

**INDUCEMENT RESOLUTION**  
*(Lodi II PV, LLC Project)*

A meeting of the Seneca County Industrial Development Agency was convened on May 4, 2023.

The following resolution was duly offered and seconded, to wit:

**Resolution No. 2023 - 11**

**RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") (i) ACCEPTING THE APPLICATION OF LODI PV, LLC (THE "COMPANY") DATED MARCH 8, 2023 WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DESCRIBED BELOW), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, (iii) NAMING ITSELF AS LEAD AGENCY UNDER ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT, (iv) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED WITH RESPECT TO THE PROJECT, AND (v) AUTHORIZING THE NEGOTIATION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS**

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 63 of the Laws of 1972 of the State of New York, as amended (hereinafter collectively called the "Act"), the **SENECA COUNTY 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 civic, industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **LODI II PV, LLC**, a New York limited liability company, for itself or on behalf of an entity to be formed by it or on its behalf (the "Company") has submitted an application (the "Application"), a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project (the "Project") consisting of: (i) the acquisition of approximately thirty (30) acres of vacant land located at 8999 State Route 414, Town of Lodi (the "Land"), (ii) of solar modules and supportive racking, inverters, transformers and associated wiring and other components necessary for the generation of approximately 5 MWac of electricity for interconnection with the existing NYSEG electric grid, with related amenities (collectively, the "Improvements"), and (iii) the acquisition and installation by the Company in and around the Improvements of certain items of equipment and other tangible personal property (the "Equipment" and, collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, it is contemplated that the Agency will hold a public hearing and (i) negotiate and enter into an agent agreement, pursuant to which the Agency will appoint the Company as its agent for the purpose of undertaking the Project (the "Agent Agreement"), (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), leaseback agreement (the "Leaseback Agreement"), and an agreement providing for a partial real property tax abatement (the "PILOT Agreement"), (iii) take a leasehold interest in the Land, the Improvements and personal property constituting the Facility (once the Agent Agreement, Lease Agreement, Leaseback Agreement and PILOT Agreement have been negotiated), and (iv) provide financial assistance to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Facility,

(b) a partial real property tax abatement structured within the PILOT Agreement, and (c) a mortgage recording tax exemption for financing related to the Project (collectively, the "Financial Assistance"); and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as "SEQRA"), the Agency must satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to undertake the Project; and

WHEREAS, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution (i) describing the Project and the Financial Assistance that the Agency is contemplating with respect to the Project and (ii) naming the Agency as "lead agency" for purposes of SEQRA review of the Project.

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

Section 1. The Company has presented an Application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the Company's Application and other materials provided by the Company to the Agency, and in furtherance of the foregoing recitals, which are hereby incorporated, 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) The Agency has the authority to take the actions contemplated herein under the Act; and

(C) The action to be taken by the Agency will facilitate the undertaking of the Project, thereby enabling the Company's development of the Project, thereby increasing employment opportunities in Seneca 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 civic, commercial, industrial, or manufacturing 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 plant or facility 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) The Project will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of the County of Seneca and State of New York, improve their standard of living, and prevent economic deterioration in Seneca County. The Agency therefore determines that the Project constitutes a "commercial" facility as contemplated by the Act, and that the Agency's grant of assistance to the Project will thereby serve the public purposes of the Act.

Section 2. The Agency is hereby authorized to prepare or cause to be prepared a cost-benefit analysis with respect to the Project prior to the Agency making its final determination with respect to the Project. The Agency is hereby authorized to negotiate the terms of the Lease Agreement, Leaseback Agreement, PILOT Agreement and Agent Agreement, and other such contracts and agreements as may be necessary in connection with the contemplated Financial Assistance.

Section 3. The Agency is hereby authorized to conduct a public hearing (the "Public Hearing") in compliance with the Act.

Section 4. The Agency further finds and determines that:

(A) The Agency's involvement in the Project will require SEQRA review.

(B) The Agency declares itself as lead agency for purposes of SEQRA review.

Section 5. 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 6. These Resolutions shall take effect immediately.

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

	Yea	Nay	Abstain	Absent
Steven Brusso	X			
Thomas L. Kime	X			
C. Ernest Brownell				x
Bruce Murray	X			
Jeffrey Shipley	X			
Thomas Murray	X			
Benjamin Guthrie				x
Ralph Lott	x			

The Resolutions were thereupon duly adopted.



LOCAL VALUES. FORWARD VISION.

