i>Comment not relevant to draft permit</i>	This comment has previously been addressed on the record. Please see the response to comment 54A for response to comments submitted under Article 10.
59	59A	12/11/2022	Gale Palmer	Attached you will find comments #151-204 of 600 which are being re-entered from case # 18-F-0338 under article 10.	<i>Comment not relevant to draft permit</i>	This comment has previously been addressed on the record. Please see the response to comment 54A for response to comments submitted under Article 10.
60	60A	12/11/2022	Gale Palmer	Attached you will find comments #457-501 of 600 which are being re-entered from case # 18-F-0338 under article 10.	<i>Comment not relevant to draft permit</i>	This comment has previously been addressed on the record. Please see the response to comment 54A for response to comments submitted under Article 10.
61	61A	12/11/2022	Gale Palmer	Attached you will find comments #303-352 of 600 which are being re-entered from case # 18-F-0338 under article 10.	<i>Comment not relevant to draft permit</i>	This comment has previously been addressed on the record. Please see the response to comment 54A for response to comments submitted under Article 10.
62	62A	12/11/2022	Gale Palmer	Attached you will find comments #502-550 of 600 which are being re-entered from case # 18-F-0338 under article 10.	<i>Comment not relevant to draft permit</i>	This comment has previously been addressed on the record. Please see the response to comment 54A for response to comments submitted under Article 10.
63	63A	12/11/2022	Gale Palmer	Attached you will find comments #104-150 of 600 which are being re-entered from case # 18-F-0338 under article 10.	<i>Comment not relevant to draft permit</i>	This comment has previously been addressed on the record. Please see the response to comment 54A for response to comments submitted under Article 10.
64	64A	12/11/2022	Gale Palmer	Attached you will find comments #552-600 of 600 which are being re-entered from case # 18-F-0338 under article 10.	<i>Comment not relevant to draft permit</i>	This comment has previously been addressed on the record. Please see the response to comment 54A for response to comments submitted under Article 10.
65	65A	12/11/2022	Gale Palmer	Attached you will find comments #251-302 of 600 which are being re-entered from case # 18-F-0338 under article 10.	<i>Comment not relevant to draft permit</i>	This comment has previously been addressed on the record. Please see the response to comment 54A for response to comments submitted under Article 10.
66	66A	12/10/2022	James Ellis	The ORES Siting Draft Permit makes no effort to accommodate - or at least compromise to some degree with - local Cambria and Pendleton laws and zoning. ORES simply rubber-stamped the developer's industrial-scale plans that impacts 100's of local residents and provides financial benefits to only three landowners.	<i>Outreach efforts</i>	This comment has previously been addressed on the record. Please see the response to comment 15B for discussion of outreach efforts.
	66B			In contrast, in the South Ripley solar project, ORES decreed that the developer had to follow the local zoning law on forest mitigation. So there is precedence for ORES to adhere to some local laws and zoning.	<i>Precedent set by ORES to adhere to local laws</i>	ORES considers a variety of factors when deciding to waive or uphold local laws. In previous 94-c cases, ORES has both chosen to uphold local laws or chosen to waive local laws depending on relevant information. In the case of the South Ripley Solar Project, the Applicant did not file for a waiver for the Town's tree clearing laws and therefore was required to uphold the laws set forth by the town. For the Bear Ridge Solar Project, local laws waived by ORES are based on evidence provided by the Applicant in accordance with Section 94-c Regulations.
	66C			In the Draft Permit, ORES ignores the fact that Cypress Creek will not support agricultural co-utilization and gives the impression that a plan is forth-coming from the developer as documented in 1) - 3) below: 1) Cypress Creek indicated support for agricultural co-utilization in their many presentation materials documented in 02_Bear Ridge Solar Appendix 02-B_Local Engagement and Outreach Materials Supplement Part 1-5. 2) Cypress Creek's 94c Application (March 22, 2022): 15_Bear Ridge Solar Exhibit 15_Agricultural Resources - Rev. 1.pdf (e) Co-utilization Plan An Agricultural Co-utilization Plan (e.g., sheep grazing within fenced PV arrays) is not proposed for the Bear Ridge Solar Project and therefore, the requirements of §900-2.16(e) are not applicable. 3) Office of Renewable Energy Siting Draft Permit Bear Ridge Solar, LLC (Matter No. 21-02104) (October 3, 2022): (c) Agricultural Resources (Page 69) (2) ...Consistent with §900-2.16(e)...the Permittee shall submit an Agricultural Co-Utilization Plan for the life of the facility... One has to wonder if ORES was rigorous in their review of the 94c Application.	<i>Agricultural co-utilization</i>	Under the 94-c Regulations, §900-2.16(e), there is no specific requirement for Solar Facilities to have and submit a co-utilization plan. However, as noted in the comment ORES is requiring the Applicant to develop and file a co-utilization plan for the Facility prior to construction for review. The Applicant did not contest any of the conditions listed in the Draft Permit and as such will plan to develop and submit said plan. Please note that the Applicant encourages landowners to continue farming on portions of project parcels not housing Facility components and on other nearby parcels. Lease payments made to landowners will assist in the relocation of their farming operations.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
	66D			In the 94c Application, the developer's effort to manage the ecosystem across 937 acres is documented as: "Trips during operation are estimated to be between one to two pickup trucks per day when maintenance is occurring with an occasional utility trailer for landscaping or mowing equipment." This is a gross underestimate of the time and labor involved to provide landscape maintenance across 937 acres, along with the screen plants. ORES fails the local community and the environment by rubber-stamping the developer's 94C Application.	<i>Comment not relevant to draft permit</i>	Comment noted. Comment not relevant to draft permit.
	66E			ORES' website states their organization "...takes into consideration local laws, public health and safety, environmental, social and economic factors pertinent to the decision to permit such facilities...while maintaining the State's strong environmental and public participation standards..." ORES' preferential approval of Cypress Creek's 94C Application indicates that ORES is falling well short of their mission statement goals for the Bear Ridge Solar project.	<i>Questions the level of detail put into review of the 94-c Application</i>	Comment noted. Comment not relevant to draft permit.
67	67A	12/1/2022	Neal Nesselbeck	I am in favor of this project.	<i>supportive comment</i>	Comment noted.
68	68A	11/1/2022	Roger Palmer	See Attached Comments: Attached in a PDF: To all those concerned: On December 13, 2022 at 5 p.m. a draft permit hearing to hear public comments and concerns is scheduled in the Town of Cambria, New York. This hearing is being held in regards to the siting of Cypress Creek Renewables' "Bear Ridge" solar project. At this time residents' comments and concerns will be heard. I am writing, at this time and as one of those residents, to respectfully ask that those charged with the responsibility of setting the hearing time to consider changing that time to 6:30 or 7:00 p.m. In amending the scheduled time this would help to ensure a more complete participation from the public in the siting process. As so many of our residents are working people, they may find the current scheduled time to be inconvenient. Many may still be at work or on their commute home. Many will have to pick up their children from child care and then headed home to feed their families. There might also those needing to have sitters for their children so that they can attend the hearing to express their comments or concerns. The Cambria Town Board and Cypress Creek's project manager have stated that a time change is not a problem for them and agree that the change would be beneficial to the public. Also it must be kept in mind that at this time of the year weather becomes a factor. A later scheduled time would be beneficial in the event of questionable weather conditions. There is the hope that this request will be seriously considered. Sincerely, Roger Palmer Cambria, N.Y.	<i>comment regarding public meeting time</i>	The ALJ did move the hearing back to later in the evening on 12/13/2022 and added a second hearing on 12/14/2022 to accommodate the request from the Town.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

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No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
Public Meeting Transcript 12/13/2022						
69	69A	12/10/2022	Angelo Morinello	Thank you. Good evening, Angelo Morinello, M-O-R-I-N-E-L-L-O. I'm the Assemblyman for the Town of Cambria and all of the residents here. Thank you for the opportunity to present testimony regarding the Bear Ridge Solar, L.L.C. project on behalf of the Town of Cambria and it's approximately six thousand residents. At no time are my comments to be interpreted as a denial of the need to address fossil fuels, but are directed to a process that violates local control within its boundaries. The State of New York has crafted regulations regarding this type of project in industrial size solar energy encampment, disregarding the residents and taxpayers within the geographic boundaries of a municipality. The authority of local governments to exercise self-government has been a matter of constitutional principle in New York State. See Kamhi v. Town of Yorktown, 74 N.Y.2d 423 et al. The State of New York to benefit solar companies at the expense of local rule crafted measures to make the siting process easier.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see response to comment 8B for discussion on Project compliance with Local Laws.
	69B			The obvious result of the easing of the process was to benefit solar companies while destroying acres of farmland. Cambria is a farming community, which will be losing valuable farmland to the installation of solar panels. The tranquil lifestyle of the residents of Cambria will be diminished by the installation of large solar fields within view of taxpaying residents.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see response to comment 7A for discussion on agricultural impacts.
	69C			In this day and age, the studies reveal the need to produce healthy foods, fruits, and vegetables on our own shores, and not rely on foreign and imported products. People go hungry every day and to -- dim -- diminish farmable land availability will only increase food shortages. It's ironic that Governor Hochul has just recently approved a new protection fund for farmland and agriculture. The fund is meant to provide protection for viable farmland in New York as the State also seeks to expand the development of solar projects. Senator Michelle Hinchey, Chairperson of the Senate Agriculture Committee stated, with the climate crisis changing the face of agriculture as we know it and rendering top food producing states like California unequipped to respond, New York must act -- act now to protect local farmland and ensure a stable food supply for our region. Assemblywoman Donna Lupardo, Chairperson of the Assembly Agricultural Committee stated, given the global -- global climate crisis and the urgent need for renewable energy, agricultural land has become an attractive option for solar development. To protect our food supply, farmland protection must remain a priority in New York's path of reaching aggressive climate goals.	<i>Response to Governor Hochul's approval of the Farm and Agricultural Protection Fund</i>	Governor Hochul's approval of the Farm and Agricultural Protection Fund is an indication that the State recognizes the importance of protecting agricultural land. At the same time, the CLCPA recognized the need for significant renewable energy. These two objectives, protecting agricultural land and developing renewables are addressed in the siting of the Bear Ridge Solar Facility. Exhibit 15 shows regional trends towards subdivisions of large farms in New York. These trends are supported by claims made by landowners hosting the Project in Appendix 15-C. By providing landowners with lease payments to supplement income, the Project is benefiting the agricultural community within the host communities. Additionally as demonstrated in As shown in Table 15-1, the majority of crops grown within the Facility Site consist of corn and soybeans. However, the amount of both these crops within the site represent less than 5% of the total corn and soybean crop grown within the 5-mile Study Area. Similarly, grassland and pastureland within the Facility Site represent less than 1% of these lands within the 5-mile Study Area. Therefore, development of the Facility is not anticipated to have a significant impact on the volume of agricultural production within the 5-mile Study Area or Niagara County.
	69D			I leave with three questions. One, why would you even consider trampling on the constitutional right of local control for your municipality within its boundaries? Two, why would you consider destroying valuable farmland where -- where there is a pathway to accomplish the climate goals and preserve farmland? And three, why would you not consider viable farmland given Governor Hochul's approval of the Farm and Agricultural Protection Fund? Thank you. A.L.J. FAVREAU: Thank you, Assemblyman. Next will be Supervisor Ellis, Town of Cambria.	<i>see above</i>	See above (Comment 69A-69C) for responses
70	70A	12/13/2022	Wright Ellis, Supervisor of the Town of Cambria	Good evening, I'm Wright Ellis, Supervisor of the Town of Cambria. That's E-L -- E-L-L-I-S, 4255, Lower Mountain Road, Lockport, New York. I've had the honor and privilege to serve as the Town of Cambria Supervisor for the past thirty-one years. Through that service, I have participated in the legislative process for many local laws, including the local solar and zoning laws that the applicant has requested ORES to waive. I've also been significantly involved in developing the town's current comprehensive plan, which has been updated twice during my tenure. With this collective experience and perspective, I respectfully submit that I'm qualified to speak on the town's local laws and the adverse effects on the town and its community of citizens if said local laws are waived. The applicant has requested ORES to waive certain provisions of the town's solar law on the basis that the laws are unduly burdensome in light of the State's renewable energy goals, and will make this project unviable for the applicant. Some specific provisions addressed were industrial size solar facilities are permitted within the town. The property setbacks applicable to such facilities,	<i>Local laws</i>	See Applicant's response to Town of Cambria's Petition for Party Status and Municipal Statement of Compliance.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit

No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				<p>and the decommissioning requirements imposed on a sited facility. At the outset, it is important to note that the town is not opposed to solar. Indeed, there is no town law that imposes a blanket prohibition or moratorium against solar facilities. Instead, the town's solar law and comprehensive plan set forth the town's solar plan and vision. Collectively, the solar law and comprehensive plan recognize the importance of solar and emerging needs for renewable energy, but define the confines in which solar facilities can exist in the town. Put simply the town's laws are not anti-solar. Rather, the laws regulate solar in a manner consistent with its vision and comprehensive plan. For example, the Solar Law Section 4-D does not permit industrial size solar facilities like the one here without the issuance of a special permit, site plan review by the planning board, and issuance of a building permit for siting within the town's industrial district zone or a planned development district, but only if the P and D plan for that specific site allow solar as a permitted use. Importantly, Section 4-D is not a blanket prohibition against industrial sized solar facilities. Through Section 4-D it is the town's goal to restrict industrial size solar facilities to the industrial zone and/or a planned development zone where solar is an approved use. There are currently three planned development districts in the town, two are designated for mixed business residential and the third for economic development. The majority of the project is currently planned for land zoned agriculture residential, which is why the applicant has requested waiver for a Section 4-D. The applicant, however, has failed to recognize that other portions of the project are set to be cited on the aforementioned third planned development district. Specifically, the site designed to be the Cambria Technology Park, a New York State Shovel Ready site. I guess, my time is up. Thank you very much and the towns -- the town's Shovel Ready Site and prim -- prime agricultural lands are of utmost importance to the town's future. While the town recognizes the importance of renewable energy, and sees a place for saving, the town has carefully enacted laws and implemented a comprehensive plan to ensure that industrial solar does not impede attainment of the town's goals and visions. For these reasons, is it imperative that a hearing be granted on the issues identified by the town in relation to this project's compliance with the local laws. Thank you.</p>		
71	71A	12/13/2022	David Gotthard	<p>Good evening. My name is Dave Godfrey. I'm a Niagara County Legislator representing the Towns of Cambria, Wilson. and parts of the Town of Wheatfield. As a public official, like every public official in this room, I take an oath to support the Constitution of the United States and the Constitution of the State of New York. Indeed, the New York Constitution is the highest law in our State, the guiding principles as voted on by our residents. It's unfortunate that the constitution appears to be easily circumvented, as in the constitution it clearly states, and I quote, "the policy of the State shall be to conserve and protect the natural resources and scenic beauty, and encourage the development and implementation of its agricultural lands for the production of food and other agricultural products. The legislature in implementing this policy shall include adequate provisions for the abatement of air and water pollution and ex -- excessive and unnecessary noise for the protection of agricultural land." Let me repeat that, for the protection of agricultural land. Indeed, we have Local Agricultural and Farmland Protection Board, of which I am honored to chair. We have a State Department of Agriculture and Marketing that is in charge of promoting farming and protection -- and protecting our farmlands. We recognize the uniqueness and importance of farmland by treating it differently. We tax it differently. We zone it differently. We pass legislation declaring that certain communities as a right to farm community. Most certainly, we have always left it to our local communities to maintain the vital balance between agriculture and development. They do this through their zoning powers. Through their planning boards. Through their master plans. It's a concept called Home Rule. It's another bedrock which is the principle of the State Constitution. Yet the State has decided to shred the constitution in its haste to develop industrial wind and solar projects, thousands upon thousands of acres of agricultural land will be lost for decades, if not forever, to achieve this goal. This outright -- outrightly ignores the growing concern around the food security and</p>	Local Laws	This comment has previously been addressed on the record. Please see response to comment 8B for discussion on Project compliance with local laws.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				our ability to produce the agricultural products that are vital to our survival. There is a complete -- complete lack of recognition that this top-down strategy from Albany is in violation of the State Constitution, which is -- which is growing -- which is going to create a whole different set of problems. I want to stress, that I along with Legislator Tony Nemi, who represents the Town of Cambria part of this project. And in fact, all of my fellow legislators, that we clearly understand and support adding alternative energy sources to the State's portfolio. However, this is a classic case of right time, wrong place. There is no doubt that this right, that is the right time to be aggressively supporting alternative energies. But this destroying of our prime agricultural land is the wrong way to do so. We should be exploiting brownfields, landfills, former industrial sites that are now unproductive land masses that could be given a second life and home for our solar farms. That would be the highest and best use of these sites as we can work together to make that happen. Deploying -- destroying farmlands for solar panels is not the highest and best use of our land. The County of Cambria has appropriately applied its powers as a local government to reject this mega project that threatens the very way of life here in the town. There is nothing unduly burdensome, to use the same language that's in our State Constitution, in any of our town's zonings rules to -- and enforcement code, for a project such as this. The town is upholding the state of the Constitution to protect this farmland and doing so within the rights of local government. This project simply cannot go forward, and we will exercise every legal avenue available to us to make sure that it does not. Thank you very much for your time.		
72	72A	12/13/2022	Andrew Dugan, on behalf of Senator Ort	D-U-G-A-N. 175 Walnut Street Suite 6, Lockport, New York 14094. Is it on now? There we go. Do you want me to restate that or not? THE REPORTER: I got it. MR. DUGAN: You got it? THE REPORTER: Yeah. Thank you. MR. DUGAN: Should I make it higher? Is that good? A.L.J. FAVREAU: No. No, it's the power on? MR. DUGAN: Over the last few years, New York State has altered its siting process in a way that silences local voices. And as we see here with the prospective project in Cambria and Pendleton. ORES has eliminated any and all meaningful participation in this process by local groups, and is actively denying towns and interested local groups from being granted party status in discussions. We have also seen the dismissal of local laws by waiver, and zero consideration is given to entirely valid objections that have been made. You'd be hard pressed to find an individual in this room, who would object to our State moving its energy policy in a direction that creates a cleaner and more responsible environment for our children and future generations. However, this movement should not come at the cost of resident's current wellbeing and should most certainly not be done in the backyards of communities that raise extremely valid concerns. We continually see the dismissal of concerns held by Upstate and Western New York communities in the -- in the interests of progressive Albany, and New York City politicians, bureaucrats, and Green New Deal advocates. These Upstate and Western New York communities largely based around farming and agriculture, have a unique and quaint nature, one that has been built into the communities' culture over generations. By replacing these communities farming and natural lands with unwanted solar energy projects, you're stripping -- you're stripping away much of what makes these towns and villages special. The way in which this process has taken place by excluding the concerns and voices of local parties has highlighted the extreme overreach of the bureaucrats in Albany, who have commandeered an already heavily sited process. New York State must revisit the current siting process that is in place and reaffirm to the residents of these communities like Cambria and Pendleton that their voices and concerns do matter. New York State must respect local laws and concerns. Local government and interested local groups must be granted party status and a seat at the table when discussions are being held. I stand with the residents and opposition groups here this evening in calling for transparency in fairness as we oppose both the project and the discussions around it are being held. Thank you.	Local Laws	This comment has previously been addressed on the record. Please see response to comment 8B for discussion on Project compliance with local laws.
73	73A	12/13/2022	Mark Crocker, Supervisor	Mark Crocker, M-A-R-K C-R-O-C-K-E-R. Thank you for allowing me to speak tonight. As some of you may know, I'm a Supervisor from the Town of Lockport. I came out tonight	Local Laws	This comment has previously been addressed on the record. Please see response to comment 8B for discussion on Project compliance with local laws.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				because I thought it was very important to talk about New York State's own Home Rule of Law. As a local citizen and resident, a neighbor of your neighboring town in the Town of Lockport. I'm here to express my opposition to this project because of its total disregard for New York State's Home Rule of Law. Home Rule of Law is explicitly recognized in the New York State Constitution. Home Rule of Law provides and preserves the rights of local government to decide the best uses of local lands, critical. Our forefathers wisely protected this right for our local leaders, because it's the local leaders who know how to develop their own lands in a way that is best for their own communities. Local leaders live, work, and play in these communities. They know what you the citizens want, and if they don't provide it, they get voted out. But New York State has turned this simple and beautiful concept upside down. Now, our local leader, our local voices are silenced.		
	73B			And the deep pockets of solar industrialists are allowed to steamroll our local municipalities. The bigger and deeper the pockets, the faster and more destructive the steamroller is. The more destructive the project is, the larger the project is, the more acres of land that the project will use,	<i>Outreach Efforts</i>	This comment has previously been addressed on the record. Please see response to comment 15B for discussion of outreach efforts taken by the Project.
	73C			the greater loss of our agricultural lands,	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see response to comment 7A for discussion on agricultural impacts.
	73D			and the more the solar panels block our view.	<i>Visual</i>	This comment has previously been addressed on the record. Please see response to comment 10B for discussion on visual impacts.
	73E			And finally, the louder of the hum from the electricity, the less our local leaders are able to do anything about it. You see, once the project has reached twenty-five megawatt in size, local leaders no longer have control, and this obviously is a hundred megawatts. So locally, we want our leaders to consider our daily enjoyment of our natural landscape, our safety, our economic welfare.	<i>Noise</i>	This comment has previously been addressed on the record. Please see response to comment 27G for discussion on noise impacts.
	73F			We want our leaders to reasonably impose restrictions on projects when the safety of our children is threatened, when our children's ability to enjoy natural landscapes are threatened.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 9A for discussion on public health and safety related to the Project.
	73G			And when the economic base of our region -- our region, I'm sorry, which is agricultural is threatened. The State's own 94-C law takes all that away from us. Now, un -- unknown Downstate appointed bureaucrats have been empowered to stamp away our concerns. A local law that requires reasonable setbacks to pro -- to protect homes, stamped by Downstate bureaucrats, unreasonably burdensome. Local laws that require a vegetative screening to hide the solar panels stamped by New York State Downstate bureaucrats, unreasonably burdensome. Local law that restricts industrial solar from -- from eating up all our farmland stamped by New York State Downstate bureaucrats, unreasonably burdensome. These bureaucrats, the ones with the stamps are hiding. We can't vote them out. We don't even know who they are. We have lost all our local control. Our right to Home Rule has been taken away. Our lands are being overrun with industrial solar and our way of life and that of our children can and might be forever altered. We must support Home Rule of Law and we must oppose this project. Thank you very much.	<i>Economic Benefits</i>	This comment has previously been addressed on the record. Please see response to comment 2B for discussion on economic benefits related to the Project and response to comment 8B for discussion on local laws .
74	74A	12/13/2022	James Hufnagel	James Hufnagel. H as in Harry, U-F as in Frank, N-A-G-E-L. THE REPORTER: Thank you. MR. HUFNAGEL: You're welcome. Climate change is a big problem and it's going to get a lot worse before it gets better. We need to do everything within our power to transition from fossil fuels to renewable energy sources like solar and wind. I own a house in Wilson and on the Lake Ontario shoreline, and the economic impacts on local businesses and homeowners by the climate-change-induced floods of 2017 and 2019 ran into the millions. If that didn't demonstrate that climate change can hit home, I don't know what would.	<i>Supportive comment - climate change</i>	As stated in this comment climate change is an increasing threat and a driving force behind the implementation of the CLCPA in New York State. Further explanation of benefits renewable energy and the Bear Ridge Facility's consistency with energy planning objectives is discussed in the response to comment 2E.
	74B			But I do know that property rights are important to this rural community. You should know that I don't tell my neighbor what to do on his property and he doesn't tell me what to do on mine. If a property owner wants to go solar instead of farm, then government should get out of the way. I fully support the proposed Cypress Solar Project here in Niagara County	<i>Supportive comment - property owners</i>	This comment has previously been addressed on the record. Please see response to comment 2B discussing economic benefits.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				both for the environmental benefits and the windfall of tax revenue that will resolve. Thank you.		
75	75A	12/13/2022	Sharon Tasner	My name is Sharon Tasner, T-A-S-N-E-R. My address is 5693 Subbera Road in Lockport, New York. As a family nurse practitioner and a citizen of Cambria, I'm extremely concerned about the potential health hazards of this proposed industrial scale solar project and its panels.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 9A discussing public health and safety.
	75B			Toxic chemicals including hydrochloric and sulfuric acid are commonly used to clean the surface of semi-conductors during the P.V.C. -- P.V. cell production.	<i>Public Health, Safety, and Security</i>	There are no chemicals used during module cleaning/washing, just water.
	75C			According to cancer biologist Nguyen, Ph.D. in a 2020 study chemicals and solar panels may include cadmium, lead, silicon, and hexafluoroethane. It is suggested that these chemicals are linked with lung and urinary tract cancers. Cypress Creek Renewables as of today has not yet chosen a vendor to supply their solar panels. Therefore, their composition is unknown.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 5E discussing panel composition.
	75D			This project will surround three hundred and fifty homes within a one mile radius. This is a significant amount of lives. It dangerously echoes a Love Canal scenario of the past. In my profession with each and every patient, and each and every situation that I decision make, I need to carefully weigh the risks versus the benefits. I beseech you, sir, to do the same. Thank you.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 16B discussing public health and Love Canal.
76	76A	12/13/2022	Donna Heiser	Donna Heiser, H-E-I-S-E-R. 5207 Kennedy Crescent in Cambria. My view of solar power plants in my community is one shared by many who live here enjoying our bright charming town. We moved here from the city to be able to enjoy the beautiful God-given landscape that the Town of Cambria provides.	<i>Visual</i>	This comment has previously been addressed on the record. Please see response to comment 10B discussing visual impacts.
	76B			A short drive will take you past corn fields, wheat fields, wineries, farmers working the land. It's small town America. It would be more than a shame if that were to change because of these big developers who have no care for the communities that they operate in. Cambria has long been a farmer's paradise.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see response to comment 7A discussing agricultural impacts.
	76C			Now, it's threatened. The bill of rights affirms that the government of the United States exists to serve its citizens. It specifies that the rights provided by the constitution are for people not corporations. Thank you.	<i>Inconsistencies with government favoring corporations over people</i>	Policy decisions at the state and federal level to combat climate change are put in place to protect all people from the threats associated with climate change. Please refer to comment 2E for further description of state and federal climate policies and explanation of the need for renewable energy.
77	77A	12/13/2022	Gale Palmer	I'm going to turn it this way a little bit because I am speaking directly to you. Gale Palmer, P-A-L-M-E-R, G-A-L-E. 5699 Subbera Road, Lockport, New York. As I tried to think of what magic words I could speak that would make you understand the damage the solar project would cause our lovely rural community, which has been in existence for over two hundred years. It dawned on me, it is not what I say but perhaps what you witness. I realize that you are in town for tomorrow's six p.m. hearing. And I'm hopeful that you may have some time in your schedule to drive through Cambria, and get a glimpse of what this town is about and why we are fighting so hard to keep it as it is. Drive down the escarpment and on those clear days in our town and during certain seasons, you would be able to see Toronto, Ontario. Continue your relaxing drive and you will view and perhaps stop at one of the several of our local wineries. If you're hungry, need some fuel, or some provisions, stop at the town's local corner store where you will be greeted by down-home charming employees eager to assist you. Continue to travel until you arrive a our beautiful town park which has several ball fields, skating rinks, a walking trail, a nature trail in the woods, as well as a new playground for the communities to enjoy. Lastly and the most important, I ask you to drive down Saunders Settlement Road to a residence at 4643. Pull over to the side of the road and take a good look at this home which is the life work of a wonderful, loving, and faithful couple. Here you will see carefully tendered gardens with bird feeders to feed and enjoy watching the wildlife. Now, picture this home surrounded on three sides by solar panels with inverters.	<i>Visual</i>	This comment has previously been addressed on the record. Please see response to comment 10B discussing visual impacts.
	77B			b.) That is the creators of the noise right near their back property line. Also map -- also on the map, it's indicated the vertar -- reverter -- inverters right across the street from their driveway. The substation will be located directly behind this property about a thousand feet from their backyard if the drawings are correct.	<i>Noise</i>	This comment has previously been addressed on the record. Please see response to comment 27G discussing noise impacts.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
	77C			c.) Ask yourself, is this what you want of the home you built and minded in hopes of enjoying through your senior years? Would this be what you would desire for your parents, your children, your friends? If your answer is no, then you have the ability and no other choice than to say no to this project for our town citizens. Please do not look at Cambria and its citizens and tell them they do not know what is best for their town. A town that has generations of families living and growing in it. A town we consciously chose to plant our roots because of its tranquility and neighborly hospital -- hospitality. Please recognize the lasting damage this project would have on our town. I ask you to say no to this project. Thank you.	<i>Visual</i>	This comment has previously been addressed on the record. Please see response to comment 10B discussing visual impacts.
78	78A	12/13/2022	Roger Palmer	I'm going to put my eyes on. My name is Roger Palmer, P-A-L-M-E-R. I live at 24 5699 Subbera Road, Cambria. Within the thousands pages of documentation for permitting the Bear Ridge. Solar Project which by the way can be measured in feet. There isn't one millimeter devoted to the referencing of an entire group of stakeholders. This group has all but been left out with no meaningful input and the possibility of their town's character and identity being cast aside and forever changed. These stakeholders are the residents of Cambria and the town officials -- excuse me. And town officials of the town of Cambria. ORES has made it crystal clear that the town's people and their elected body served no purpose in the siting of an industrial project destined to change the entire character and identity of the Town of Cambria.	<i>Outreach efforts</i>	This comment has previously been addressed on the record. Please see response to comment 15B discussing outreach efforts.
	78B			For over two hundred years, Cambria's been recognized as a viable agricultural area with proud people acting as stewards of the land. Yes, over the past two hundred years the town has gone through changes. It has become somewhat residential alongside the agricultural community. The reason this melding has taken place is because Cambria offers a quiet, visibly appealing environment, an exceptional area you live and raise a family. And I don't hesitate to say that. I call it sort of a sanctuary. The town's government over these many years has seen fit to protect Cambria's identity. Enacting laws including zoning laws to protect its residents and the character of the town. These laws have been put in place with great forethought with the knowledge that progress would surely find its way to Cambria. That being said, amending laws became necessary. Progress through industrialization would occur, thus necessitating of amending of said laws, so the town could adapt to the future. In doing so, a compromise was made to include industry interests. This was done for inclusion to include some industry. But not at the expense of Cambria losing its agricultural character and personality. Removing large tracks of viable agricultural land in order to replace it with industrial development wasn't and has never been part of the plan. This would have a devastating effect on many farmers whose families and -- and livelihoods depend on the land.	<i>Agricultural character</i>	This comment has previously been addressed on the record. Please see response to comment 10B discussing impacts to agricultural character.
	78C			But along with being devastating removing this agricultural land and making it an industrial could be considered akin to criminal. It is not a stretch of the imagination to acknowledge that if the Bear Ridge Solar Project is cited as proposed.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see response to comment 7A discussing impacts to agricultural land from the Project.
	78D			it might usher in the demise of farming in Cambria causing a watershed effect. This effect could be seen as an industrialization of Cambria which would quickly push Cambria's identity into oblivion. The Office of Renewable Energy Siting, not in good conscience, looked to or allowed the ignoring of Cambria zoning laws, solar laws, and any other legislative ordinance and simply to appease the developer that basically cares only for the financial gains it can make at the expense of the community. And above all, this being a developer based thousands of miles away in another continent. The survey of town residents shows overwhelmingly that they oppose this project to site it.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see response to comment 8B discussing Project compliance with local laws.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
	78E			It should not be constructed on agriculture residential zone properties. It should be placed in an area already set aside for industrial development. Any other industry wanting to set up shop in the Town of Cambria would be required to abide with the town's laws. Furthermore, the residents of Cambria and your elected officials all of whom are Cambria should be recognized as stakeholders and thus should unequivocally be granted party status in a siting -- in a siting process. Anything less can be considered derelict on the State's part and a travesty to each -- each one of us who call Cambria home. In conclusion, I would like to impart on you that believe it -- that I believe and believe I can speak for a majority of my neighbors who number about fifty-seven hundred or so that there is no rationale that could -- could, would, or should give credence to the notion that three landowners, one of whom along with being a businessman is a land speculator, and an internationally based developer should have the ability and/or unchecked power given itself through its part of writing the siting regulations to change the character and identity of this Town of Cambria. Thus, changing the hometown as we know it and love it forever. ORES has stated that party status is not deserved and thus shall not be given to us the residents, or our elected officials, who more than us -- who more than us deserves party status? We should not and will not be perceived as collateral damage. And no agency of the State supported by residents of that State should have the power to forsake its people at the request of an intruder. Thanks for my time.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see response to comment 8B discussing Project compliance with local laws.
79	79A	12/13/2022	Susan Fisher	Susan Fischer. 5108 Carriage Lane, Lockport, New York. Fisher is F-I-S-C-H-E-R. I'm not speaking just for me. I'm speaking for the children who are not here and our children's children. I moved to Cambria about forty-nine years ago. Because when I came out here I saw the beauty of this area. I would drive through and see deer in the distance, owls, and other animals and love that I didn't see a lot of industry or stores. No corporate stores, a good school district, a volunteer fire hall, hardly any traffic, citizens who owned the local businesses and local bar is owned by citizens. Cambria is a hub for people who drive through here to get to Wilson, Newfane, Ransomville, Sanborn, or Lewiston. Now, when people drive through, if this project it's here, they won't see the beauty of Cambria anymore.	<i>Agricultural character</i>	This comment has previously been addressed on the record. Please see response to comment 10B discussing impacts to agricultural character.
	79B			They will see fifteen feet of solar panels caged in a fence.	<i>Visual</i>	This comment has previously been addressed on the record. Please see response to comment 10B discussing visual impacts.
	79C			Our town has absolutely no need for this project to be built here. The project is based solely on greed not need. There are three landowners who don't care about us or the generation of farmers who have a stake here, and have lived here and have a future of growing food or raising the animals here. There are generations of farmers here that wouldn't sell out to solar panels. When three landowners are long gone from Cambria living off their leased land cash cow, the rest of us will be left here looking at a solar panel junkyard and wondering how the hell did this happen. That they were allowed to ruin our entire community of five thousand residents when so many people oppose it.	<i>Decommissioning Plan, Agriculture</i>	These comments have previously been addressed on the record. Please see response to comment 5D for further information on decommissioning. Please see the response to comment 7a for impacts to agricultural land.
	79D			We were promised that if we didn't want it here, it wasn't going to be built. So why are we at this stage of the game? The people making the final decision of the future of Cambria have probably never seen how beautiful this area really is especially in the fall. It is truly God's country. And it will be taken away from us forever. So what is wrong with this country? When three people can change an entire town of five thousand people and make decisions that are forced -- that we are forced to live with forever. Thank you.	<i>Pre-application information sessions</i>	This comment has previously been addressed on the record. Please see response to comment 10D.
80	80A	12/13/2022	Jonathan Fuzak	Jonathan Fuzak, F-U-Z-A-K speaking on behalf of Laborers' Local 91, Laborers' International Union in North America. Labors' Local 91, is in support of New York State's Renewable Energy goals and responsible solar projects. We believe Cypress Creek Renewable is a responsible developer. And is committed to use local labor force on their projects. While economic -- economic development is important to this area, so is the use of local labor and the creation of union jobs on these projects. That is why it's imperative to include renewable energy projects and local labor as part of economic development. We support responsible renewable projects that include union labor. Thank you for your time.	<i>Supportive comment - Economic Benefits</i>	Comment noted. The Bear Ridge Solar Project will bring significant local economic benefits through local job creation, significant new revenue to the local taxing jurisdictions, and in-state spending during construction (see Exhibit 18 of the Application for additional information).

