

**PROJECT AUTHORIZING RESOLUTION**  
*(Covington Solar 1, LLC Project – Town of Fort Covington)*

A regular meeting of the County of Franklin Industrial Development Agency was convened on Wednesday December 14, 2022.

The following resolution was duly offered by Justus Martin and seconded by Nate Monette, to wit:

**Resolution No. 2022-15**

RESOLUTION OF THE COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY (THE “AGENCY”) (i) APPOINTING COVINGTON SOLAR 1, LLC (THE “COMPANY”) AS ITS AGENT TO UNDERTAKE A CERTAIN PROJECT (AS MORE FULLY DESCRIBED BELOW); (ii) AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGENT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PAYMENT-IN-LIEU-OF-TAX AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT; (iii) AUTHORIZING THE PROVISION OF CERTAIN FINANCIAL ASSISTANCE TO THE COMPANY (AS FURTHER DEFINED HEREIN); (iv) ADOPTING FINDINGS WITH RESPECT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQRA”); AND (v) AUTHORIZING THE EXECUTION OF RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 453 of the Laws of 1970 of the State of New York, as amended (hereinafter collectively called the “Act”), the **COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter called “Agency”) was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **COVINGTON SOLAR 1, LLC**, for itself and/or on behalf of an entity or entities to be formed (collectively, the “Company”), has submitted an application to the Agency requesting the Agency's assistance with a certain project or projects (collectively, the “Project”) consisting of: (i) the acquisition by the Agency of a leasehold interest in approximately 10.10 acres of real property located at State Route 37 in the Town of Fort Covington, New York (the “Land”), being more particularly described as a portion of tax parcel No. 23.-3-2.100, as may be subdivided); (ii) the planning, design, construction and operation of a 2MWAC solar electrical generation system, including panel foundations, inverters, transformers, interconnect wiring, utility connections, sitework, landscaping, fencing, security and related improvements (collectively, the “Improvements”); (iii) the acquisition of and installation in and around the Land and Improvements by the Company of machinery, equipment, fixtures and other items of tangible personal property (the “Equipment” and, collectively with, the Land and the Improvements, the “Facility”); and (iv) entering into a straight lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Agency will retain a leasehold interest in the Facility for a period of time and sublease such interest in the Facility back to the Company (the “Straight Lease Transaction”); and

WHEREAS, on March 23, 2021, the Agency adopted an initial resolution (the “Initial Project Resolution”) which (i) accepted the Company’s application, (ii) authorized the scheduling and conduct of a public hearing in compliance with the Act, (iii) described the contemplated forms of financial assistance to be provided by the Agency (the “Financial Assistance”, as described herein); and (iv) authorized the negotiation of an Agent and Financial Assistance and Project Agreement (the “Agent Agreement”), Lease

Agreement (the “Lease Agreement”), Leaseback Agreement (the “Leaseback Agreement”) and Payment-in-lieu-of-Tax agreement (the “PILOT Agreement”) to be entered into with respect to the Project; and

WHEREAS, in accordance with the Initial Project Resolution, the Agency published and forwarded a Notice of Public Hearing to the Town of Fort Covington (the “Town”), the County of Franklin (the “County”), and the Salmon River Central School District (the “School,” and together with the Town and County, the “Affected Tax Jurisdictions”) at least ten (10) days prior to said Public Hearing are attached hereto as **Exhibit A**; and

WHEREAS, pursuant to Section 859-a of the Act, the Agency held a public hearing on Thursday, December 1, 2022 at 2:00 p.m. local time, at the Fort Covington Adult Center with respect to the Project (the “Public Hearing”) and the proposed Financial Assistance (as further defined herein) being contemplated by the Agency whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views, a copy of the minutes of the Public Hearing also being attached hereto within **Exhibit A**; and

WHEREAS, the Agency previously reviewed the proposed Project as lead agency pursuant to the State Environmental Quality Review Act, as codified under Article 8 of the Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, “SEQRA”) and related Environmental Assessment Form (“EAF”) and issued a negative declaration (the “Negative Declaration”), a copy of which, along with the EAF, are attached hereto as **Exhibit B**; and

WHEREAS, in furtherance of the foregoing, the Agency desires to authorize (i) the appointment of the Company as agent of the Agency to undertake the Project; (ii) the execution and delivery of the Agent Agreement, Lease Agreement, the Leaseback Agreement, the PILOT Agreement, and related documents; (iii) the provision of the Financial Assistance to the Company, which shall include (a) an exemption from all state and local sales and use taxes with respect to the qualifying personal property included in or incorporated into the Facility or used in the construction and equipping of the Facility, and (b) a partial real property tax abatement through the execution of an agreement with the Agency regarding payments in lieu of real property taxes to be made for the benefit of the Affected Tax Jurisdictions; and (iv) the review and ratification of findings pursuant to SEQRA in connection with the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. Based upon the representations made by the Company to the Agency in the Application, the Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) It is desirable and in the public interest for the Agency to (i) acquire title to or other interest in the Land, the Existing Improvements, Improvements and the Equipment constituting the Facility, (ii) lease or sell the Agency’s interest in the Land, Existing Improvements, Improvements and Equipment constituting the Facility to the Company pursuant to a lease agreement or sale agreement, and (iii) enter into a Straight Lease Transaction with the Company; and

(C) The action to be taken by the Agency will induce the Company to undertake the Project, thereby increasing employment opportunities in the Town of Fort Covington, which is located within Franklin County, New York, and otherwise furthering the purposes of the Agency as set forth in the Act; and

(D) The Project will not result in the removal of a facility or plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Company's Application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other facility or plant to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries; and

(E) Based upon a review of the Application, the EAF and related materials provided by the Company, the Agency previously reviewed the Project as Lead Agency pursuant to SEQRA and adopted a Negative Declaration on May 27, 2021. No further SEQRA review is necessary.

Section 2. Subject to (i) the Company executing the Agent Agreement and Leaseback Agreement, and (ii) the delivery to the Agency of a binder, certificate or other evidence of liability insurance policy for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, renovation, construction, reconstruction, rehabilitation and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency: (i) to acquire, construct and equip the Project; (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Project, all with the same powers and the same validity that the Agency could do if acting on its own behalf; *provided, however*, the Agent Agreement shall expire on December 31, 2023 (*unless extended for good cause by the Chief Executive Officer of the Agency*).

Section 3. Based upon the representation and warranties made by the Company the Application, the Agency hereby authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount up to approximately **\$2,685,337.00**, which result in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed **\$123,042.00**. The Agency agrees to consider any requests by the Company for increase to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services, and, to the extent required, the Agency authorizes and conducts any supplemental public hearing(s).

Section 4. Pursuant to Section 875(3) of the Act, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any sales and use tax exemption benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the sales and use tax exemption benefits; (ii) the sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the sales and use tax exemption benefits are for

property or services not authorized by the Agency as part of the Project; (iv) the Company has made a material false statement on its application for financial assistance; (v) the sales and use tax exemption benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project; and/or (vi) the Company obtains mortgage recording tax benefits and/or real property tax abatements and fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project (collectively, items (i) through (vi) hereby defined as a "Recapture Event").

As a condition precedent of receiving sales and use tax exemption benefits and real property tax abatement benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, must (i) if a Recapture Event determination is made by the Agency, cooperate with the Agency in its efforts to recover or recapture any sales and use tax exemption benefits, mortgage recording tax benefits and/or real property tax abatements abatement benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands, if and as so required to be paid over as determined by the Agency.

Section 5. The Chairman, Vice Chairman and/or the Chief Executive Officer of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Agent Agreement, Lease Agreement, Leaseback Agreement, PILOT Agreement, PILOT Mortgage, and related documents with such changes as shall be approved by the Chairman, Vice Chairman, and/or the Chief Executive Officer and counsel to the Agency upon execution.

Section 6. The Chairman, Vice Chairman, and/or the Chief Executive Officer of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") up to a maximum principal amount necessary to undertake the Project, acquire the Facility and/or finance or refinance equipment and other personal property and related transactional costs (hereinafter with the Straight Lease Documents, the "Agency Documents"); and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, and/or the Chief Executive Officer of the Agency shall approve, the execution thereof by the Chairman, Vice Chairman, and/or the Chief Executive Officer of the Agency to constitute conclusive evidence of such approval; provided, that, in all events, recourse against the Agency is limited to the Agency's interest in the Project.

Section 7. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 8. These Resolutions shall take effect immediately upon adoption.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

<b>Board Member</b>	<b>YEA</b>	<b>NEA</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Sherry Boyea				X
James Ellis	X			
Stephen Erman				X
Madelyn Fleury	X			
Justus Martin	X			
Archie McKee				X
Nate Monette	X			

Resolution 2022-15 was thereupon duly adopted.

STATE OF NEW YORK                    )  
COUNTY OF FRANKLIN                ) SS:

I, the undersigned Secretary of the County of Franklin Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the County of Franklin Industrial Development Agency (the "Agency"), including the resolution contained therein, held on December 14, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this 15th day of December, 2022.

  
Sherry Boyea (Dec 15, 2022 09:41 EST)

Sherry Boyea, Secretary

Dec 15, 2022

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law (the "Act") will be held by the County of Franklin Industrial Development Agency (the "Agency") on the 1st day of December, 2022, at 2:00 p.m., local time, at the Fort Covington Adult Center, 2526 Chateaugay Street, Fort Covington, New York 12937, in connection with the matter described below.

**COVINGTON SOLAR 1, LLC**, for itself and/or on behalf of an entity or entities to be formed (collectively, the "Company"), has submitted an application to the Agency requesting the Agency's assistance with a certain project or projects (collectively, the "Project") consisting of: (i) the acquisition by the Agency of a leasehold interest in approximately 10.10 acres of real property located at State Route 37 in the Town of Fort Covington, New York (the "Land"), being more particularly described as a portion of tax parcel No. 23.-3-2.100, as may be subdivided; (ii) the planning, design, construction and operation of a 2MWAC solar electrical generation system, including panel foundations, inverters, transformers, interconnect wiring, utility connections, sitework, landscaping, fencing, security and related improvements (collectively, the "Improvements"); (iii) the acquisition of and installation in and around the Land and Improvements by the Company of machinery, equipment, fixtures and other items of tangible personal property (the "Equipment" and, collectively with, the Land and the Improvements, the "Facility"); and (iv) entering into a straight lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Agency will retain a leasehold interest in the Facility for a period of time and sublease such interest in the Facility back to the Company (the "Straight Lease Transaction").

The Agency is contemplating providing financial assistance to the Company with respect to the Project (collectively, the "Financial Assistance") in the form of: (A) an exemption from all State and local sales and use taxes with respect to qualifying personal property included in or incorporated into the Facility or used in the acquisition, construction or equipping of the Facility; (B) mortgage recording tax exemption(s) relating to financings undertaken by the Company in furtherance of the Project; and (C) a partial real property tax abatement provided through a Payment in Lieu of Tax Agreement ("PILOT Agreement").

