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Governor

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Chair

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President and CEO

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

Instructions: The purpose of this form is to provide NYSERDA with the necessary information required to submit a Notice of Intent (NOI) to the Department of Agriculture and Markets (NYSAGM) for the Project Developer. Please populate all fields in this template, as applicable, and return to NYSERDA, with a copy to commercial.industrialpv@nyserda.ny.gov, and upload as part of your NY-Sun Commercial/Industrial application. Please include additional documents if desired and include required maps and/or other figures as outlined below in the response sent to NYSERDA. If the proposed project impacts more than 30 acres of Mineral Solar Groups (MSG) 1-4, please refer to the Long Notice of Intent Submission Form. NYSERDA has provided Contractors with mapping resources (the interactive map is available here) to assess the level of overlap that their Facility Area is expected to have on MSG 1-4.

I. Project Maps

Provide the following maps showing the site of the proposed action:

- The proposed solar array layout of the project on an aerial image.
Label or annotate the map with all affected landowners, including tax map numbers, surrounding land uses, and type(s) of agricultural production.
Label all points of interconnection with the public utilities, all transmission lines associated with the project, equipment storage or mobilization pads/construction areas, and access roads/driveways
A copy of the NRCS Web Soil Survey map of all affected parcels, including the breakdown of soils impacted (Soil Groups 1 - 4)1.

II. Project Description and Agricultural Setting:

Project Address: County:
Authority Having Jurisdiction: Agricultural District:
Total Parcel Size: Total Facility Area2:
Impacted MSG (1-4) acres within Facility Area: Project Size (kWac):

Project Name:
Public Entity: NYS Energy and Research Development Authority
Project Company:
Project Developer:

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

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

New York State Energy Research and Development Authority

Albany
17 Columbia Circle, Albany, NY 12203-6399
(P) 1-866-NYSERDA | (F) 518-862-1091
nyserda.ny.gov | info@nyserda.ny.gov

Buffalo
726 Exchange Street
Suite 821
Buffalo, NY
14210-1484
(P) 716-842-1522
(F) 716-842-0156

New York City
1359 Broadway
19th Floor
New York, NY
10018-7842
(P) 212-971-5342
(F) 518-862-1091

West Valley Site
Management Program
9030-B Route 219
West Valley, NY
14171-9500
(P) 716-942-9960
(F) 716-942-9961

Project Developer Information:

Name/Title: Company:
Phone Number: Email:

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

Name/Title: Company:
Phone Number: Email:

Name/Title: Company:
Phone Number: Email:

Anticipated date of commencement of proposed action³:

Date of Interconnection Application:

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

Affected Landowners⁴:

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

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

³ The commencement date is the first day the Project Developer/Developer starts any construction-related activity and may include, but is not limited to, creating access road(s), digging underground trenches, starting land clearing, staging supplies and/or equipment, or installing solar panels.

⁴ Provide the names, addresses, and tax parcel identification numbers for the landowners that are directly affected by the construction of the proposed project within the agricultural district. This includes the owners of the land where the project will be constructed and any other landowner that may be affected by the construction of an access road or transmission lines across their property. Do not include landowners within the project vicinity that are not within the agricultural district.

III. Adverse Agricultural Effects:

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

Yes No

If no, please cite approvals which are still pending:

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

Yes No

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

Yes No

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

Yes No

If no, please explain:

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

Yes No

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

Yes No

IV. Alternatives to the Proposed Action:

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

Tax Parcel ID

Reason Not Selected

V. Mitigation measures proposed:

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

- I confirm that the Project will conform to the NYSAGM Guidelines, in their entirety.
- Signed copy of Guidelines included in application.

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

- Yes
- No

If no, please explain:

Additional mitigation measures proposed, if any:

When this form is completed, the Project Sponsor must provide his/her signature prior to submitting the form to NYSERDA.

Project Company

Date