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
81	81A	12/13/2022	Randy Roberts	Hello, Randy Roberts, R-A-N-D-Y R-O-B-E-R-T-S. Just have a couple of quick thoughts. I'm lucky enough to be on the town board here in Cambria. I'm also the liaison to the Zoning Board. Each month I watch our residents come in and try to follow the path if they need to take an adjustment on our zoning. Why shouldn't Cypress Creek have to do the same thing? Why should they be treated differently? There is a place for solar in our town. It's called the industrial zone. We've off -- we've offered that to them. I guess, it's not that important.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see response to comment 8B discussing local laws.
	81B			This goes against our comprehensive plan to have this solar project anywhere else in town. Again, they don't care.	<i>Community Vision</i>	This comment has previously been addressed on the record. Please see response to comment 12B discussing Project compatibility with community vision.
	81C			Let's talk for a minute about decommissioning. Sooner or later, you know, these solar panels are going to have to come down. Sooner or later, ten years, twenty years, thirty years, whatever it is. What's going to be the cost of this? There will be a fund for that. I have no idea how much that's going to cost. I have no idea. I don't think they know either. Twenty years from now, it could be fifty million dollars. That's -- we're not going to have that in the fund, I can guarantee you. So who's going to be responsible for that? You're looking at us right here. We shouldn't have to do that. One more thought, the viability of these product -- projects, I'm told is highest in the first few years as these projects go along and get five years, ten years on them. They -- they become less viable to -- viable to the solar company, less viable maybe to the landowner. Maybe they get abandoned. Maybe the solar company goes out of business. Who's going to be responsible then? We are. This is a big project. This isn't a small project. This is spread out in eleven units over this town. This takes up a lot of property. And I agree with the past speakers about the three people. They shouldn't be allowed to do that. It affects the rest of us. We all should have a say in this. Thank you.	<i>Decommissioning</i>	This comment has previously been addressed on the record. Please see response to comment 5D for discussion on decommissioning strategies.
82	82A	12/13/2022	Robert Moore	Thank you. My name is Robert Moore, M-O-O-R-E. 3792 Ridge Road in Cambria. I stand up in opposition of this project for a lot of reasons. But we got to ask our question, why? Why are they violating the constitution? Why is the State doing that to the Town of Cambria and the surrounding area? Why does Bear Ridge want to build a giant project that has no effect other than to be a project for them to meet a goal, for a bunch of people that don't look at the risk reward. And why are the three farmers allowed to do this without being responsible? I'm all for private property and do what you want to do in your properties don't affects your neighbors. But what happens when Bear Ridge goes broke and the farmers reap the benefit but don't risk the -- they don't have any risk. I would love to have a business where I could risk everything, get paid, and then my neighbor has to pay for it. And that's what will happen. But sir, I ask one thing, I do believe the reason they do it because it's greed. They have no -- they don't care about the people, the state does not -- I don't believe they do.	<i>Inconsistencies with state constitution, decommissioning</i>	This comment has previously been addressed on the record. Please see response to comment 5D for discussion on decommissioning and see response to comment 8B on Project compliance with local laws.
	82C			They're just focused on this goal of green energy without any consequence of what it has.	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see response to comment 2E for discussion .
	82D			So what happens when we don't get to have food to eat? So we're warm but we're starving? So my question would be this, if you want to look at the past to dictate what's the future, look at California, sir. Look at California. They're ten years ahead of New York right now. And New York's we're trying to catch up quick.	<i>Food security</i>	This comment has previously been addressed on the record. Please see response to comment 25D for discussion on food security.
	82E			But they're asking themselves now, after ten years those solar panels are not viable anymore. Where are they going to put them and they don't know. They don't know where they're going to put this material. So someone else's backyard is going to be affected in the future.	<i>Decommissioning</i>	This comment has previously been addressed on the record. Please see response to comment 5D for discussion on decommissioning.
	82F			And it could be Western New York, just like they did with Love Canal. I'm not from here. I'm moved here -- ten years ago to move to the country. And Cambria is where I fell in love with. And that's where I built my forever home. But no one cares. I implore you, sir, that if -- one thing that's important is our children if this project I was told if it was to catch fire they can't put it out. We don't have the resources 02104 to put it out. You just got to let it burn. And all the caustic chemicals and everything's go in the air. And we're told we have to leave where we're going, where are we going let our children run when the wind's blowing and	<i>Public Health, Safety, and Security</i>	These comments have previously been addressed on the record. Please see response to comment 5C and comment 16Bfor discussion on public health and safety.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				you can't go but to Canada. We're going to take a boat to Toronto? I mean, what is the -- what is the -- where's the safety measure here? The risk reward is not there for this. And it's only impacting all these people. And the question would be is why? And it's greed. So sir, I implore you to think about us since no one else is. Don't think about the State, the Town of Cambria instead. Thank you.		
83	83A	12/13/2022	Gina Merlo	And so I'm a little nervous. First of all, I want to thank everyone who came out. This is a wonderful group. We were very nervous when we were told that the meeting would be at five p.m. because most of us in Cambria are pretty hard workers. And we'd probably lose some of our hours at work that we needed. So thank you all for being here. I also want to say that I tried really hard to write something. But there were just so many sub-topics to this project. There are just so many problems with it. With absolutely nothing on the other side to benefit anyone. So I thought I'd tell you a little bit about myself. I'm fifty-four years old. I'm one of thirteen democrats here in Cambria. (All laughs) And I love this town and I love all my fellow -- folks here too. But I mentioned that because I know some folks think this is a democratic initiative. And -- and I really think this transcends politics. I'm -- I'm a child who lived in the Love Canal area. I remember my friends getting sick. I remember writing little letters to John LaFalce. I'm sure there's some folks who maybe remember the name. My family thought it was a good idea to get out of Love Canal, so we went to Lewiston. And my school at that point was right near the Manhattan Project. That's where all the refuse from the atomic bombs are buried. People thought that was a great idea to put that near Lewiston-Porter High School. I'm one of the lucky few to not get cancer like some of my friends did in Lewiston. I can't tell you how many of my friends are battling breast cancer. How many of my friends are infertile. And then a lot of them decided to leave Lewiston and go to Niagara University. And they were told not to become pregnant because there was just such a high voltage from all of the power projects that they couldn't be assured that they would have a safe pregnancy or that the baby would be safe. And that is still a warning that is being told to our young ladies up at Niagara University today. So just to recap because I'm nervous up here. I grew up learning all about what toxic waste was when I saw my friends and their families getting sick. We moved to Lewiston. I had to learn what the Manhattan Project was. When I decided where to go to college I decided I knew it wasn't a good idea even though it's a beautiful campus. And then I decided to buy some property and I'm looking around and I learned what Model City was. And Model City is one of the largest -- largest of refuse wastes that anybody can imagine. And we actually import waste. Many of it is toxic, most of it unbiodegradable, anything but green and then also ranks Cambria. Sir, I hope that you being on your phone is a good thing. I'd hate to think that some of the things I'm talking about pouring from my heart don't disturb your phone. But these things are very important. (Applause) Thank you. Very nervous. That being said, I'm also a school teacher and I chose despite all of this toxicity ringing Niagara County, I chose to make my life here because I am a teacher and a mother and I love this area and I wanted to give back and I thought I had something to offer.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 16B for discussion on public health and safety.
	83B			So we moved out to Starpoint. It is a -- a glorious campus. It is number six in the area. Number one in Niagara County. And unfortunately, this nine hundred acres, no one's used that number today nine hundred acres -- hello beeper, nine hundred acres. I don't know if any of the folks that are in charge of signing these documents to allow this even know what nine hundred acres is. But it's like a third of our town. And it is one quarter mile from that beautiful school system.	<i>Proximity to school district</i>	This comment has previously been addressed on the record. Please see comment 5B.
	83C			That by the way is about ready to expand And will be ringed by this project with all of its humming and buzzing. And all of its problems with high voltage electricity.	<i>Noise</i>	This comment has previously been addressed on the record. Please see comment 27G.
	83D			Creating nothing but learning disabilities for our children. It is probably one of the few shining stars that we can be proud of in addition to our cute little park. And in addition to our friendly, down home area is that gorgeous school system that is ranked so high. And	<i>Public Health, Safety, and Security</i>	There is no conclusive evidence indicating solar panels cause learning disabilities. This comment has previously been addressed on the record. Please see comment 9A for more information on health and safety related to the Facility.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				that people have done nothing, but invest in and we are going to damage those children who have nowhere else to go.		
	83E			Someone did mention fire. We're standing in our fire hall. And I don't think that this is a criticism, but there's no way that our small hometown fire department is equipped in any way or shape to handle the catastrophic environmental meltdown of these fires. I don't have enough time to list all the chemicals that will go into our atmosphere and make this place unlivable. And where are the kids going to go? Where are they going to play sports? Where are the families going to raise the next generation? Where are we going to go? It will catch fire. There are nine hundred acres of solar panels. One of them will catch fire. I'm not a gambler. But I don't think it's a far stretch from imagination to understand that a fire will happen. And we have been told numerous times it will simply have to burn. Are the policymakers who are signing the documentation going to come here and help put out the fire? Because right now the only way to put out that fire is to say no to this project. Thank you.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 5C.
84	84A	12/13/2022	Jan Palmer	I'm Jan Palmer, P-A-L-M-E-R. Reside at 5223 Kennedy Crescent in Cambria. In the spring of 1992, we were raising our young family on the border of the City of Buffalo and decided that it was not the best area for our family to raise our kids due to urban sprawl. As we searched for an area to raise our children, we looked to the south towns, the southern tier, north, south of the city and everywhere in between. We always ended up right back here in the Town of Cambria. When entering the Town of Cambria, there is a prominently placed sign that says, Welcome to Cambria, a right to farm community, not solar, we're talking agriculture farming. This rural setting was exactly what we were looking for. This peaceful quiet area with working farms, down-to-earth people, a great school system, and beautiful landscape was a perfect place to build our forever home and raise our family. Fast forward, several years later, and our peaceful, quiet, beautiful town is being threatened with hundreds of acres of solar development, which will forever ruin the agricultural land that there, along with the scenic landscape.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see response to comment 10B.
	84B			The ag land is important for growing crops, food for livestock, without the crops the livestock cannot eat, and in turn, neither can the people. In the early part of 2019, I became aware of this group called the Cambria Opposition of -- to Industrial Solar, also known as COIS or the group Save Cambria. We've -- I wanted to get more information on why this group was opposed to the solar development. It turns out the group is not opposed to solar development; they're opposed to solar development in the middle of the residential and agricultural areas of the town.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see response to comment 7A.
	84C			Some of the immediate points that were presented and raised my concerns, which still include today, my concerns, what if the panels catch fire? It's been known to happen, remember Walmart, August 2019, this led me to do some reading. I found out that when the fire starts at a solar farm, the fire department is to contain the fire and let it burn. What a dangerous thought.	<i>Public Health, Safety, and Security</i>	These comments have previously been addressed on the record. Please see response to comment 5C and comment 29B.
	84D			What about the possibility of toxic leakage in the ground which could run into our waterways? This has the potential to affect crops to feed the animals and the people. What about Starpoint School, which is in close range of the proposed areas? All the children from our town and surrounding towns are on that campus. As heat degrades solar panels during a fire, they generate toxic pollution.	<i>Geology, Seismology and Soils; Water Resources and Aquatic Ecology</i>	These comments have previously been addressed on the record. Please see response to comment 9B and comment 36G for an explanation of how the Facility will prevent hazardous waste releases into the soil and water.
	84E			The device -- these devices may contain one or several toxic chemicals, including cadmium. When a fire melts these elements, they create health hazardous smoke. What if the wind is blowing in the direction of the school? That's all our children, grandchildren. What about the residents in the area? How will we be protected from the possible harmful effects from this?	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 5E.
	84F			What about useful taxable land? Are we residents to absorb the tax liability? Unused farmland has the potential to generate tax dollars to benefit the overall community, not just three landowners.	<i>Will residents absorb tax liability?</i>	The Bear Ridge Solar project will make a significant contribution to the tax base.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
	84G			Will we be forced to look at these ugly fields every time we drive in any direction? What about our town's natural beauty?	<i>Visual</i>	This comment has previously been addressed on the record. Please see response to comment 10B.
	84H			What about decommissioning?	<i>Decommissioning</i>	This comment has previously been addressed on the record. Please see response to comment 5D.
	84I			The town has the ultimate liability on their hands if the owner of the project does not correctly and fully decommission the fields.	<i>Decommissioning</i>	This comment has previously been addressed on the record. Please see response to comment 5D.
	84J			What about the lack of refuse sites for old solar panels in the U.S.A.?	<i>Decommissioning</i>	This comment has previously been addressed on the record. Please see response to comment 5D.
	84K			What about the migration paths to some of the birds that will be forever changed?	<i>Natural resources</i>	This comment has previously been addressed on the record. Please see response to comment 26C.
	84L			Many or most of these questions are still unanswered. Niagara County has had its share of disasters. Remember Love Canal, which left behind brownfields. Is Cambria the next host of a nine hundred acre brownfield. Wouldn't it make sense to put a project such as this in an area that is already contaminated and save the resources we have? These are some of the reasons why I feel solar development is fundamentally inconsistent with this peaceful community's character and our way of life. They are also some of the concerns that led me to join the Save Cambria leadership team. We're concerned citizens that have joined forces to save Cambria.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 16B.
85	85A	12/13/2022	Janet Lenichek	Thank you. Janet, J-A-N-E-T, Lenichek, L-E-N-I-C-H-E-K, 256 Callodine Avenue, Amherst, New York. Thank you for hosting this public hearing. I think it's important for everyone to be able to voice their opinions. I attended an informational session regarding this project before the pandemic. At first, I had some concerns regarding the potential environmental and possible wildlife impacts. I reviewed background information about the materials found in solar panels and the public information regarding the Bear Ridge Solar Project, as well as a report that was re -- prepared within the past year by members of the Sierra Club Niagara group. Full disclosure, I am on the executive committee of the Sierra Club Niagara group. In that comprehensive report, the Sierra Club looked at the impact of the Bear Ridge Project in nine different areas. In addition to the possible wildlife and environmental impacts, the Sierra Club evaluated food production, community benefits beyond taxes, labor agreements, community engagement, and also indigenous nation engagement. I recently reviewed the U.S. Department of Agriculture's data available online regarding farm house -- household incomes in the United States. I am not a farmer. I was surprised to find that residential farming in the U.S. only produces a small percentage of household income. Actually, the median is seven percent of household income. Most farming families need additional sources of income. In fact, most of these families have one or more members who work outside jobs to provide the bulk of the family income. In light of this fact, residential farms stand to benefit from renewable energy lease agreements since they can provide additional income to these families.	<i>Supportive comment – Natural Resources</i>	This is a supportive comment in favor of the Bear Ridge Solar Project. As stated in this supportive comment the Bear Ridge Solar Project will have minimal impacts to wildlife, food production, and farming in the towns where the Facility is sited.
	85B			Also, the host community benefit fund for the Bear Ridge Project includes two million dollars for electricity rate discounts, including free power up to ninety dollars a month for ten years for all households within a thousand feet of the project. There's also --. ALL: Not true. MS. LENICHEK: Well, this is what I -- I had learned. ALL: So you got the wrong information. That's not true. MS. LENICHEK: Okay. Can I speak? May I speak? A.L.J. FAVREAU: Please, please let - - MS. LENICHEK: May I speak? I -- I thought everybody could have a voice here. A.L.J. FAVREAU: Please, may I have a little order? The whole purpose of this is to provide comments on the record. And I would ask that you'd be allow everyone to provide the comments. Thank you. ALL: These comments are not true. MS. LENICHEK: Yeah. Even though people you might think you disagree with or might think have something wrong in their heads, be patient. I've been very patient with others. Okay. There's also a million dollars each for Cambria and Pendleton town improvements that are outlined. Two hundred thousand dollars for youth projects in STEM fields, job training, scholarships, and education in pollinator friendly agriculture. There's eighty thousand dollars for volunteer fire	<i>Supportive comment – Economics Benefits</i>	This is a supportive comment in favor of the Bear Ridge Solar Project. As noted in this comment, the Bear Ridge Solar Project will have several financial benefits for the town. Please refer to comment 2B for further explanation of benefits to the municipalities and school districts that are hosting the Facility.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				departments which are the cornerstone of these rural communities. I have come to the conclusion that there is more to be gained than lost from -- from this project. And the residents of Cambria and Pendleton should really reconsider this Bear Ridge Solar Project and other types of green or renewable energy development. The Sierra Club fully supports the permitting and siting of this solar project. Thank you.		
86	86A	12/13/2022	Karen Kurczynski	Really good. You got it. My name is Karen Kurczynski, K-U-R-C-Z-Y-N-S-K[1]9 I. I live at 4643 Saunders Settlement Road. I've been there for almost nineteen years, so I was in Pendleton for almost twenty. I am a -- I'm your neighbor. When we moved in, it was June. And I live next to Billy Fronzach (phonetic spelling), who Brad Kroll (phonetic spelling) now has that property. I am the house that's going to be surrounded, front, back, all around with the solar projects. When we moved in, we put in over twenty three crabapple trees, five blue spruce, one Austrian pine. I have about thirteen birdhouses up right now. My house is a bird sanctuary. I am the luckiest lady to have Dave Hepner, my farmer friend next door. My husband was his best man. We have neighbors. We have friends.	<i>Comment not relevant to draft permit</i>	Comment not relevant to draft permit. See below for responses to specific questions.
	86B			Down the road from me is where the Migratory Act of 1918 is on Mele Road, which goes all the way down to Alabama swamps. You guys all know what I'm talking about. There's eight hundred species of birds that are covered in that. We have monarch butterflies that come from Mexico and California to Western New York. They are endangered. The short eared owl is endangered. It hunts on Mele Road. The Northern Harrier is threatened. It hunts on Mele Road. The Great Blue Heron is over in Scott's backyard. It's endangered. Do you know what the Audubon Society thinks of this? It's not good, but they can't do anything because the D.E.C. doesn't care because it's more important to have green energy. My house is going to be surrounded. I've been there for nineteen years. I'm standing here saying to you, I don't want it. You told me I didn't have to have it. You'd leave if I didn't want it. I don't want it. God in heaven hear me because I stand here because I love your world. And we are responsible for this. And you are responsible for your decision, sir.	<i>Natural Resources</i>	This comment has previously been addressed on the record. Please see response to comment 26C.
87	87A	12/13/2022	Ellen Banks	Hello, everyone. My name is Ellen Banks, E-L-L-E-N, B-A-N-K-S. I do live in the town of Amherst, but I grew up in a rural community in Eastern New York. I appreciate the beauty of nature in rural communities. I'm a volunteer leader with the Sierra Club and after thoroughly reviewing the documents about Bear Ridge and touring the site, our organization decided to endorse Bear Ridge. Contrary to allegations, our organization is not compensated or part of any energy developer. The Climate Leadership and Community Protection Act passed by the legislature and signed by the previous governor in 2019 is now the law in New York State. The C.L.C.P.A. provides for a just transition including assisting communities and workers affected by shutdowns of coal and gas power plants. The climate crisis is real. And growing numbers of people realize that strong storms, fires, floods, and pollution signal threats to civilization and extinction of many species.	<i>This is a supportive comment – NYS energy planning objectives</i>	This is a supportive comment in favor of the Bear Ridge Solar Project. As stated in this supportive comment the Bear Ridge Solar Project will contribute 100 MW of renewable energy to help the State receive its renewable energy goals.
	87B			By the way, the Audubon Society strongly supports renewable energy. Because most birds are killed by the effects of fossil fuel, many, many birds. And the rural community I grew up in was one that was friendly and hospitable and heckling was unknown there. Worldwide rapid action, we listened very patiently to all of you. Here is a different point of view. Worldwide rapid action is necessary for you to pass a livable planet onto future generations. Fortunately, these actions will also lead to far more job opportunities than our loss from coal, oil, nuclear, and fracked gas. All our energy comes from the sun. The energy sources we've been burning thereby choking ourselves and our planet come from solar energy stored in tiny organisms millions of years ago. We need to stop digging it up and we don't have a good chance of survival if we do keep using it. We can use the sun directly and wind and water that are moved by the sun to fulfill our energy needs with prosperity for workers and all of us. It's an essential part of the solution. So it is unfortunate that some commonly repeated, but incorrect myths and beliefs about solar energy are repeated at meetings like these.	<i>This is a supportive comment – Renewable energy</i>	This is a supportive comment in favor of the Bear Ridge Solar Project. As stated in this supportive comment the Bear Ridge Solar Project will assist in combatting climate change by supplying renewable energy to the State power grid, reducing the state's dependence and consumption of fossil fuels.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
	87C			Solar panels are not made of dangerous substances. They are mainly harmless glass and silica with steel support structures. Some solar panels have been attached with lead solder in the past, about half an ounce per panel. Though the industry is fazing even that small quantity. An internal combustion car battery has about nineteen pounds of lead. This tiny amount of lead solder does not touch the ground and cannot leech into soil any more than your car leeches lead into your driveway. Lead is indeed harmful to people. I've spent years doing academic research on that, but solar panels are not the source to worry about. Lead pipes, residues from leaded gasoline, and old paint are. Cadmium, another substance invoked in anti-solar messaging has only been used in two percent of solar panels and not the type used in utility scale solar fields. It's just not true. And they're being phased out in all solar. Solar panels last at least two decades and are becoming fully recyclable. They do not harm the ground underneath them, which can be used to graze animals and to raise shade friendly and pollinator attracting crops. They're actually a benefit to butterflies.	<i>This is a supportive comment – panel composition</i>	This is a supportive comment for the Bear Ridge Solar Project. As stated in this comment, solar panels pose insignificant health hazards to humans and the environment. See comment 5E for further descriptions of the composition of solar panels.
	87D			The National Renewable Energy Laboratory reports that one sixth of one percent of land in the U.S. could solar power all our energy needs. Although, that would not be necessary as we also have wind and hydropower for electricity.	<i>This is a supportive comment – renewable energy</i>	Comment noted. This is a supportive comment for the Bear Ridge Solar Project.
	87E			For family farmers, leasing a portion of their land for solar fields enables them to keep farming instead of selling their land for warehouses and residential sprawl, which would be much less regulated and much less reviewed. Fear of the new has existed since the first electrical wires crossed the countryside and since cars replaced horses for transportation centuries before that. In fact, fear of the new should not stop clean, renewable energy. It's a benefit and will be a benefit to the town. And by the way, the actual solar panels would occupy a very, very small fraction of the land and would not destroy the natural beauty of Cambria, which I endorse. A.L.J. FAVREAU: Please. MS. BANKS: That's the circumference of it.	<i>This is a supportive comment – agriculture</i>	This is a supportive comment for the Bear Ridge Solar Project. This comment indicated state trends towards subdivisions of agricultural land of development. These trends are documented in Exhibit 15. Additionally, participating landowners indicated that hosting the Bear Ridge Solar Project was a good alternative to residential development pressures in the region, and the additional income from the Project made it a compatible use with farming (Exhibit 15 Section (a)(6)).
88	88A	12/13/2022	Tom Gertz	Yes, thank you. Thank you. My name is Tom Gertz. I've lived in the Town of Cambria for over fifty years. I live at 4823 Saunders Settlement Road and I'm very proud of it. I want to welcome you all here tonight except for a few. I appreciate what you said, and I appreciate you taking a lot of my words and feelings also. Some of the facts are true, it will catch on fire.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 5C.
	88B			My facts are, ask Walmart. It happened in three big stores of Walmart, not in this area, thankfully. But Walmart got to the point where -- get them the hell off my roof. And they took them off the roof at their expense, thankfully.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 29B.
	88C			Now, it was said in one of the first meetings, you're not wanted here, but you're still here. And you would leave if you weren't wanted. I can't believe a lot of the words they say because a few months ago, I had the honor of attending one of our town meetings by Mr. Ellis. And there was a man there from the so-called solar energy project that wants to go into Cambria. I asked him where he lived. Mr. Ellis also back him up when he said California. Wow. Great. Nice warm climate, but he don't live here. A week-and-a-half later, by the way, this is all documented. It's on record at these meetings at town hall and also the legislative meeting in Lockport. That same person was called to the microphone and asked to give him his address and name. He did so, but there was one thing funny about it. All of a sudden, the same person, his address was Pendleton. It wasn't California anymore. So within a week he bought a -- bought a house in Pendleton, so he says. How many legislators were lied to? I don't like being lied to. And I want to thank you for saying what you said tonight because most of it was my feelings and you took some of my script, which I was very happy to hear. Thank you very much for your time.	<i>Pre-application information sessions</i>	This comment has previously been addressed on the record. Please see response to comment 10D.
89	89A	12/13/2022	John Soto	Hi, my name is John Soto. I'm from 5226 Baer Road in Sanborn, New York. I'd like to start off by saying that I've been here for twenty years. I love this place. It's going to be hard for me to stay composed, so I'll do my best. I'm a construction professional. I've worked for the largest companies in New York State. I have over two billion dollars in completed project experience. And I can say with full certainty that the guidelines, which are regulating stormwater studies are fraudulent and biased. The engineering firms are not allowed to just	<i>Comment not relevant</i>	Comment noted. Comment not relevant to the draft permit.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				do any study that they want. Their -- their hands are tied by regulations and guidelines to pre -- to present these studies to you. And I'll prove it to you right now with a very simple thing.		
	89B			One part of the guideline say that solar panels are pervious. This means that the solar panels absorb water and there's no stormwater runoff. It -- it creates no additional runoff to a project. But yet in the hazardous waste section, talking about that, they say that they're completely sealed and they're non-permeable. How can that be? There are bold faced lies in the system that was written by the solar companies that wrote the damn law. Everything is in their favor. You can't even get the truth because of the way the guidelines are written.	<i>Water Resources and Aquatic Ecology</i>	This comment has previously been addressed on the record. Please see response to comment 7B.
	89C			Another major problem with this project is where it is sited. The land that this -- this project is sited on has no other resource for stormwater drainage except for a small creek named Bull Creek. Bull Creek and towns downstream, like Wheatfield, North Tonawanda, they weren't -- they aren't even notified of this project. And for every one inch of rain that hits that project, that's sheeted off the roofs just like on a house to a guttering system, which every other project has to put in stormwater retainage systems. That water is headed to Bull Creek for every inch of rain across nine hundred acres, it's twenty million gallons of water headed down Bull Creek to an area that's already prone to flooding.	<i>Water Resources and Aquatic Ecology</i>	This comment has previously been addressed on the record. Please see response to comment 7B.
	89D			If you're going to allow Cypress Creek to ignore our SEPA process and our SPDES process, then they have to be held accountable for any potential property damage downstream, and for any environmental damage.	<i>Water Resources and Aquatic Ecology</i>	This comment has previously been addressed on the record. Please see response to comment 7B.
	89E			On Bull Creek, the blue heron lives for sure. I have seen it with my own two eyes kayaking up that creek bed. They are there for sure. If any, any agency goes up Bull Creek, they will see them plentifully. I promised you that. I would like to say one other quick thing. I have so many things I could talk about. Three minutes ain't enough. I'm going to talk again tomorrow, but I want to say something.	<i>Natural Resources</i>	This comment has previously been addressed on the record. Please see response to comment 26C.
	89F			And I have a lot of respect for the Sierra Club. However, some of the statements that they're making are incorrect. The farmers, for this land, are not the owners of the land. They are not going to benefit by any of the money coming from the potential revenue, from the State.	<i>Impacts to farmers from solar development</i>	The Applicant conducted agricultural land surveys for participating parcels and received a 100% response rate (see Exhibit 15 Section (a)(6)) and Appendix 15-C). From these responses we found that a few landowners within the project rent their land out to farmers, but the biggest landowners associated with the project farm their own lands. All survey respondents indicated that leasing land to the Project was a good alternative to the residential development. Landowners who are leasing areas for the development of the Bear Ridge Project will be directly receiving lease payments which can be used to supplement income to make farming a viable career.
	89G			Most of this land is owned by a developer and is leasing land to the farmers. When you remove this land from the system, you are going to create -- create an increase in demand on the property which hence is going to hurt every other farmer in this town, because the land lease rates are going to go up. Sorry. So a lot of the statements that they're saying are very, very much incorrect. It is not going to help the farmer because it's not the farmer's land. Thank you for your time.	<i>Demand on land available for farmers to lease</i>	The development of the Bear Ridge Solar Project will not take a significant amount of agricultural land in Niagara County out of production; the landowners plan to continue their farming operations.
90	90A	12/13/2022	Robert Ciesielski	Okay. My name is Robert Ciesielski, C-I-E-S-I-E-L-S-K-I. I'm a volunteer with the Sierra Club and Chair of the Energy Committee for the State's Chapter. I reside in the City of Buffalo, which is even further than Amherst. Our local Niagara group has reviewed the Bear Ridge proposal and believes it has met all the requirements as a solid renewable energy source of electricity. We also see the Bear Ridge Solar Project as a means of protecting the agricultural nature of the towns of Cambria and Pendleton in several ways. First, the rental monies which are paid to the farmers who own the leased lands, will enable the landowners to maintain and expand their agricultural production. Without these additional guaranteed funds provided by the developer, many of our area farmers are finding it -- finding it too difficult to keep farming. Driving to this hearing from North of Buffalo, you can easily see a number of subdivisions and developments, which have been built on land, which could not be	<i>Supportive comment - agriculture</i>	This is a supportive comment in favor of the Bear Ridge Solar Project. As stated in this comment regional trends, as shown in Exhibit 15, have led farmers to subdivide land or sell land to developers. The Project provides farmers an income in the form of lease payments to supplement income brought in by farming.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				economically sustained by agriculture alone. Sadly, these rural farms were sold off. Solar farms may have saved them.		
	90B			Additionally, and very importantly, the developer will pay money to the towns, Niagara County, and school districts, which will benefit -- which will be beneficial to all residents and students in the area. Providing better services and making the entire area more welcoming. Across the State and this country, towns have had their entire tax budget covered by payments from renewable energy developers. These payments afford towns the option of reducing taxes for residents while still improving -- while still providing greater services. We have seen a century of increasing economic difficulty in the rural areas of our country. Bear Ridge is not a community sacrifice, but a wonderful opportunity for Pendleton, and Cambria, and all our rural communities to keep their energy profits in the community and not pay propane people for natural gas, people from elsewhere. Several other benefits to the rural character of this area include the fact that the developer is reviewing agricultural opportunities under the panel arrays, including the possibility of beekeeping, planting, planting is beneficial to insects and butterflies, and perhaps also grazing sheep which has been done in other areas.	<i>Supportive comment - economic benefits</i>	This is a supportive comment in favor of the Bear Ridge Solar Project. As stated in this comment, there are several benefits to the local communities and school districts for hosting the Facility.
	90C			Lastly, when the solar panels are decommissioned, the developer will have already posted a monetary security to ensure the removal of the panels at its own expense, and to return the property fully to agriculture. This cannot be done with subdivisions and back storage. And of course, reduction of greenhouse gas emissions will help mitigate climate change and maintain optimum growing conditions for the farmers. Thank you very much.	<i>Supportive comment - decommissioning</i>	This is a supportive comment in favor of the Bear Ridge Solar Project. As outlined in the decommissioning process, the Applicant will provide the Towns of Pendleton and Cambria with a financial security and a decommissioning plan to ensure the land will be restored at the end of the Facility's lifetime. The commentor also noted benefits the Project will have towards reducing greenhouse gas emissions and fighting climate change.
91	91A	12/13/2022	Robert Winslow	Robert Winslow, W-I-N-S-L-O-W, 4988 Ridge Road, Lockport, New York. I've been here almost forty-three years. Okay. I'm pro solar but I would prefer panels on State, or county, or town, or city property, if possible, with the money earmarked for property tax reduction, if not on brownfields or land zoned Industrial.	<i>Introductory comment - not relevant to draft permit</i>	Comment noted. Comment not relevant to Draft Permit.
	91B			Another thing I have to mention, the bond, a million-dollar bond, that's nothing. You got a thousand dollars and -- one thousand and thirty[1]15 eight dollars an acre approximately, that's not going to cover squat. You got to build that bond up to put the land back into, whatever it's going to be, and at least get rid of the -- the panels when they're done.	<i>Decommissioning</i>	This comment has previously been addressed on the record. Please see response to comment 5D.
	91C			The land that's being used is zoned farmland and is being taxed as farmland. Is it going to be taxed now as industrial; I doubt it. Why is the town suffering for a benefit of a few when there's so many other places in this town where we can put solar? You know, solar's a thing of the future, we're going to have it. Like it or not, that's the way it's going to go. But there is places for everything, and it should not be -- somebody's dream should not be somebody else's nightmare. And I'm just saying -- I don't speak, right, I was a plumber for forty years, I put my face where other people put their asses, so forgive me. But you know, we've got to have -- we're going to have solar, but let's not have one man's dream, another man's nightmare. We can't -- you can do whatever the hell you want on your property as long as it doesn't screw with your neighbor. Let's just have a little courtesy. You know, there's nothing wrong with this plan, it doesn't have to be this damn big, where it is. It was approved in a lot of other spots in this town. Like I said, I don't speak well. But figure it out, people, we all got to get along. That's it.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see response to comment 8B.
92	92A	12/13/2022	Charlie Flynn	Hello, Your Honor. My name is Charlie Flynn, C-H-A-R-L-I-E F-L-Y-N-N. I'm a former Hearing Officer with the State Supreme Court and I just wanted to -- I just wanted to ask you to please consider the most three important facts of this case.	<i>Comment not relevant to the draft permit</i>	Comment noted. Comment not relevant to draft permit.
	92B			Number one, there is overwhelming opposition from this community, in this case.	<i>Comment not relevant to the draft permit</i>	Comment noted. Comment not relevant to the draft permit.
	92C			Number two, there is industrial alternative options, in this case.	<i>Siting constraints</i>	This comment has previously been addressed on the record. Please see response to comment 3B.
	92D			And number three, this clearly violates the local home law. And I ask, Your Honor, to please consider these three facts when you compose your decision. Thank you very much, sir.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please refer to the response to comment 8B.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
93	93A	12/13/2022	Alice Glena	My name is Alice Glena. A-L-I-C-E G-L-E-N-A. I live at 5453 Comstock Road here in Cambria. As a resident of Cambria for twenty-two plus years, I greatly oppose the solar panels that are being placed here in Cambria on our agricultural land.	<i>Statement of opposition</i>	Comments noted. See below for responses to specific questions and comments.
	93B			I worry about the displacement of our wildlife. The deer will be displaced and forced to venture on our roads, causing not only harm to them, but accidents for us causing damage and injuries. Our birds, like the geese, who migrate spring and fall, will no longer have the land to migrate to. This is where they are putting several solar panels. Where will they be going?	<i>Natural Resources</i>	This comment has previously been addressed on the record. Please see response to comment 26C.
	93C			These solar panels not only take away the beauty of our land,	<i>Agricultural character</i>	This comment has previously been addressed on the record. Please see response to comment 10B.
	93D			But consists of many harmful materials and carcinogens, that's not what everybody says, but I believe it. I am a two-time cancer survivor and don't need anything else to compromise my health or that of my neighbors. Many of our neighbors will have solar panels on their three sides of them.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 5E.
	93E			I am concerned about the noise, also, the panels might make.	<i>Noise</i>	This comment has previously been addressed on the record. Please see response to comment 27G.
	93F			Our home values will be going down. When the panels become broken or outdated,	<i>Property Values</i>	This comment has previously been addressed on the record. Please see response to comment 2D.
	93G			they will become eyesores. I'm concerned for our children and their children.	<i>Visual</i>	This comment has previously been addressed on the record. Please see response to comment 10B.
	93H			Starpoint Central School is a large school and close to where these panels will be put.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 5B.
	93I			And what will happen if these panels catch fire? How will we be able to evacuate our children safely, let alone put out these solar fires? They say, let them burn, what do you think of that? Our families, our homes, our land is precious to all of us. We don't want these solar panels in our town of Cambria. Thank you for listening.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 5C.
94	94A	12/13/2022	Alora Brusino	Is it this one? Hi, my name is Alora Brusino. I'm a homeowner at 4069 Burch Road in the town of Cambria. And before I get --. A.L.J. FAVREAU: Can you -- can you spell your name? I'm sorry. Just for the record. MS. BRUSINO: Yeah. It's A-L-O-R-A, B as in boy, R-U-S-I-N-O. And I'm at 4069 Burch Road. A.L.J. FAVREAU: Thank you. MS. BRUSINO: So before I, like, get into, like, what I have been writing, as we have all been sharing our comments is like, in a time of, like, so much divide, like, I'm really proud of us for all agreeing. And it seems like all of us, like, as townspeople, like, we all agree and we're all saying, no. And I would like to, like, back that up with some of my own personal thoughts.	<i>Comment not relevant</i>	Comment noted. Comment not relevant to draft permit. Please see below for responses to specific questions.
	94B			And I'd like to just start by saying, like, the current project, as it is currently sited, I say no to that. And I do believe in solar being part of the future, but the way that they are currently trying to go about it, is not the right way. And as the current project, I'm saying, no, to, but I'd like to propose like a few ideas for future consideration of possibly other projects and instead of flat out saying no to any solar or industrial solar, only issue a permit if the company is willing to submit to the conditions that are written by us and the local government. They should not be trying to get around all of the rules and laws that we have written.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see response to comment 8B.
	94C			And the town of Cambria's farmland should absolutely be preserved and not developed. The only land that should be developed for industrial solar is land that has already been in use and developed. Solar farms could easily go over existing parking lots or buildings. There should absolutely not be any projects in Cambria that clear cut trees and fill in farmland. If the solar company can't use existing developed land, then, they should -- then, they should not have a permit issued. If the Bear Ridge Solar Company can not or will not comply with the rules of the permit, then, they should have their permits revoked.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see response to comment 7A.
	94D			Small scale solar should be encouraged instead over previously developed land, parking lots, driveway -- shit, I'm sorry.	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see response to comment 2E.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
	94E			There will be no greater loss than the losses of our ecosystems of plants, birds, insects, animals, trees, habitat, farmland, and wetlands. These are not renewable resources at all. Anything other -- thank you. Anything other than small scale solar projects should not be welcomed or encouraged. The residents of the town of Cambria have spoken. We say no to Bear Ridge Solar, D.M.M. matter number 21-02104. Thank you.	<i>Natural Resources</i>	This comment has previously been addressed on the record. Please see response to comment 26C.
95	95A	12/13/2022	Thomas Gibbons	Hi, my name is Thomas Gibbons, G-I-B-B-O-N-S. I live at 5271 Subbera Road in Cambria. Like -- I think what I -- what I have to say is, a lot of a summary, of what everyone else has said. I didn't grow up here. I chose to live here. I've lived here for seventeen years. I grew up much farther away than you folks do. I grew up about an hour north of New York City. And when I came to move my family, I chose this area for a reason. I did my homework. I -- I -- when I was looking, I was looking in Amherst, I was looking in Clarence, I was looking in Wheatfield, I was looking in many, many towns. And I did my homework about what this town had to offer and what their strategic and long-term plans were. And the -- what I liked about it, and some of the things that were brought up by the Sierra Club about developments, the town has been against things like that seventeen years ago, when I was looking for houses, I knew already, that the town had a plan and it wasn't to have subdivisions, it was to --to keep farmland. And I don't own farmland, I am not a farmer, I don't pretend to be a farmer, but I built my house where -- around farms because that is what I was wanting and that's what I was looking for. When this fir -- project first came out, it did do one good thing. A lot of us, didn't know each other, and a lot of us do now. But what we learned was, we were trying to be reasonable. We were trying to be neighborly to these folks from California. We weren't being mean to them. We weren't being horrible.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see response to comment 10B.
	95B			They did say, and -- and a lot of people have referenced this. They told us in our first meeting, if this project is not wanted here, we will leave. That is one of many lies that they have told us. We have asked lots of questions and have not gotten any answers. We talk about what makes up the solar panel because we're doing our homework. They still haven't told us what panels they're going to use. So of course, we're scared. Of course, we're worried about it. Some of the points that were brought up by the Sierra Club about farmers only making seven percent of their income. I agree with you. Farmers don't make any money, but our farmers don't own the land that they're working. Three people in this town own all of that property, and farmers, real farmers are renting that from them. So they will have no land to farm when these solar panels go in. So this project is hurting farmers. Hurting them.	<i>Response to statement "if citizens don't want the project here, they will leave," panel composition, food security</i>	These comments have previously been addressed on the record. Please see response to comment 10D for response to the statement from the Applicant indicating they would leave if people did not want the Project. See the response to comment 5E for more information on panel composition. See comment 69C for more information on agricultural production.
	95C			They will have nowhere to grow their -- their feed for their cows. There are no sheep in Cambria. There's cows in Cambria, okay. These are things that we need to know if you knew anything about this area.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see response to comment 7A.
	95D			We tried to be reasonable, as things came up and we learned about the burning of solar panels if they catch fire, what did we do? We went to school board meetings, and we talked to the school board about it. We're trying to follow the rules, but the rules keep getting changed on us. And that's not fair and that's not the way it should be. And I don't think it's us being naive, it's the type of people that we are. We're trying to follow the rules and we're getting it -- yeah. Exactly. Thank you. Yeah. Exactly what he said.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 20B.
96	96A	12/13/2022	Scott Olick	Good evening. Wow! Scott Olick. S-C-O-T-T O-L-I-C-K. Boy, I can't do this. 5867 Mill Road. This -- this project, thank you, everybody for all the support. This project will be directly surrounding my home too, as well as Karen's. Many of the things, sorry, I lost my composure there for a minute. But it -- this -- this project has affected so many things. So many things. One of the major things that's affected is relationships. I grew up with these three people. I don't talk to them anymore. THE REPORTER: I can't hear. MR. OLICK: These -- these people, you know, who are having this solar project, it's -- it's, you know, we grew up with them. And it's really difficult to understand the relationships that have been also destroyed in our community over this. These people could have taken a much different position and had a	<i>Agricultural character</i>	This comment has previously been addressed on the record. Please see response to comment 10B.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				much better influence, and constructive way of helping our community in Cambria. I'm -- I'm a fifty-four year resident, born and raised here. I lived one point two miles from the house that I built on Mill Road. My wife lived directly across the street. We grew up running in these fields, riding motorcycles in these fields, grazing our horses in these fields. That may not be safe for us to do anymore. We won't have access to this anymore. Our community won't have access to it. I think a lot of people who have reinvented, or you know, re-did farming to bring the community together, such as Blackman Farms or the Sunflowers of Sanborn, things like that.		
	96B			The first thing people are going to see when they come into our community now are solar panels. And if you want to see what solar panels look like take a drive down Lockport Road. And there's 33 acres in the town of Wheatfield. That project is relatively new. And it's just -- it's just such an eyesore, such an eyesore. It's not going to attract new people into our community, it's not going to bring people out to -- to these new farmers who are inventing, reinventing themselves or things like that.	<i>Visual</i>	This comment has previously been addressed on the record. Please see response to comment 10B.
	96C			The -- the heron that they talk about, yeah, I watched that bird feed out of Bull Creek, that's my backyard. And Bull Creek, believe me, that little bit of rain we had, it floods. It encroaches my home. With these panels, my home's going to flood. There's carp in there, there's bluegill in there, and you know, the Sierra group, great. Your studies are great, fine, whatever. But they're too short. You're -- you know, they're saying that, you know, the short-eared owl isn't around anymore. The rough tailed hawk, the red-tailed hawk. All these different species of animals that I see daily -- ALL: Yes , yes. MR. OLICK: -- in my backyard, you're saying, don't exist? Well, they're in my backyard, every day. I have six beautiful deer that live in the habitat behind my house, which will be cut down because of these panels. Because the trees will pose a threat. So they'll take them down. And then, they'll replant this new screen, which will die, you know. And it will just be an eyesore.	<i>Impacts to wildlife</i>	This comment has previously been addressed on the record. Please see response to comment 26C.
	96D			The toxicity, you know, of just everything. Whether it be a chemical, runoff, fire, community spirit, relationships, it's got to be no. And -- and there's an area slated for this. It's not an opposition to solar. It's not an opposition to changing, you know, the environment so that, you know, the earth can continue. But you know, we're in a cool down period with the sun, anyways, if you realize that. So solar's going to even diminish even more.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 9A.
	96E			Southwest, you know, solar plantations that are out there, they're almost defunct. They're not even producing, they cause brownouts all the time. If we totally depend on that, you know, what do we have, six point four hours of sunlight today, really? We're not even on the right latitude or longitude for this stuff. You know, take it South. And even in the south-west in New Mexico, Arizona, which I lived there, you know, it -- it -- it's not functioning the way it needs to. It is something we need to do and consider, yes. But not here, not on agricultural land, not on land owned by a developer, not a farmer, and he's pretty well off, I know him very well. You know, his slogan was clearing the path for progress. You guys remember that? Great slogan. Loved it. Great. But he was actually doing something good. Tearing down old refineries, doing things, building new businesses, things like that. Not destroying agricultural land. It is a totally different, you know, matter, but it's -- it, you know, fifty-four years. Thanks.	<i>Viability of solar in western NY and possible brownouts</i>	These comments have previously been addressed on the record. Please see response to comment 1A and comment 2E.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
97	97A	12/13/2022	Ed Burger	Good evening, folks. My name is Ed Burger, B-U-R-G-E-R. I live up the road. Okay. I live up the road at 4882 Subbera. I'm here to voice my opposition to the solar project. I am -- I've lived in this town for about seven years now. I grew up in the City of Buffalo. I grew up about a hundred and fifty yards from what was attached to the old Curtis Wright building, where during World War II, they were building planes and at the end of my street, literally visible from my front door, there was a government lab there. I used to see the streets, I played street hockey, see the cars come down and G10, G12 license plates, and I'd peeked through the windows and see the guys in lab coats and whatnot. Okay. There were fifty-five gallon drums lined up by the hundreds in the back, we'd play on them as kids. I grew up in a military industrial shadow. I came to Cambria because it's a right to farm community. It's a land of vineyards and orchards and wheatfields and cornfields. I don't want to look out and see, basically, a thousand acres of solar panels for power that doesn't benefit us. I understand the move toward renewable energy sources. I get it. I'm -- I'm a science teacher, I teach chemistry. We've got a number of landfills around here. No homes there. No trees there. Direct line of sight to the -- to the sun. Seems like a better alternative to me. Ask those folks, can you lease their land? I'm opposed. I hope most of my neighbors are too. Thank you.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 16B.
98	98A	12/13/2022	Carol Petty	Hello, my name is Carol Petty, P-E-T-T-Y. I just moved in one month ago at 5843 Mill Road, Lockport, New York, into a brand-new house, after thirty years of waiting to build my house. I come from a family of farmers. My relatives have farms in Cambria, in Medina, in Shelby, New York, and they work hard as fa -- farmers. Are they -- they are working to support their families, we need to preserve our farms, that is where our food source comes from. Tell me last time you ate a butterfly, really? We need to support our farmers. We need to support our farms. We may -- need to make it viable for them to support their families. Once that farmland is gone, are we ever going to get it back? Once those farmers are gone, are we ever going to get it back? No.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see response to comment 7A.
	98B			We need to protect our environment. Bull Creek runs behind my house. It's a beautiful creek. It runs to the Erie Canal to the Niagara River. If that is contaminated, it's going to contaminate everything along the way. Our families need to be protected from the health hazards, the unknown hazards.	<i>Water Resources and Aquatic Ecology</i>	This comment has previously been addressed on the record. Please see response to comment 7B.
	98C			I have family members that died from cancer and suffered from cancer from Love Canal. It's hard to see them suffer and be told lies. The quality of life in Cambria needs to be protected. The right to farm needs to be protected.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 16B.
	98D			We talk about our constitution, we need to protect that, they need to follow the rules. When I built my house, I had to follow construction laws. I had to follow building codes put forth by the town and by the State of New York. I had to file permits. If I wanted to put up a pole barn, I had to follow the zoning laws and the permit laws. Why do they not have to follow those same laws? That is wrong. We should all be following the same laws. There should be no special favors. And if you think that the money that you are going to get from this project for youth programs and all that other stuff, is going to make a difference. All the money in the world is not going to get you back your health, get you back the quality of life that I came to Cambria for, when I built my house. If this solar farm goes in, my house is going to be surrounded by a solar farm. And anything that they take and give you in the way of money or promises, it's just a lie. Look at the lives the Love Canal ruined. Look at how they went and built a school, Lewis and Porter, next to a dump. We have brownfields, there is industrial areas where this stuff can be built. Let's not ruin our pristine farmland, please. I am in opposition of this project one hundred percent.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see response to comment 8B.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
99	99A	12/13/2022	Melinda Olick	Hello, everyone. Melinda, M-E-L-I-N-D-A, Olick, O-L-I-C-K, also of 5867 Mill Road. My favorite topic and I have been opposing the solar project from the beginning. The minute I heard about it, I was the first person at the town saying, what the heck is this? We don't want this in our town. I kind of felt like I was the crazy anti-solar lady running around telling everyone, we don't want this, we don't want this. And people were like running away from me, but I'm glad everybody understands what I'm talking about now. The big issue that no one has mentioned is those high tension wires that are about hundred feet from the back of our property. I've lived on Mill Road for fifty-three, almost fifty-four years. Those high-tension wires regularly, for whatever reason, start on fire. So when I asked the jokers from the solar project, what's going to happen when the fire happens, like it always does because of spontaneous combustion or whatever thing. And ask the fire -- fire company, they know it happens. Do you know what they say? We're going to let it burn. I'm like, oh, well, that's wonderful. What about my house? What about my horses? What am I supposed to do with my two horses? Should I just leave them standing out there with the chemicals? So you know, what's the answer to that? I -- I don't think we know, nothing. We're just going to let it burn and that's, you know, oh well. And they do start on fire, almost fifty-four years. And I've seen it a number of times. I'm not sure why they try cutting the brush down, they have the people come and do whatever, but I don't know if it's a spark. I don't know, that's not my area of expertise.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 5C.
	99B			And yeah, we have all those birds that everybody's making a big fuss about. And I wasn't going to speak because I cuss too much, but we have that arctic snow owl, we have that stupid big heron thing that, when I'm riding my horse, it swoops up out of the trees like a freaking pterodactyl. But apparently that's something good we want in Cambria, which apparently, isn't good to kill that. It tries to eat the baby ducks when they hatch too so. And -- and the sheep, oh, that's a brilliant idea. We have a coyote and a fox problem, so I had -- before I came here, I had to lock my ducks and chickens up because the minute they're out past dark, they get killed like almost immediately. If -- if I miss it by a quarter of a second, something snatches and eats it. So now, not only do we have all the other issues, we're going to have these sheep that are under the solar panels getting their throats ripped out by the coyote and the fox. So that sounds like a good idea. So I feel like everyone feels the same way I do. So we've put our blood, sweat and tears, my husband and I into our property to leave it to our son. And what's it going to be worth? Nothing. Absolutely, nothing. So it's created marital strife because my husband keeps saying, let's move. I can't even imagine living anywhere else. Cam -- I love Cambria. My dad, I think one of the last things he wore was his Cambria, Town of Cambria sweatshirt. We love Cambria. And I can't even believe that I have to deal with this malarkey, that these jokers, and I see them all over. I can spot them a mile away. These metro guys with their -- their pencil thin pants, their -- their fancy shoes and their suits coming in and trying to tell us what's good for us. It's a bunch of B.S. And I'm not writing any more baloney on these stupid websites and all that other crap, because I'm telling you right now, it's bullshit and it should not be coming here. And it shouldn't even be considered. And everybody, I'm glad you all finally listened to me.	<i>This portion of the comment is not relevant to the draft application permit. See above for specific questions.</i>	Comment noted. This portion of the comment is not relevant to the draft application permit. See above for specific questions.
100	100A	12/13/2022	Robert Kraus	Good evening. My name is Robert Kraus, K-R-A-U-S. I live at 3473 Upper Mountain Road. Our good neighbor actually used to live on Subbera Road. John Soto, actually, was doing our kitchen. He's the one who got us involved in the group. When he went to go sell his home, because he had bought a retirement home right down the street from us on Baer Road, he lost money. This project hasn't even gone in yet and he's lost money when he sold his house just from the mere mention of this project going in. It's going to affect the values of our homes, all through Cambria.	<i>Property Values</i>	This comment has previously been addressed on the record. Please see response to comment 2D.
	100B			We don't want it here, we've been told like a lot of people have said, they said, if we don't want it, they'll leave. It literally is documented in our town meetings on videotape. The solar company literally saying that, if you don't want us here, we'll leave. I have brought this up to them several times before. You know, we're so involved in this. Actually, my fiancé, who isn't	<i>Pre-application information sessions</i>	This comment has previously been addressed on the record. Please see the response to comment 10D.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				here today, she's going to be here tomorrow, is actually on the committee for the solar panels.		
	100C			You know, it's a tough act after the last one. But cadmium is one of the things that has constantly been brought up. That cadmium is actually coating the solar fan -- panels. And once they put these panels in, that farmland is automatically a brownfield. It can never be used again for farming. They don't talk about that.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 5E.
	100D			On top of the burning and everything else, not only that, but the company that owns this, if I understand right, used to be a California company, and was bought out by a foreign country company. Doesn't that pose an issue of national security? I mean, we're talking about our infrastructure power.	<i>National Security</i>	The Applicant will comply with all North American Electric Reliability Corporation (NERC) Critical Infrastructure Protection (CIP) standards. These mandatory Reliability Standards include CIP Standards 002 through 011, which address the security of cyber assets essential to the reliable operation of the electric grid.
	100E			Another thing too is, if you look at Texas just a few years ago during a snowstorm, they were down with power for about a week. And we're being told that they want to do away with natural gas. If we don't have natural gas and we're running off of electric, and Buffalo isn't very warm, it gets very cold. What are we going to do? Are we going to start burning the solar panels just to stay warm? But thank you.	<i>Electric Reliability</i>	A System Reliability Impact Study (SRIS) for the Facility, included in Appendix 21-A of the 94-C Application, and evaluated several power flow bases cases including 2022 Summer Peak, Winter Peak and Light Load system conditions as provided by the New York Independent System Operator (NYISO). Findings indicated that the Facility does not cause any adverse impacts to the reliability of the New York State transmission system (Exhibit 21 Section (C)). Therefore, the system will only contribute clean energy to the grid and will not negatively impact electricity availability for energy users.
101	101A	12/14/2022	Pat Dufour	I'm very soft spoken so if you can't just raise your hand please. My name is Pat Dufour. My last name is spelled D-U-F-O-U-R and I reside at 5937 Wynkoop Road in the Town of Lockport. I presently serve as deputy supervisor of the Town of Lockport, but I'm not here this evening in that capacity. I am here as a lifelong resident of Niagara County. And my views do not necessarily represent those of the town board of the Town of Lockport. I spent the first seventeen years of my life on a three hundred and eighty acre farm on Tonawanda Creek Road in the Town of Royalton. That makes me a farmer's daughter. And for those of you who have lived the farming life, you know, once a farmer's daughter, you are always a farmer's daughter. It means that I am here tonight to defend the preservation of our prime agricultural land in Niagara County. It is our goal, it is our future. It will feed us, nourish us, provide jobs and promote tourism. It will teach our children and our grandchildren the benefits of working the land. It provides a work ethic like none other. Most of all, it helps to maintain the integrity of our rural community, the community that we all chose to live in. These are just some of the benefits of the prime agricultural lands, which are the backbone of Niagara County.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see response to comment 7A.
	101B			And it is these benefits that Cambridge's locally elected public officials sought to protect when they wrote and adopted Cambridge own solar local law. Cambridge Solar Law does not prohibit the development of utility solar, but -- but it does establish reasonable requirements on solar developers seeking to industrialize this farming community. Now, Cambridge Local Law is in jeopardy of being wholly gutted. The Office of Renewable Energy, ORES is poised to unreasonably reject the desires, the wishes, the dreams of our local communities. ORES will declare any local law that restricts solar development in any way to be, quote unreasonably burdensome. They disregard the local law and won't even bother to explain their decision. They simply declare unreasonably burdensome, there's no explanation. It is arbitrary and it is capricious. But really, unreasonably burdensome is just a phrase that apparently requires no explanation. No true consideration of the local communities. They may as well have simply given ORES a stamp that says, don't care, because that is what they're saying, when they overrun our local laws and systematically dismantle our upstate farming communities. The system is rigged against us. The fastest, cheapest and most cost- effective place to build a huge solar field is in flat -- is in flat soil that has already been cleared of trees and rocks. In other words, the solar industrialists make the most money and make it fastest when they can build on our prime farmland.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see response to comment 8B.
	101C			New York State should be incentivizing solar fields on brownfields and on former industrialized sites, the law should be incentivizing solar on our house roofs and roofs of large factories. Perhaps solar fields through the mediums of our public highway systems.	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see response to comment 2E.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				This project is just the beginning. The same sad story is playing out across rural Upstate farming communities and will continue. I'll cut it short. To the honorable law judges that are here this evening. I hope that you have listened to these people, these good salt of the earth people. And I hope that you will do the honorable thing and return to ORES wherever and whoever they are, because I certainly can't figure it out. And report that this nine hundred acre utility great atrocity is not appropriate in this right to farm community. Thank you.		
102	102A	12/14/2022	Matthew Foe, councilman	My name is Matthew Foe, F-O-E. I live at 4517 Upper Mountain Road in Cambria, New York. I'm Deputy Supervisor. I sit on the team that negotiates dealing with Cypress Creek at this particular time, myself and Supervisor Ellis. This has been a ride and not a pleasant ride for me. I'm going to tell you very honestly, many of you know that I am a farmer. Every morning, I get to look up -- get up, sit at the kitchen table, have a cup of coffee, look across my fifty-acre field directly across the street to where a hundred and fifty acre field of solar panels is going to be. I can't tell you how much that bothers me to some degree about that because if I wanted to look at solar panels, I would look at them on my property and gain the money from that.	<i>Agricultural character</i>	This comment has previously been addressed on the record. Please see response to comment 10B.
	102B			Now, this approach, paying farmers really big money for farmland is just taking that land away from the farming market. Why don't we pay farmers a reasonable rate for their crops and then they do not have to sell their land or lease their land for these particular things. I'd like to go down another road. I don't have a whole lot of time. So as you know, I'm a very well – I got a lot of stuff to talk about. We're talking about the legal portion of this. Our laws, laws in Town of Cambria, were made as a direct mirror of the things that come from the people of our community. And I want to make that perfectly clear, because I've said on the two comprehensive plan teams, I've said on taking the beating on when we redid our zoning laws.	<i>Local laws, community vision</i>	These comments have previously been addressed on the record. Please see response to comment 8B and comment 12B.
	102C			I know exactly what you guys want to a person and proof positive and that being one of our old elected officials associated with this project got the least amount of votes in the last electorate. Take that in mind. He would -- he had over forty years of service to the Town of Cambria and yet, he didn't stand a chance because of this project. The people in the Town of Cambria have spoken and they've spoken loud and clear. We do not want this project for a myriad of reasons. As an elected official, I have to represent that reason. I understand from the farming community why they want to do that. I'm past vice-president Niagara County Farm Bureau. I understand clearly the problems that farmers in Niagara County face. We have diverse agriculture. However, nobody's getting rich. That being said, I wish you all good luck. And thank you all for coming. And again, if we want to talk to – any of our members or our community want to talk to me about this, feel free to contact myself or Supervisor Ellis. And thank you all for showing up tonight. And again, thank you for putting up with us.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see response to comment 7A.
103	103A	12/14/2022	Jeff Hurtgam	Jeff Hurtgam, H-U-R-T-G-A-M. 3226 Ridge Road, that's Ransomville but in the Town of Cambria. Tonight, I'm going to speak about the magnitude of this project. And I'll tell you why I -- actually I'm going to give you a little background. I'm a lifelong resident of the Town of Cambria. I'm a third generation farmer. We have vegetables and greenhouses. We're over near Fairy Nursery. And tomorrow, I am picking up the potential fourth generation farmer from Cornell. She's a freshman there. So we've been farming in this area for a long time. So this afternoon, I was cutting brussel sprouts out in the field. And I looked across the field, which encompasses my land and the neighbor's, which is owned by Paul Freeman. And it's about hundred acres. And I looked at that and I started to think, what am I going to talk about tonight. And then I thought, yeah, I want to talk about the magnitude of this project because I envisioned solar panels in that hundred acres and I didn't like the thought of it at all. So then I thought about nine times that area and then it kind of blew my mind. So I decided to put this in perspective, the Town of Cambria is about forty square miles. So seven hundred and fifty acres of panels and I'm just talking about the Town of Cambria would be one point one seven square miles, that's almost three percent of the total land area of the Town of Cambria. Now, I'm going to throw a lot of numbers at you. And I	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see response to comment 2E.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				<p>know I don't have a lot of time, so bear with me. Then I did some more research online. And according to the Niagara County Farmland Protection Plan, there's approximately ten thousand six hundred acres of farmland in Cambria. So let's do the hundred -- the seven hundred and fifty acres and figure that out with the ten thousand six hundred total acres. That's just over seven percent of Cambria's farmland that could be gone. And yeah, let's say twenty, thirty years, but I'll never see it in farming again, maybe my daughter would never see it in farming again. Now, I'm going to put something else into perspective, what this -- this project will power. There is eight point three six three million homes in New York State, this project will only power point three percent of the homes in New York State, point three, they say twenty-five thousand. And there's eight point three six three million homes in New York State. It would take three hundred one thousand acres of solar panels to power all the homes in New York State. And I'm just doing simple math here. That's not taking any wind energy, anything else, just solar. That doesn't include businesses and other things besides homes. There is seven hundred and twenty-nine thousand six hundred acres in Niagara County. So that would encompass forty-one percent of Niagara County's total land area, if all the solar panels were in Niagara County to power New York State. So just kind of put the -- all these numbers in perspective. There is six point nine million acres of farmland in New York State. And if you figure that out, based on the three hundred and one thousand acres of solar panels to power all the homes, that's four point four percent of the land in New York State. Now, I'm going to give you a couple of numbers. I know my time is almost stop. Couple of numbers on what could be produced and I'm just going to talk about field crops because that's a common crop in those fields. Based on the averages in Niagara County and this is from Farm Service Agency, at a hundred and eighty-one bushels of corn per acre and I'm going to take the whole nine hundred acres. That's a hundred and sixty-two thousand nine hundred bushels of corn that could be produced on that land. Next, the average in Niagara County with wheat, eighty-five bushels to the acre is the average in Niagara County for 2021. That's seventy-six thousand five hundred bushels of wheat. That's ninety-one pound loaves per bushel, so if you extrapolate that out that's almost seven million loaves of bread. And every step from the farm gate to the consumer, there's value in that all the way through that would be lost. So that's kind of to put a lot of this in perspective. Now, I'm going to put my councilman hat on and say a couple things. Well, there is basically one thing. The Town of Cambria residents know what is best for the Town of Cambria. That was evident last night and I'm sure it'll be evident tonight. It's not the people from the Town of Amherst or the Town of Wilson or the people that work in Albany. I know my time is up. Thank you very much and thanks for the opportunity.</p>		
104	104A	12/14/2022	Joanna Torreano	I'm Joanna Torreano, T-O-R-R-E-A-N-O, 4400 Upper Mountain Road. As a resident of the Town of Cambria, if I want to make an alteration to my house, I have to go before the town board for approval. If they refuse, I have to accept that decision. That's a democracy.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see response to comment 8B for discussion on Project compliance with local laws.
	104B			When the solar company wanted to put solar panels up, the people of the town said no. We were told if you don't want us, we'll leave. Here we are today, why?	<i>Pre-application information sessions</i>	This comment has previously been addressed on the record. Please see the response to comment 10D.
	104C			A report by C.N.B.C. stated that between April 2020 and June 2021 solar panels atop Amazon Fulfillment centers caught fire or experienced electrical explosions at least six different times. What safeguards are in place should this occur in the Town of Cambria, being told let it burn, is that safe. A gentleman from Wilson came last night stating that solar panels are a good idea. In addition, people from Amherst and the Sierra Club also think it's a good idea. I say, let's put the panels in your backyard. How is any of this good when it jeopardizes so many people's lives, you have a very hard decision to make. But for me, the question you need to ask yourself is, do you want this in your backyard.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 5C.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
105	105A	12/14/2022	Justin Genter	I'm Justin Genter. I'm at 4817 Saunders Settlement Road. May I spell Genter for you? It's G-E-N-T-E-R. What I have here is a few things that I've collected over the last few years of me coming to meetings. And I just wanted to say that we all love being where we're at. And it's something that we haven't talked very much about. And that's what happens if they do put this stuff in to our neighborhood. I live at pretty much the corner of Comstock Road in Saunders Settlement. And that's going to be like the hub of the whole thing, I think, as far as all these trucks and things that are going to be bringing all the information in as far as poles and netting and panels and tractor trailers and all of the support equipment and pile drivers, and everything else that we can think of. But back in 2019 at a town board meeting, I brought in a note of all the different things that I had thought of at the time. And these are questions that I asked at the town board meeting. And a lot of these are still without any answers. Like the traffic, we've have probably in the neighborhood of back in that day it was '19 about forty-five hundred -- excuse me, forty-four thousand -- fourteen thousand, if I'll get it right, yeah, fourteen thousand five hundred vehicles going past this intersection on a daily basis. And that includes all the school buses and ambulances that go by and everything that goes in. I probably hear horns honking, probably four or five times a day where somebody almost got hit, because they ran a stop sign. And there's been many accidents in that corner and some of them have been fatal. So you figure that out. We're going to have probably, let me just look at my notes here. It's probably going to be somewhere in the neighborhood of four thousand tractor trailers full of materials to bring in all the panels and everything that they've got coming. It's going to be probably somewhere in the neighborhood of five to a hundred support vehicles a day. And let's see, one of my questions was at the time, I got -- how many workers are going to come in there. We've had everything from sixty, which sounds a little stupid to me, it's just they can't do it with that many people.	<i>Traffic</i>	This comment has previously been addressed on the record. Please see response to comment 35D.
	105B			Some of the other solar fields that I've seen, some like in the southern tier, southern part of the country, where there is the same amount of solar panels being put up, you're talking about eleven hundred people to work. And where are those people going to be, they're spread all over the town. They're not vetted. They're probably not going to have much in the way of sanitation or traffic control or much of anything else. These panels are double exposure, top and bottom.	<i>Population changes</i>	The commentor indicates concerns with the volume of workers to be employed at the Solar Facility but provides no evidence behind his estimates. Based on calculations performed using the Job and Economic Development Model (JEDI) model, the Project is expected to generate 243.8 full time equivalent (FTE) positions for onsite Project Development and Onsite Labor positions during construction (Exhibit 18 Section (b)). The operation and maintenance of the Project is expected to produce 4.7 full-time jobs, 3.8 of which are expected to be held by Niagara County residents (Exhibit 18 Section (c)). The Applicant intends to source labor and materials from the local community when possible, providing the municipalities with economic benefits. Cypress Creek has entered into an agreement with the local unions to pay prevailing wage making it cost competitive for union companies to bid and win work to support this project. Additionally, see the response to comment 35D for traffic control measures.
	105C			So we have all of the bees and fictitious other animals and things that are going to be fed through all this, which it's -- you can't grow grass or anything else underneath a solar panel it is shielded from the sun. So that's kind of untrue. Everything -- just about everything that they've told us since we've been -- we're on these meetings is untrue. There's been a lot of it, so that it's not believable, even some of it. I don't think the -- the state police or the sheriff's or the New York State D.O.T. has had anything to do with traffic control. They're going to have so many tractor trailers come through here on a daily basis, it's going to be tying everything up as far as I can see. Some of the days -- just right now, when tractor trailers come down 31 and they go to turn left onto Comstock, they'll back traffic all the way back somewhere around four or five hundred feet. And that's just on a regular left-hand turn. That's not with maybe forty or so tractor trailers a day gone through there, that's added to what they already got. We have -- let's see here. We have stuff that's coming in and I talked with Kevin, that used to be our guy here from C.C.R., and he gave me a lot of time and talked over a lot of this stuff. And he says most of this that I have here is true. And we don't know where they're going to stage all these trucks as they come in while they're	<i>Traffic</i>	This comment has previously been addressed on the record. Please see response to comment 35D.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				being unloaded and where they're going to put all the products that they actually unload. And we have probably somewhere in the neighborhood of thirty thousand posts being driven into the ground on a daily basis with these panels going on them, three hundred and fifty thousand of those panels are going to be here. Where are we going to park all these people that are going to come and put these together?		
	105D			And we're told that there's going to be a lot of people in Niagara County that are going to have work. Well, according to what we see, there is very small percentage, maybe seven or eight percent, of the people are hired locally. Most of them are coming in from other parts of the country. So that's another thing. Who's going to take care of all these people? It's like putting in about one-and-a-half mile square facility in the middle of the town. So that's look like a ... stuck in the middle of our town again.	<i>Population changes</i>	This comment has previously been addressed on the record. Please see response to comment 105B.
	105E			They talk about the fact that these panels won't burn or they don't burn. And I've got some stuff here that they gave me, this talks about some of the panels that they get from a Canadian company. And it says here that they have low hotspot temperature risk. So if the company that makes them says that they can burn it's kind of a small faux pas I think in some of what they got to say.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see the response to comment 5C.
	105F			I've also got pictures right from the company that show what the panels are going to look like after they're installed. And they show that there is trees, they're going to be planted and everything is going to be nice, except that the trees don't cover the panels. So the panels that are up close to the road are going to be about twenty feet apart. So you're going to see most of the panels without any coverage of any kind. They also have, they show -- this one here is a picture of -- sorry, I don't have any way to project these, but show a picture of seven years -- five to seven years after they planted. And you'll find that there's a bush here that I planted about twenty-five years ago on my property. And it shows that this bush at five to seven years is somewhere in the neighborhood of twenty-two feet tall. The one in my backyard has been there for say twenty, twenty-five years, is about fifteen feet tall. So if these panels are going to be twelve feet or bigger, there is hardly any coverage, even at that. So I got a lot more to say. But I think it'd probably be a good idea for the next guy to try to do a little better.	<i>Visual</i>	This comment has previously been addressed on the record. Please see response to comment 10B.
	105G			And I'll take -- take this over and just one more thing I just found here, I wanted to say. And there's probably -- in Niagara County right now there's probably about almost thirty different sites where there is solar panels or will be solar panels very shortly. So they're covering us up pretty much. And landmass for solar panels was Biden's thing, with a green energy program to power the United States could take two hundred and twenty-eight thousands square miles. If you few covered two hundred and twenty-eight thousand square miles and you started in Vermont, New Hampshire, New York, Pennsylvania, Ohio, Kentucky, West Virginia and a couple of the other smaller states in the upper right-hand side or upper east side of the country, they would cover every single one of those states with solar panels to -- just to give you an idea how big that is. So with that I will close up and go for the next guy. Thank you.	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see response to comment 2E.
106	106A	12/14/2022	Rich Davenport	Good evening, everybody. Thank you for having this program. Your Honor, it's a -- it's a privilege to be able to address people. My name is Rich Davenport. I am not a resident of this town. I live in Tonawanda, New York. [...] Sure. D-A-V-E-N-P-O-R-T, C-O-U-C-H for short. I'm not a resident but I'm a conservationist. And I've heard a lot of things happening right now. And I've read this permit. And I've got a couple of problems. That number one, the burden of this whole thing is going to be on the town residents of Cambria. That's why the town residents elected a town board. We know that the areas locally better than anyone does at a regional or state or even federal level. And it is the task of every one of these elected officials going straight up to Albany and every board that exists to make sure that what we are doing is safeguarding the community. And the state has certain standards. And if the communities at large feel that those standards aren't adequate enough, it is your liberty under the state constitution and the United States Constitution under the 10th	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see response to comment 8B for discussion on Project compliance with local laws.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				amendment to be able to determine that for ourselves. And as we have seen and heard from people, from problems of staging, increased traffic, dangers coming up to that direct conflicts with the New York State open space goals.		
	106B			I mean, to get fourteen percent of the capacity that this is going to get reliably because according to the New York State Independent System Operators, these fixed panels deliver a capacity factor of fourteen percent. So for fourteen megawatts, you're going to have all the protections suspended for these people and that's -- that's doing your job? I don't think so. I think what needs to happen is we need to look at this objectively and not on a capacity pie-in-the-sky number, but a reality because we need energy, not false hope. And when we're consuming all of the resources at the expense of the people here in their backyard to line the pockets of somebody that lives somewhere else for extensively nothing, we have a problem. We have state laws that have specific environmental standards. Yet, I haven't seen one study on what it does to deer movement and bear movement. And this is one of the more problematic places for deer. In fact, the D.E.C. can't issue enough permits. Yet, now we're going to go ahead and take nine hundred acres of open space. And we're going to eliminate that and take away more for those animals that are running into cars that can be, you know, damaging property bringing the Lyme disease closer, there's a whole ripple effect that is being totally ignored. And quite frankly, it's to meet an arbitrary and capricious goal that somehow got codified into law on using something that will never deliver in the industrial grid.	<i>Natural Resources</i>	This comment has previously been addressed on the record. Please see response to comment 26C.
	106C			If you want to use solar panels and promote them for private use caveat emptor. But you don't dispose of the laws and the ordinances that protect the people from just this thing because you want to feel good and you want to get fourteen megawatts out of a hundred, I mean, I'm sorry, I think -- I think it's a great idea to put them on your -- your buildings and such and if you don't want to get them, you know, done that way. But consuming the farmland, impacting your ecosystems, impacting your -- your backyards, impacting your property values to get nothing and to see your laws that you set up to protect your property values and your way of life because you know what's going on here, they don't, and just have it suspended, I think you need to take a better look at that. Thank you.	<i>Consistency with energy planning objective, Property Values</i>	Through the passing of the state-level CLCPA and the federal-level Inflation Reduction Act, development of renewable energy has been recognized as critical for long term environmental health and energy stability within the state and country (See Exhibit 17). In New York State, utility scale solar allows solar facility to be developed in a manner as to achieve goals outlined by the CLCPA to combat the increasing threats from climate change. Please see response to comment 2E for more information on energy goals at the state and federal level.
107	107A	12/14/2022	Jonathan Schultz	Good evening. Jonathan Schultz, fire coordinator, director emergency services, last name S-C-H-U-L-T-Z. I come here tonight representing the volunteer fire service and the emergency services for Niagara County. The ones who will have to respond to any type of incident that will be occurring at these -- this large scale facility. We had a meeting back October 25th, 2021, over a year ago with the -- with the facility owner. To this date, still no response back and I'd like to clarify and let everyone in the room know the concerns we have as emergency responders. They were brought up to the facility and still no response. We had a meeting October 25th, 2021 to discuss the safety response plan for Bear Ridge Solar Project and concern for all our first responders. The following are concerns and topics that we hoped would be addressed and to date still have not been addressed. Safety response plans being utilized at the operating facilities by Cypress Creek. They claimed they had multiple facilities operating across the country, yet we have yet to see a safety plan that's used in an operating facility.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 9A.
	107B			Criteria being used for thermal task force after an incident. According to a safety plan they showed us they have a thermal task force that we'd like to be part of, but to date, no idea how we can become part of that.	<i>Thermal task force</i>	Thermal scans are conducted using an unmanned aerial vehicle (UAV) to determine heat signatures of infrastructure at the Facility and where mis-operation of equipment might be occurring. The thermal task force is an internal leadership group established to understand our thermal events as a whole and work to put corrective/preventative action in place. There are no outside entities that sit on the task force.
	107C			Health and safety plan for this site and plans being utilized for other sites for review. Now, those are different than the safety response plans I spoke of earlier, but we'd like to see those as well.	<i>Public Health, Safety, and Security</i>	The Applicant will re-engage coordination with the Town and County fire/safety departments on reviewing the health and safety plans developed for this project and in reviewing example plans from other operational projects.
	107D			Spill prevention control and countermeasure plan for this site, nothing to date. S.D.S. for this site, nothing to date.	<i>Spill prevention control</i>	Section (a)(8) of Exhibit 6 of the Application indicates that certain plans will be developed and implemented to minimize adverse impacts to air, soil, and water resources, specifically a