In accordance with Section 859-a of the Act, a representative of the Agency will be at the above-stated time and place to present a copy of the Company's Application (including a cost-benefit analysis), which is also available for viewing on the Agency's website at: <https://adirondackfrontier.com/about-us/resource-library/>. The Agency will also live stream the public hearing through its webpage and also encourages all interested parties to submit written comments to the Agency, which will all be included within the public hearing record, which can be submitted to Jeremy Evans, AICP, Chief Executive Officer, County of Franklin IDA, 355 West Main Street, Suite 428, Malone, NY 12953 and/or [jevans@franklinida.org](mailto:jevans@franklinida.org).

DATED: November 14, 2022

COUNTY OF FRANKLIN INDUSTRIAL  
DEVELOPMENT AGENCY

**AFFIDAVIT OF PUBLICATION**

*Malone Telegram*

**State of New York,**

**County of, Franklin,**

The undersigned is the authorized designee of **Malone Telegram**, a **Daily** Newspaper published in **Franklin County, New York**. I certify that the public notice, a printed copy of which is attached hereto, was printed and published in this newspaper on the following dates:

November 15, 2022

This newspaper has been designated by the County Clerk of **Franklin** County, as a newspaper of record in this county, and as such, is eligible to publish such notices.

*Eliot T. Putnam*

Signature

Eliot T. Putnam

Printed Name

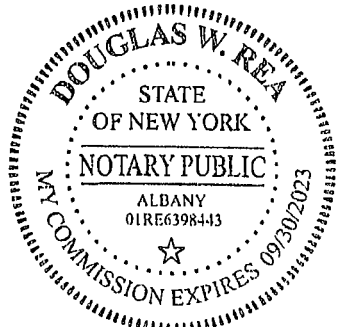
Subscribed and sworn to before me,

This 16 day of November 2022

*[Signature]*

Notary Signature

Notary Public Stamp





**AFFIDAVIT OF PUBLICATION***Malone Telegram*

FRANKLIN COUNTY

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law (the "Act") will be held by the County of Franklin Industrial Development Agency (the "Agency") on the 1st day of December, 2022, at 2:00 p.m., local time, at the Fort Covington Adult Center, 2526 Chateaugay Street, Fort Covington, New York 12937, in connection with the matter described below.

COVINGTON SOLAR 1, LLC, for itself and/or on behalf of an entity or entities to be formed (collectively, the "Company"), has submitted an application to the Agency requesting the Agency's assistance with a certain project or projects (collectively, the "Project") consisting of: (i) the acquisition by the Agency of a leasehold interest in approximately 10.10 acres of real property located at State Route 37 in the Town of Fort Covington, New York (the "Land"), being more particularly described as a portion of tax parcel No. 23.-3-2.100, as may be subdivided); (ii) the planning, design, construction and operation of a 2MWAC solar electrical generation system, including panel foundations, inverters, transformers, interconnect wiring, utility connections, sitework, landscaping, fencing, security and related improvements (collectively, the "Improvements"); (iii) the acquisition of and installation in and around the Land and Improvements by the Company of machinery, equipment, fixtures and other items of tangible personal property (the "Equipment" and, collectively with, the Land and the Improvements, the "Facility"); and (iv) entering into a straight lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Agency will retain a leasehold interest in the Facility for a period of time and sublease such interest in the Facility back to the Company (the "Straight Lease Transaction").

The Agency is contemplating providing financial assistance to the Company with respect to the Project (collectively, the "Financial Assistance") in the form of: (A) an exemption from all State and local sales and use taxes with respect to qualifying personal property included in or incorporated into the Facility or used in the acquisition, construction or equipping of the Facility; (B) mortgage recording tax exemption(s) relating to financings undertaken by the Company in furtherance of the Project; and (C) a partial real property tax abatement provided through a Payment in Lieu of Tax Agreement ("PILOT Agreement").

In accordance with Section 859-a of the Act, a representative of the Agency will be at the above-stated time and place to present a copy of the Company's Application (including a cost-benefit analysis), which is also available for viewing on the Agency's website at: <https://adirondackfrontier.com/about-us/resource-library/>. The Agency will also live stream the public hearing through its webpage and also encourages all interested parties to submit written comments to the Agency, which will all be included within the public hearing record, which can be submitted to Jeremy Evans, AICP, Chief Executive Officer, County of Franklin IDA, 355 West Main Street, Suite 428, Malone, NY 12953 and/or [jevans@franklinida.org](mailto:jevans@franklinida.org).

DATED: November 14, 2022

COUNTY OF FRANKLIN INDUSTRIAL  
DEVELOPMENT AGENCY



Franklin County Industrial Development Agency

235 West Main Street, Suite 428, Malone, New York 12953

AdirondackFrontier.com

**NOTICE OF PUBLIC HEARING  
(Covington Solar 1, LLC Project)**

November 11, 2022

VIA CERTIFIED MAIL/  
RETURN RECEIPT REQUESTED

To: The Chief Executive Officers of  
Affected Tax Jurisdictions on Schedule A

Re: County of Franklin Industrial Development Agency  
Covington Solar 1, LLC Project

Ladies and Gentlemen:

Please note that on December 1, 2022 at 2:00 p.m., local time, at the Fort Covington Adult Center, 2526 Chateaugay Street, Fort Covington, New York 12937, the County of Franklin Industrial Development Agency (the "Agency") will conduct a public hearing regarding the above-referenced project. Enclosed is a copy of the Notice of Public Hearing describing the Project and the financial assistance contemplated by the Agency. The Notice has been submitted to *The Malone Telegram* for publication.

In accordance with Section 859-a of the Act, a representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application (including a cost-benefit analysis), which is also available for viewing on the Agency's website at: <https://adirondackfrontier.com/about-us/resource-library/>. The Agency will also live stream the public hearing through its webpage and also encourages all interested parties to submit written comments to the Agency, which will all be included within the public hearing record. Any written comments may be sent to Jeremy Evans, AICP, Chief Executive Officer, County of Franklin IDA, 355 West Main Street, Suite 428, Malone, New York 12953 and/or [jevans@franklinida.org](mailto:jevans@franklinida.org).

Very truly yours,

COUNTY OF FRANKLIN INDUSTRIAL  
DEVELOPMENT AGENCY



Franklin County Industrial Development Agency

Franklin County Industrial Development Agency | 605.536.6700

AdirondackFrontier.com

Schedule A

Affected Tax Jurisdiction Officials

**Franklin County, New York**

**#7018-0360-0002-1921-3359**

Franklin County Board of Legislators  
Attn: Chairman  
355 West Main Street, Suite 409  
Malone, New York 12953

**Salmon River Central School District**

**#7018-0360-0002-1921-3373**

Salmon River Central School District  
Attn: Superintendent  
637 County Route 1  
Fort Covington, New York 12937

**Salmon River Central School District**

**#7018-0360-0002-1921-3366**

Salmon River Central School District  
Attn: Board of Education, President  
637 County Route 1  
Fort Covington, New York 12937

**Town of Fort Covington, New York**

**#7020-2450-0001-6551-9261**


Town of Fort Covington  
Attn: Patricia Manchester, Supervisor  
355 West Main Street  
Malone, New York 12953

County of Franklin IDA

Covington Solar 1, LLC Project

Covington Solar 2, LLC Project

[Notice of Public Hearing / Notice Letter – USPS Certified Mail / Return Receipt Requested]

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	A. Signature x <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to:  Franklin County Board of Legislators Attn: Chairman 355 West Main Street, Suite 409 Malone, New York 12953	B. Received by (Printed Name)  C. Date of Delivery
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
 9590 9402 7679 2122 3617 49	3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery
2. Article Number (Transfer from service label) 7018 0360 0002 1921 3359	Restricted Delivery

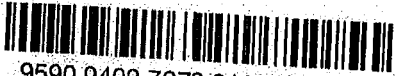
PS Form 3811, July 2020 PSN 7530-02-000-9053 *CFIDA - Covington* Domestic Return Receipt

County of Franklin IDA

Covington Solar 1, LLC Project

Covington Solar 2, LLC Project

[Notice of Public Hearing / Notice Letter – USPS Certified Mail / Return Receipt Requested]


SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		<p>A. Signature <b>X</b> <i>J. S. D. M. C.</i></p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
1. Article Addressed to:  Town of Fort Covington Attn: Patricia Manchester, Supervisor 355 West Main Street Malone, New York 12953			
 9590 9402 7679 2122 3617 25		3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Mail <input type="checkbox"/> Mail Restricted Delivery	
2. Article Number (Transfer from service label) 1926 1559 1000 0542 0202		<input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery	
PS Form 3811, July 2020 PSN 7530-02-000-9053		CFIDA: Covington Domestic Return Receipt	

County of Franklin IDA

Covington Solar 1, LLC Project

Covington Solar 2, LLC Project

[Notice of Public Hearing / Notice Letter – USPS Certified Mail / Return Receipt Requested]

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		<p>A. Signature x <u>Stanca Novak</u> Agent Addressee</p>	
1. Article Addressed to:		B. Received by (Printed Name)	C. Date of Delivery
Salmon River Central School District Attn: Board of Education, President 637 County Route 1 Fort Covington, New York 12937		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
 9590 9402 7679 2122 3617 32		3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Delivery Restricted Delivery <input type="checkbox"/> Restricted Delivery (over \$500)	
2. Article Number (Transfer from label to back of mailpiece) 7018 0360 0002 1921 3366		<input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery	

PS Form 3811, July 2020 PSN 7530-02-000-9053 CFIDA: Covington Domestic Return Receipt

County of Franklin IDA

Covington Solar 1, LLC Project

Covington Solar 2, LLC Project

[Notice of Public Hearing / Notice Letter – USPS Certified Mail / Return Receipt Requested]

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY												
<ul style="list-style-type: none"><li>■ Complete Items 1, 2, and 3.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	<p>A. Signature <i>X Stacey Nave</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>												
<p>1. Article Addressed to:</p> <p>Salmon River Central School District Attn: Superintendent 637 County Route 1 Port Covington, New York 12937</p>													
<p>9590 9402 7679 2122 3617 56</p> <p>Article Number (Transfer from e-mail label)</p> <p>7018 0360 0002 1921 3373</p>	<p>3. Service Type</p> <table border="0"><tr><td><input type="checkbox"/> Adult Signature</td><td><input type="checkbox"/> Priority Mail Express®</td></tr><tr><td><input type="checkbox"/> Adult Signature Restricted Delivery</td><td><input type="checkbox"/> Registered Mail™</td></tr><tr><td><input checked="" type="checkbox"/> Certified Mail®</td><td><input type="checkbox"/> Registered Mail Restricted Delivery</td></tr><tr><td><input type="checkbox"/> Certified Mail Restricted Delivery</td><td><input checked="" type="checkbox"/> Signature Confirmation™</td></tr><tr><td><input type="checkbox"/> Collect on Delivery</td><td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td></tr><tr><td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td><td></td></tr></table> <p>II Restricted Delivery</p>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Collect on Delivery Restricted Delivery	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®												
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™												
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery												
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Signature Confirmation™												
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery												
<input type="checkbox"/> Collect on Delivery Restricted Delivery													

PS Form 3811, July 2020 PSN 7530-02-000-9053 *CFIDA - Covington* Domestic Return Receipt

PUBLIC HEARING AGENDA  
COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY

**COVINGTON SOLAR 1, LLC**

**December 1, 2022 – 2:00 pm**

Fort Covington Adult Center, 2526 Chateaugay Street, Fort Covington, New York 12937

ATTENDANCE LIST:

Jeremy Evans, CEO  
Russ Kinyon, Economic Development Director  
Rachel Child, Community Development Specialist  
Maria Bourgeois, Operations Manager (via zoom)  
*Pat Manchester, Fort Covington Town Supervisor*  
*Paul Lauzon, Franklin County Legislator*  
*Genevieve Trigg, Barclay Damon (Nexamp) (via zoom)*  
*Barton Pitts, Nexamp (via zoom)*  
*Cathryn Crummey, Harris Beach (via zoom)*

CALL TO ORDER: (Time: 2:05 pm).