APPLICATION TO  
SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION:

Company Name: Lodi II PV, LLC

Address: 85 Broad St., 28th Floor, New York, NY 10004

Phone No.: 917 819-2345 Email: pmcauliffe@ric.energy

Fax No.:

Fed I.D. No.: 92-2329419

Contact Person: Peter McAuliffe - Associate Director of Project Development

Principal Owners/Officers/Directors:

(List owners with 15% or more in equity holdings with percentage ownership)

Renewable Investment Corporation	100%

*Corporate Structure (attach schematic if Applicant is a subsidiary or otherwise affiliated with another entity)*

Form of Entity:

- ☐ Corporation
- ☐ Partnership (General ☐ or Limited ☐; Number of General Partners \_\_\_\_\_ and, if applicable, Number of Limited Partners \_\_\_\_\_).
- ☒ Limited Liability Company/Partnership (number of members \_\_\_\_\_)
- ☐ Sole Proprietorship

If a corporation, partnership, limited liability company/partnership:

What is the date of establishment February 2, 2023

Place of organization Delaware

and, if a foreign organization, is the Applicant authorized to do business in the State of New York? ☒ Yes ☐ No

APPLICANT'S COUNSEL:

Name: Henry A. Zomerfeld, Hodgson Russ LLP

Address: 140 Pearl Street, Buffalo, NY 14202

Phone No: 716-848-1370 Email: hzomerfe@hodgsonruss.com

Fax No: \_\_\_\_\_

**II. PROJECT INFORMATION**

Project Address: 8999 Route 414 - South, Lodi, NY 14860

Block(s) & Lot(s): 12-1-28.2

**A) Are Utilities on Site? (Yes/No)**

Water No Electric No Gas No Sanitary/Storm Sewer No

**B) Present legal owner of the site:** Robert Stack and Suzanne Stack

*If other than Applicant, by what means will the site be acquired for this project:*

Applicant has an option to lease the site

**C) Zoning of Project Site: Current:** None **Proposed:** None

**D) Are any variances needed:** No

**E) Statement describing project (i.e. land acquisition, construction of manufacturing facility, etc.):**  
Lodi II Solar is a 5 MW AC community solar project to be constructed on approximately 30 acres of land. This project is being developed in accordance with NYSEDA guidelines under the Community Distributed Generation program.

**Location of Project:** 8999 Route 414, Lodi, NY 14860

**Purpose of Project:** A community solar project produces renewable power for local residents to purchase such that they can use solar power without installing solar panels on their roofs or properties.

**Desired Closing Date:**

December 1, 2023

**Estimated Construction Start and End Date:** April 2024 - October 2024

**F) Principal Use of Project upon completion:** Producing renewable energy for purchase by local customers through a community solar provider.

**G) Estimated Project Costs, including**

Value of property to be acquired: \$ N/A

Cost of Construction/Reconstruction: \$ 1,107,653

Value of equipment to be purchased: \$ 5,182,960

Estimated cost of engineering/architectural services: \$ 100,000

Other: \$ 1,785,359

Total Capital Costs: \$ 8,175,972

Project refinancing; estimated amount  
(for refinancing of existing debt only) \$ 0

*Sources of Funds for Project Costs:*

Bank Financing: \$ 2,452,792

Equity (excluding equity that is attributed to grants/tax credits) \$ 5,723,180

Tax Exempt Bond Issuance (if applicable) \$ \_\_\_\_\_

Taxable Bond Issuance (if applicable) \$ \_\_\_\_\_

Public Sources (Include sum total of all state and federal  
grants and tax credits) \$ \_\_\_\_\_

Identify each state and federal grant/credit:

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

Total Sources of Funds for Project Costs: \$ 8,175,972

**The Agency will collect 1% origination fee on the total capital costs at the time of closing**

**H) Inter-Municipal Move Determination**

Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another?

☐ Yes or ☒ No

Will the project result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York?

☐ Yes or ☒ No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York?

☐ Yes or ☒ No

If Yes to any of the questions above, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry: \_\_\_\_\_

**FINANCIAL ASSISTANCE BEING REQUESTED**

**A) Benefits Requested:**

☒ Sales and Use Tax Exemption ( [ 8]% )

☐ IRB

☒ Mortgage Recording Tax Exemption(.0075%)

☒ Real Property Exemption and Tax Agreement

**B.) Value of Incentives:**

Real Property Tax Exemption and Tax Agreement: Agency staff will calculate the estimated value of a requested real property tax exemption and tax agreement based on estimated Project costs as contained herein and current tax rates and assessed valuation, and the annual tax agreement payment amounts for each year of the tax agreement. This calculation is set forth on the addendum to this Application entitled "Real Property Tax Benefits (Detailed)," which addendum is incorporated herein by reference.