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
						Stormwater Pollution Prevention Plan (SWPPP) and a Spill Prevention, Control, and Countermeasures (SPCC) plan. The SPCC, which is included as Appendix 13-D to the Application, provides a list of SPCC-related contacts. Additionally, Exhibit 13 of the Application addresses potential impacts to water resources, and Section (a)(2) of this exhibit indicates there are no wellhead protection zones or aquifer protection zones within the vicinity of the Facility. Some information, including specific spec sheets, specific training regimens, and compliance with New York State Fire Codes will be provided in pre-construction compliance filings, as required by §900-10.2(c), but are not available during the Application phase, as is standard practice under both the Article 10 and 94-c permitting processes.
	107E			Are they meeting the 209 (u) of the general municipal law for New York State?	<i>209 (u) of the general municipal law for NYS</i>	The applicant will comply with General Municipal Law, section 209 (u) to notify the presence of hazardous materials
	107F			What's the security of all these large-scale sites, especially in light of all the recent infrastructure attacks happening across our country.	<i>Managing infrastructure attacks</i>	The Applicant will comply with all North American Electric Reliability Corporation (NERC) Critical Infrastructure Protection (CIP) standards. These mandatory Reliability Standards include CIP Standards 002 through 011, which address the security of cyber assets essential to the reliable operation of the electric grid. The Facility will be secured in the interest of discouraging physical security incidents. The site will be fenced, and access roads will be gated. PV modules will be bolted in place and will not be easy to transport if removed. The final design of the site and the equipment will determine the exact design of the physical security system. See Exhibit 6 and Appendix 6-B for additional information.
	107G			What's the plan for controlling ground cover, considering many of these facilities ground covers now looked at which then can lead to brush fires, large scale fires, which then affect the panels and how they operate and which could lead to other fires. Layout of each site and how it'll be depicted for understanding of how responders will actually respond to these facilities. To date, we don't know how that's going to be labeled, how they're going to be numbered, how we're going to go and take care of the facilities. We have not seen the type of panel that cut sheet for responders so we can actually start to do our own research and planning a preparedness for this. Will they offer a training program to our first responders to include lockout- tagout and other training to protect them when they respond to these facilities, so they don't get hurt when they're going in these areas.	<i>Public Health, Safety, and Security</i>	Emergency response training is addressed in the Safety Response Plan included as Appendix 6-B to the Application. Specifically, Section 4.0 (Training and Drills) addresses on-site personnel training (Section 4.1), first responder training (Section 4.2), and drills and exercises (Section 4.3). Some information, including specific spec sheets, specific training regimens, and compliance with New York State Fire Codes will be provided in pre-construction compliance filings, as required by §900-10.2(c), but are not available during the Application phase, as is standard practice under both the Article 10 and 94-c permitting processes.
	107H			Will they be complying with OSHA 1910.302 through 1910.308 with NFPA 70E compliance as well?	<i>OSHA and NFPA compliance</i>	Our technician training is compliant with OSHA and NFPA70E IT is comprised of training delivered through our learning management system as well as manager sign offs.
	107I			Onsite inspection review by the authority having jurisdiction which would be the towns of Pendleton and Cambria, so we can have involvement as they're developing, as they're constructing and being part of that process. Determination of onsite hazardous waste storage. What and where will this be throughout all the facilities, waterway and wetland protection through all phases. Are they having that, will they have it and water hazardous materials to be involved with that?	<i>Public Health, Safety, and Security</i>	In general, the Facility will not store significant quantities of hazardous materials on site, aside from the main transformer at the substation. Should a hazardous material spill occur, it will be classified as a minor or major discharge as outlined in Table 1 of the Safety Response Plan.
	107J			Is there any impact on the Tennessee Gas Pipeline in the area with this going in. Vehicle access, as we all know, fire trucks are large, how will we get into the area, how will our -- how will our responders respond to the area in a safe manner to make sure they're safe going in, because their safety will always be paramount.	<i>Impacts to the Tennessee Gas Pipeline</i>	There are no anticipated impacts to the Tennessee Gas Pipeline from the Project. Please see Exhibit 3 Section (e) for an analysis of existing infrastructure.
	107K			Finally, a concern brought up was a proposed emergency communications link between Durham, North Carolina and the proposed site, in the towns of Cambria and Pendleton. The last time I checked, couple miles in between, so how that communication link will work and where will their employees be responding from during an incident. Will they be in one of the towns close by, will they be coming from outside of the area, half hour, forty-five minutes, hour what will that be. There needs to be a focus understanding with the health and safety of the citizens and first responders, these have the highest priority, will not be focused on profits and satisfying the requirements of New York State. Thank you.	<i>How will the communication link work?</i>	In Section 1.2.4 of the Safety Response Plan (Appendix 6-B) it states that once operational, the Facility will be monitored 24/7, 365 days a year through the use of a Supervisory Control and Data Acquisition (SCADA) system at Cypress Creek Renewable's Durham, North Carolina Operations Center. The monitoring center has communication capabilities with infrastructure at the Facility through the SCADA system and will be able to isolate parts of the Facility in the event of an emergency or when maintenance is needed. The utility owner (National Grid) will also have the ability to move the Facility offline in an emergency situation if monitoring and communication capabilities are lost. A full-time, locally based Facility Manager will be in charge of Operation and Maintenance (O&M) activities with two or three site technicians who will also perform O&M activities. In the event of