Jeremy Evans, CEO opened the hearing.

PURPOSE:

Pursuant to and in accordance with General Municipal Law Section 859-a, the County of Franklin Industrial Development Agency (the “Agency”) is conducting this public hearing in connection with a certain proposed project, as more fully described below (the “Project”), to be undertaken by the Agency for the benefit of **COVINGTON SOLAR 1, LLC** (the “Company”).

The Agency published a Notice of Public Hearing and delivered a copy of the Notice of Public Hearing to each affected tax jurisdiction. An Affidavit of Publication of and Proof of delivery are attached.

DISCUSSION:

Jeremy Evans, CEO read a description of the Project, as follows:

**COVINGTON SOLAR 1, LLC**, for itself and/or on behalf of an entity or entities to be formed (collectively, the “Company”), has submitted an application to the Agency requesting the Agency's assistance with a certain project or projects (collectively, the “Project”) consisting of: (i) the acquisition by the Agency of a leasehold interest in approximately 10.10 acres of real property located at State Route 37 in the Town of Fort Covington, New York (the “Land”), being more particularly described as a portion of tax parcel No. 23.-3-2.100, as may be subdivided); (ii) the planning, design, construction and operation of a 2MWAC solar electrical generation



system, including panel foundations, inverters, transformers, interconnect wiring, utility connections, sitework, landscaping, fencing, security and related improvements (collectively, the "Improvements"); (iii) the acquisition of and installation in and around the Land and Improvements by the Company of machinery, equipment, fixtures and other items of tangible personal property (the "Equipment" and, collectively with, the Land and the Improvements, the "Facility"); and (iv) entering into a straight lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Agency will retain a leasehold interest in the Facility for a period of time and sublease such interest in the Facility back to the Company (the "Straight Lease Transaction").

The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of (A) an exemption from all State and local sales and use taxes with respect to qualifying personal property included in or incorporated into the Facility or used in the construction and equipping of the Facility; and (B) a partial real property tax abatement through a payment-in-lieu-of-tax agreement (the "PILOT Agreement"), pursuant to which the Company would make payments in lieu of real property taxes to the Agency for the benefit of each affected tax jurisdiction (the "Affected Tax Jurisdictions").

#### AGENCY COST-BENEFIT ANALYSIS:

Attached

#### PUBLIC COMMENT:

Paul Lauzon: What is the timeline for construction of the project?

Barton Pitts: Three or four months. Some trees can be cut this winter and there could be delays on the end of project in coordinating communications with National Grid. We would plan to start in the spring.

Paul Lauzon: So if you have a mid to end of summer end date, how long to get the project up and running?

Barton Pitts: A couple of months.

Paul Lauzon: Have you checked to see if the substations can handle the extra power?

Barton Pitts: That is the 1<sup>st</sup> step of our process. In doing so, minor upgrades to the substation have had to be made.

Paul Lauzon: Could it be up and running by Fall of 2023?

Barton Pitts: Yes.

Pat Manchester: Two Questions: 1) Our Code Officer wonders what style of fencing you will put around the area? 2) Will you plant evergreens alongside the fencing?

Barton Pitts: Generally, they use chain link or farm fencing, in this case, I believe farm fencing will be the one selected. Although I haven't looked at the details for planting evergreens, I am sure some will be planted.

Paul Lauzon: Have PILOT Terms been worked out?

Jeremy Evans: Proposed terms are:

-15 year term (consistent with other community solar projects)

-payment per MW is \$5,500

- would be the 4<sup>th</sup> project with the same exact terms
- on page 2, we will do an estimate for the Affected Taxing Jurisdictions annually based on their tax rates so you can know better what to expect for payments.

ADJOURNMENT (Time: 2:25 pm)

PUBLIC HEARING AGENDA  
COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY

ATTENDANCE LIST – **Covington Solar 1, LLC**

Name	Address	Representing
Paul Lauzon	Fort Covington	Franklin County Legislator
Pat Manchester	Fort Covington	Town Supervisor

# Renewable Energy PILOT Worksheet and Cost Benefit Analysis

Project Name: Covington Solar 1, LLC  
Project Address: State Route 37, Fort Covington, NY 12801  
Tax Map # 23.-3-2.100



Table #1: Project Information		Table #3: Cost/Benefit Summary	
2022 Full Market Value	\$31,084.00	Total Estimated Taxes Without Improvements	\$8,549.71
2022 Equalization Rate (ER):	83%	Total Estimated PILOT Payments	\$199,998.68
2022 Assessed Value (Base Value):	\$25,799.72	Total Estimated Taxes With No PILOT	\$780,204.42
2022 Tax Rate:	23.670549	Estimated Real Estate Tax Savings	\$580,205.74
Project Cost:	\$4,720,415	Estimated Mortgages Tax Savings	\$0.00
Projected Valuation: (Note 1)	\$2,000,000.00	Estimated Sales Tax Savings	\$280,532.93
Added Value (Projected Valuation * ER):	\$1,660,000.00	Total Estimated Financial Assistance	\$860,738.67
Finished Value (Added Value + Base Value):	\$2,025,799.72		
Nameplate Megawatt Capacity:	2.00		
Payment per Megawatt:	\$5,500.00		
System PILOT Payment Escalator:	2%		
Costs Subject to NYS Sales Tax:	\$3,506,661.57		
FCIDA Administrative Fee:	1%		

**Table #2: Proposed PILOT Payment Schedule**

PILOT Year	Calendar Year	PILOT Base Assessed Valuation (2)	Estimated PILOT Payments for Base Value	PILOT Payments for System (3)	Total PILOT Payments (Base Value + System) (4)	2022 Tax Rate (5)	Estimated Full Taxes With No PILOT (6)
Interim	2023	\$25,800			\$610.69	23.67055	\$610.69
Year 1	2024	\$25,800	\$610.69	\$11,000.00	\$11,610.69	23.90725	\$48,431.31
Year 2	2025	\$25,800	\$610.69	\$11,220.00	\$11,830.69	24.14633	\$48,915.62
Year 3	2026	\$25,800	\$610.69	\$11,444.40	\$12,055.09	24.38779	\$49,404.78
Year 4	2027	\$25,800	\$610.69	\$11,673.29	\$12,283.98	24.63167	\$49,898.83
Year 5	2028	\$25,800	\$610.69	\$11,906.75	\$12,517.45	24.87798	\$50,397.81
Year 6	2029	\$25,800	\$610.69	\$12,144.89	\$12,755.58	25.12676	\$50,901.79
Year 7	2030	\$25,800	\$610.69	\$12,387.79	\$12,998.48	25.37803	\$51,410.81
Year 8	2031	\$25,800	\$610.69	\$12,635.54	\$13,246.24	25.63181	\$51,924.92
Year 9	2032	\$25,800	\$610.69	\$12,888.25	\$13,498.95	25.88813	\$52,444.17
Year 10	2033	\$25,800	\$610.69	\$13,146.02	\$13,756.71	26.14701	\$52,968.61
Year 11	2034	\$25,800	\$610.69	\$13,408.94	\$14,019.63	26.40848	\$53,498.30
Year 12	2035	\$25,800	\$610.69	\$13,677.12	\$14,287.81	26.67257	\$54,033.28
Year 13	2036	\$25,800	\$610.69	\$13,950.66	\$14,561.35	26.93929	\$54,573.61
Year 14	2037	\$25,800	\$610.69	\$14,229.67	\$14,840.37	27.20869	\$55,119.35
Year 15	2038	\$25,800	\$610.69	\$14,514.27	\$15,124.96	27.48077	\$55,670.54
		<b>Totals</b>	<b>\$8,549.71</b>	<b>\$175,713.32</b>	<b>\$199,998.68</b>		<b>\$780,204.42</b>

## Notes

<sup>1</sup> Projected Valuation is an estimate only and used to calculate Estimated Full Taxes. The assessor will determine the actual assessed value once the project is complete. All special district fees will be calculated using the actual assessed value.

<sup>2</sup> Base Assessed Valuation is frozen at \$25,800 or such amount as may be assigned by the assessor in connection with subdivision or establishment of a new parcel for the project.

<sup>3</sup> PILOT Payments for System are fixed and based upon dollar amount per MW nameplate and a 2% annual escalator.

<sup>4</sup> The Annual Total PILOT Payment is based on the Base Value Payment + Payments for System.

<sup>5</sup> Tax Rate (per \$1,000 in value) assumes a 1% increase per year.

<sup>6</sup> Estimated Full Taxes With No PILOT is based on the Finished Value \* Mill Rate.

## Renewable Energy PILOT Worksheet and Cost Benefit Analysis

Project Name: Covington Solar 1, LLC  
 Project Address: State Route 37, Fort Covington, NY 12801  
 Tax Map #: 23.-3-2.100

PILOT Payment Calculation			
Estimated Year 1 Total PILOT Payment			\$11,610.69
	Tax Rate	% of Total	Estimated Payment
<b>Town of Fort Covington 2022 Roll</b>			
General - Townwide	3.465806	14.6%	\$1,700.02
General - Outside	0	0.0%	\$0.00
Highway - Outside	0	0.0%	\$0.00
Highway - Townwide	4.221964	17.8%	\$2,070.92
BOE- Townwide	0.12641	0.5%	\$62.01
<b>Town Subtotal</b>	<b>7.81418</b>	<b>33.0%</b>	<b>\$3,832.95</b>
<b>County General 2022 Roll</b>	<b>5.207659</b>	<b>22.0%</b>	<b>\$2,554.42</b>
<b>Salmon River CSD 2022-2023 Roll</b>			
School	10.64871	45.0%	\$5,223.32
Library	0	0.0%	\$0.00
<b>School Subtotal</b>	<b>10.64871</b>	<b>45.0%</b>	<b>\$5,223.32</b>
<b>Total</b>	<b>23.670549</b>	<b>100.0%</b>	<b>\$11,610.69</b>

Notes: 1. The portion of the total PILOT payment each taxing jurisdiction receives is  
 2. Even though the total PILOT payment is set for each year of the agreement, the percentage each jurisdiction receives each year will vary based on the tax rates set by each jurisdiction.