Estimated duration of Real Property Tax exemption: 25 years

**Sales and Use Tax:**

Estimated value of Sales Tax exemption for facility construction: \$ 88,612.24

Estimated Sales Tax exemption for fixtures and equipment: \$ 414,636.80

Estimated duration of Sales Tax exemption: Two years from PILOT closing.

Mortgage Recording Tax Exemption Benefit:

Estimated value of Mortgage Recording Tax exemption: \$ 42,923.85

IRB Benefit:

☐ IRB inducement amount, if requested: \$ \_\_\_\_\_

Is a purchaser for the Bonds in place?

☐ Yes or ☐ No

Percentage of Project Costs financed from Public Sector sources:

Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon Sources of Funds for Project Costs as depicted above under the heading "Estimated Project Costs" (Section II(G)) of the Application.

**C.) Likelihood of Undertaking Project without Receiving Financial Assistance:**

Is there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

☒ Yes or ☐ No

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:

The project would not be feasible without Financial Assistance provided by the Agency.

---

---

---

---

---

---

---

---

---

---

---

---



### III. EMPLOYMENT PLAN

	1	2	3	4	5
	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number jobs to be CREATED:	IF FINANCIAL ASSISTANCE IS GRANTED – project the number Construction Jobs to be CREATED:	Estimate number of residents of the *Labor Market Area that will fill the jobs described
<b>*Full Time</b>	0	0	Year 1: 0 Year 2: 0 Year 3: 0	0	0
<b>*Part Time</b>  <i>Calculated as .5 for every 1 part time Job</i>	0	0	Year 1: 1 Year 2: 0 Year 3: 0	30	1
<b>Total</b>	0	0	1	30	1

#### \*GUIDANCE ON JOB REPORTING

A Full-Time Employee shall work at least 35 hours per week. A part-time employee will count as a fraction of a Full-Time Employee (an employee working at least 17.5 hours per week will count as .5). A seasonal employee will also count as a fraction of a Full-Time Employee based on the number of full months worked in a year (an employee hired to work only for three months in a year will count as .25).

\*\* The Labor Market Area is defined as Seneca County, Ontario County, Wayne County, Cayuga County, Schuyler County and Tompkins County, New York.

#### Salary and Fringe Benefits for Jobs to be Retained and/or Created:

Average Estimated Annual Salary of Jobs to be Created (at current market rates)	\$ <u>\$90,000</u> to \$ <u>\$100,000</u>
Annualized Salary Range of Jobs to be Created	\$ <u>100,000</u>
Estimated Average Annual Salary of Jobs to be Retained (at current market rates)	\$ _____

#### IV. REPRESENTATIONS AND COVENANTS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A) **Job Listings:** In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- B) **First Consideration for Employment:** In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C) **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D) **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- E) **Compliance with N.Y. GML Sec. 862(1):** Applicant certifies that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

- F) **Compliance with Applicable Laws:** The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- G) **False and Misleading Information:** The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement in the Project.
- H) **Recapture:** Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- E) **Absence of Conflicts of Interest:** The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Applicant, except as hereinafter described:

STATE OF NEW YORK )  
COUNTY OF Richmond ) ss.:

Jonathan Rappe, being first duly sworn, deposes and says:

1. That I am the CEO (Corporate Office) of Lodii IV, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

[Signature]  
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 8 day of March 2023

[Signature]  
(Notary Public)



This Application should be submitted with a \$350.00 Application fee to Seneca County Industrial Development Agency, One DiPronio Drive, Waterloo, New York 13165-1681 (Attn.: Sarah Davis, Executive Director).

## HOLD HARMLESS AGREEMENT

Applicant hereby releases the SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from and agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (i) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (ii) the Agency's acquisition, construction and/or installation of the Project described therein and (iii) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete. If, for any reason, Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or Applicant are unable to reach final agreement with the respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agent or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

Applicant: \_\_\_\_\_

By: \_\_\_\_\_

(Print Name)

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

### **Local Labor Policy**

The Company hereby covenants that it will use at least 70% (as a percentage of total labor costs) Local Labor for the construction, renovation, and/or expansion activities related to the project described in this application. "Local Labor" is defined as persons residing in Seneca, Ontario, Wayne, Yates, Cayuga, Schuyler, Monroe, or Tompkins Counties. The Company may request a waiver of the Local Labor requirement from the Agency for projects requiring specialty contractors or if lack of availability of Local Labor will materially delay or otherwise hinder the project. Requests for waivers shall be made prior to commencement of the work to which the requested waiver applies, and shall be supported by such documentation/information as the Agency shall require to evaluate the request. Decisions on waivers are at the sole discretion of the Agency.