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
						<p>an emergency, facility staff will call 911 and inform local first responders to evaluate the situation and help facilitate the correct course of action. An emergency contact number for Bear Ridge Solar /Community Energy to report emergency situations will be posted on signage at access road gates, the collection substation, and/or an off-site O&M facility should local first responders, local or state personnel, or members of the public need to report an emergency at the Facility Site. Local emergency responders will also have keyed access to these areas, or a knock box will be used.</p> <p>Following an emergency event, the O&M team will investigate the cause of the emergency, what steps could or should have been taken to prevent the emergency and reassess protocols to ensure that a similar situation is less likely to occur again. Local emergency responders may also be asked to assist with investigations of emergency situations. Additional information on Communications and Trainings can be found in Section 2 of the Safety Response Plan.</p>
108	108A	12/14/2022	Danielle Matson	Danielle Matson, M-A-T-S-O-N, 3654 Upper Mountain Road. Zoning was put into place for a reason, residential zoning for residential purposes, commercial zoning for commercial, agricultural zoning for agricultural purposes and industrial zoning for industrial use. At the core this project is industrial. It should be put on industrial land. This project is wasteful of the land and at the end of the day, we're not making any more land. What we have is all that we get. We need to ensure that we are using the land wisely. This -- this project is being pitched as a green project. However, wasting hundreds of acres of land is doing the exact opposite.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see response to comment 8B.
109	109A	12/14/2022	Benjamin Musall	Hello, my name is Benjamin D. Musall, M-U-S-A-L-L. I reside at 3900 Upper Mountain Road. This day has been a long time coming for a lot of people in this room. We appreciate your time, judges, members of ORES, thank you for hearing us. A lot of people in here have a lot invested in our community. I myself third generation farmer on the farm that I reside. I grew up next door. I own fifty acres, I rent another hundred and fifty acres. I know a lot of people dismiss not in my backyard. But for the decisions to be made from this project based out of Albany, why do people not get to voice their opinion to have it, to not have it in their backyard. I could have it in my backyard. It'd be very easy for me to just roll over and make the money. But we know there's a green energy agenda. There are sixty-two counties in this state, thirteen of them and I understand land does not vote, people do. But thirteen of the counties within the state voted for our current governor to be elected. Let's start there.	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see response to comment 2E.
	109B			Erie County, just south of here. Tompkins County, very similar in size and scope, sure, it's a little bit more hilly. Why are we using our prime agricultural land in the Town of Cambria, the furthest away from the biggest draw that you can come up with New York City to use this land, because it's cheap land and I understand that. But it's not fair to the people that live here, that moved here, that enjoy the life they have here. I could have easily moved. I could have moved my family. But I decided not to. I grew up at 3884 right next to my family farm. And I chose to purchase that farm for my family and my kids to grow up the way that I grew up. Got a little emotional here, I didn't like it that way. But that is very important to me. There are a lot of challenges in life. And I don't feel as though unelected officials, appointed officials from all the way across the state and a couple landowners get to decide how we as a community are going to live from here forward. I'll just -- I just want to summarize some things.	<i>Viability of solar in western NY</i>	This comment has previously been addressed on the record. Please see response to comment 2A.
	109C			This all started with an Article 10 process that wasn't good enough or fast enough for the state. Our previous governor with a stroke of a pen came up with 94 C. And here we are today. That-- and within that law, if this gets drawn out for over a year, it's just approved. It's just -- it's agitating that our local laws that we set up our zoning that we have established are being thrown out the door and yes, I am the newest member to this town board because I took on the aforementioned landowner that was involved in these proceedings before. And I take that responsibility to heart. I will represent you guys. I will fight this as long as we can. Thank you.	<i>Comment not relevant</i>	Comment noted. Comment not relevant to draft permit.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
110	110A	12/14/2022	James Deuro	Good evening. My name is James Deuro, J-A-M-E-S D-E-U-R-O. I live at 4958 Brauer Road, Town of Cambria. I purchased my property in the town in 1988. And it was beautiful, where I wanted to spend my life. I just knew I wanted to be here. Built my home in 1996. And thank you for the opportunity to speak on this issue. So the Bear Ridge Solar Project being proposed by Cypress Creek Renewable, L.L.C. Let's start off with L.L.C., a limited liability company. What is a limited liability company? A limited liability company is a corporate structure that personally protects the owners of the company from the company's liabilities. In other words, the owners of this company that would like to fundamentally and forever change the face of the environment of our town, the place where we live and raise our families would be held harmless, should anything go wrong with this project in the future, okay. Be it fires, leaching chemicals into the groundwater whatever, the owners of this company will legally and personally avoid having any skin in the game and the residents will just have to suck it all up, and that's wrong, okay.	<i>Project liability taken by Bear Ridge Solar LLC</i>	This comment has previously been addressed on the record. Please see response to comment 5D.
	110B			So this doesn't come off as an acceptable term to proceed with such a large project. Who will be responsible for removing these panels at the end of their lifecycle, I mean, it's a limited liability corporation if they decided their accountants can figure out a way for them to get out of it, they get out of it. And then it's left up to the town and that's not right. The residents of the town deserve better and they need to be protected from a potential ecological disaster.	<i>Decommissioning</i>	This comment has previously been addressed on the record. Please see response to comment 5D.
	110C			I find it absurd that this project could potentially leach cadmium, lead, other heavy metals into the groundwater or emit noxious gases into the air should there be a fire. The size of a project like this, the potential for such a disaster needs to be a consideration to protect the residents of this community. I'd like to comment on the size of the project. The proposed nine hundred acre footprint runs through the middle of our town, this is a monstrous footprint.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 9B.
	110D			It will undoubtedly have negative impact on ecological conditions in the agricultural community in general.	<i>Natural Resources</i>	This comment has previously been addressed on the record. Please see response to comment 26C.
	110E			I'm of the opinion that a project of this size should be located in an existing brownfield or an area that is zoned industrial. To remove nine hundred acres of farmland in the middle of our town from our community forever for an industrial size solar panel farm against the wishes of the town residents would be a contemptuous act, showing no regards for the residents opposing this development, which appears to be most of the residents. The only people that I -- I've heard speak on the plan so far do not reside in the town.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see response to comment 7A for discussion on agriculture.
	110F			Given that the panels have a limited lifespan of twenty to thirty years at best, this isn't anywhere close to a permanent solution to addressing the greenhouse gas issues so that the so-called climate alarmist are concerned with. The fact is that there's two sides to every argument. Being led around by our noses by climate alarmists may not be in anyone's best interest since they seem to be willing to fundamentally change our way of life with their bureaucratic edicts. Mankind forever has been able to warm, to keep warm through the cold winters by the use of firewood. Next year, we are being told that we won't be able to heat our homes with firewood in the state of New York. How did this law get passed by unelected, unaccountable bureaucrats, that's how. And it's wrong. Natural gas, which is up until recently been touted as a clean form of energy will no longer be available in homes after next year. How did this happen? I'll tell you. It happened because of the edicts of unelected bureaucrats. It's wrong. This is not how our government is supposed to serve us. How many of us have forgotten that our governments are supposed to serve us. Instead, they treat us as if we were their subjects and they take away individual rights and pass laws that turn us into criminals. Just look at what has happened to the Second Amendment in the state. Well, neighbors it's time to fight back against the edicts of unelected bureaucrats when they can unilaterally change the face of an entire town the size of the Town of Cambria. It's been rather clear to me that the residents of this town are opposed to this	<i>Not relevant to draft application permit</i>	Comment noted. Comment not relevant to draft permit.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				project. And it's time for Cypress Creek Renewable to scale down, move out or follow the zoning laws of our town.		
	110G			I'm concerned that the developer still has not indicated what type of solar panels they intend to use. Will they be manufactured in China? I personally try my hardest not to purchase anything made in China. They've been poisoning us with tainted goods for decades. The last thing that I want to see is in my town is nine hundred acres of anything made in China. Well, I will not be surrounded by these panels. I'm very, very sorry for those that will be their property values will be decimated. The Love Canal area will provide about sixty acres for this type of initiative. But it shouldn't be in the middle of our town.	<i>Information on solar panels</i>	This comment has previously been addressed on the record. Please see response to comment 5E for discussion on composition of solar panels.
111	111A	12/14/2022	Catherine Reid	Hello, my name is Catherine Reid, it's R-E-I-D. I live at 4564 Thrall Road in Lockport, I should say Cambria because we don't have a post office in Cambria. So anyway, my biggest concern -- well, there's many and a lot of been spoke -- been spoken about. But I am very concerned because a year ago in July, we had a very, very heavy rainfall that ended up with a lot of flooding in our area. And my son happened to be one of them. He lives a row down from us on Lower Mountain Road in Cambria. And he ended up with four-and-a-half feet of water runoff from farm land, which is an organic product. We're talking about what if that was from solar panels. What if that came from above, because we're -- you know, they're just one level down from us being an escarpment. And we had tons flowing over look like Niagara Falls in our backyard. He lives right next to a stream. That's how his -- his property flooded.	<i>Water Resources and Aquatic Ecology</i>	This comment has previously been addressed on the record. Please see response to comment 7B for discussion on water resources.
	111B			If that was cadmium and lead and that has seeped through all of these people's properties. How is that going to affect anything we're growing in our property, our -- our food sources, our flowers, there's a lot to be concerned about. I found a few things that I thought were interesting. Just Googling and it's talked about studies have shown that heavy metals in solar panels, namely lead and cadmium, can leach out of cells and get into groundwater, as well as affect plants. You're talking about whatever production we are still doing here, the other farmers that may be affected by this runoff. There's just so much more to consider. And my son was lucky. Their family did not have any harm done to them on the runoff that occurred. They lost a lot of money, a hundred thousand dollars worth of damage to their home. And -- but we're talking about something much serious -- more serious, we're talking about their lives that could be interfered with, their health. And that's something we all need to really think about. And I do appreciate you listening to me. There are many concerns, like I said, many haven't been voiced. But this is very important to me because this is our -- our homes, this is our land and I have my own garden. And I eat those vegetables and I just -- there's a lot to be concerned about. Thank you. I appreciate it.	<i>Geology, Seismology and Soils; Water Resources and Aquatic Ecology</i>	These comments have previously been addressed on the record. Please see response to comment 9B and comment 36G for an explanation of how the Facility will prevent hazardous waste releases into the soil and water.
112	112A	12/14/2022	Paul Reid	Thank you. Well, you've heard from my better half. Paul Reid, R-E-I-D. 4564 Thrall Road. So I consider the key word for this project to be industrial, the proposed usage for an industrial solar power generating plant. And I'm only sixty-six years old, but I don't recall a time - at any time in my life, in any local community where they would allow an industrial project to be sited amongst residential and agriculturally zoned land. It simply would never have happened. And it should not happen here in Cambria. I strongly disagree for New York State to override decisions by our local community. Local land use is best controlled locally. Allowing the state and non-local citizens to make decisions on behalf of our local town, simply emasculates the role of our local political leaders. Leaders are elected to serve our local people. When the state displaces local officials, it also effectively emasculates the interests of the local town's people. While there is president for this type of decision making. It occurred in the mid-1700s in the American colonies, after many years of frustration by the colonists, it culminated in the Declaration of Independence. So New York State is generating this level of resentment. And I think you've heard it kind of bubble up here tonight by taking decisions away from local officials and how local land will be administered.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see response to comment 8B.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
	112B			While the stated purpose is to fulfill the requirements of the C.L.C.P.A., the reality is that nothing New York State does here in Cambria will make any difference whatsoever in the global CO levels or even in accomplishing C.L.C.P.A. objectives. Have to ask, what -- what is the optimum level of CO in the atmosphere anyway. Has anyone -- has anyone answered that. Siting an industrial solar farm that provides more expensive electric generating capability should not be done at the expense of and on the backs of a local farming community. Thank you very much.	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see response to comment 2E.
113	113A	12/14/2022	John Marchetti	Good evening, everybody. John Marchetti, J-O-H-N M-A-R-C-H-E-T-I, 5275 Subbera Road, Lockport. I'm in opposition to the solar farms. So we all know why we're here. We all know that the Bear Ridge Solar Project is trying to sell their product, and they've proposed this to the New York State to put their farm in our community. In a proposal phase, you need to sell. What they're doing is, trying to sell to these fine gentlemen, ladies here, their solar farm. They need partners in selling. So what they first do is they look for environmental activists, the Sierra Club is an environmental activist. Then they also look to say that they're going to offer jobs to our local electrical union, which is a good thing. Nobody's going to deny that, nobody's going to deny solar panels either. We want clean environments for the future. However, yesterday, the Sierra Club came up here and try to tell us how good solar panels are for our community. But they don't live here. So they could use whatever data that they want to show that the Sierra Club or the -- I'm sorry, that the -- solar, Bear Ridge Solar Project is a good thing, because they're trying to sell. They're trying to sell this to you. They're in proposal phase. So they strategically were told by the Bear Ridge Solar -- Solar Project to come here and speak because they knew that the opposition was against them. When you're trying to sell, you don't have total opposition, you need to have some positives for that. I just want to talk a little bit about the content that the Sierra Club tried to sell us and tried to sell you. I have a background in electrical engineering. I work in a company that designs, develops and produces electronic warfare equipment for the government. And I feel like I have a good background in creating electrical or not creating electrical panels, but crea -- creating electrical equipment and what's produced from this electrical equipment. So one of the things that was said was that, lead solder being used to develop and manufacture these solar panels. The lead solder only contains three percent of lead, okay? That is only three percent in the little bit of lead that is used, but she failed to tell you how much lead in total was going to be used for nine hundred acres. If you add up that all up, that's a lot of lead. They refused to tell you that data, okay? That three percent would mean something completely different to her if this was in her backyard. But because it's not, she's going to be an environmental activist and support the agenda of New York State and the agenda of the Bear Ridge Solar Project. There's other risks to the panels that she also failed to mention. These, the biggest risks to solar panels are their susceptibility to hail, freeze/thaw and wind damage. We all know where we live. All right. I don't have to go into detail on that anymore then.	<i>Public Health, Safety, and Security</i>	This comment has previously been addressed on the record. Please see response to comment 5E. Small amounts of lead may be used in crystalline silicon PV models however these trace amounts do not pose a significant health risk to people or the environment (ACPA, 2022).
	113B			So one of the biggest things is -- is frost heave. Well, I got a lot more, but I'll -- I'll try to be quick. One of the biggest things is frost heave and significant movement of soil. It's going to happen around here. It's Buffalo. We all know what happens here.	<i>Frost heave</i>	Frost depth in Niagara County is mapped to exist at approximately 54 inches below grade. The Facility has been designed to withstand frost heave by placing all structural foundations below frost depth in Niagara County (Exhibit 15 Section (a)(4)).
	113C			The other big thing that she failed to mention that I want to touch on because of my background, I can talk about this is E.M.F. It's electromagnetic fields. It hasn't been mentioned here at all. We've talked about the lead. We've talked about the cadmium. Nobody's talked about the radiation and the electromagnetic fields that this is going to produce. I've spent thirty years working in an industry that deals with electromagnetics. It's radiation. Radiation is not good. There's radiation everywhere. The radiation that this does produce -- a solar panel produces is in the communication wave, in -- in the communication frequency bands, okay? That's the cell phone area. However, a constant susceptibility to this radiation or being constantly -- constantly around a high frequency rates around this radiation is damaging to health. I'm going to give some examples, which I'm hopefully you	<i>Radiation</i>	Solar energy collection emits small amounts of radiation called electric and magnetic field (EMF) radiation. A study was conducted by Fisher Associates for the Bear Ridge Solar Project to review EMF radiation expected to be produced by the Facility Site as shown in Appendix 22-A. There are no industry or Federal standards limiting residential or occupational exposure to 60 Hz electromagnetic fields; however, New York state has set standards by their Public Service Commission (NYPSC). Findings indicate that the resulting magnetic field strength at the edge of the 100-foot-wide ROW is below the NYPSC threshold of 200 mG and the resulting electrical field strength at the edge of the 100-foot-wide ROW is below NYPSC threshold of 1.6 kV/m. Therefore, there are no anticipated impacts from radiation to areas surrounding the Facility.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				<p>can use as data points, please. The World Health Organization has warned against electromagnetic hypersensitivity ranging from mild to severe health problems around solar farms. The electromagnetic radiation is real in solar farms. There is also habitat that we all talk about the habitat around here and some dangers of the habitat. Here's an example. And I'm going to get this pronunciation wrong. Ivanpah solar project in the Mojave Desert in California, okay? It's destroyed thousands of desert tortoises and birds. We don't have desert tortoises in Buffalo. But we do have the wind and hail and rain and everything that I just mentioned too. We do have birds, a lot of birds, including the blue heron, which is endangered, okay? These deaths of the tortoises and the birds were later determined by scientists to be caused from the electromagnetic fields caused from that Ivanpah solar farm. It's going to happen here. You cannot hide from the radiation, it's everywhere. And this is going to be a constant risk to our society or community. California also passed a law where all houses, all new builds and all new houses have to have solar panels. They ignored its own State Department of Health issued warning against the exposure of the R.F. radiation that is caused on the inverters of these solar panels. The solar panels themselves do not produce the electromagnetic radiation that's D.C. current, the D.C. current flows into an inverter, a switch cycles back and forth with cooling fans and switch causes a lot of heat, can cause fires which we talked about. That switch and converting that current from D.C. to A.C. is what causes this electromagnetic field. E.M.F. is a manmade dirty power. It's electromagnetic field which has causes a lot of radiation. So I ask you to please keep this land zoned as agricultural and organic agriculture. Don't add industrial into this, just for the lives and benefits of a company out in California or because you're rushing it through to meet a New York State agenda that has to be green by 2030. Thank you.</p>		
114	114A	12/14/2022	Susan Fischer	<p>Susan Fischer, F-I-S-C-H-E-R, 5108 Carriage Lane. We've heard a lot about what people are saying tonight. And there hasn't been one person in two nights that lives in Cambria, that has said they want this solar project here. We started a grassroots group about six years ago and were called C.O.I.S. which stands for Cambria Opposition to Industrial Solar. Industrial is a key word here. People think we're against solar, but we're not. We're against industrial solar. And we all have band together to fight this together. We have gone out in the community and reached out to everyone to listen to us. We represent this community. People in our group have come and gone because it takes a big commitment to be in this group. It has affected people's health, their families, their jobs, their friends, and everything about us. We have done fundraising. We have gone door-to-door. We have had community meetings with the people in Cambria. We have gone and spoke at many Niagara County legislative meetings. We have mailed out pamphlets. We have made shirts. We've made mask. And we've made signs. We have picketed. We have been trashed by people who don't understand that we're against industrial solar, not all solar. We continue to have meetings in our home. We have visual photos of how awful this is going to be in our community surrounding so many homes. We repeated -- we have repeatedly said that it's going to be no help to this community. We have listed the health hazards and fire hazards. We explained the loss of the scenic beauty. We have a hundred and fifty days of sun in Cambria and that's in a good year. We have a lot of snow that would cover these panels. How efficient are they going to be then. Is somebody's going to be out there shoveling this off, we've had seven feet of snow at times. We still don't know what they're made of. This issue has come between friends, has broken up marriages, has broken up neighborhoods. And all for nothing because this is not the place to put this. We have been off -- we have offered Cypress Creek industrial land to put this on, but they refused that. We have written letters. This has been a toll on our health. We have made posters. We've had garage sales to raise money to pay for our attorney. We have shown the community maps of where this is going to be. We've talked about the birds and the deer that were taking their homes away. We have reported on the storm runoff. We have visited stores. I'll be short. We have hired this attorney at our own expense when a lot of -- and it's been great because a lot of the</p>	<p><i>Response to efforts taken by the Cambria Opposition to Industrial Solar</i></p>	<p>Comments noted. Comments not relevant to draft permit.</p>