3. This estimate is based on the first year PILOT payment and is provided for planning purposes only.

PILOT Payment Calculation			
Estimated Full Taxes (If No PILOT)			\$48,431.31
	Tax Rate	% of Total	Estimated Payment
<b>Town of Fort Covington 2022 Roll</b>			
General - Townwide	3.465806	14.6%	\$7,091.24
General - Outside	0	0.0%	\$0.00
Highway - Outside	0	0.0%	\$0.00
Highway - Townwide	4.221964	17.8%	\$8,638.38
BOE- Townwide	0.12641	0.5%	\$258.64
<b>Town Subtotal</b>	<b>7.81418</b>	<b>33.0%</b>	<b>\$15,988.26</b>
<b>County General 2022 Roll</b>	<b>5.207659</b>	<b>22.0%</b>	<b>\$10,655.17</b>
<b>Salmon River CSD 2022-2023 Roll</b>			
School	10.64871	45.0%	\$21,787.88
Library	0	0.0%	\$0.00
<b>School Subtotal</b>	<b>10.64871</b>	<b>45.0%</b>	<b>\$21,787.88</b>
<b>Total</b>	<b>23.670549</b>	<b>100.0%</b>	<b>\$48,431.31</b>

Sales Tax Calculation	
	Amount
Modules	\$ 1,321,486.25
Mounting	\$ 982,054.21
Inverters	\$ 177,769.60
BOS Equipment	\$ 189,948.41
Electrical	\$ 737,003.74
Fencing	\$ 98,399.36
<b>Total:</b>	<b>\$ 3,506,661.57</b>
Rate:	0.08
<b>Estimated Sales Tax Exempti</b>	<b>\$ 280,532.93</b>

**AUTHORIZING RESOLUTION**  
*(Covington Solar 1, LLC and Covington Solar 2 LLC Projects –  
Town of Fort Covington Adoption of Combined SEQRA Determination)*

A special meeting of the County of Franklin Industrial Development Agency was convened on May 27, 2021 at 9:02 am.

The meeting was called to order by Justus Martin, Board Chair, with the following members being:

PRESENT: Michael Doran  
James Ellis  
Madelyn Fleury  
Justus Martin  
Archie McKee  
ABSENT: Sherry Boyea  
Stephen Erman

**THE FOLLOWING PERSONS**

WERE ALSO PRESENT: Maria Bourgeois, Operations Manager  
Jeremy Evans, CEO  
Justin Miller, Harris Beach  
Rod Morrison, Nexamp Solar  
Barton Pitts, Nexamp Solar  
Genevieve Trigg, Barclay Damon

On motion duly made by Mr. Ellis and seconded by Mr. McKee, the following resolution was placed before the members of the County of Franklin Industrial Development Agency:

**Resolution No. 2021 - 16**

**RESOLUTION OF THE COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT  
AGENCY (THE “AGENCY”) MAKING A DETERMINATION PURSUANT TO THE STATE  
ENVIRONMENTAL QUALITY REVIEW ACT (“SEQRA”) WITH RESPECT TO CERTAIN  
PROJECTS BEING CONSIDERED BY THE AGENCY**

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 453 of the Laws of 1970 of the State of New York, as amended (hereinafter collectively called the “Act”), the **COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter called “Agency”) was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, by resolution adopted March 23, 2021 (the “CS1 Initial Project Resolution”), the Agency accepted an application from **COVINGTON SOLAR 1, LLC** (the “CS1 Company”) in connection with a certain project (the “CS1 Project”) consisting of: (i) the acquisition by the Agency of a leasehold interest in approximately 10.10 acres of real property located at State Route 37 in the Town of Fort Covington, New York (the “CS1 Land”), being more particularly described as a portion of tax parcel No. 23.-3-2.100, as may be subdivided); (ii) the planning, design, construction and operation of a 2MWAC solar electrical

generation system, including panel foundations, inverters, transformers, interconnect wiring, utility connections, sitework, landscaping, fencing, security and related improvements (collectively, the “CS1 Improvements”); (iii) the acquisition of and installation in and around the CS1 Land and Improvements by the Company of machinery, equipment, fixtures and other items of tangible personal property (the “CS1 Equipment” and, collectively with, the CS1 Land and the CS1 Improvements, the “CS1 Facility”); and (iv) entering into a straight lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Agency will retain a leasehold interest in the CS1 Facility for a period of time and sublease such interest in the Facility back to the Company (the “CS1 Straight Lease Transaction”); and

WHEREAS, pursuant to the CS1 Initial Project Resolution, the Agency acknowledged that it is required to review the proposed CS1 Project pursuant to the State Environmental Quality Review Act, as codified under Article 8 of the Environmental Conservation law and regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, “SEQRA”) for which the Agency has established itself as Lead Agency for SEQRA review purposes; and

WHEREAS, by resolution also adopted March 23, 2021 (the “CS2 Initial Project Resolution”), the Agency accepted an application from **COVINGTON SOLAR 2, LLC** (the “CS2 Company”) in connection with a certain project (the “CS2 Project”) consisting of: (i) the acquisition by the Agency of a leasehold interest in approximately 40.33 acres of real property located at State Route 37 in the Town of Fort Covington, New York (the “CS2 Land”), being more particularly described as a portion of tax parcel No. 23.-3-2.100, as may be subdivided); (ii) the planning, design, construction and operation of a 4.2MWAC solar electrical generation system, including panel foundations, inverters, transformers, interconnect wiring, utility connections, sitework, landscaping, fencing, security and related improvements (collectively, the “CS2 Improvements”); (iii) the acquisition of and installation in and around the CS2 Land and CS2 Improvements by the Company of machinery, equipment, fixtures and other items of tangible personal property (the “CS2 Equipment” and, collectively with, the CS2 Land and the CS2 Improvements, the “CS2 Facility”); and (iv) entering into a straight lease transaction (within the meaning of subdivision (15) of Section 854 of the Act), pursuant to which the Agency will retain a leasehold interest in the CS2 Facility for a period of time and sublease such interest in the other CS2 Facility back to the CS2 Company (the “CS2 Straight Lease Transaction”); and

WHEREAS, pursuant to the CS2 Initial Project Resolution, the Agency acknowledged that it is required to review the proposed CS2 Project pursuant to SEQRA, for which the Agency has established itself as Lead Agency for SEQRA review purposes; and

WHEREAS, pursuant to and in accordance with SEQRA, the Agency is required to undertake a review of and requisite “hard look” at any action which may cause a significant impact to the environment, and given the close proximity, nexus and affiliation of the CS1 Project and CS2 Project, and their cumulative potential impacts, the Agency has elected to undertake the combined and coordinated review of same as lead agency in accordance with SEQRA as a combined “Type I Action” as defined pursuant to SEQRA, and in furtherance of same, the CS1 Project and CS2 Project shall hereinafter be collectively referred to as the “Project”); and

WHEREAS, pursuant to its prior determination to conduct a coordinated review of the Project under SEQRA, the Agency issued lead agency solicitation notices and transmitted same to identified involved agencies, including a completed Part 1 of the Full Environmental Assessment Form (“FEAF”) to: (i) the County of Franklin (the “County”), (ii) the Town of Fort Covington (the “Town”), (iii) the New York

State Department of Parks, Recreation and Historic Preservation (“SHPO”) (iv) the New York State Department of Transportation (“NYSDOT”) and (v) the New York State Department of Environmental Conservation (“DEC”, and collectively with the County, Town, SHPO and NYSDOT, the “Involved Agencies”), pursuant to which the Agency has received waivers from said Involved Agencies and/or the lead agency solicitation period has expired and therefore the Agency has been installed as lead agency for purposes of the reviewing the Project pursuant to SEQRA; and

WHEREAS, in accordance with the Agency’s role as “lead agency” for purposes of the coordinated review of the Project pursuant to SEQRA, the Agency (i) circulated Part 1 of the FEAF to the Involved Agencies, and reviewed all comments and responses received from them (the “Involved Agency Comments”), (ii) prepared and reviewed Parts 2 and 3 of the FEAF, along with reviewing and analyzing each of the plans, specifications and studies submitted by the CS1 Company and CS2 Company, in connection with the Project; and (iii) engaged North Woods Engineering, PLLC as the Agency’s consulting engineer (“North Woods”) to assist the Agency with the review of the Project pursuant to and in accordance with SEQRA; and

WHEREAS, in addition to the applications and supporting materials received in connection with the Project, the FEAF and the Involved Agency Comments, the Agency has received (i) a written review, assessment and recommendations from North Woods, dated March 29, 2021 (the “North Woods Report”), and (ii) certain additional studies and reports from the CS1 Company and CS2 Company (collectively with applications and supporting materials received in connection with the Project, the FEAF and the Involved Agency Comments, the foregoing hereinafter being referred to as the “SEQRA Documents”); and

WHEREAS, as detailed below, and upon review and analysis of the SEQRA Documents and upon review and consideration of the potential impacts presented by the Project, and analyzing same in light of the applicable criteria under SEQRA, the Agency has completed the requisite “hard look” review of the Project required pursuant to SEQRA and applicable case law by reviewing and analyzing the SEQRA Documents, and in particular the North Woods Report, along with other documents and materials; and

WHEREAS, as more particularly set forth below, the Agency has determined that the Project will not result in any significant adverse environmental impact, and as such, no draft environmental impact statement is required to be prepared, and therefor this resolution together with the SEQRA Documents shall constitute the Agency’s adoption of a Negative Declaration in connection with the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COUNTY OF FRANKLIN INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. Based upon the Agency’s review of the SEQRA Documents, along with associated EAF Mappers for the site of the Project, the Agency hereby:

(a) confirms the Project is a Type I action, as such term is defined pursuant to SEQRA, and that the Agency arranged for notice of its intent to act as lead agency to the Involved Agencies and 30 days have elapsed since such notices were transmitted,

(b) confirms that no Involved Agency objected to the Agency serving as lead agency or confirmed in writing that it has no objection to the Agency serving as lead agency for purposes of review



of the Project pursuant to SEQRA, and as a result, the Agency has conducted a coordinated review of the Project, within the meaning of, and for all purposes of complying with SEQRA; and

(c) finds that based upon the Agency's review of the SEQRA Documents, including a detailed review of the Involve Agency Comments, the Agency has identified the relevant areas of environmental concern with respect to potential impacts from them to land, storm water and groundwater, wetlands, historic, archaeological and other recognized and/or protected resources, threatened or endangered species, community character and cumulative impacts, if any, and other potential impacts as required by applicable regulations; and

(d) confirms that it has considered the criteria set forth in 6 NYCRR Part 617.7(c) and thoroughly analyzed the identified areas of relevant environmental concern, and based upon the Agency's review of the SEQRA Documents, the Project will not have a significant negative impact on the environment, and therefore no environmental impact statement will be prepared for the Project for the reasons stated herein including those summarized below; and

(e) confirms that the foregoing finding by the Agency that the Project will not have a significant negative impact on the environment, the Agency has reviewed and considered the following matters, among others: (i) for purposes of addressing stormwater and groundwater impacts, the Project includes the construction of infiltration basins and other associated measures; (ii) to address potential impacts to wetlands from the Project (though DEC noted the absence of any significant wetlands on the sites at issue) any wetlands shall be avoided as possible to avoid any impacts, and in addition other measures shall be utilized to avoid such impacts including the use of box culverts for certain crossings; (iii) to avoid impact to streams or waterbodies including a channel that is being relocated appropriate mitigation measures will be implemented. Further, while a portion of the Project is contained in an Agricultural District, the loss of any agricultural lands from operation of the Project is minimized due to the location of the solar arrays at issue and the loss or failure to use areas that are or could be used as farmland is not anticipated to be significant, and in any event, the owner of property located within the Project site has agreed to provide a waiver associated with any agricultural property or property rights as recognized under the Agricultural and Markets Law and such waiver shall be secured prior to and as a condition of the initiation of any work or action associated with the Project. In addition, a habitat assessment was performed due to the potential for impacts on the habitat of the northern harrier which also included a request for DEC consultation through its Division of Fish and Wildlife, and based on the foregoing DEC determined that based upon the existing use of the CS1 Land and CS2 Land the manner in which the Project is to be constructed and operated that there would be no significant adverse impact to same.