**Labor Policy Monitoring Fee:** The Agency shall retain a contractor to monitor compliance with the Local Labor Policy. All fees and costs of the contractor shall be borne by the Company. At closing of the Agency's assistance package, the Company shall deposit funds with the Agency, which shall be held by the Agency as a deposit to be applied towards the costs of the contractor. These funds will be held by the Agency in a non-interest-bearing escrow account and will fund any costs related to the ongoing audit of Local Labor Policy compliance throughout construction. Any unused funds on deposit with the Agency will be returned to the Company upon project completion. The Company shall pay any shortfall in the deposit to the Agency within ten days following the Agency's demand therefor. The local labor monitoring fee is based on project costs:

#### **Monthly fee per project:**

##### **Tier 1 (<\$5M):**

o Monthly Reporting Fee:	\$ 230
o One Time Setup Fee:	\$ 650
o Inspection Fee:	\$ 150

##### **Tier 2 (>\$5M - <\$25M):**

o Monthly Reporting Fee:	\$ 460
o One Time Setup Fee:	\$ 950
o Inspection Fee:	\$ 225

##### **Tier 3 (>\$25M):**

o Monthly Reporting Fee:	\$ 690
o One Time Setup Fee:	\$ 1250
o Inspection Fee:	\$ 325

### **Prevailing Rate Policy**

Per NYS Labor Law 224-a, project with a total “project cost” of \$5 million or more that receive a benefit package valued at 30% or more of the total project cost (a “covered project”) are subject to prevailing wage requirements. Following the Agency’s review of this application the Agency will notify the Company if the project is a covered project subject to prevailing wage requirements. The Company hereby covenants that it will comply with all requirements provided for in NYS Labor Law 224-a to the extent applicable.

See NYS Labor Law 224-a for definitions of public funds and exemptions to covered projects.

For the purposes of this policy, project cost is defined as the sum of the “Cost of Construction/Reconstruction,” “Estimated Cost of Engineering/Architectural Services,” and “Other” as outlined on page 3 of the application.

**Prevailing Rate Policy Monitoring Fee:** The Agency shall retain a contractor to monitor compliance with the Prevailing Rate Policy. All fees and costs of the contractor shall be borne by the Company. At closing of the Agency’s assistance package, the Company shall deposit funds with the Agency, which shall be held by the Agency as a deposit to be applied towards the costs of the contractor. These funds will be held by the Agency in a non-interest-bearing escrow account and will fund any costs related to the ongoing audit of Prevailing Rate Policy compliance throughout construction. Any unused funds on deposit with the Agency will be returned to the Company upon project completion. The Company shall pay any shortfall in the deposit to the Agency within ten days following the Agency’s demand therefor. The prevailing rate monitoring fee is based on project costs:

#### **Monthly Reviewing, Reporting & Inspection Fee**

- |  |             |
|--|-------------|
| ● <b>Tier 1</b> <5 Million             | \$ 1,115.00 |
| ● <b>Tier 2</b> >5 Million <25 Million | \$ 1,755.00 |
| ● <b>Tier 3</b> >25 Million            | \$ 3,405.00 |

#### **One-Time Fees Tiered based on Project Size**

- |                              |             |
|------------------------------|-------------|
| ● Project Set Up/Per Project |             |
| o Tier 1                     | \$ 1,400.00 |
| o Tier 2                     | \$ 2,100.00 |
| o Tier 3                     | \$ 3,200.00 |
| ● Closeout Fee               |             |
| o Tier 1                     | \$ 575.00   |
| o Tier 2                     | \$ 800.00   |
| o Tier 3                     | \$ 1,500.00 |

**SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
UNIFORM PROJECT EVALUATION POLICY**

Pursuant to and in accordance with Section 859-a(5) of the General Municipal Law ("GML"), the Seneca County Industrial Development Agency (the "Agency") hereby establishes a Uniform Project Evaluation Policy for the evaluation and selection for all qualifying categories of projects for which the Agency may provide "Financial Assistance" (as defined herein). "Financial Assistance" shall include any of the following: (i) the issuance by the Agency of tax- exempt bonds; (ii) sales and use tax exemption; (iii) mortgage recording tax exemption; and (iv) real property tax exemption (with or without a related agreement for payments in lieu of taxes).