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				community has donated money to us. We have made many phone calls to the community, and we've had meetings with Bear Ridge. We've had Zoom calls. We've called members of the community individually. And there's only nine of us on this team to do all this work. We've set up tables at community functions to make people aware. We've posted on the D.P.S. site. We have a Facebook page, and we have a lot of comments from people who do not want it in this community. Not one has ever said that they do. We've been on the news and the radio and in the newspapers. We've proven many facts. We have Lockport support. We have written to the state and federal officers. This is an emotional topic for us because it's a very -- we are all very passionate about this. We have gone to school board meetings and spoke with the board. We've talked to people from the airbase. We have the support of Senator Robert Ortt and Assemblyman Andrew Marinello, who spoke last night here. We have the support of the fire hall, the school, every single county, Niagara County legislator and all of our town officials. Again, we are not against the future of solar. We do believe it should not be built in a residential agricultural area which is prime farmland that will have an adverse reaction in this town on our wildlife, our streams and many other things. Please listen to our community input that this is not wanted. We are not asking you to stop this. We are begging you at this point to stop it. Keep our town beautiful the way it is. And also, I would like to say the three people that spoke last night that said it's okay to have solar in our town. Again, they don't live in our town and I wish whatever they said would be stricken from the transcript. Thank you.		
115	115A	12/14/2022	Gina Merlo	Good evening. Gina Merlo, M-E-R-L-O, 4410 Green Road, mailing address, Lockport, Town of Cambria. So I can put this in here. My name is Gina Merlo. And I live at 4410 Green Road, Cambria. My home is at the northernmost tip of the town and Starpoint School District with neighbors two doors down attending the Wilson School District, still in the Town of Cambria. I have lived on my three acres for twenty-two years. And when I built my home, Green Road was nothing but a dirt farm road. Cows routinely visited my bedroom window when they got loose. And many of you may have fond memories of parking there with your dates. You know who you are. When we built, we utilized that dirt road for seven years waiting for any sort of pavement on our three-mile road. And we are still waiting for a proper installation such as Cambria Road and Van Dusen Road enjoy -- enjoy today. I begun making little jokes that I may not live to see Green Road properly paved. I hear you, Matt. And when I asked when we will be paved? I'm repeatedly told it is a long and expensive road and that there are more other pressing matters to finance. So I shake my head, but I understand because I play by the rules and because I love Cambria. And who cares about silly pavement when kids need their school and the town enjoys their park, and our fire company is struggling to outfit their ten new members because they don't have the forty thousand dollars to buy turnout equipment. So I play by the rules because that's what neighbors do. They build the society that they live in, piece by piece, decision by decision and moment by moment. And now, we are in one of those very important moments. With this decision of whether to allow a nine-hundred-and-ninety-acre industrial solar complex to be built in the very center of our town. This has reached its six years seminal moment. And it is a decision that has been ripped from our hands, manipulated from afar, and quite literally dropped at our doorsteps from the bureaucratic offices of both government and foreign interests. See, moments and decisions form the foundation of all of our lives. From the very first town meeting that I attended to this heartfelt gathering sitting here today, the citizens of the Town of Cambria minus three, have not wavered in their commitment to preventing this devastating decision from destroying their community. And yet we are standing here in this moment, completely powerless, to make the crucial decision that will impact an entire town for the rest of its existence. We are in a specific moment in time with a specific decision that needs to be made and that decision, Your Honors, rests with you at this moment. Today, I come to ask you what you want to stand for. What you want your children and their children to think of your decision in this moment. When your name goes down on the record of this issue, what	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see response to comment 2E.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				will that name be associated with? Will it show a person who has the courage to do what they know is the right thing to do Will that name in history because Bear Ridge Solar will go down in history, just like the words Love Canal, and the words the Manhattan Project, and the words Model City have already gone down in history. And when this story is part of the history as yet another industrial catastrophe. When your name goes down in that history, the question remains, what will your name stand for? My name is Gina Merlo. I am a nobody from a road that still isn't paved. And I am proud to say my name will go down as the gale who trembled as she spoke to say the words that needed to be said for the community that she loves, say no to this project, Your Honors. Thank you.		
116	116A	12/14/2022	Alora Brusino	Hi, my name is Alora Brusino. I'm a homeowner at 4069 Burch Road in the Town of Ransomville, but I pay my taxes to the town of Cambria. Hi, neighbors, like I just want to introduce myself. I know I don't really know you guys yet, but I'm a longtime resident. I'm a new homeowner here. I just purchased my first home on Burch Road in September, and it was actually my great grandparent's house. It was my great grandmother's house. Me and her were always very close and she was like the matriarch of my family and my great grandpa built the house with his own two hands. And so like this area is just like as important to me as it is like all of you, like I have a very deep connection to this area as well. And I love it here. I have -- I'm a traveling surgical technologist. I've been doing that for about eight years. And I also have a degree in horticulture. So I have some like, unique perspectives, I think I want to share on this sort of situation, both from, like a conservation perspective and like health care. But most of all, like last night, I came here with my partner, my boyfriend of six years. We live in the house together. He raised some interesting points on the drive home and he's brilliant. He crunched these numbers mostly in his head and then I verified them today with a calculator. Like, I want you guys to understand like, how big this project is, and I want to compare it to like some other projects in the areas, just so you guys can really think about like, how big we're actually talking. So on this sheet of paper, which is a letter I got from Wright Ellis, the town supervisor. It says all nine hundred and thirty-seven acres of it referring to Bear Ridge Solar Project, LLC. Nine hundred and thirty-seven acres. Do you guys know like how big that is? Like I know some people have made some -- some comparisons up here about it, but nine hundred and thirty-seven acres is one point four six four square miles. That's huge. Reservoir State Park, just the park part of it that we can access, like the hill and the -- wherever they play the kites and whatnot. That's a hundred and thirty-two acres. And the Robert Moses Niagara Power Plant, the heart of the reservoir itself is five hundred and fifty acres. The area we're talking about is about twice the size of the whole reservoir project. And sidenote, another story for another time. That land was stolen from the Tuscarora Nation to build the reservoir, but we can talk about that another time, but just you know, historical side note there, none of them wanted that there either. So to -- again, to recap those numbers, five hundred and fifty acres for the reservoir plus a hundred and thirty-two acres, that's only six hundred and eighty-two acres. And they're talking about nine hundred and thirty-seven acres for this, like field of solar panels. Like that's not just like one field on the corner somewhere. That's a huge area, like that's hard to comprehend how big that is really because of how much we have to go around that in our landscape, the reservoir. Sorry, I have some more things to say. But I have it written down, so I should be able to go in order. So yeah, that's still less than the area proposed by Bear Ridge Solar would be about three point five four one percent of the town. I'm pretty sure the Town of Cambria is twenty-five thousand four hundred and fourteen acres. So there's that.	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see response to comment 2E.
	116B			And our natural resources in Cambria of healthy viable farmland, vineyards, natural habitat for countless endangered species of birds, small and large animals, amphibians, insects, pollinators, which we depend on in a right to farm community to pollinate all of our agricultural crops, fruit trees and grape vines. And we are known nationally and internationally for having some of the world's best soil and growing conditions for fruits and	<i>Natural Resources</i>	This comment has previously been addressed on the record. Please see response to comment 26C.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				vegetables. And that's true by the way. And here's some other things I learned in horticulture school that I wanted to share.		
	116C			Topsoil is not a renewable resource. It is not. It takes fifty years of compost and natural cycles to produce one inch of healthy topsoil. So we cannot waste that.	<i>Geology, Seismology and Soils</i>	This comment has previously been addressed on the record. Please see response to comment 9B.
	116D			Our waterways are also not a renewable resource. Once they are polluted and the plants and trees that grow alongside their banks prevent flooding and are crucial to help keep the water clean. Those roots hold the banks together and without them, like the waterways will flood everything.	<i>Water Resources and Aquatic Ecology</i>	This comment has previously been addressed on the record. Please see response to comment 7B.
	116E			With populations of bees and other populations declining naturally, it is critically important for local pollinator populations to have good food sources in the plants grown here and -- and naturally occurring flora. We cannot clear cut what we have to make room for this humongous project. And I have done good work with the organizing efforts of the Niagara Sierra Club in the past and not so distant past of blocking the northern access pipeline that was slated to run through Niagara County and Pendleton. And I am baffled that the Sierra Club would choose to support the Bear Ridge Solar Project when so many of the environmental concerns they rallied against the pipeline with, are the same or very similar. And as for the jobs created -- thank you. As for the jobs created, many, if not, most of them will be temporary and be only for building the project. They will not be long lasting. My next page. And as far as the benefits dangled in front of us, as bribes to accept the project, see those as only for what they are. They are bribes. They weren't offering us a good deal at all. It is insulting that they would dare to only offer the people living within a thousand feet of the project free power. They will not be the only people affected by the project. A better offer would have been to offer all of the people of Cambria free solar for allowing this and even that is not an offer, that would be a sustainable trade for the loss of landscape and biodiversity to the area. And one, I would not be willing to accept. Take a breath for a second. The loss of these natural resources, we, the people, the Town of Cambria say are non-renewable. We cannot get those back once they are lost.	<i>Economic benefits</i>	This comment has previously been addressed on the record. Please see response to comment 2B.
	116F			Solar project should only be built on land that has already been developed or over parking lots that have already exist, or on buildings that have already been built. There is no reason to waste the land that we are so blessed to live on. With all of the people of Cambria united in their opposition to the Bear Ridge Solar Project, I would plan on more resistance if this company dares to proceed. And I say no to approving the Bear Ridge Solar Project for a permit on application number twenty-one dash o two one o four. And I just have a couple like, proposals for us to like consider in the future because I'm not against solar at all, but this project is just terrible. I propose that the Town of Cambria not issue any permits, or suspend energy permits that are not in compliance with Town of Cambria laws. And I also asked Wright Ellis, Cambria town supervisor to hold a townwide meeting within thirty days for Cambria residents only to review local solar laws, land rights and to review any laws, ordinances, environmental rights and consider writing new amendments and have that meeting be open to Cambria and Pendleton residents only. And given our near unanimous opposition as Cambria residents, we must continue to be unified and how we decide to move forward in a way that benefits everyone. And everyone in Cambria has said no to this project.	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see response to comment 2E.
117	117A	12/14/2022	Gale Palmer	Gale Palmer, G-A-L-E P-A-L-M-E-R, 5699 Subbera Road, Lockport, New York. I'm kind of going off here a little bit like I did last night. You've heard all the reasons why we don't want them. And if you got a chance to drive through the town like I asked you and hoped you would, you would see what a beautiful town we live in. There's not much more our town can do. We fought a good fight. We're still fighting. We'll fight till the end, but it's been six years. This letter was not written with anyone else's information, but it's going to sound very similar to many of the things you've heard already. I pray to God to give you the strength,	<i>Siting constraints</i>	This comment has previously been addressed on the record. Please see response to comment 3B.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				courage and knowledge to do the right thing for our picturesque Town of Cambria, New York. Your decision could change both physically and emotionally the fabric of this charming community forever. Just to clarify. All speakers that spoke last night were against this project in agricultural land where some residents' homes would be surrounded on three sides by panels. I did not, however, hear one of them voice again tonight that they did not want panels placed on industrial land in our town, rather quite the opposite. Panels belong in industrial zones, not in residential and farming lands in the countryside. This is what our group Cambria Opposition to Industrial Solar as well as the town officials have requested from the start. Those that spoke in favor of the project last evening, however, do not live in this town, have any stake in the outcome of your decisions, and at times were misinformed by what they were saying. I ask that you take this into consideration when you review this hearing and make your decision. God bless you. Thank you.		
118	118A	12/14/2022	Roger Palmer	Thank you. My name is Roger Palmer, P-A-L-M-E-R. I reside at 5699 Subbera Road, Cambria. I've got to kind of be all over the place here because I keep taking notes as I've seen people saying things and I'm getting old and I don't remember things, so I got to write them down. So first of all, somebody made reference to a rigged system. Absolutely, it's rigged. It's rigged because the developers and lobbyists were the ones that wrote the regulations. The state admitted they had no one that was qualified to do that, okay?	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see response to comment 2E.
	118B			Another thing. The D.P.S. site that we were all sending our comments in under Article 10, those comments were wiped out. Fortunately, we saved them. They're all back on again under 94C. As far as any offers made, there has been no formal offer of anything, no free power, no discounted rate. That was in passing, they mentioned something. There was nothing, nothing formal, just so you know.	<i>Economic benefits</i>	This comment has previously been addressed on the record. Please see response to comment 2B.
	118C			Another thing I'd like to, you know, I watched the news tonight before I came. Seems to be a systematic problem occurring in this country. I saw tonight on news that the chairman of the committee investigating cryptocurrency that debacle stated that there was a need to stop allowing cryptocurrency industry to write their own regulations. Sort of mirrors the situation here, doesn't it? They're writing their own regulations. Great. So I'd like to begin my part by touching on deception from Cypress Creek Renewables whether by design or ignorance in naming the project, the Bear Ridge Solar Project. They began misleading us from the very beginning. As anyone familiar with the area, knows Bear Ridge Road is not in Cambria at all. It's completely in Pendleton. All right. And that's -- that's where the project takes its name. Another point under deception banner.	<i>Comment not relevant</i>	Comment noted. This comment is not relevant to the draft permit.
	118D			I'm holding the minutes from a meeting, the Cambria Town Hall at Cypress Creek. These minutes right here is a quote from Nicola, one of the coal project managers. Ms. Scavo, I don't believe she works for them anymore. She would like the community to know that they are giving plenty of opportunities to be involved in the input of this project. They, Cypress Creek, know the projects are not successful if the people do not support them. They do not want to go forward with a project that a community does not want, it's not good business. A little later on in that meeting, Councilman Roberts reiterated that. The other co-project manager -- that was quick. The other project manager Kevin, we all remember Kevin. He could have been our kid. Randy, it was reiteration wanted to know what it would take to -- what to -- to get rid of this project if people didn't want it. Kevin says, I will not hesitate to say that a majority of the residents and the governing body of Cambria, oh, I'm saying this. I'm sorry. Kevin said, he -- it was -- it would be difficult to quantify the amount of opposition needed to stop this project. They want to be open, honest and transparent. And we all know about that. I would not hesitate to say the majority of the residents and the governing body of Cambria vehemently voicing their opposition should quantify the amount of opposition needed to stop this project. Okay. And I was -- I was -- I -- I took it upon myself. I commissioned to myself on behalf of our opposition group and those residents of Cambria represent a majority and opposition project to attempt to respond to visual impact of this project. I readily admit that I'm not completely understanding absorbing the total impact.	<i>Comment not relevant</i>	Comment noted. Comment not relevant to the draft permit.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				<p>That thing is this thick. There's no way I can get three minutes and get all that in. So I just have a few points. I took down. A.L.J. FAVREAU: You can submit it in writing. They will read it. MR. PALMER: Yeah, I have to send the whole book. A.L.J. FAVREAU: They'll read it. MR. PALMER: They've got the book. Three point five one. Local residents may view the landscape from ground level or elevated viewpoints upper stories of their homes. So it is assumed that residents may be very sensitive to changes in views from their homes, yards and local community. It is affirmed in the study, that residents will have frequent or prolonged views of the landscape used at a project. Really you had to waste paper on that. We know that, okay? Three point five point two it is affirmed that all communities may be sensitive to changes and views of areas they traveled through on a regular basis. Another waste of paper. We're trying to save the environment. We're wasting paper to write these things down. All right. Four point one -- oh, wait a minute. Three point five point three. It's interesting that in listing examples of recreational locations such as the Erie Canal, Pendleton town park, Empire State Trail, and the Shawnee snowmobile trail that the Cambria Town Park where most of this project is going to be was never mentioned, never mentioned. It is also affirmed that the present scenery enhances the recreational experiences of people passing through the town. Yeah, it does. In this section four point one point two, it stated that photos were taken from eighty-four viewpoints and multiple directions towards the facility site. There are absolutely no photos in the direction away from the site, which would show homes viewing the project. Four point two point three, visual contrast rating. It is stated -- and this is boring stuff, folks, but it is stated that if possible, pos project should not be cited as to obscure or compete with important existing focal points in the landscape. In this case, the landscape is the focal point. It is also stated that elements in the -- in the landscape that are inconsistent with this natural order may detract from scenic quality. It is claimed that when a project is introduced, the landscape order is maintained through the repetition of forms, lines, colors and textures in the surrounding natural environment. Someone explain the similarity of hundreds of thousands of solar panels and inverters in regards to form and colors to fields a wheat corn, alfalfa and soybeans. Also include grasses, brush and trees. As far as I could tell, the only way to do that is to eliminate the natural environment. I have a couple of other things here, but I -- I want other people to speak. You -- you know how I feel. And I want to -- I want to say something about the -- the Cambria opposition group. They're one heck of a bunch of nice people. If not for them, we -- if not for this, I would never have met most of them. I hope we're friends for a long time.</p>		
119	119A	12/14/2022	Karen Kurczynski	<p>Your Honors, I spoke last night. Tonight, I'm going to speak about this being personal. 2004, my husband and I moved in -- excuse me. My last name is spelled K-U-R-C-Z-Y-N-S-K-I. I live at 4643 Saunders Settlement Road where that great big huge signage that says we don't want industrial solar. We moved into a beautiful farm country. I tell everybody I live in cow country. When I moved in, there were cows across the street. I took my grandson over to see the cows he called the moo moos. Across the street from me, Mr. Wassix (phonetic spelling) makes hay, twice a year, sometimes three if they can get it in. To the left of me, they make hay. Behind me they grow soybeans, corn or wheat. When my husband and I first moved in, it was June 18th. And to the right of me, there was a corner section where Mr. Fransiac's (phonetic spelling) farm is that had these three-leaved plants on them and I naively thought they may have been strawberries. No. They were soybeans, lots of soybeans. I've become good friends with Dave Hepner, my husband was his best man. They are very good friends of ours. All the people in the area are friends and neighbors. I've been a resident of Cambria for going on eighteen-and-a-half years. I was a resident of Pendleton for twenty. My yard is a sanctuary to the birds. I see red fox. I hear coyotes. My dog goes nuts when he hears a rifle discharge, but it's wonderful being in the country, even the manure is okay. It's necessary. I want to just say my son is a lineman for National Grid. My grandson's graduating Friday from Georgia. He's going to be a lineman also. That is a dangerous job. My son has got so much. He -- he -- he just loves it. He says we put fire in the wire mom. We take care of those</p>	<i>Agricultural character</i>	This comment has previously been addressed on the record. Please see response to comment 10B.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				people and he's my hero. He keeps our electricity going, guys. That's my kid. And my grandson's going to do that.		
	119B			When Sue mentioned that flood -- that flood covered the floor in my shed, it was up over it. It was up over that whole side of my property. This is where that -- that ditch I was talking about last night. That's where Bull Creek starts. That's where all those solar panels are going to be. When they're talking about the rain runoff, and we had that rain last July, I had water everywhere. Now that water went over to Scott and indeed his little ditch. I don't know how much water you have, but you must have mud for your horses. And that water, as Sue said, is going to contain the lead in the cadmium. It's going to go on. That water covered my garden. I had my garden planted, washed a bunch of stuff away. The only thing that was really left was a tomato. I'm talking about the fact that all these solar panels are going to affect that rain coming down and talk about wind. I live in a wind tunnel. It's open, it's wide open. And solar panels are not going to keep that from happening. I have trees that we've planted, but that doesn't stop the wind here in Cambria. The wind isn't a -- a definite factor here.	<i>Water Resources and Aquatic Ecology</i>	This comment has previously been addressed on the record. Please see response to comment 7B.
	119C			I wanted to just mention because the young lady said something about the radiation. I understand that the inverters are going to be behind my house and in front of my driveway. I'm seventy-three-years-old. I think I'm in pretty good shape for an old lady. I take good care of myself. I tried to keep my weight down. I take my vitamins. I am not under many medications. I'm pretty sharp. I don't want to have that kind of stuff around my house. Radiation. I don't -- I get a -- I -- I go and get a mammogram, but that's for my health. I mean, this is personal. This is very personal. This not just me. It's three hundred and fifty other families, families, little kids, grownups, the school, churches. This is very very burdensome to me. This is my health. My husband has forbidden me when we go camping to talk to the people that we go. It was about -- I'm going to say about twelve other families -- do not talk about it. That's talking about the solar panels. Don't talk about it. You think that doesn't cause problems in my family? Like I said, this is personal. My husband has never been to one of these meetings. But boy, was he interested tonight when we were having dinner and I told him about what happened last night. And he says, were there any station newscasters there? It's like, who cares. You two, gentlemen, are making a very important decision. And I pray to God that when you make it, that you consider what everybody has said. I could reiterate a lot of things, but everybody has said that. And they're the facts. They're not -- they -- they're not exaggerated. They're not lies, they're the truth. We all feel the same way about this. We do not want these solar panels here. And Bear Ridge Solar Panels is cute as that may sound, is not a good thing. Please consider that, and I thank you very much for your time. Like I said, this is very personal.	<i>Public Health, Safety and Security</i>	This comment has previously been addressed on the record. Please see response to comment 9A.
120	120A	12/14/2022	John Soto	John Soto, S-O-T-O, 5226 24 Baer Road, Sanborn, New York. I want to continue where I left off last night concerning some construction issues. I had discussions with the project manager from Article 10 and the project manager for the 94C project in Mr. Wright's office and in town board meetings. I brought up construction issues that are relevant to this area. I consider myself to be a construction expert. I have over thirty years' experience, two billion in completed projects. The first thing that happens on a big project, especially if it has subsidies involved is that we can request twenty-four seven third-party inspections. The Town of Cambria cannot or does not have the staff to inspect this project. They are fixing to use a system called helix anchors to anchor this -- this project into the ground. The -- the soils that are in this area, and I will -- and I want to tell you this too when they did their soil boring test, they did them very close to the roadside, not actually in the fields. So you're not getting an accurate example of what's really out there. Any of these farmers out in this room will tell you what's in those fields. It's amazing how dolomite and granite boulders keep appearing up out of the ground, year after year they drag steel plates, they walk by hand, throw rocks on and -- and get the stuff out of the fields. There's piles of boulders all over	<i>How will boulders impact construction</i>	It is typical in New York and the Northeast for frequent racking foundation refusal. If geotechnical investigations show areas with many boulders or bedrock, there is often a benefit to pre-drill pilot holes for foundation piles. This foundation technique limits or removes the refusal issue. However, when issue for construction level drawings are completed for the racking and foundation design there will be multiple remediation techniques to meet the racking design requirements. Remediation techniques include rock drilling, digging out rocks and boulders and recompacting the ground, or testing the foundation at its refusal depth to ensure it meets the required design parameters. During any event of refusal, the Engineer of Record will be notified, and they will make the determination for which remediation technique is to be used.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit

No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				the town that the farmers sell off. You can see them on the roadsides when you drive down Upper Mountain road. You can see them on Subbera. They're all over through the project area. These helix anchors, when going down into the ground will hit these boulders. We need a twenty-four seven inspector. We need somebody to stand there and make sure that these guys do it right. And we also need to make sure that they're using the submittal process through engineering to make proper adjustments and racking to support the panels when things are over span because they hit a rock and they got to move the dam Helix anchor over a couple of feet. This will happen out there for sure.		
	120B			Another issue is -- I specifically went to Kevin and I asked him. I said, listen, since you guys de -- decommissioning bond is so small and it doesn't take inflation in -- into consideration, I think that you owe it to the community that you should use stainless steel hardware to put the stuff together, so that we can get it apart in thirty years after you're gone. It's not an unreasonable request. Stainless -- this area corrodes galvanized bolts and connections, which is what's in their racking systems. You cannot get the stuff apart after a few short years. We need stainless steel connections. No matter where it -- whether it goes in the industrial zone or wherever it goes, it -- it should happen to any project that's in this area. Stormwater detention. Bull Creek is prone to flooding down -- downstream and towns that are not even here. We -- North Tonawanda floods on a regular basis. It is bad. Bull Creek is only two feet deep. It has as a -- has a bedrock bottom all the way out to Tonawanda Creek, you can't make it any deeper. It's a big deal. You are sheeting millions of gallons of water through any system that sheds water like this to a guttered system. You are sheeting stormwater to say solar panels are -- are permeable, is absolutely ridiculous.	<i>Stainless steel vs galvanized steel</i>	Part of the engineering design includes an analysis of corrosion. The geotechnical report provides soil testing on the corrosivity of the soil, and the design of the steel pile foundations includes an analysis of how much steel may be lost to corrosion for the lifetime of the project. This ensures that sufficient structural steel at end-of-life is present to resist all wind & snow loading.
	120C			Another request that the town has made. Very early on in this project, Kevin brought a submittal to the town board and gave it to us. It was a panel created by Canadian Solar. This panel, at the time, contain cadmium T3. I requested other submittals from Canadian solar for everything that they had from five facial to everything that they had latest stem technology, the whole nine yards. It all contains cadmium T3 from Canadian Solar. Why? Because Canadian Solar is buying their parts from China and assembling them in Canada and shipping them over the border to avoid the tariff of Chinese panels coming in. Because now, it's a Canadian product coming in.	<i>Panel composition</i>	This comment has previously been addressed on the record. Please see response to comment 5E.
	120D			I want to touch base a little bit on Article 94 C. It's really not the ... of the law if it followed. Article 94 C, nowhere in this document, does it recommend or suggest to use agricultural residential zoned land for this process. Nowhere in here does that say that it. It actually says. Over a little bit. A.L.J. FAVREAU: Okay. MR. SOTO: Here it is. Section Five, part F, notwithstanding any other deadline made applicable by the section. The ORES office shall make final decision on a sitting (sic) permit of any major renewable energy project within one year from the date of application was deemed complete. The major renewable energy facility is proposed to be sited on existing abandoned commercial use, included without limitation, brownfields, land fields, formal commercial or industrial sites, dormant electrical generation sites and abandoned or otherwise underutilized sites as further defined in the guidelines promoted by the section. Nowhere does it give them the right to go on agricultural land. If it said agricultural residential land, it would have never got bipartisan support and passed the legislature. They purposely left it out and now they're twisting the law to manipulate town law on land that it doesn't belong.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see response to comment 3B.
	120E			Another part of Article 94 C, Section G, Part ii. I think that's how you say it. The grounds for scope of review of the court shall be limited to whether the decision and opinion of the offices are, a) in court conformity with the constitutional law and regulations of the state and the United States. Article 14-4 specifically states that agricultural land is to be protected for the production of food. (Applause) The law isn't that bad. It's just being manipulated by lobbyists and developers. This one's really going to get you. The land that is being taken for this project is already involved in the state renewable energy program. The state spent ninety million dollars building an ethanol plant in Medina. It's called W-N-Y-E, you can look	<i>Why is solar better than currently renewable energy system of crops going to ethanol plant in Medina?</i>	Based on the results of the Agricultural Landowner Survey (Appendix 15-C), landowners indicated they anticipate continuing agricultural crop productions. Agricultural productions currently taking place on parcels included within the Project Area will be moved to parcels not hosting Facility components or to other parcels outside the Project Area, within the community. Landowners indicated that lease payments will provide a supplement to their income generated from farming. As a result, crops may continue to be grown for ethanol production and the Project

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				it up. The corn and the soybeans are being trucked. We -- we watched it today come right off that farmland and went to Medina and dropped off a load of corn to the ethanol plant off the property that's being taken for this project. It's already being used in the renewable energy program. So what are you gaining? It's factual. You can look it up. To look at the delivery reports, they delivered today. I got video.		will begin supplying renewable energy to the State. Both objectives contribute to state goals of reducing greenhouse gas emissions and combatting climate change.
	120F			I wanted to touch on one more thing regarding what the Sierra Club said yesterday, and how little they really know this community. The farmers are all like brothers here. They rely on each other. They share equipment. They -- they lease from the same landowners. A lot of them are scared to come up here because they face retribution because the current landowners that own the project own additional land to the north and the south. And these farmers are leasing from them. And if they come up here and talk, they're done. And they got millions of dollars invested in equipment. Not to mention, that it's affecting a lot more than farmers. There's other industries. You got John Deere tractors. You got all this stuff. There's big mil -- multimillion dollar equipment here. And you're also got mechanic jobs. The guys who work on the machines. There's all these different trades that you're taking away. But -- but what really happens is, let's say, you got a block of land here, and you got a block of land over here. These farmers got this piece in this farm, he's got this piece in another farm, he's got the piece in the middle. This guy gets old. He can't do it anymore. His kids went to college, didn't want to be farmers. So this guy's got to divvy up his land. So this guy grabs a chunk, this guy grabs a chunk and this guy grabs a chunk. You won't see any of it on the real estate records because it's all handshake deal. Because they're all like brothers. You are missing that whole fact. You remove this land from that system. You are going to affect the demand, the supply and demand of land that's available. You're going to make the cost of lease rates go through the roof because now the other landowner is going to raise his price because there's less available and you're going to cause even more inflation in more -- cost of food and ethanol and everything else that's coming out of here. That's all I got.	<i>demands for agricultural land</i>	This comment has previously been addressed on the record. Please see the response to comment 89G.
121	121A	12/14/2022	Sharon Tasner	My name is Sharon, S-H-A-R-O-N Tasner, T-A-S-N-E-R. I live at 5693 Subbera Road, that's in Lockport. That's in Cambria, New York. The last two speakers are a tough act to follow. Yesterday, I spoke about the potential carcinogens present. They may be present in the solar panels. This evening, I would like to speak about something subjective. And that would be quality of life. My husband, Bob and I started our journey to Cambria in 2018. After a year-long search for a new house. We had lived in excess of twenty- five years in North Tonawanda. It was there that we raised our three children. We found ourselves in an empty big home and felt it was time to scale down, scale down and move to the beautiful rural place of Cambria. Three months after we moved here, John Soto knocked at our door and told us about the pro -- proposed Bear Ridge Solar Project. We questioned our choice about moving here. In hindsight, I doubt that we would have moved here if we knew about this project. We have since suffered emotional distress and anguish as we have educated ourselves regarding the downside of renewable energy. We have considered moving, fencing around our home and growing, planting high growing trees to isolate ourselves. That however, defeated the whole purpose of moving to this area. Much sleepless nights have been become -- because of this proposed Bear Ridge Solar Project. Sirs, this project is about people. It's about our lives, our homes, our families, and our future. This project is about our quality of life. It does not belong in this town. Thank you.	<i>Agricultural character</i>	This comment has previously been addressed on the record. Please see the response to comment 10B.
122	122A	12/14/2022	Ed Saleh	Thank you, Ed Saleh, S-A-L-E-H, 59 -- 5269 Subbera Road. Five years, it's been five years we've dealing with these sleepless nights. Questioning whether we should have moved here. I have three little girls who are ten, seven and five. I don't know what this is going to do and their longevity and their impact. It's been very hard. But I found a bunch of friends who I never thought I'd be friends with until the day I met them. And they have been great for my wellbeing, and I love each and every one of you. Cambria is the central character that binds us together. She's big, She's bold, beautiful and deserves to be protected. She's made up of	<i>Consistency with energy planning objectives</i>	This comment has previously been addressed on the record. Please see the response to comment 2E.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				families, farms, wildlife, dreams and most of all, this wonderful community. The far-reaching impacts this project bestows on our town will be felt for many generations. Upstate New York already produces ninety percent of our energy from renewable sources. Unfortunately - - excuse me, unfortunately what we have here is a serious case of greed energy, that's greed not green. It's a virus that will impact us every day. I'm with Save Cambria, a -- grassroots nonprofit, C-four -- not for profit, excuse me C four and five hundred plus members that signed the town petition and worked hard to stop the encroachment of Cypress Creek from overriding our laws and affecting our town with an industrial power plant that encompasses a facility area of five thousand acres using nine hundred and thirty-seven acres for generation. That's power generation.		
	122B			We earned the local support of governments including the Town of Cambria, Niagara County, other municipalities Starpoint School -- Central School District, all oppose this project. Cypress Creek Renewables was acquired by E.Q.T., a Swedish based investment company. We believe Cypress Creek Renewables was over leveraged and needed to raise capital. In the June 3rd, 2019 article published by Greentech Media, and I quote, "Cypress Creek Renewables one of the largest utility scale developers in the U.S. on Monday announced it will replace a C.E.O. and several other executives as it offered -- as it looks to recover from recent headwinds that led to a substantial layoff earlier this year." If solar is so profitable, why the layoffs? Why develop in Upstate New York? Well, the answer is simple. The land is cheap. And New York has given away free money for a cash cow. ORES was supposed to work with state agencies in communication with NYSERDA to draft regulations as Article 10 was considered slow and burdensome. However, through a series of events ORES in conjunction with renewable industry, outsourced the drafting of the regulations to Tech Tetra. Who are they? They provide Cypress Creek renewables with design and other services.	<i>Viability of solar in Western NY</i>	This comment has previously been addressed on the record. Please see the response to comment 1A.
	122C			So not only do we have a situation where the developers needed a faster way to approve the projects, our government agency worked in cooperation with developers to silence home rule in opposition.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please refer to the response to comment 8B.
	122D			Recently, a town similar to Cambria in this project was not given party status meaning the town of Rush was silenced and steamrolled. Their project was just approved. The recent approval of the draft permit overriding some of our laws sets off a series of events. But before these events take place, the Town of Cambria must be given town a party status. The Town of Cambria and the citizens must have a voice concerning the impacts this project will bring. It is the duty of New York States to allow through our representatives to have a seat at the table. Not to have a Swedish company dictate what happens within our borders. Thank you.	<i>Party status</i>	
123	123A	12/14/2022	Erick Westfall	Erick Westphal, E-R-I-C-K W-E-S-T-P-H-A-L, 4560 Lower Mountain Road. I'm opposed to this project. And I've been opposed to this project for a long time. I'm one of the people in this town that belonged to the local snowmobile club and got muscled by one of these landowners. Snowmobiling is over a five-million-dollar industry in the state with revenue that is split up amongst clubs. Spent locally to maintain -- maintain trail systems buy materials locally by volunteers. I was maintaining thirty miles a trail within Niagara County. A lot of it is in the Town of Cambria. One of these landowners approached me and said, if you want to trail through my ground, you have to support this project as a club. This point this -- the club is funded by New York State Parks. And I told him that we cannot support you. We are a state-funded organization. He shut that trail down, cut our system in half. And we were looking at losing half of our funding for that year. We come together. We found a reroute by these gracious people allowing us to reroute on land at the last minute. I just want to put into perspective what we're dealing with here. These people don't care what they have to do or say or who they hurt for profit. This cannot go here. (Applause) I asked you guys, take all this into consideration. Put your place, put your home, where our home is and sit there and think about what you would want. Think long and hard you have a very hard decision to	<i>Public Recreation</i>	The Applicant identified a network of nine snowmobiling trails throughout the Study Area maintained by the Shawnee Sno-Chiefs and the Northern Erie Sno-Seekers (Exhibit 3 Section (k)). No impacts are anticipated to snowmobile trails due to Facility construction or operation. Cypress Creek will work with the landowners and local snowmobile club to accommodate the snowmobile trails.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				make here. And it's one you have to live with the rest of your life also along with us. Thank you.		
Mail and Email Public Comments (Redacted)						
124		11/24/2022	Greg Rice & Susanne Merrell	To whom it may concern, My wife and I live in the Ransomville portion of Cambria, NY and are excited and proud that our local community is supporting modern energy technology. We enthusiastically support the Bear Ridge Solar Project We are absolutely in favor! Thanks	<i>Statement of support</i>	This comment is a supportive comment in favor of the Bear Ridge Solar Facility.
125	125A	12/13/2022	Senator Robert Ortt	STATEMENT FROM SENATE REPUBLICAN LEADER ROB ORTT "Over the last few years, New York State has altered its siting process in a way that silences local voices, and as we see here with the prospective project here in Cambria and Pendleton. ORES has eliminated any and all meaningful participation in the process by local groups and has actively denied towns and interested local groups from being granted party status in discussions. We have also seen the dismissal of local laws by waiver, and zero consideration is given to entirely valid objections that have been raised. "You would be hard-pressed to find an individual in this room who would object to our state moving its energy policy in a direction that creates a cleaner and more responsible environment for our children and future generations. However, this movement should not come at the residents' current well-being and should most certainly not be done in the backyards of communities that raise extremely valid concerns. "We continually see the dismissal of concerns held by upstate and western New York communities in the interest of progressive Albany and New York City politicians, bureaucrats, and Green New Deal advocates	<i>Party Status</i>	See Applicant's response to Town of Cambria's Petition for Party Status and Municipal Statement of Compliance.
	125B			. These upstate and western New York communities, largely based around farming and agriculture, have a unique and quaint nature, one that has been built into its community culture over generations. By replacing these communities' farming and natural lands with unwanted solar energy projects, you are stripping away much of what makes these towns and villages special. "The way in which this process has taken, by excluding the concerns and voices of local parties, has highlighted the extreme overreach of the bureaucrats in Albany who have commandeered an already heavily slighted process. "New York State must revisit the current siting process that is in place and reaffirm to the residents of the communities, like Cambria and Pendleton, that their voices and concerns do matter. New York State must respect local laws and local concerns. Local governments and interested local groups must be granted party status and a seat at the table when discussions are being held. " I stand with the residents and opposition groups here this evening in calling for transparency and fairness as we oppose how this project and the discussions around it are being handled."	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see the response to comment 7A.
126		12/13/2022	Angelo Morinello	Thank you for the opportunity to present testimony regarding the Bear Ridge Solar, LLC Project on behalf of the Town of Cambria and its approximately 6,000 residents. At no time are my comments to be interpreted as a denial of the need to address fossil fuels but are directed to a process that violates local control within its boundaries. The State of New York has crafted regulations regarding this type of project, an industrial-sized solar energy emplacement, disregarding the residents and taxpayers within the geographic boundaries of a municipality. The authority of local governments to exercise self-government has been a matter of constitutional principal in New York (see Kam hi v. Town of Yorktown, 74 N.Y. 2d 423, 428, 548 N.Y.S. 2d 144, 146, 547 N.E. 2d 346, 348 (1989). The State of New York, to benefit Solar Project Companies at the expense of local rule, crafted measures to make the siting process easier. The obvious result of the easing of the process was to benefit solar companies while destroying acres of farmland. >	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see the response to comment 8B for discussion of Project compliance with local laws.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				<p>Cambria is a farming community which will be losing valuable farmable land to the installation of solar panels. The tranquil lifestyle of the residents of Cambria will be diminished by the installation of large solar fields within view of taxpaying residents. In this day and age, the studies reveal the need to produce healthy food, fruits and vegetables, on our own shores and not rely on foreign and imported products. People go hungry every day and to diminish farmable land availability will only increase food shortages. It is ironic that Governor Hochul has just recently approved a new protection fund for farmland and agriculture. The fund is meant to provide protection for viable farmland in New York as the state also seeks to expand the development of solar projects. Senator Michelle Hinchey, Chairperson of the Senate Agriculture Committee, stated "With the climate crisis changing the face of agriculture as we know it and rendering top food producing states, like California, unequipped to respond, New York must act now to protect local farmland and ensure a stable food supply for our region." Assemblywoman Donna Lupardo, Chairperson of the Assembly Agriculture Committee, stated "Given the global climate crisis and the urgent need for renewal energy projects, agricultural land has become an attractive option for solar development. To protect our food supply, farmland protection must remain a priority in New York's path of reaching aggressive climate goals. The Agricultural and Farmland Viability Protection Fund is an important first step in ensuring that these two priorities work hand in hand." It is also important to take into consideration the Federal Farmland. Protection Policy Act (FPPA). The Act is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. The questions I leave with the Office of Renewable Energy Siting (ORES) are: 1. Why would you even consider trampling on the constitutional right of local control for a municipality within its boundaries? 2. Why would you consider destroying valuable farmland when there is a pathway to accomplish the climate goals and preserve farmland by not approving projects out of industrial designated zoning uses? 3. Why would you consider destroying viable Farmland given the fact of Governor Hochul's approval of the Farm and Agriculture Protection Fund? Respectfully submitted, ANGELO J. ORIN ELLO, Assemblyman, 145th District AJM Attachment (Attachment included website article titled "Hochul approves farm and agriculture protection fund"</p>	<i>Agriculture</i>	<p>These comments have previously been addressed on the record. Please see the response to comment 7A for an explanation of impacts to farmland. Please see the response to comment 69C for discussion on food security. Please see comment 25D on a response to Governor Hochul's approval of the farmland and agricultural protection fund.</p>
127	127A	12/13/2022	Alora Brusino	<p>Bear Ridge Solar Public Comment Hearing</p> <p>Instead of flat-out saying no to the Industrial Solar, only issue a permit if the company is willing to submit to the conditions. The Town of Cambria's farmland should absolutely be preserved + not developed. The only land that should be developed for Industrial Solar is land that had already in use + developed. Solar farms could easily go over existing parking lots or buildings. There should absolutely not be any projects in Cambria that clear-cut trees fill in farmland. If the solar company can't use existing developed land, then they should not have a permit issued. If the Bear Ridge Solar Company can not or will not comply with the rules of the permit, they will have their permits revoked. *I say no to* THE CURRENT PROJECT AS IT IS CURRENTLY CITED* Small scale solar should be encouraged instead, over previously developed land, parking lots, driveways.</p>	<i>Agriculture</i>	<p>This comment has previously been addressed on the record. Please see responses to comment 7A.</p>
	127B			<p>There will be no greater loss than the losses of our ecosystems of plants, birds insects, animals, trees, habitat + farmland + wetlands. These are not renewable resources!! Anything other than small-scale solar projects, should not be welcomed or encouraged. The residents of the Town of Cambria has spoken: NO to Bear Ridge Solar.</p>	<i>Natural Resources</i>	<p>This comment has previously been addressed on the record. Please see response to comment 26C.</p>
128		12/13/2022	Roger A. Cook	<p>Good afternoon. Please accept this statement by Roger A. Cook, co-convenor of the Interfaith Climate Justice Committee, which represents representatives of some fourteen (14) faith communities in Western New York. The ICJC supports the Bear Ridge Solar project. Mitigating global climate change is a moral imperative to protect life. We must keep global temperatures from rising beyond 1.5 degrees Celsius (2.7 degrees Fahrenheit) above historic temperatures to avoid dangerous climate change. In this regard,</p>	<i>Supportive comment</i>	<p>This is a supportive comment in favor of the Bear Ridge Solar Project.</p>