Section 2. Based upon the foregoing review and findings, the Agency hereby adopts a "Negative Declaration", as defined pursuant to SEQRA and with respect to the Project.

Section 3. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<b>YEA</b>	<b>NEA</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
JUSTUS MARTIN	<b>X</b>			
JAMES ELLIS	<b>X</b>			
SHERRY BOYEA				<b>X</b>
STEPHEN ERMAN				<b>X</b>
ARCHIE MCKEE	<b>X</b>			
MICHAEL DORAN	<b>X</b>			
MADELYN FLEURY	<b>X</b>			

Resolution #2021-16 was thereupon duly adopted.

STATE OF NEW YORK                    )  
COUNTY OF FRANKLIN                ) SS:

I, the undersigned Secretary of the County of Franklin Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the County of Franklin Industrial Development Agency (the "Agency"), including the resolution contained therein, held on May 27, 2021, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this 27 day of March, 2021.

*Sherry Boyea*  
Sherry Boyea (May 28, 2021 10:01 EDT)

***Sherry Boyea, Secretary***






# 2021-05-27 CFIDA Resolution 2021-16 SEQRA Negative Determination Covington Solar 1 & 2

Final Audit Report

2021-05-28

Created:	2021-05-27
By:	Maria Bourgeois (mbourgeois@franklinida.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAe-CT8h-bDK6yxpK8xFCgrk78qleI_sAp

## "2021-05-27 CFIDA Resolution 2021-16 SEQRA Negative Determination Covington Solar 1 & 2" History

-  Document created by Maria Bourgeois (mbourgeois@franklinida.org)  
2021-05-27 - 3:02:51 PM GMT- IP address: 67.255.0.212
-  Document emailed to Sherry Boyea (sherry.boyey@cbna.com) for signature  
2021-05-27 - 3:03:17 PM GMT
-  Email viewed by Sherry Boyea (sherry.boyey@cbna.com)  
2021-05-28 - 1:59:22 PM GMT- IP address: 67.255.4.66
-  Document e-signed by Sherry Boyea (sherry.boyey@cbna.com)  
Signature Date: 2021-05-28 - 2:01:15 PM GMT - Time Source: server- IP address: 67.255.4.66
-  Agreement completed.  
2021-05-28 - 2:01:15 PM GMT

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

<b>Name of Action or Project:</b> Nexamp Community Solar Projects: Covington Solar 1 LLC and Covington Solar 2 LLC		
<b>Project Location (describe, and attach a general location map):</b> 2989 SR37(parcel 1), and 3231 SR 37 (parcel 2), Fort Covington New York		
<b>Brief Description of Proposed Action (include purpose or need):</b> The proposed project is the Installation of 2 megawatt ac (parcel 1) and 4.2 megawatt ac (parcel 2) ground mounted community solar arrays The project will include limited ground disturbance of gravel access roads, security fence and small concrete pads. The solar project is in alignment with NYS green energy initiative and will provide renewable green energy to the community. A single point of access is planned contiguous with the property lines of both parcels onto SR 37.		
<b>Name of Applicant/Sponsor:</b> Covington Solar 1 LLC and Covington Solar 2 LLC- C/O Barton Pitts		<b>Telephone:</b> 630-334-0787
		<b>E-Mail:</b> bpitts@nexamp.com
<b>Address:</b> 101 Summer Street, Second Floor		
<b>City/PO:</b> Boston	<b>State:</b> MA	<b>Zip Code:</b> 02110
<b>Project Contact (if not same as sponsor; give name and title/role):</b> LRC Engineering and Land Surv. DPC, C/O Rodney Morrison P.E.		<b>Telephone:</b> 845-243-2880
		<b>E-Mail:</b> rmorrison@lrconsult.com
<b>Address:</b> 85 Civic Center Plaza, Suite 103		
<b>City/PO:</b> Poughkeepsie	<b>State:</b> NY	<b>Zip Code:</b> 12601
<b>Property Owner (if not same as sponsor):</b> parcel 1: Kathryn C Brethour Irrevocable Trust, u/a/d 5/25/12, Carl T Baker Trustee		<b>Telephone:</b> 518-232-9633
		<b>E-Mail:</b>
<b>Address:</b> P.O. Box 2017, 68 Warrent Street		
<b>City/PO:</b> Glens Falls	<b>State:</b> NY	<b>Zip Code:</b> 12801

parcel 2: Daniel Meier Jr, Meier Land Holdings LLC, 3231 SR 37 Fort Covington, NY 12937

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Local Building Permit	3/1/21
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Franklin Co. IDA (SERQA)	2/19/21
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NY DOT (curb cut approval) NYSDEC (SWPPP) NYS SHPO (clearance), NYS Nat. Div (clearance)	DOT 3/1/21; SHPO 1/9/21; DEC 1/19/21
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ACOE (wetland impacts)	3/1/21
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No		

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, identify the plan(s): _____ _____ _____	

### C.3. Zoning

---

i. What is the proposed new zoning for the site? \_\_\_\_\_

#### C.4. Existing community services.

Rainbow Park

### D. Project Details

### D.1. Proposed and Potential Development

---

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

f. Does the project include new residential uses? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes,	
i. Total number of structures <u>solar arrays</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>14</u> height; _____ - width; and _____ - length	
iii. Approximate extent of building space to be heated or cooled: _____ [zero] square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
<ul style="list-style-type: none"> <li>• Volume (specify tons or cubic yards): _____</li> <li>• Over what duration of time? _____</li> </ul>	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): <u>onsite irrigation channels (ACOE) modified for allow for gravel drive crossings.</u>	



ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:  
culverts to be provided at crossings - total proposed disturbances = 1,600 sf

---

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☒ No  
 If Yes, describe: \_\_\_\_\_

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☒ No  
 If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_  
portion of displaced irrigation channel to be relocated, approx. 800 sf (not included in calculation)

---

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☒ No  
 If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No  
 If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No  
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No  
 If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: \_\_\_\_\_ gallons/minute.

---

d. Will the proposed action generate liquid wastes? ☐ Yes ☒ No  
 If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

---

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No  
 If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Will a line extension within an existing district be necessary to serve the project? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul>	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):</p> <p>_____</p> <p>_____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p>	
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 40px;">_____ Square feet or <u>2.8</u> acres (impervious surface)</p> <p style="padding-left: 40px;">_____ Square feet or <u>154.1</u> acres (parcel size)</p> <p>ii. Describe types of new point sources. <u>source of runoff will be from gravel driveways, in sheet flow dispersed throughout project</u></p> <p>_____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p><u>runoff will travel by sheet flow to infiltration basins, and then be returned to the existing field ditch network</u></p> <p>_____</p> <ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____</li> <li style="padding-left: 20px;">on site, agricultural ditch system</li> </ul> <p>_____</p> <ul style="list-style-type: none"> <li>• Will stormwater runoff flow to adjacent properties? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></li> </ul>	
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p>_____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>_____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p>_____</p>	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul>	

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend  <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>As permitted by the Town Board</u></li> <li>• Saturday: <u>As permitted by the Town Board</u></li> <li>• Sunday: <u>N/A</u></li> <li>• Holidays: <u>N/A</u></li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>24 hrs / 7 Days</u></li> <li>• Saturday: <u>24 hrs / 7 Days</u></li> <li>• Sunday: <u>24 hrs / 7 Days</u></li> <li>• Holidays: <u>24 hrs / 7 Days</u></li> </ul> </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>As permitted by the Town Board</u></li> <li>• Saturday: <u>As permitted by the Town Board</u></li> <li>• Sunday: <u>N/A</u></li> <li>• Holidays: <u>N/A</u></li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>24 hrs / 7 Days</u></li> <li>• Saturday: <u>24 hrs / 7 Days</u></li> <li>• Sunday: <u>24 hrs / 7 Days</u></li> <li>• Holidays: <u>24 hrs / 7 Days</u></li> </ul>
<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>As permitted by the Town Board</u></li> <li>• Saturday: <u>As permitted by the Town Board</u></li> <li>• Sunday: <u>N/A</u></li> <li>• Holidays: <u>N/A</u></li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>24 hrs / 7 Days</u></li> <li>• Saturday: <u>24 hrs / 7 Days</u></li> <li>• Sunday: <u>24 hrs / 7 Days</u></li> <li>• Holidays: <u>24 hrs / 7 Days</u></li> </ul>		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>construction period noise will be construction vehicles, pile placement for array support poles. all are only daytime activities. Operational noise is only background sound in electrical inverters, which will operate in daytime only as well.</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ +/- 0.5 tons per _____ Month (unit of time)</li> <li>• Operation : _____ N/A tons per _____ N/A (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: <u>recycling or material packaging</u></li> <li>• Operation: <u>none generated</u></li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: <u>local facility TBD</u></li> <li>• Operation: <u>none</u></li> </ul>	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

## E. Site and Setting of Proposed Action

### E.1. Land uses on and surrounding the project site

#### a. Existing land uses.

##### i. Check all uses that occur on, adjoining and near the project site.

- ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☒ Rural (non-farm)
- ☒ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): \_\_\_\_\_

##### ii. If mix of uses, generally describe:

The subject parcels are rural with agriculture uses. Surrounding land use is same with intermittent farming structures and single family dwellings.

#### b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	2.8	+2.8
• Forested	66.5	41.6	-24.9
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	81.6	54.85	-26.75
• Surface water features (lakes, ponds, streams, rivers, etc.)	3	3	0
• Wetlands (freshwater or tidal)	3	2.95	-0.05
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: grass areas inside array fences (non-ag)	0	48.9	+48.9

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No  
i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_  
\_\_\_\_\_

e. Does the project site contain an existing dam? ☐ Yes ☒ No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_  
\_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No  
If Yes:  
i. Has the facility been formally closed? ☐ Yes ☐ No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
\_\_\_\_\_

iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_  
\_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_  
\_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No  
☐ Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
☐ Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: \_\_\_\_\_

---

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ >2 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No  
If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Cka	41.7 %
Gbb	19.5 %
Paa	11.6 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 1-2 feet

e. Drainage status of project site soils: ☐ Well Drained: \_\_\_\_\_ % of site  
☒ Moderately Well Drained: \_\_\_\_\_ 9 % of site  
☒ Poorly Drained: \_\_\_\_\_ 91 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: \_\_\_\_\_ 100 % of site  
☐ 10-15%: \_\_\_\_\_ % of site  
☐ 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No  
If Yes, describe: \_\_\_\_\_

---

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

• Streams:	Name _____	Classification _____
• Lakes or Ponds:	Name _____	Classification _____
• Wetlands:	Name Federal Waters, Federal Waters, Federal Waters,...	Approximate Size 3 ac
• Wetland No. (if regulated by DEC)	_____	

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No  
If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

---

i. Is the project site in a designated Floodway? ☐ Yes ☒ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☒ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No  
If Yes:  
i. Name of aquifer: \_\_\_\_\_

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>Northern white tail deer                      common small mammals in New York</p> <p>Grey and red squirrels                      _____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>Eastern Sand Darter, Northern Harrier</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing: _____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: FRAN001</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site? 5.1% parcel 1(2.9ac) + 12.4% parcel 2 (11.6ac) = 14.5 ac total</p> <p>ii. Source(s) of soil rating(s): Franklin County soils classification database</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	



e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</li> <li>ii. Name: _____</li> <li>iii. Brief description of attributes on which listing is based: _____</li> </ul>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Describe possible resource(s): _____</li> <li>ii. Basis for identification: NYS database review (online) _____</li> </ul>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify resource: NYS Route 37 is a NYS Scenic Byway, the "Military Trail"</li> <li>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): scenic byway</li> <li>iii. Distance between project and resource: _____ 0.1 miles.</li> </ul>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes: <ul style="list-style-type: none"> <li>i. Identify the name of the river and its designation: _____</li> <li>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?             <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> </li> </ul>	

#### F. Additional Information

Attach any additional information which may be needed to clarify your project.

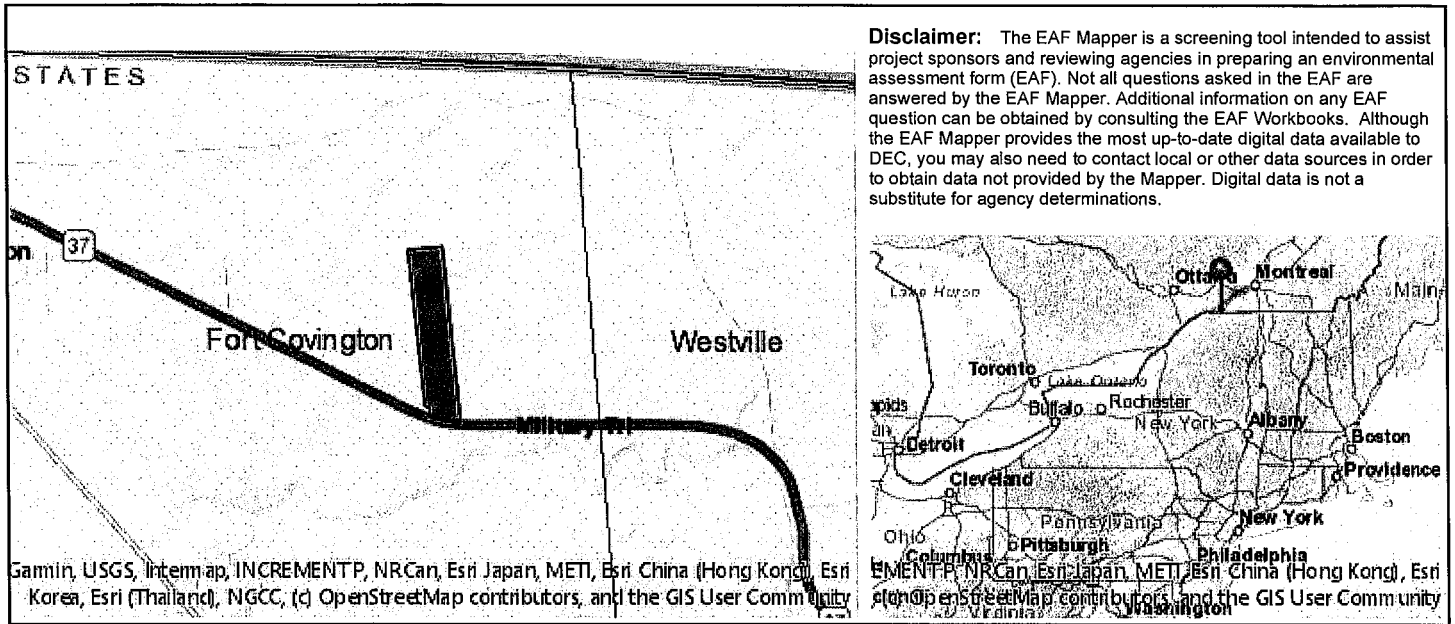
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

#### G. Verification

I certify that the information provided is true to the best of my knowledge.

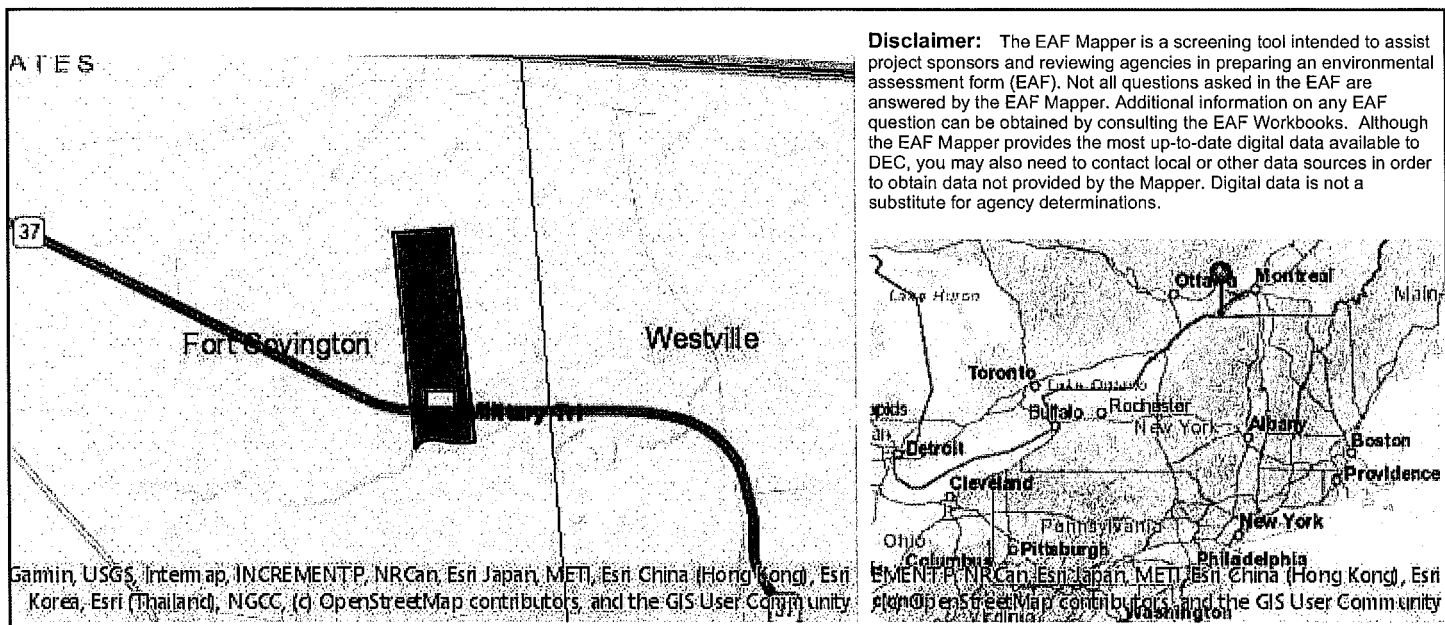
Applicant/Sponsor Name Rodney Morrison P.E. engineer for applicant Date 2/23/21 revised 04/08/21

Signature e-signed, R MORRISON Title Principal, LRC Eng & Land Surv, DPC



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	No

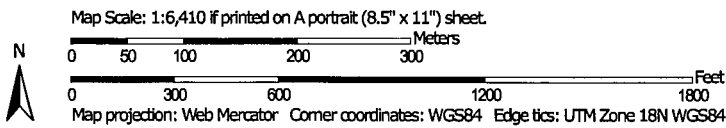
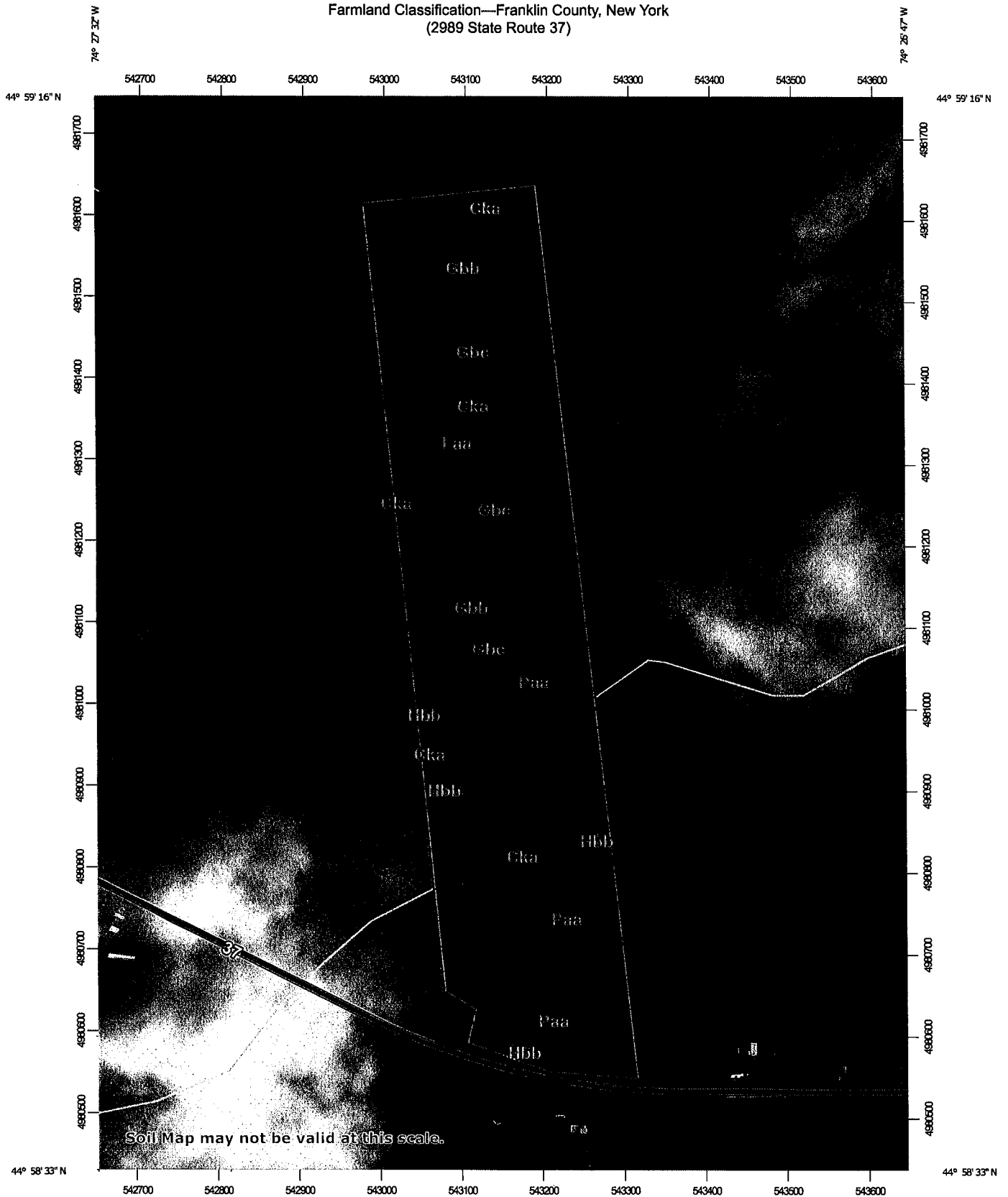
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Eastern Sand Darter, Northern Harrier
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	FRAN001
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	910-110
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Eastern Sand Darter, Northern Harrier
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	FRAN001
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No





