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				we believe the clean, renewable electricity to be produced by the Bear Ridge Solar project is an important factor.		
129	129A	12/14/2022	Gale Palmer	I pray to my God and my deceased parents, to give you the strength, courage and knowledge to do the right thing for our picturesque town of Cambria, New York. Your decision could change; both physically and emotionally; the fabric of this charming community forever	<i>Visual</i>	This comment has previously been addressed on the record. Please see comment 10B.
	129B			. Just to clarify, all speakers that spoke last night were against this project in agricultural land where some resident's homes would be surrounded on three sides by panels. I did not however hear one of them voice that they did not want panels placed on industrial land in our town, rather quite the opposite. Panels belong in industrial zones not in residential and farming lots in the countryside. This is what our group COIS as well as the town officials have requested from the start. Those that spoke in favor of the project last evening however do not live in this town, have any stake in the outcome of your decision and at times were misinformed by what they were. saying. I ask that you take that into consideration when you review this hearing and make your decision. God bless and thank you for your time.	<i>Siting constraints</i>	This comment has previously been addressed on the record. Please see response to comment 3B.
130		12/14/2022	Erin Zwack	To whom this may concern: My husband and I moved to the town of Cambria for its open greenspace, rich farmlands, and that small town feel. We both strongly oppose this solar project for several reasons and hope that our concerns (as well as 99% of the residents here) are heard and considered. Not only will it unnecessarily ruin rich farm lands and take up usable greenspace, it will also cause more traffic, more noise, and add an eye sore to our beautiful community. It doesn't make sense to destroy our dwindling environment that's already battling climate change and pollution. Why not utilize dead space like landfills, parking lots, tops of buildings that are completely under-utilized?!? Look at other countries - these deadspaces can be such a benefit! The greed of these large OUT OF TOWN corporations only benefit 1% of our residents, if that, and it is only an opportunity for them to capitalize on investments for themselves. This project does nothing to benefit us or our surrounding areas. Why let them in? This doesn't even include the fact that they don't care if there are malfunctions, and they would "let it burn", and leave all the waste behind. This isn't "RENEWABLE". This is a lie and a complete waste of land, space, money, and energy. I hope this falls into the right hands and all of our voices are heard. Please don't let this unnecessary and extraordinarily expensive project go through. Sincere and kind regards Erin A Zwack	<i>Public Health, Safety and Security; Loss of agricultural land; Traffic, Noise; Visual; Decommissioning</i>	These comments have previously been addressed on the record. Please see the response to comment 5B for discussion on health and safety impacts. Please see comment 7A for discussion on impacts to agricultural land. Please see the response to comment 35D for discussion on the Facility's impacts to traffic. Please see the response to comment 27G for impacts to noise. Please see the response to comment 10B for visual impacts. See the response to comment 5C for information on fire management related to the Facility. See the response to comment 5D for information on decommissioning related to the Facility.
131		12/14/2022	Jenna Warren	I wanted to be at these meetings, but I have obligations with my kids during these times that I just couldn't find someone else to help me with. I'm not sure if this email will even get to you in time for tonight's meeting, but I live at and I have several concerns about this solar farm. Maybe you could get this to someone who is in the decision making body so they could hear my concerns? If not, I completely understand. 1. Town ordinances being broken for this project- what kind of precedent does this set for the future of our town? Where will it ever end if they allow this solar farm to happen? 2. Property values- there is a reason so many people are moving into Niagara county, one being the land and natural beauty ... nobody wants to have a huge, ugly solar panel 100 ft from their neighborhood. 3. Aren't we a right to farm community? Where does this solar panel stuff all fit into that?	<i>Local Laws, property values, natural resources, location of storage facilities</i>	These comments have previously been addressed on the record. Please see the response to comment 8B on local laws, 2D for property value, 26C for natural resources, and 36H for storage facilities.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				<p>4. Run off issues- I live directly on the escarpment in Cambria, with potentially 900 acres of land being up for grabs here, I am worried about how the runoff will be affected. I know that it was a freak rain storm 2 summers ago, but my property is literally the run off point from upper mountain, thrall, carriage lane and escarpment dr. I am truly worried that my house, along with others, could flood if we ever get another storm like that. Our neighborhoods weren't built with a solar farm in the equation. The engineers and land developers weren't accounting for this There was a literally lake surrounding my house and the water traveled around my house and down off the escarpment. The escarpment became a waterfall.</p> <p>5. Speaking of storms- how will these solar panels handled the hail, ice, etc we get around here? When then break, what will be leaking into our ground water?</p> <p>6. Where are the "storage facilities" going to be for these solar panels? I would assume there will be times when the energy these panels gather will be more than DOWN STATE is using Where and how is this energy stored?</p> <p>7. Why are they building here when the energy ISN'T even for us? That seems a bit intrusive to our community huh? Susan, I am not sure I have all my facts straight and if something seems amiss in my writing, I'm sorry, please just disregard it, but in my research this is what I</p>		
132		12/14/2022	James Deuro	<p>Good evening. My Name is James Deuro. I purchased property in our town in 1988 and built my home in 1996. I live at _ Town of Cambria. Thank you for the opportunity to have my voice heard and to share my opinion on the proposed siting of the Bear Ridge Solar project being proposed by Cyprus Creek Renewables LLC Let's start off with LLC or Limited Liability Company. What is a Limited Liability Company? A Limited Liability Company is a corporate structure that personally protects owners of the company from company liabilities. In other words, the owners of this company that would like to fundamentally and forever change the face and environment of our town, the place where we live and raise our families, would be held harmless should anything go wrong with this project in the future. Be it fires, leaching chemicals into the groundwater, whatever. The OWNERS of this company will legally and personally avoid having any skin in the game. This doesn't come off as an acceptable term to proceed with such a large project. Who will be responsible for removing these panels at the end of their life cycle. The residents of this town deserve better and need to be protected from a potential ecologic disaster. I find it absurd that this project could potentially leach cadmium, lead and other heavy metals into the groundwater or emit noxious gasses into the air should there be a fire. With the size of a project like this, the potential for such a disaster needs to be a consideration to protect the residents of the community. I would like to comment on the 8ize of the project. It is proposed to have a 900-acre footprint and it runs right through • - I the middle of our town. This is a MONTOROUS footprint. It will undoubtedly have a negative impact on ecological conditions and of the agricultural community in general. I am of the opinion that a project of this size should be located in an existing brownfield, or an area zoned industrial. To remove 900 acres of farmland in the middle of our town from our community forever for an industrial sized solar panel farm against the wishes of the town's residents would be a contemptuous act showing no regards for the residents opposing this development, which appears to be most of its residents. The only people that I have heard speaking up for this plan are people that do not reside in our town. Given that these panels have a limited lifespan, 20 to 30 years at best, this isn't anywhere close to a permanent solution of addressing the greenhouse gas issue that the so-called climate alarmists are concerned with. The fact is, is that there are two sides to every argument. Being led around by our noses by the climate alarmists may not be in anyone's best interest since they seem to be willing to fundamentally change our way of life with their bureaucratic edicts. Mankind has forever been able to keep warm through the cold winters by the use of firewood. Next year we are being told that we won't be able to heat our homes with firewood in the State of New York. How did this law get passed you ask? By unelected and unaccountable bureaucrats, that's how, and it's wrong. Natural gas,</p>	<p><i>Public Health, Safety and Security; Local laws; Natural Resources; Property Values, panel origins</i></p>	<p>These comments have previously been addressed on the record. Please see the response to comment 9A for discussion on impact to health as safety related to the Facility. See the response to comment 5C for further discussion on the applicant's fire management plan. See the response to comment 8B for further discussion on the Facility's compliance with local laws. See the response to comment 26C for further discussion on the applicant's response to natural resource impacts. See the response to comment 2D for further discussion on impacts on property values. See the response to comment 5E for information on solar panel composition.</p>

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				which had up until recently been touted as a "clean" form of energy will no longer be available to homes after next year. How did this happen? I'll tell you. It happened because of edicts from unelected bureaucrats. It's wrong. This is not how our government is supposed to serve us. How many of us have forgotten that our governments are supposed to serve us? Instead, they treat us as if we were their subjects and take away individual rights and pass laws that turn us into criminals. Just look at what has happened to the 2nd amendment in the state of New York. Well neighbors, it's time to fight back against the edicts of unelected bureaucrats when they can unilaterally change the face of an entire town the size of the Town of Cambria. It's been rather clear to me that the residents of this town are opposed to this project. It's time for Cypress Creek renewable to scale down, move out or follow the zoning laws of our town. I am concerned that the developer still has not indicated which type of solar panels that they intend to use. Will they be manufactured in China? I personally try my hardest to avoid purchasing anything made in China. They have been poisoning us with their tainted goods for decades. The last thing that I want to see in my town is 900 acres of anything made in China. While I will not be surrounded by these panels, I am very, very sorry for those that will be. Their property values will be decimated. The Love canal area should be able to provide about 60 acres for this type of initiative. But it shouldn't be built right in the middle of our town.		
133		12/14/2022	Joanna Torreano	As a resident of the Town of Cambria, if I want to make any alteration of my house, I have to go before the town board for approval. If they refuse, I have to accept the decision. That's a democracy. When the Solar company wanted to put solar panels up, the people of the town said no. We were told if you don't want us, we'll leave. Yet, here we are today. Why? A report by CNBC stated that between April 2020 and June 2021, solar panels atop Amazon fulfillment centers caught fire or experienced electrical explosions at least 6 different times. What safeguards are in place should this occur in the Town of Cambria? Being told, let it burn is not safe. A gentleman from Wilson came last night stating that solar panels are a good idea. In addition, people from Amherst and the Sierra Club also think it's a good idea. I say, let's put the panels in their backyard. How is any of this a good idea when it jeopardizes so many people's lives? You have a very hard decision to make. But for me, the question you need to ask yourself is would you want this in your backyard?	<i>NIMBY; Public Health, Safety and Security</i>	These comments have previously been addressed on the record. Please see the response to comment 3B on siting constraints, 5C for fire management, and 9A for health and safety.
134		12/14/2022	Paul D. Reid	I CONSIDER THE KEY WORD FOR THIS PROJECT TO BE INDUSTRIAL- - . THE PROPOSED USE IS FOR AN INDUSTRIAL SOLAR POWER GENERATING PLANT. I DO NOT RECALL A TIME WHEN ANY LOCAL COMMUNITY WOULD ALLOW AN INDUSTRIAL PROJECT TO BE SITED AMONGST RESIDENTIAL AND AGRICULTURAL ZONED LAND- IT SIMPLY WOULD NEVER HAPPEN. IT SHOULD NOT HAPPEN NOW! I STRONGLY DISAGREE FOR NYS TO OVERRIDE DECISIONS BY OUR LOCAL COMMUNITY. LOCAL LAND USE IS BEST CONTROLLED LOCALLY- -ALLOWING THE STATE AND NON-LOCAL CITIZENS TO MAKE DECISIONS ON BEHALF OF OUR LOCAL TOWN EMASCULATES THE ROLE OF OUR LOCAL POLITICAL LEADERS- -LEADERS THAT ARE ELECTED TO SERVE OUR LOCAL PEOPLE. WHEN THE STATE DISPLACES LOCAL OFFICIALS IT ALSO EFFECTIVELY EMASCULATES THE INTERESTS OF THE LOCAL TOWNSPEOPLE.	<i>Local Laws</i>	This comment has previously been addressed on the record. Please see the response to comment 8B for discussion on local laws and zoning.
135		12/14/2022	Alora Brusino	*Reservoir State Park 132 Acres just the park* *937 acres 1.464 square miles* *550 Acres Robert Moses Niagara Power Plant* 682 Acres combined of State Park and Niagara Power Plant Reservoir. Still 255 LESS THAN the 900 Acres proposed solar project by Bear Ridge Solar!!!! Project would be * Cambria is 39.71 square miles 3.5418 of town or 25,414.4 acres. Our natural resources in Cambria of healthy, viable farmland, vineyards, natural habitat for countless endangered species of birds, small+large animals, amphibians, insects, pollinators	<i>Agricultural and Environmental Impact</i>	These comments have previously been addressed on the record. Please see the response to comment 7A for discussion on the Facility's impacts to agriculture and please see the response to comment 26C for discussion on the Facility's impacts to natural resources.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit

No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				<p>→ which depends on in a Right to Farm community to pollinate all of our agriculture crops, fruit trees, + grape vines, And we are known nationally + internationally for having some of the world’s best soil +growing conditions for fruits + vegetables.</p> <p>Topsoil is NOT a renewable resource, takes 50 years of compost +natural cycles to produce 1 inch of healthy topsoil.</p> <p>Our waterways are NOT a renewable resource once they are polluted + the plants and trees that grow alongside their banks PREVENT Flooding + are crucial to keep the water clean.</p> <p>With populations declining nationally, it is critically important for local pollinator populations to have good food sources in the plants grown here + naturally occurring flora.</p> <p>I have done good work with the organizing efforts of the Niagara Sierra Club in the past + not so distant past of blocking the Northern Access pipeline that was slated to run through Niagara County and Pendleton – and am baffled that the Sierra Club would chose to support the Bear Ridge Solar Project when so many of the environmental concerns they rallied against the pipeline with are the same or very similar.</p> <p>AS for the jobs created many/most of them will be temporary + be only for building the project, they will not be long lasting.</p> <p>And as far as the “benefits” dangled in front of us as bribes to accept the project – see those only as what they are – bribes. Furthermore, it is insulting that they would dare to offer people living within 1000 feet of the project. They will not be the only people affected by the project a better offer would have been to offer ALL of the people of Cambria free solar power for allowing this. And even that is not an offer that would be a sustainable trade for the loss of landscape + biodiversity to the area + one I would not be willing to accept.</p> <p>The loss of these natural resources we, the people of the Town of Cambria say, ARE NON-RENEWABLE!</p> <p>We cannot get those back once they are lost. Solar projects should only be built on land that has already been developed over parking lots that already exist, or on buildings that have already been built.</p> <p>There is no reason to waste the land that we are so blessed to live on.</p> <p>With all the people of Cambria united in their opposition to the Bear Ridge Solar Project, I would plan on more resistance if this company dares to proceed.</p> <p>I say NO to approving the Bear Ridge Solar Project for a permit on application #21-02104</p> <p>Alora Brusino</p> <p>**I propose that the Town of Cambria not issue any permits or suspend energy permits that are not in compliance with Town of Cambria laws.</p> <p>*I also ask Wright H. Ellis, Cambria Town Supervisor to hold a town wide meeting within 30 days for Cambria residents only, to review local solar laws, land rights, and to review any local laws, ordinances, environmental rights + consider writing new amendments – open to Cambria + Pendleton residents only.</p>		

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				Given or near-unanimous opposition as Cambria residents, we must continue to be unified in how we decide to move forward in a way that benefits everyone.		
136		12/17/2022	n/a	We do not want these solar panels in our small farming community. Please take your panels and go somewhere else. Thank you.	<i>Statement of opposition</i>	Comment noted.
137		12/17/2022	Paul Torreano	Look in the mirror. I just have one question for you, would you want this solar project by your house? Joanna Torreano (Town of Cambria)	<i>NIMBY</i>	This comment has previously been addressed on the record. Please refer to the response to comment 3B for discussion on siting constraints.
138		12/17/2022	David LaRock	Hello I am voicing my concern and general objection to the 900+ industrial solar project planned in Cambria NY. I am not in opposition to solar itself. I am in opposition to the location of the proposed project. The land is not zoned for such an industrial solar project of this magnitude it is zoned for agricultural use. The town of Cambria has industrial zoned land and has offered that to the company that is planning the Bear Ridge Solar project already. The company is not interested in the industrial land instead they are only interested in the agricultural land as the agricultural land is at a much lower tax cost. The town along with the many residents of Cambria has said no we do not want this in agricultural space. We have followed all the appropriate steps that are currently in place by local governments to protect our town and have continually had higher ranking government offices/ officials block our objections to this project and the company is allowed to proceed. The local laws and ordinances are in place for a reason to protect residents from companies who do not respect them or the residents wishes for the company's own financial gain. Please do not let the current proposed agricultural land be used for the Bear Ridge Solar project. Please respect our local town zoning ordinance and place this industrial solar project where it belongs on industrial zoned land in Cambria. Thank you David and Danielle LaRock	<i>Zoning and Agricultural Impact</i>	These comments have previously been addressed on the record. Please see comment 8B for discussion on zoning. Please see the response to comment 7A for discussion on the Facility's impacts to agriculture.
139		12/21/2022	Sherree Swanson	I am against the use of limited valuable farmland to be destroyed by a solar farm. There are plenty of areas to place these where it is minimizing damage. For example, along thruways.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see the response to comment 7A for discussion of impacts to agricultural land.
140		12/20/2022	Jim Dunch	I live in farm area. Don't want any solar It also cost more than Elec. we have now.	<i>Agriculture</i>	This comment has previously been addressed on the record. Please see the response to comment 7A for discussion of impacts to agricultural land.
141		12/13/2022	Karen Dunch	Cost too much for elec. Bills.	<i>Finances</i>	Comment noted. Comment not relevant to the draft permit.
142		12/20/2022	Kirk R Brown	Your Honors , 20 December 2022 Good evening , First I'd like to thank you for coming to our community here in Cambria and listening to our Public Hearing on Bear Ridge Solar---- page 1 Being 72 years old, married for 51 years, being a Vietnam Veteran - I've seen , experienced and done more than most people will ever do in their lifetime--- one of the many things I've learned in life is to be patient and think major decisions through---look at all outcomes, both positive & negative before making a major decision- basically, use common sense after weighing everything A couple of RED FLAGS I've noticed-they are-- 1) Why is Bear Ridge Solar a LLC company ? Why , because they don't want any financial responsibility if something goes wrong , THATS why- just lay it on the taxpayers of that community (the LLC is a Firewall) 2) The Town of Cambria is well known as being a very scenic rural community- even people from Erie County are familiar with our community and the beauty of the escarpment and its rural setting-why would anyone want to destroy that ? Once it's gone , its gone 3) What logical reasoning would someone want to take 900 PL US acres of agriculture land that is presently producing 1000's of bushels of corn & soybeans yearly that are being sent to Medina, NY for making Ethanol Fuel and replacing crops with Solar Panels-logically, it doesn't make any sense---both are producing "green energy " so what is being gained ?? This is just the tip of the iceberg for reasons why it's a bad idea---- I'd be willing to bet & I'm not a gambling man , that the majority of "PRO" green supporters live either in apartments , townhouses, condo's or live in a sub-division cul-de-sac in or around a city ---they have absolutely never lived in the country and have no	<i>Local Laws; Visual; Agriculture; Public Health, Safety and Security</i>	These comments have previously been addressed on the record. Please see the response to comment 8B for further discussion on local laws. See the response to comment 10B for discussion of visual impacts associated with the Facility. See the response to comment 9A for discussion of health and safety.

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				<p>idea what country living is---"country life " is exactly why people move to the country and want to raise their families here--All in all - its a healthier way of life-if this project is approved, it will have a DIRECT NEGATIVE IMPACT on a very large number of families" way of life" not to mention their" personal health" Received by ORES via Postal- 12/20/22 page 2 **** After giving this much thought, I think I may have come up with a solution----- Many southern Counties here in Western New York already have Large Industrial Windmill Farms- those communities have welcomed these projects with open arms----the windmills usually are on open hillsides , population is limited---WHY NOT, have the SOLAR FARM installed" UNDERNEATH" the massive windmills? 1) the scenic view that once was there is gone now 2) BUT MOST OF ALL ---the POWER INFRASTRUCTURE is already there to carry the addition power from the Solar Panels to the Grid- has to be a HUGE savings With any large project like this, there's a Give&. Take---- You would have to locate a corridor where there is a limited amount of snow fall every year, There's at least 12 different counties that this project could be constructed on that are mostly rural-- you also have to remember, it's just snow- its not permanent- it melts NOW WEIGH the other choice---if the project is built in Cambria, you're going to affect dozens of families lives- dozens- you're going to affect the adults , the children , entire families and not in a positive way--- (I'm not including all the other issues that were brought up at the meetings) THIS PROJECT CAN EASILY BE PUT IN ANOTHER AREA IN THE NEW YORK STATE- IT DOESN'T HAVE TO BE PUT IN CAMBRIA- THIS PROJECT IS NOT "PROGRESS"- ITS JUST THE OPPOSITE - IT BELONGS ON PROPERTY ZONED 'INDUSTRIAL' NOT" AGRICULTURAL" & SURELY NOT " RESIDENTIAL" People today are more aware of the history of corrupt Government & Corporate ~environmental decisions introduced by Lobbyist & Bureaucrats that have absolutely no regard to our environment -it only has regards to money- nothing with regards to-p-eo-p---,-es __ health , safety or wellbeing (examples-Love Canal , Pacific Gas & Electric (Erin Brockovich)---in 30 years when these panels all have out lived their usefulness, what then?? The LLC will be long gone , you know that- the mess they will leave will be on the local residents- this is a really bad, bad idea - (Fusion Power is in the near future) I ask you---please use your common sense & heart in making your decision -a Corporation does not have a "heart beat" --people/ families do Respectfully, Kirk R Brown</p>		
143		12/20/2022	Roger Palmer	<p>Attention to all parties charged with permit consideration of the "Bear Ridge" solar project: I am writing today in regards to the draft permit associated with the possible construction of Cypress Creek Renewables' "Bear Ridge" solar project within the Towns of Cambria and Pendleton located in Niagara County, New York, case number is 21-02104. I have a concern in regards to the tracts of land on which the "Bear Ridge" solar project is tentatively being sited. It is my understanding that the project, in its entirety, involves 937 acres of agriculture/residential zoned property. There are currently eleven parcels that make up the 937 acres which are contained within a six square mile area. As a side note I would like to mention that there are three hundred and fifty homes within a one-mile sight line of the project. Many of these parcels are individually sited and, not so, in a contiguous fashion. It is also my understanding that, under the ORES 94c siting process, the project must be sited wholly as one land mass. That is, all tracts should be joined contiguously. By its nature the project should not be "pieced out" on separate tracts of land throughout the Towns of Cambria and Pendleton in miscellaneous areas under the same moniker of the "Bear Ridge" solar project. If this is, in fact, the case and the parcels are not directly and physically connected then each should be treated as a separate project. Also, if treated as separate and individual projects with available acreage, individually, sufficient only to contain a project size under 25 megawatts, then they would no longer be sited under the guidance of 94c, but rather local solar laws. How is it that noncontiguous tracts of land are being considered one property especially when they are owned by three different land owners, with some placed under the LLC banner still under their control? Another matter of concern, that I have, is one that involves the NYSORP Classification Codes. According to the NYSORP Classification</p>	<i>Local Laws and Aesthetic Impact</i>	<p>These comments have previously been addressed on the record. Please see the response to comment 8B in relation to local laws and see the response to comment 10B for a discussion on visual impacts resulting from the Facility.</p>

**Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments**

Comments Provided on the Bear Ridge Solar Draft Permit						
No.	Comment ID	Date of Comment	Commenter	Public Comment	Comment Subject	Applicant Response
				Codes, land within the five-mile study area is dominated by residential land comprising 41 percent, agricultural land at 24 percent and vacant land at 18 percent (NYSORP 2019). With so much land devoted to residential use how can ORES consider permitting a developer to construct an industrial renewable energy complex within the boundaries of and among these residential properties? It is unconscionable to think that an agency of the state, operating under the auspicious of the government of New York State, which is charged with protecting and serving its residents, would even consider morphing towns so heavily developed with private residences into an industrial zone. My hope and desire are that any and all parties charged with ruling on the draft permit for Cypress Creek Renewables' "Bear Ridge" solar project will look into and investigate the concerns I've expressed and find that the project should not be sited as it is currently or allowed to be constructed as one project for the reasons I have put forth. Considering that the property in question is currently zoned agriculture/residential allowing the construction of an industrial site on said property would be a severe detriment to the rural character and identity of the Town of Cambria, which would suffer the brunt of the project. Thank you for granting me this opportunity to express my concerns and for placing my letter into the record of the permitting process. With great sincerity and all due respect,		
144		12/22/2022	Linda Piper	This is a huge power plant, not a farm that doesn't belong on residential, agricultural land. Our farmland in NY is supposed to be protected. This land will never be able to be farmed again and what happens after 20 years when the panels are useless. They are only 20 some per cent efficient when new. We have snow and no sun half the year. The battery storage needed is dangerous and there is over 200 families that live on the perimeter. How can you possibly justify letting something like this going forward. It is criminal and you are talking away New Yorker's zoning rights.	<i>Public Health, Safety and Security; Environmental Impact; Battery Energy Storage</i>	These comments have previously been addressed on the record. Please see comment 9A for discussion on health and safety. Please see the response to comment 26C for discussion on the Facility's impacts to natural resources. There is no battery storage associated with the Bear Ridge Solar Project.
145		12/22/2022	Jan Palmer	To Whom It May Concern, page 1 As a 30+ year resident of Cambria, NY, I am expressing my opposition to the Bear Ridge Solar Project sited for the Towns of Cambria and Pendleton, Niagara County, NY. Niagara county has had several toxic projects in the past, such as Model City and Love Canal which has left a considerable number of brownfields within Niagara county. A project such as a 900-acre solar field spread out over 1.25 miles of working agricultural land is not in the best interest for our town. While I understand renewable energy, we cannot renew the 900 acres of working farmland once the solar project is installed. Utilizing brownfields, which are uninhabitable for humans, livestock or agricultural use makes much more sense. I am concerned about the possibility of fire, which has happened in the past with other projects, a fire would emit toxic fumes in our air, affecting the school campus housing all children K-12 and 350 residential houses within a 1-mile radius, and onto the 5700 citizens of the Town of Cambria alone. Another consideration is the possibility of leaching hazardous metals including lead, cadmium and others should the panels be compromised. Bull Creek would catch any runoff, runs through the proposed site and subsequently through other towns which house a variety of fish and some endangered birds. Consideration of housing values decreasing, changing the landscape of this rural community and for these reasons, among others, this project does not belong in our town, please consider saving the beauty and viable agricultural land of our towns. Thank you for your consideration of my concerns.	<i>Public Health, Safety and Security; Environmental; Aesthetic Impact</i>	These comments have previously been addressed on the record. Please see the response to comment 5C for discussion on fire management and safety impacts. Please see comment 9A for discussion on health and safety. Please see the response to comment 26C for discussion on the Facility's impacts to natural resources. Please see the response to comment 10B for visual impacts.
146		12/23/2022	Gale Palmer	Due to the blizzard conditions in Cambria NY I would hope you would give me some latitude in regards to the cutoff time of 5:00 pm December 23, 2022 for submitting these petitions.	<i>comment regarding public comment deadlines</i>	This comment is not relevant to the draft permit.

References

ACPA. (2022). Solar Panels in Your Community. American Clean Power Association. Retrieved January 16, 2023, from <http://cleanpower.org>

Bear Ridge Solar Project – Matter No. 21-02104
ORES Draft Permit – Response to Public Comments

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Meeting Minutes

Project Name: Bear Ridge Solar Project
EDR Project No: 17181
Date: September 23, 2021
Persons Present: Jared Kirk, David Mitcheson, Rikki Cason, Emily Proutey, CCR
Steven Wilson, YS
Megan Quinn, EDR
Jon Schultz, Niagara County Fire Coordinator

Presented below are meeting minutes from our introductory meeting regarding fire and emergency response at the Bear Ridge Solar Facility.

- CCR and EDR provided a description of project and the current status of the Safety Response Plan.
- CCR O&M Team discussed risks associated with any fires at a solar facility, including:
 - Fires are preventable through vegetation management and equipment inspections.
 - Fires are a risk with any energy facility.
 - Main impact area is vegetation and fire containment within the panel areas.
 - Full-time O&M technicians will have fire extinguishers and will be trained and able to extinguish smaller vegetation fires and will also be trained on incident protocol.
 - O&M staff will work with the fire departments on Emergency Action Plans and identify how to mitigate damage at the site.
- YS asked about current preparedness of emergency responders for energy facilities.
 - Because no solar facilities exist within the area, the Cambria, Wendellville and Pendleton volunteer fire departments have not had training for such a response.
- The Fire Coordinator requested a copy of the safety plan and discussion with him and other departments once that is available.
- The team advised the Fire Coordinator that the Safety Plan will be provided ahead of the next call with volunteer departments and municipal supervisors.
 - We asked the Coordinator to identify any concerns, questions, comments, equipment notes, or any known inability to deal with fires or hazardous substances.
 - We also requested that the Coordinator reach out with any information needs.
 - We will follow up and provide Facility site plans and the Safety Response Plan as a package to the Fire Coordinator.

- The Coordinator will assist in identifying Entry/Egress points, and emergency responder routes when received.

Copies To: File

These meeting minutes have been prepared by Megan Quinn of EDR. If there are any discrepancies, please notify our office within three business days of receipt.