Farmland Classification—Franklin County, New York  
(2989 State Route 37)



Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey

10/29/2020  
Page 1 of 5

<b>Area of Interest (AOI)</b>		<b>MAP LEGEND</b>		<b>Soil Rating Lines</b>	
	Area of Interest (AOI)		Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of unique importance
<b>Soils</b>		<b>Prime farmland if irrigated and reclaimed of excess salts and sodium</b>			Not rated or not available
<b>Soil Rating Polygons</b>		<b>Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60</b>			
	Not prime farmland		Farmland of statewide importance, if irrigated and drained		Not prime farmland
	All areas are prime farmland		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		All areas are prime farmland
	Prime farmland if drained		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Prime farmland if drained
	Prime farmland if protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Prime farmland if protected from flooding or not frequently flooded during the growing season
	Prime farmland if irrigated		Farmland of statewide importance, if completely removing the root inhibiting soil layer		Prime farmland if irrigated
	Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
	Prime farmland if irrigated and drained		Farmland of local importance, if irrigated		Prime farmland if irrigated and drained
	Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of local importance, if irrigated		Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

	Prime farmland if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium		Farmland of unique importance		Prime farmland if subsoiled, completely removing the root inhibiting soil layer
	Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if irrigated and drained		Farmland of statewide importance, if drained or not frequently flooded during the growing season		<b>Soil Rating Points</b>		Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
	Prime farmland if irrigated and reclaimed of excess salts and sodium		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season				Prime farmland if irrigated and reclaimed of excess salts and sodium
	Farmland of statewide importance		Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if warm enough				Farmland of statewide importance
	Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of local importance				Farmland of statewide importance, if drained importance, if protected from flooding or not frequently flooded during the growing season
	Farmland of statewide importance, if irrigated				Farmland of local importance				Farmland of statewide importance, if irrigated
					Farmland of local importance, if irrigated				



	Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium		Water Features Streams and Canals		Farmland of unique importance
	Farmland of statewide importance, if irrigated and drained		Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season		Transportation Roads		Not rated or not available
	Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season		Interstate Highways		US Routes
	Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if warm enough		Major Roads		Local Roads
	Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of local importance		Background Aerial Photography		
			Farmland of local importance, if irrigated				

## Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Cka	Covington silty clay loam, 0 to 2 percent slopes	Not prime farmland	19.0	32.9%
Gbb	Hogansburg and Grenville soils, 0 to 8 percent slopes, very stony	Not prime farmland	15.1	26.3%
Gbc	Grenville and Hogansburg soils, 8 to 25 percent slopes, very stony	Not prime farmland	6.9	11.9%
Hbb	Hogansburg loam, 3 to 8 percent slopes	All areas are prime farmland	2.9	5.1%
Laa	Livingston silty clay loam, 0 to 2 percent slopes	Not prime farmland	4.4	7.7%
Paa	Panton silty clay loam, 2 to 6 percent slopes	Not prime farmland	9.3	16.2%
<b>Totals for Area of Interest</b>			<b>57.7</b>	<b>100.0%</b>

## Description

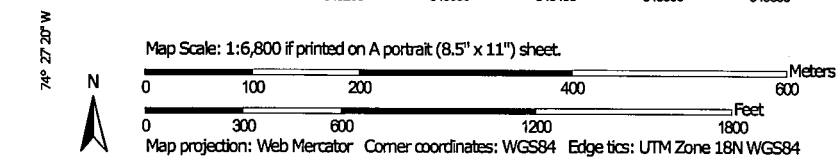
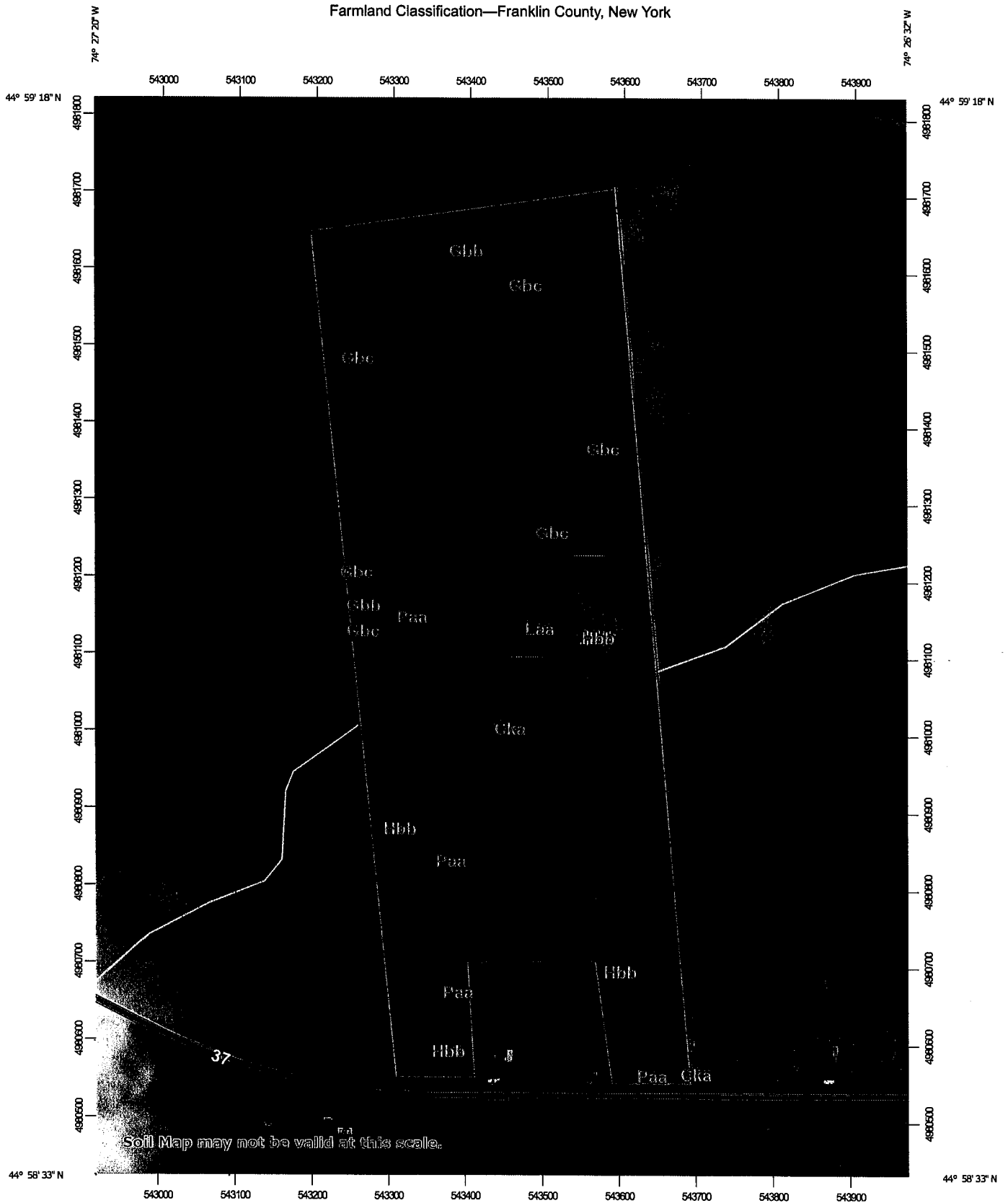
Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

## Rating Options

*Aggregation Method:* No Aggregation Necessary

*Tie-break Rule:* Lower

































# Farmland Classification—Franklin County, New York





















Natural Resources  
Conservation Service

Web Soil Survey  
National Cooperative Soil Survey









































10/28/2020  
Page 1 of 5

<b>Area of Interest (AOI)</b>		<b>Soils</b>		<b>Soil Rating Polygons</b>		<b>Soil Rating Lines</b>	
	Area of Interest (AOI)		Not prime farmland		Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium		Farmland of unique importance
	All areas are prime farmland		All areas are prime farmland		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Not rated or not available
	Prime farmland if drained		Prime farmland if drained		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Not prime farmland
	Prime farmland if protected from flooding or not frequently flooded during the growing season		Prime farmland if protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		All areas are prime farmland
	Prime farmland if irrigated		Prime farmland if irrigated		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Prime farmland if drained
	Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season		Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Prime farmland if protected from flooding or not frequently flooded during the growing season
	Prime farmland if irrigated and drained		Prime farmland if irrigated and drained		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Prime farmland if protected from flooding or not frequently flooded during the growing season
	Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season		Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Prime farmland if protected from flooding or not frequently flooded during the growing season

## MAP LEGEND

	Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
	Farmland of statewide importance, if irrigated and drained		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
	Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
	Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if warm enough
	Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
	Prime farmland if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
	Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
	Prime farmland if irrigated and reclaimed of excess salts and sodium		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
	Farmland of statewide importance		Farmland of local importance, if irrigated

# Farmland Classification—Franklin County, New York

	Prime farmland if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium		Farmland of unique importance		Prime farmland if subsoiled, completely removing the root inhibiting soil layer
	Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if irrigated and drained		Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season		Not prime farmland		Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
	Prime farmland if irrigated and reclaimed of excess salts and sodium		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season		Prime farmland if drained		Prime farmland if irrigated and reclaimed of excess salts and sodium
	Farmland of statewide importance		Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season		Prime farmland if irrigated		Farmland of statewide importance
	Farmland of statewide importance, if drained		Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer		Farmland of statewide importance, if warm enough		Prime farmland if irrigated		Farmland of statewide importance, if drained
	Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of statewide importance, if thawed		Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
	Farmland of statewide importance, if irrigated		Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60		Farmland of local importance		Prime farmland if irrigated and drained		Farmland of statewide importance, if irrigated
	Farmland of statewide importance, if irrigated		Farmland of local importance, if irrigated		Farmland of local importance, if irrigated		Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season		Farmland of statewide importance, if irrigated

# Farmland Classification—Franklin County, New York

<p>The soil surveys that comprise your AOI were mapped at 1:24,000.</p>		<p>Warning: Soil Map may not be valid at this scale.</p>	
<p>Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.</p>		<p>Please rely on the bar scale on each map sheet for map measurements.</p>	
<p>Source of Map: Natural Resources Conservation Service</p>		<p>Web Soil Survey URL: <a href="http://websoilsurvey.sc.egov.usda.gov">websoilsurvey.sc.egov.usda.gov</a></p>	
<p>Coordinate System: Web Mercator (EPSG:3857)</p>		<p>Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.</p>	
<p>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</p>		<p>Soil Survey Area: Franklin County, New York</p>	
<p>Survey Area Data: Version 4, Jun 11, 2020</p>		<p>Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.</p>	
<p>Date(s) aerial images were photographed: Aug 10, 2014—Nov 11, 2016</p>		<p>The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.</p>	
<p>Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season</p>		<p>Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium</p>	
<p>Farmland of statewide importance, if irrigated and drained</p>		<p>Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season</p>	
<p>Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season</p>		<p>Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season</p>	
<p>Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer</p>		<p>Farmland of statewide importance, if warm enough</p>	
<p>Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60</p>		<p>Farmland of statewide importance, if thawed</p>	
<p>Farmland of local importance</p>		<p>Farmland of local importance</p>	
<p>Farmland of local importance, if irrigated</p>		<p>Farmland of local importance, if irrigated</p>	
<p>Water Features</p>		<p>Streams and Canals</p>	
<p>Transportation</p>		<p>Rails</p>	
<p>Interstate Highways</p>		<p>US Routes</p>	
<p>Major Roads</p>		<p>Local Roads</p>	
<p>Background</p>		<p>Aerial Photography</p>	

## Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Cka	Covington silty clay loam, 0 to 2 percent slopes	Not prime farmland	48.0	46.6%
Gbb	Hogansburg and Grenville soils, 0 to 8 percent slopes, very stony	Not prime farmland	16.3	15.8%
Gbc	Grenville and Hogansburg soils, 8 to 25 percent slopes, very stony	Not prime farmland	11.6	11.3%
Hbb	Hogansburg loam, 3 to 8 percent slopes	All areas are prime farmland	11.6	11.3%
Laa	Livingston silty clay loam, 0 to 2 percent slopes	Not prime farmland	6.1	5.9%
Paa	Panton silty clay loam, 2 to 6 percent slopes	Not prime farmland	9.4	9.1%
<b>Totals for Area of Interest</b>			<b>103.0</b>	<b>100.0%</b>

## Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

## Rating Options

*Aggregation Method:* No Aggregation Necessary

*Tie-break Rule:* Lower

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program  
625 Broadway, Fifth Floor, Albany, NY 12233-4757  
P: (518) 402-8935 | F: (518) 402-8925  
[www.dec.ny.gov](http://www.dec.ny.gov)

September 9, 2020

Alexander Dietrich  
LRC Group  
85 Civic Center Plaza, Suite 103  
Poughkeepsie, NY 12601

Re: 2978 NY Route 37 solar due diligence  
County: Franklin    Town/City: Fort Covington

Dear Mr. Dietrich:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 5 Office, Division of Environmental Permits, at [dep.r5@dec.ny.gov](mailto:dep.r5@dec.ny.gov), 518-623-1286.

Sincerely,



Nicholas Conrad  
Information Resources Coordinator  
New York Natural Heritage Program

915





**The following state-listed animals have been documented  
in the vicinity of the project site.**

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed.

**For information about any permit considerations for the project, contact the NYSDEC Region 5 Office, Division of Environmental Permits, at [dep.r5@dec.ny.gov](mailto:dep.r5@dec.ny.gov), 518-623-1286.**

**The following species have been documented within about 1/3 mile of the project site.**

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>
<b>Birds</b>			
<b>Northern Harrier</b> <i>Breeding</i>	<i>Circus hudsonius</i>	Threatened	5191
<b>Fish</b>			
<b>Eastern Sand Darter</b>	<i>Ammocrypta pellucida</i>	Threatened	2700

This report only includes records from the NY Natural Heritage database.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at [www.guides.nynhp.org](http://www.guides.nynhp.org), and from NYSDEC at [www.dec.ny.gov/animals/7494.html](http://www.dec.ny.gov/animals/7494.html).

**From:** Kress, Bethany H (DEC)  
**To:** [ecolsol@aol.com](mailto:ecolsol@aol.com)  
**Subject:** FW: Proposed Solar Array - Fort Covington sites - Jurisdictional Screening  
**Date:** Friday, August 21, 2020 8:30:00 AM  
**Attachments:** [NY Fort Covington 20190921 TM.pdf](#)  
[ags\\_72826314-de2c-11ea-98c6-005056a6bc50.pdf](#)  
[13001-Ft. Covington\\_NY\\_DEVSET\\_HrevA\\_Var0\\_RevB\\_TRACKER\\_45GCR\\_370W\\_BS\\_09.3.19-Approved Dates Removed.pdf](#)  
[image002.png](#)  
[image003.png](#)

---

Good Morning,

We have received your inquiry about a proposed solar project in the Town of Fort Covington, Franklin County. We have reviewed the information you provided and can provide the following comments:

1. **Stormwater SPDES**: If the project will disturb 1 or more acres, a Notice of Intent form will need to be submitted for coverage under the *SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-002)*. The Stormwater Notice of Intent form can be accessed at the following weblink: <http://www.dec.ny.gov/chemical/43133.html>. Please contact Madisen Hetman in our Division of Water at (518) 897-1241 with questions regarding stormwater permit requirements.
2. **Article 10 Permit**: If any of the proposed Solar arrays will have a generating capacity of 25,000 kWh or more, they will require an Article 10 Permit under the Public Service Law for a Major Electric Generating Facility. Please contact Chris Hogan with our Division of Environmental Permits at (518) 402-9151 for more information.
3. **Wetlands**: There are NYSDEC regulated mapped wetlands near your property. A Freshwater Wetlands permit under 6NYCRR Part 663 would be required for work within the Wetland or it's 100' adjacent area. Wetland boundaries are approximate, and a wetland delineation would be required before the application process continues. If a delineation has not been done during the past 5 years a delineation is required. Please contact our Natural Resources office at 518-897-1291 for more information.
4. **Endangered and Threatened Species**: Northern Harrier - The site has been identified as being inhabited by Threatened/endangered species. Provided, as proposed, that any and all tree cutting should occur between November 1 and March 31, pursuant to implementing regulations (6NYCRR Part 182) of the NYS Endangered Species Act (Article 11-0535). Please contact the Division of Wildlife at (518) 897-1291 for more information.
5. **Other Agencies**: Please note, other agencies could have jurisdiction on this project, such as (but not limited to) the US Army Corps of Engineers. Please contact them directly for more information at (518) 266-6357.

If you have any questions, please feel free to contact me at (518) 897-1234.

Thank you,




**Bethany Kress**

Program Aide, Division of Environmental Permits

**New York State Department of Environmental Conservation**

1115 State Rte 86, Ray Brook, NY 12977

P: (518) 897-1234 | F: (518) 897-1394 | [bethany.kress@dec.ny.gov](mailto:bethany.kress@dec.ny.gov)

[www.dec.ny.gov](http://www.dec.ny.gov) |   



---

**From:** dec.sm.DEP.R5 <DEP.R5@dec.ny.gov>

**Sent:** Thursday, August 20, 2020 2:51 PM

**To:** Kress, Bethany H (DEC) <Bethany.Kress@dec.ny.gov>

**Subject:** FW: Proposed Solar Array - Fort Covington sites - Jurisdictional Screening

---

**From:** Michael Nowicki <[ecolsol@aol.com](mailto:ecolsol@aol.com)>

**Sent:** Tuesday, August 18, 2020 12:17 PM

**To:** dec.sm.DEP.R5 <DEP.R5@dec.ny.gov>

**Subject:** Proposed Solar Array - Fort Covington sites - Jurisdictional Screening

*ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.*

Hi

Attached is a plan showing a proposed solar array on 2 parcels in Fort Covington.

The solar provider, Nexamp, is seeking to determine if any DEC permits are required for the proposed project.

Please let me know if you need any additional info for a jurisdictional screening.

thanks Mike Nowicki 203-910-4716



**Parks, Recreation,  
and Historic Preservation**

ANDREW M. CUOMO  
Governor

ERIK KULLESEID  
Commissioner

January 20, 2021

Rod Morrison  
Principal  
LRC Engineering and Land Surveying  
85 Civic Center Plaza, Suite 103  
Poughkeepsie, NY 12601

Re: USACE  
Nexamp Solar - Ft. Covington Sites 1 (Brethour) and 2 (Meier)  
Rt 37, Town of Fort Covington, Franklin County, NY  
21PR00361

Dear Rod Morrison:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, it is the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Daniel Mackay".

R. Daniel Mackay  
Deputy State Historic Preservation Officer  
Division for Historic Preservation

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]

Project : \_\_\_\_\_

Date : \_\_\_\_\_

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>		

**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO☒ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

l. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
----------------------------------	--	--------------------------	--------------------------

<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>



e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b> The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b> The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>13. Impact on Transportation</b> The proposed action may result in a change to existing transportation systems. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>14. Impact on Energy</b> The proposed action may cause an increase in the use of any form of energy. <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>15. Impact on Noise, Odor, and Light</b> The proposed action may result in an increase in noise, odors, or outdoor lighting. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>16. Impact on Human Health</b> The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i> <div style="text-align: right;"> <input checked="" type="checkbox"/> NO      <input type="checkbox"/> YES         </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>		
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>		
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>		
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>		
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>		
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

For the reasons set out in detail in the resolution of the County of Franklin Industrial Development Agency adopted on May 27, 2021 and incorporated herein by reference, the Project at issue consisting of the construction and operation of the Covington Solar 1 LLC and Covington Solar 2 LLC projects will not result in any significant adverse impact to the environment and as a result, no draft environmental impact statement will be prepared.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Franklin County Industrial Development Agency \_\_\_\_\_ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Nexamp Community Solar Projects: Covington Solar 1 LLC and Covington Solar 2 LLC

Name of Lead Agency: Franklin County Industrial Development Agency

Name of Responsible Officer in Lead Agency: Jeremy Evans

Title of Responsible Officer: Executive Director

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person: Jeremy Evans

Address: 355 W. Main Street, Suite 28 Malone, NY 12953

Telephone Number: 518 439 9472

E-mail: [jeremy@adirondackfrontier.com](mailto:jeremy@adirondackfrontier.com)

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**PRINT FULL FORM**





# 2022-12-14 IDA Resolution 2022-15 CS1 Authorizing

Final Audit Report

2022-12-15

Created:	2022-12-15
By:	Maria Bourgeois (maria@adirondackfrontier.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAqCuWFwz5CexT15EzAajA_zR_uq6lFNh4

## "2022-12-14 IDA Resolution 2022-15 CS1 Authorizing" History

-  Document created by Maria Bourgeois (maria@adirondackfrontier.com)  
2022-12-15 - 10:39:48 AM GMT- IP address: 67.255.0.212
-  Document emailed to sherry.boyea@cbna.com for signature  
2022-12-15 - 10:40:41 AM GMT
-  Email viewed by sherry.boyea@cbna.com  
2022-12-15 - 2:40:27 PM GMT- IP address: 64.80.35.196
-  Signer sherry.boyea@cbna.com entered name at signing as Sherry Boyea  
2022-12-15 - 2:40:58 PM GMT- IP address: 64.80.35.196
-  Document e-signed by Sherry Boyea (sherry.boyea@cbna.com)  
Signature Date: 2022-12-15 - 2:41:00 PM GMT - Time Source: server- IP address: 64.80.35.196
-  Agreement completed.  
2022-12-15 - 2:41:00 PM GMT