Meeting Minutes

Project Name: Bear Ridge Solar Project – Fire and Safety Consultation Meeting

EDR Project No: 17181

Date: October 25, 2021

Persons Present: Megan Quinn, EDR
Steve Wilson, Young / Sommer Law Firm
Keith Silliman, CCR
Rikki Cason, CCR
Jared Kirk, CCR (via Phone)
Wright Ellis, Town of Cambria Supervisor
Matt Foe, Councilman, Town of Cambria
Joel Maarten, Town of Pendleton Supervisor
Sharon Tasner, COIS group Vice President
Robert Roberson, Town of Cambria Attorney
David Godfrey, Niagara County Legislator and Chairman of County Safety Committee
Mark Davis, Outside Counsel, Town of Cambria
Mark Walter Dep Town Pendleton
Legislative officer, Town of Cambria
Jonathan Schultz, Niagara County Fire Coordinator
Cambria Fire Chief
Assistant Fire Chief, Cambria
Mathew Berry, Wendelville Fire Chief
Mark Hane Deputy Coordinator of HazMat, Niagara County
Members of Sanborn Pekin, Cambria, and Wendelville Fire Departments

Overview of Project and Purpose of Meeting (Keith Silliman, CCR)

- CCR provided an overview of the project and permit timeline. CCR also explained the purpose of the meeting including fire company involvement to (1) convey potential emergency or hazardous substance incidents at the Facility, and (2) receive feedback regarding fire companies' preparedness. CCR conveyed that the goal is safety through all phases of the project (construction and operation, decommissioning)
- CCR provided current status of the Project regarding 94-c Application and discussions with National Grid on interconnection agreement, and NYSEDA contracts
- CCR provided background on the company including installation of 4 GW of solar throughout the country and are therefore familiar with operations and maintenance

Potential Emergency Situations (Jared Kirk, CCR)

- Facility remotely and constantly monitored for emergency incidents from Durham NC monitoring station (e.g., electricity can be turned off during an emergency)
- Any electrical faults or mis-controls will be understood from the data collection center

- When Ops has full care/custody/control of the site, there will be 24/7 365 monitoring from Durham NC with onsite staff during business hours (2-3 people in addition to other subcontractors)
- Common risks:
 - Trespass –
 - Perimeter fencing will be checked at the start of each shift to ensure plant status control and no non-authorized access has occurred
 - Fire –
 - Staffing of the facility and monitoring efforts are preventative measures along with routine equipment maintenance, in addition to drone thermal scans of the site to determine differences in ambient air temperatures
 - Prevention, maintenance, and training are the key means to address this risk
 - Most common occurrence are small incipient fires that are generally able to be extinguished by site staff (fire extinguishers substation control house, in tools, and in trucks)
 - Incident commander policy and procedures will be in effect during the operational period
 - Contact of 911 (first) for dispatch of local emergency services and Dispatch of site plan manager (second)
 - Health and Safety Response Plan – includes information for each emergency contingency
 - Types of fires:
 - Electrical injuries
 - Vegetation fires due to faulty equipment
 - Injury on site (OSHA 300, NFE 70-E, and other trainings)
- Training and working with local law enforcement and emergency responders provide for an immediate and coordinated response rather than reactive response

Question and Answer Discussion

- Question from Fire Coordinator Jonathan Schultz – why delay moving of emergency responders if CCR is aware of the fire? Should this be a direct call to 911
 - If the fire occurs on the opposite end of the site it would be difficult to extinguish in time.
 - Can local fire departments work with CCR to investigate incidents?
- Question from Supervisor Wright Ellis – How many staff people and where will they be based?
 - No O&M facility planned at this time, CCR is still determining details of the site operations plan (Plan will be in place before construction)
- Question about use of UAVs – How will the site be monitored by drones during poor weather conditions?
 - Policing of areas of concern would be on foot in poor weather or poor visibility conditions
- Involvement of local departments – “How can we be assured that all the incidents will be communicated with the fire service at the site?”
 - CCR will review every incident and provide a report back to the departments and/or involve them in the investigation

- CCR is updating the Safety Response Plan to reflect that local emergency responders should be contacted in the event of any fire, regardless of whether onsite staff can extinguish.
 - Feedback on the Safety Response Plan from Fire Coordinator Jonathan Shultz –
 - The plan is very basic and does not include enough information regarding training type, who will be conducting the training, what would it be, when would training occur, what types of fire extinguishers will be present at the site, etc.
 - Per CCR, this is the first version of the plan to meet regulatory requirements; we want to work in emergency responder concerns and will update the Plans along the way to ensure that we can work together effectively and efficiently when the Project is built
 - Training would include Mock fire drills, man down drills, substation malfunction drills, dialogue interaction, etc.
 - Organizations in the renewable energy sector do provide fire prevention and training and CCR would be willing to bring a consultant in to provide training
 - Question regarding who will be contracted to construct the Facility –
 - IBEW local will be contracted to install the site per CCR
 - Comment from Town legislator regarding Safety Plans and Security Plans
 - CCR will provide a couple plans from existing facilities for review, with contact information for those implementing the plans.
 - Question from Fire Coordinator Jonathan Schultz regarding how monitoring of the Facility occurs –
 - Substation building has a number of computer servers and internet connections with remote operating center as part of SCADA system, every combiner box, inverter, transformer, etc, all are mapped through network communication. A cellular modem for internet connection will be utilized with additional backups for coverage loss prevention
 - If Comms/SCADA communication are lost, the onsite technician would be contacted to investigate
 - Sub-contracted network engineers on retainer could also be called to fix the problem
 - This is not a common problem, and communications are generally quickly restored
 - Question from Niagara County HazMat Coordinator –
 - Worst case scenario from HazMat standpoint would be that a derailment occurs on the CSX line through the site, communications/monitoring of the facility is down, and onsite techs are not allowed access because of the HazMat situation. How would this be handled?
 - Per CCR – in addition to procedures in the safety plan, utility (National Grid) could disconnect the Facility if communications and monitoring are not available, no techs can access the site, etc.
 - Question regarding access of the site during off hours –
 - Keyed access is typically done by combination lock; Emergency Action Plan signage outside the entrance gate with contact information as well
 - Knox boxes may also be used or multi-lock solution, depending on local responder preferences
-

- Question regarding how the Site Security and Safety Response plans are reviewed by the state -
 - In tandem with state 94-c application review
 - Question regarding vegetation maintenance of the site – What is the plan? Are the driveways plowed during winter?
 - A subcontractor will be staffed full time on site with mowing equipment
 - Insurance requirements do not allow vegetation to grow above 18 inches
 - Vegetation management is necessary to prevent module shading, health and safety risks. This is a huge part of maintenance and fire prevention strategy
 - Vegetative screening buffers will be treated differently
 - Long term vegetation management plan will be filed with DPS/ORES prior to construction and will address these issues
 - Oversight of facility management from the state is more intensive than a SEQRA/locally approved project
 - Question regarding decommissioning and safety – how will safety be addressed for this phase of the project?
 - Decommissioning bonds go back to the towns so there is a mechanism for decommissioning
 - Question regarding storage of damaged panels –
 - Per CCR, a Module recycling company will be contracted during operation of the Facility. Panels may be stored on site until they can be recycled; damaged panels will not be disposed of in a land fill
 - Question regarding any additional storage needs at the Facility –
 - Per CCR, a 40-foot container for storage of non-climate controlled equipment (new and damaged modules) will likely be needed Would be stored near the entrance of a locked gate or an O&M facility
 - Question regarding access roads and emergency vehicle accessibility -
 - Road width, road type? CCR responded that access roads are planned at 16 feet wide comprised of gravel. CCR to provide additional information.
 - No hydrants or ponds are proposed to provide for water source in case of a fire
 - Question regarding grounding requirements
 - None specific to vehicles per CCR as only a 115kV tie line is proposed adjacent to the substation.
 - Question regarding access road construction with NYSDAM guidelines and topsoil storage
 - NYSDAM guidelines will be followed for construction in agricultural areas. CCR will provide additional information regarding topsoil storage in agricultural areas at the project site.
 - Construction drawings will indicate topsoil storage areas
 - Question regarding security lighting at the Project–
 - No permanent lighting is proposed in PV arrays; OSHA guidelines will be followed during construction and maintenance activities to provide temporary lighting. Only permanent lighting is that required in the substation yard
 - No lighting is installed across the site for illuminating during emergencies or for security reasons. If trespass becomes an issue, security cameras may be installed with night vision;
-

movement will be indicated in the control center. Other deterrent factors can be used if requested by the Facility owner or the Towns.

- Question regarding size of inverter stations -
 - Usually 600-800 kW; 2-3 MW inverters could also be used at larger sites. CCR will provide additional information regarding the size of inverters planned at the Facility.
- Question regarding hazardous materials at the Facility –
 - CCR has a master contract with US waste for hazardous spill clean up
 - The only oil storage at the site is in the transformer at the substation (oil)
 - CCR will verify whether or not the inverters also hold a small amount of oil
 - CCR to provide the PV module type planned at the project
 - SDS for transformers, oil types, and PV panels will be provided.
- Question from Fire Coordinator Jonathan Schultz regarding site mapping and numbering -
 - Right now no numbering is established, but will be when the Facility is constructed. This information will be provided to emergency responders.
- Question regarding how are modules cleaned -
 - CCR cleans PV modules with water and friction only. A machine attached to a truck runs along the row of PV modules.
 - CCR to provide information regarding mitigation of wash water at the site (SWPPP)
- Question regarding material needs for emergency response –
 - CCR will provide any materials needed specifically for emergency response at the solar Facility.
- Question regarding trespass or vandalism – are there any triggers to the Durham NC monitoring system?
 - Yes, motion camera solutions at access/egress and easier during the day time
 - Would be based on need for security if these issues arise
 - These incidents would be investigated and could be made available if local agencies are interested
 - What if a gate is left open at night? Gate alarms are not currently built into the design of this facility per CCR.

Next Steps and Action Items

- CCR to provide information regarding the following items related to the fire and safety discussion:
 - How often do thermal scans occur?
 - CCR to provide the Draft SPCC and the Health and Safety Plan for review
 - CCR to provide the number of transformers, amount of oil containment, material of solar panels, SDS sheets, inverter size and any oil storage, PV module type and composition
 - Has a 209-U evaluation of the general municipal law been conducted?
 - CCR to provide fencing feet and access road feet planned at the Project
 - Fire and safety plans, health and safety plans from other operating projects – Town of Cambria would like these provided within a week
- CCR to provide information regarding ancillary items:
 - Topsoil storage in agricultural areas

- Mitigation of wash water from PV module washing – CCR to provide draft SWPPP.
- The Safety Response Plan will be updated to reflect the following:
 - In case of a fire emergency, the ground will be sprayed rather than the panels
 - Investigation of incidents will be added, including state reporting protocols and contact of local emergency responders
 - Health and Safety Plan reference will be added to the Safety Response Plan
 - The Plan will be updated to include information about specific safety risks from the following sources:
 - Bull Creek
 - CSX Rail Line
 - DOT Transportation Route 31
 - Proximity to public buildings (e.g., schools)
 - Local responders will be contacted in the events of any emergency by the Site Manager or observer of an emergency event (e.g., fire, spills, medical emergencies, security concerns)

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These meeting minutes have been prepared by Megan Quinn of EDR. If there are any discrepancies, please notify our office within three business days of receipt.

MEMORANDUM

TO: Sierra Club, Atlantic Chapter

FROM: Keith Silliman, Senior Project Developer

DATE: February 8, 2022

REFERENCE: Bear Ridge Solar Project – Sierra Club Large Scale Renewable Endorsement Criteria Information.

Cypress Creek Renewables is pleased to submit the following information to the Sierra Club Atlantic Chapter as it assesses a potential endorsement of the Bear Ridge Solar Project (the Facility). We look forward to meeting with you at our Project Office in Pendleton, New York. To the extent that you have additional questions or require any additional information, please contact the Project Developer Keith Silliman at KEITH.SILLIMAN@CCRENEW.COM or (518) 788 - 8665.

The proposed Facility is a 100 megawatt (MW) alternating current (AC) photovoltaic (PV) solar energy generating project located within the Towns of Cambria and Pendleton, Niagara County, New York. The Facility Site will be located on private lands that are primarily rural in nature and total approximately 937 acres, of which approximately 524 acres will be occupied by Facility infrastructure and maintained for the life of the Facility (e.g., up to 40 years). A map of the Facility Site showing the proposed layout of project components is attached. Key terms used frequently to describe the Bear Ridge Solar Project are defined below:

- **PROJECT:** Collectively refers to permitting, construction and operation of the Facility, as well as proposed environmental protection measures, and other efforts proposed by the Applicant.
- **FACILITY SITE:** The parcels or portions of parcels proposed to host the Facility components and/or associated facilities.
- **FACILITY:** The proposed major renewable energy facility. Bear Ridge Facility components will include: PV modules and their rack/support systems; direct current (DC) collection lines and communications cables connecting the modules to inverters; the inverters with their support platforms, control electronics, and step-up transformers; buried alternating current (AC) medium voltage collection lines; security fencing and gates around each array of PV modules; gravel access roads; temporary laydown areas; medium voltage-to-transmission voltage substation with associated equipment and fenced areas; a short length of transmission voltage line (approximately 260 feet) to connect the system to the designated point of interconnect (POI); a switching station, to be owned by National Grid, that loops the existing Mountain – Lockport 115 kV transmission line through the POI.

1. IMPACT OF FORESTED LAND: MINIMAL TO NO REMOVAL OF MATURE FOREST ECOSYSTEMS. ANY REMOVAL OF LARGE TREES TO BE MITIGATED BY REPLANTING OR FUNDING NEARBY FOREST PROTECTION.

The majority of the land where the Project will be sited (81%) is currently in active agricultural use. Forestlands comprise approximately 8% of the Facility Site, the majority of which are classified as successional northern hardwoods. These forested ecosystems include a mix of hardwood and softwood species and occur on sites that have been previously cleared or otherwise disturbed and therefore are not considered a mature forest ecosystem. Minimal tree clearing will be necessary to construct and operate the Project. However, during construction approximately 11 acres of successional forestland will be cleared for installation and maintenance of Facility components. These areas are largely within formerly disturbed areas (railroad corridor) and lack significant ecological value. A map of ecological communities and anticipated impacts areas within the Facility Site, as well as calculations of impacts to plant communities (Exhibit 11 of the 94-c Application) is attached.

2. IMPACT ON WETLANDS AND RIPARIAN AREAS: MINIMAL TO NO IMPACT ON WETLAND AND RIPARIAN AREAS; MINOR IMPACTS TO BE SIGNIFICANTLY MITIGATED.

To avoid impacts to wetlands and surface waters at the Project Site, data collected during wetland and stream delineations was used to inform design and location of project components. As a result of this iterative design process, impacts to nearly all wetland and surface water features have been avoided.

However, construction of the Project is anticipated to result in minimal temporary and permanent impacts to wetlands and streams. Within the Facility Site 22 wetland complexes were delineated totaling approximately 80 acres. Of those wetlands, eight will have some form of impact during Facility construction, however only 0.24 acre of wetlands will be permanently impacted. These impacts are largely planned where previous disturbance has occurred and allow for the installation of larger culverts that provide greater aquatic life movement and enhancement of existing access roads. In regard to streams and riparian areas, impacts have largely been avoided with only 169 feet of permanent impact proposed to one of the three streams within the Facility Site. This stream is a drainage ditch that follows a former rail bed and provides minimal ecological value. Facility components have been setback from the remaining two higher quality streams and no impacts are anticipated.

To further mitigate any potential impacts to wetlands and riparian areas, a Stormwater Pollution Prevention Plan (SWPPP) will be implemented at the Project during construction, which will prevent sediment loading into surface waters and wetlands. Construction best management practices and third-party environmental monitoring will also be implemented to ensure that impacts will be minimized to the greatest extent practicable.

The SWPPP, a map of anticipated wetland and stream impacts, and a discussion of impacts, avoidance, and minimization measures regarding surface waters and wetlands (Exhibits 13 and 14 of the 94-c Application, respectively) are attached.

3. IMPACT ON BIRDS AND OTHER WILDLIFE; FOCUS IS ON ENDANGERED OR PROTECTED SPECIES: PROJECT IS SITED IN A MATTER THAT HAS LITTLE PERMANENT IMPACT ON WILDLIFE.

Areas within the Facility Site were determined by the Office of Renewable Energy Siting (ORES) to be occupied wintering habitat for northern harrier (*Circus hudsonius*), a state-listed threatened grassland bird species that would be adversely impacted by construction and/or operation of the Project. The determination was based on site-specific studies conducted by the Applicant (breeding bird survey, winter raptor survey, habitat assessments; all of which concluded that occupied habitat for northern harrier did not exist at the site given the extent of active agricultural operations [81% of all lands associated with the Project]), historical use data of protected species at the site from various publicly available data sources, and input from the New York State Department of Environmental Conservation (NYSDEC).

The following avoidance and minimization measures have been implemented to avoid and minimize impacts to state-listed grassland bird species to the extent practicable, given the myriad of other siting constraints inherent to the development of a solar energy generation project:

- No PV arrays (or other components) were proposed in certain fields adjacent to the Project where there have been historical breeding and wintering, and recent wintering occurrences of state-listed grassland bird species;
- According to the preliminary occupied habitat estimate provided by ORES in September 2021, over 180 acres of identified occupied wintering habitat occurs outside of areas planned for solar project development. In addition, approximately 1,988 acres of occupied wintering habitat preliminarily identified by ORES remains outside of the Project and will therefore not be developed;
- Project components were intentionally placed in areas primarily used for row crop production rather than areas dominated by grasses and forbs which provide greater habitat value for grassland bird species; and
- Higher quality habitat areas (including farmlands) located off-site were not pursued for development and have been avoided following input from the NYSDEC regarding state-listed species observations and observations made during site-specific avian surveys.

To further mitigate impacts to grassland bird species at the Project, construction of the Facility will primarily take place between April 1 and November 14 to avoid direct impacts to wintering grassland raptors that could potentially be using the site. If construction activities occur outside of this window, a third-party environmental monitor will be present and will conduct routine surveys to ensure that

foraging activity is not taking place prior to the commencement of construction activities for the day. A Net Conservation Benefit Plan has also been developed for the Project to preserve and manage a minimum of 90 acres of open land for 30 or more years on a parcel with high-quality grassland habitat adjacent to lands where the Project is sited.

Note that New York State's Climate Leadership and Community Protection Act requires the development of renewable energy projects in order to significantly increase the generating capacity of renewables, meet clean energy goals, and combat climate change. As many policymakers, scientists, and renewable energy developers are aware, climate change represents one of the most significant threats to a wide variety of wildlife species, and it may threaten two-thirds of North American bird species with extinction. Thus, any potential impact to bird species and their habitat from development of renewable energy projects must be balanced against the environmental threats to those species and their habitats posed by a failure to act to address and mitigate climate change.

Attached, you will find Exhibit 12 of the 94-c Application which discusses the results of on-site studies and queries from public databases, consultation with state agencies regarding the Project, various avoidance, minimization, and mitigation efforts to address impacts to protected wildlife species, and copies of the survey reports (with photographs of the site), documented correspondence, the determination of occupied habitat from ORES, and the Net Conservation Benefit Plan.

4. IMPACT ON FOOD PRODUCTION AND WORKERS: THE BEAR RIDGE PROJECT WILL HAVE MINIMAL IMPACT ON FOOD PRODUCTION.

All landowners involved in the Bear Ridge Solar project willingly entered into lease agreements with Cypress Creek Renewables. During project development each landowner receives yearly due diligence payments. Once project construction commences, the landowners will be significantly compensated in the form of bi-annual rent payments. An agricultural landowner survey was conducted for farm landowners involved in the Project. All landowners indicated that they would continue active agricultural operations on other parcels or portions of parcels not hosting Facility components (for row or field crop production) following construction of the Facility. Nearly every landowner indicated that solar development was a good alternative to residential development pressures in the region, and that the additional income from the Project made it a compatible use. Copies of responses to the agricultural landowner survey are attached.

Cypress Creek Renewables supports the planting of pollinator species at all of its solar installations, and we have installed an example of a pollinator garden at our Bear Ridge community outreach office. We are exploring the potential for other dual use agrivoltaic measures at all of our large-scale projects in New York State.

5. TAX BASE: CYPRESS CREEK RENEWABLES HAS PROPOSED A PILOT PAYMENT AND HOST COMMUNITY AGREEMENT TO THE TOWNS AND THE COUNTY.

In 2019 Cypress Creek Renewables presented the framework for PILOT Payments and a Host Community Agreement to the Towns and County. We have proposed a PILOT that would provide \$4 million for Local Tax Contributions—through a forthcoming PILOT agreement with the Towns of Cambria and Pendleton, Niagara County, and Starpoint School District. Once the Bear Ridge 94-c Application has been deemed complete by the Office of Renewable Energy Siting, Cypress Creek Renewables envisions engaging the Towns, School District and County in discussions regarding both PILOTs and a broader Host Community Agreement.

We have attached a Power Point Presentation regarding potential PILOT payments that was given to the Town of Cambria in July 2019.

6. LABOR AGREEMENTS: CYPRESS CREEK RENEWABLES HAS BEEN ENGAGED WITH LABOR UNIONS SINCE 2019 ON THE BEAR RIDGE PROJECT.

Discussions with local labor unions culminated in the execution of a signed Memorandum of Understanding (MOU) with the International Brotherhood of Electrical Workers (IBEW), 3rd District in August 2021. A copy of this signed agreement is attached.

7. COMMUNITY ENGAGEMENT AND LISTENING: WE HAVE DEVELOPED A ROBUST COMMUNITY ENGAGEMENT PLAN IN ORDER TO KEEP THE TOWNS UP TO DATE ON PROJECT DEVELOPMENT.

In the Fall of 2019, Cypress Creek Renewables opened a local community engagement office in Pendleton to support the Bear Ridge Project. We have also hired a local outreach coordinator, who staffs the office. A project website has been created (<https://ccrenew.com/projects/bearridge/>) and we regularly issue newsletters to the community. Cypress Creek Renewables has a standing monthly call with the Cambria Town Supervisor to discuss the status of the project and ongoing activities. The local citizen's group involved in solar siting also participates in the monthly updates.

We have attached a copy of our community engagement plan and current outreach log (beginning in 2017) for your review.

8. WIDER COMMUNITY BENEFITS:

Cypress Creek Renewables has committed to creating a Host Community Benefit Fund, which can be used for projects such as wetland habitat restoration, endangered species protection, historic preservation, renewable energy education and other long-term projects. The fund as we envision it would be structured as follows:

Host Community Benefit Fund

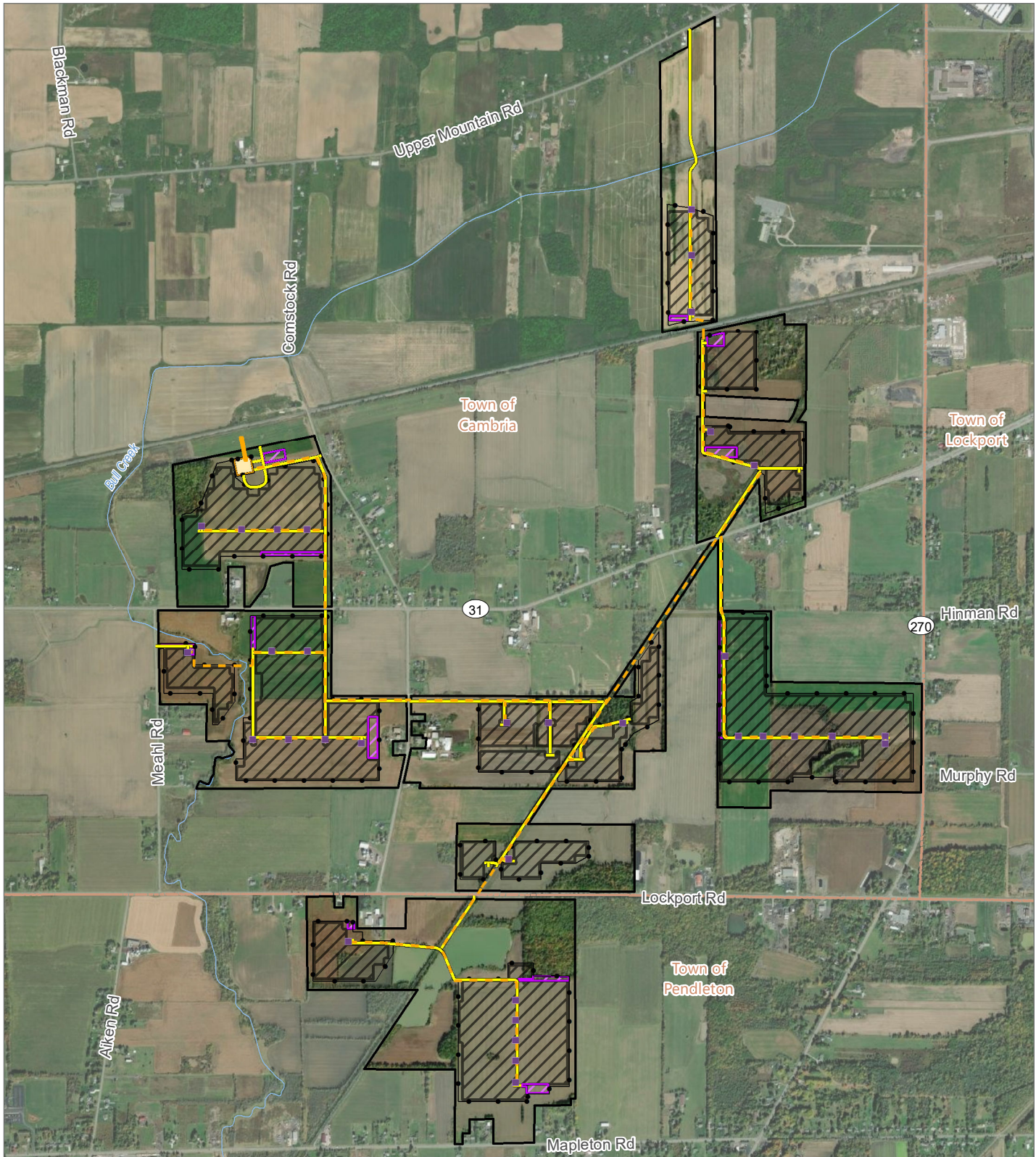
- \$2 million for Electricity Rate Discounts—free power for 10 years for all residents and households living within 1,000 feet of the Bear Ridge Solar project, up to \$90 per residential household per month (note: this may be superseded by the Bill Credit System being implemented by NYS).
- \$1 million for Cambria Town Improvements— to help facilitate local projects and investments in the community.
- \$1 million for Pendleton Town Improvements— to help facilitate local projects and investments in the community.
- \$200,000 for Youth Farming, Workforce Development, STEM Scholarship Programs – to support pollinator-friendly agriculture, job training, scholarships, and student activities
- \$80,000 for Fire Department Support—providing equipment to help enable emergency responders to keep the community safe.
- \$20,000 for Niagara Falls Air Reserve Station—supporting the armed forces, veterans, and Niagara County’s largest employer.

As Cypress Creek Renewables continues to engage with the Towns and County, through the Section 94-c process and through PILOT negotiations, the exact structure of the Host Community Benefit Fund will be refined. In addition, please find attached an analysis of socioeconomic effects of the Project that was conducted in support of the Section 94-c Application (Exhibit 18).

9. ADDITIONAL CONSIDERATION: INDIGENOUS NATIONS CONSULTATION.

Cypress Creek Renewables has engaged with the Seneca Nation and the Tuscarora Nation as part of the Section 94-c Process. To date no sites of historical significance that would be significantly impacted by the Bear Ridge Project have been identified. The Tuscarora Reservation is located nearby the Project and Cypress Creek Renewables will be conducting outreach with the Tuscarora Environmental Program on job training and other opportunities related to the Bear Ridge Solar Project.

Figure 2-2: Facility Layout

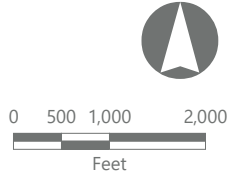


Bear Ridge Solar, LLC Project

Towns of Cambria and Pendleton,
Niagara County, New York

Section 94-c Application
Matter No. 21-02104

- Facility Components
- Access Road
 - Collection Line
 - Transmission Line Tap
 - PV Array Area
 - Fence Line
 - Inverter
 - Substation
 - Laydown Area
 - Facility Site



Bear Ridge Solar

Solar to Power 25,000 Homes

Presenter: Keith Silliman, Cypress Creek Renewables

Rob Panasci, Young Sommer LLC

Date: December 12, 2022



Meeting Agenda

1. PILOT and Taxes
2. Host Community Agreement
3. Questions + Next Steps

Bear Ridge Total Benefits Proposal

Total Local Benefits of \$10,300,000 over the first 20 years

Contributions to the Community and Town Residents

1) Town of Cambria	\$2.88MM	<i>Focus on public improvements, conservation, workforce development and STEM education, and veterans initiatives</i>
2) Town of Pendleton	\$0.72MM	<i>Similar focus to Cambria contributions</i>
3) Utility Bill Pay	\$0.5MM	<i>Utility bill pay program (\$500 per MWac for 10 years) for Town residents</i>
4) Joint Cambria <-> Pendleton Neighbor Fund	\$0.2MM	<i>We are pursuing partnerships to support local community college workforce development, emergency responder equipment upgrades, veterans initiatives, and youth farming programs</i>
Community Payments Subtotal	\$4.3MM	
PILOT/Tax Subtotal	\$6.0MM	<i>\$3k/MWac/yr = \$6MM total for first 20 years alone</i>
HCA + PILOT/Tax Total	\$10.3MM	

Payment-in-Lieu-of-Tax (PILOT) Agreement

Bear Ridge Solar is committed to offering a comprehensive PILOT agreement to all taxing jurisdictions.

- PILOTs provide consistent, annual payments for at least the first 15 years of the operational period of the project
- County IDAs have PILOTs terms up to 30 years for existing renewable projects
- Bear Ridge Solar proposing a payment of \$3,000 per MW for general real property taxes.
- Bear Ridge Solar still pays all underlying Special District Taxes such as fire protection and other applicable districts



Payment-in-Lieu-of-Tax (PILOT) Agreement, continued

- Even with the PILOT payment, real property taxes will still be paid on the underlying land.
- Without a PILOT program in place, Cambria would receive approximately \$40,000 in annual general tax payments from the solar project.
 - The general real property taxes paid for the underlying land where the solar project will be located is ~\$32,000.
 - Town's portion is ~\$1,925, which will increase to ~\$40,000 without a PILOT in place.
- Without a PILOT program in place, Pendleton would not receive any annual tax general tax payments from the project because it does not have a general tax.



2022 Cambria Budget



4160 UPPER MOUNTAIN ROAD • SANBORN NY 14132-9416
 Telephone: 716-433-8523
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 Wright H. Ellis, Town Supervisor

2022 ADOPTED BUDGET TAX RATE

GENERAL			no town tax
	<u>848,310</u>		
HIGHWAY	455,250.316	\$1.863392 per 1000	+\$0.031 (+1.67%)
	<u>42,848</u>		
DRAINAGE	498,092.005	\$0.086025 per 1000	+\$0.002 (+0.20%)
	<u>569,534</u>		
FIRE PROTECTION	498,562.775	\$1.142352 per 1000	+\$0.016 (+1.43%)
	<u>475,805</u>		
REFUSE	2255	\$211.00 per unit	+\$5.00 (+0.024%)

Highway Tax is \$848,310

Assume 2% cap – increase of
 ~17,000 per year.

Fire Protection \$569,534

Company will pay ~\$24,405 in year
 1 toward the fire protection budget

2022 Pendleton Budget

SUMMARY					
CODE NO.	ACCOUNTS	APPROPRIATIONS AND PROVISIONS	LESS EST. REVENUES	LESS UNEXPEND BALANCE	AMT TO BE RAISED BY TAX
A	GENERAL	\$3,194,276.00	\$2,195,578.00	\$998,698.00	\$0.00
DA	HIGHWAY	\$1,929,994.00	\$1,602,231.00	\$327,763.00	\$0.00
SW	WATER DISTRICT	\$1,203,809.00	\$363,425.00	\$370,000.00	\$470,384.00
SF	FIRE PROTECTION	\$552,550.00	\$2,550.00	\$0.00	\$550,000.00
SR	REFUSE	\$489,773.00	\$13,500.00	\$0.00	\$476,273.00
SS	TTL SEWER DISTRICT	\$425,277.00	\$425,277.00	\$0.00	\$0.00
	TOTALS	\$7,795,679.00	\$4,602,561.00	\$1,696,461.00	\$1,496,657.00

No Town Tax

Fire Protection \$550,000

Company will pay ~\$3,700 in year 1 toward the fire protection budget

Questions, Discussion, Next Steps