For each Application for Financial Assistance received by the Agency, the following must occur prior to authorizing the provision of Financial Assistance:

- 1) The Agency shall undertake an assessment of all material information included in connection with the Application for Financial Assistance as necessary to afford a reasonable basis for the decision by the Agency to provide Financial Assistance for a project. Such information may include, without limitation, qualification of the proposed project under the GML (including any retail analysis, as applicable), the applicant's financial history, project pro-formas, and consideration of local development priorities.
- 2) A written cost-benefit analysis shall be utilized by the Agency that identifies the extent to which a project will create or retain permanent, private sector jobs, the estimated value of any tax exemptions to be provided; the amount of private sector investment generated or likely to be generated by the proposed project; the likelihood of accomplishing the proposed project in a timely fashion; and the extent to which the proposed project will provide additional sources of revenue for municipalities and school districts; and any other public benefits that might occur as a result of the project, taking into account the economic condition of the area at the time of the application, the effect of the proposed project upon the environment and surrounding property, and the extent to which the proposed project will provide a benefit (economic or otherwise) not otherwise available within the municipality in which the project is located.
- 3) The Agency's Application for Financial Assistance shall include a statement by the applicant that the project, as of the date of the application, is in substantial compliance with all provisions of GML Article 18-A, including, but not limited to, the provisions of GML Section 859-a(5) and 862(1); and
- 4) If the proposed project involves the removal or abandonment of a facility or plant within the State of New York, the Agency shall notify the chief executive officer or officers of the municipality or municipalities in which the facility or plant was located of the Agency's receipt of an application for Financial Assistance.



**SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
PROJECT REVIEW AND RECAPTURE POLICY**

The Seneca County Industrial Development Agency (the "IDA") reserves the right to review the performance of projects for which the IDA's financial assistance has been granted (a "Project") to determine if a Project has met the obligations and conditions set forth in the IDA approvals and agreements related to the Project (the "Project Documents"). The terms and conditions of the Project Documents (the "Material Factors") will serve as the benchmark for determining a Project's compliance.

Material Factors should be explicit and measurable and may include items such as investment, job creation, retention or other factors as determined by the board. Material Factors may vary from Project to Project.

**Non-Compliance Review Process:**

If a Project is found to be non-compliant with the Material Factors, the IDA shall undertake the following:

1. The IDA shall notify the Project owner/operator (the "Company") in writing that, in the IDA's determination, the Company has violated a Material Factor.
2. The Company shall be given an opportunity to remedy the violation.
3. If the Company is unable or unwilling to remedy the violation, the IDA shall seek additional information/explanation from the company as to why a Material Factor was not achieved. These may include economic or natural factors that led to the violation. These factors should be discussed and predetermined to the extent possible by the Board and may include items such as, natural disaster, industry dynamics, unfair competition or economic events that were outside the control of the Company.
4. The Company shall be provided the opportunity to present to the IDA any information as outlined above regarding why the Material Factor was not achieved.

**Board Actions:**

Following completion of the Non-Compliance Review Process described above, the IDA Board will consider whether to keep benefits in place, reduce, terminate, and/or recapture financial assistance. The following options will be reviewed and considered by the IDA Board:

1. Upon a review of the facts the Board may determine that the non-compliance was justified and/or adequately explained and may consider the matter closed without further action, or set a specific time period for the Company to achieve compliance. This may also be accompanied by a period of increased reporting or such other conditions as the IDA Board may reasonably impose. (e.g., review violated Material Factor(s) quarterly until remedied.)
2. In the event of non-compliance with a Material Factor that is not, in the IDA Board's determination, justified by factors outside the Company's control and/or otherwise adequately explained, the IDA Board may determine that such non-compliance will



result in the reduction, suspension, termination and/or recapture of financial assistance, as provided below.

Reduction of Financial Assistance: The IDA Board may determine that a reduction in financial assistance is appropriate, which reduction may include, without limitation, increased required payments under an agreement for payments in lieu of taxes.

Termination of Financial Assistance: The IDA Board may elect to terminate any ongoing financial assistance to a Company. Reasons for termination should be explicit and may include, without limitation, continued violation of the Material Factors or failure to comply with ongoing reporting or compliance requirements of the IDA.

Recapture of Financial Assistance: An IDA Board may require that all or part of the financial assistance for a Project be returned, including all or part of the amount of any tax exemptions. Events justifying recapture may include, without limitation, a Company knowingly providing false information on an application or a compliance/monitoring report; a finding that the Company did not make a good faith effort or have any intention of meeting a Material Factor; a company ceases operations and/or relocates; material non-compliance with state and/or local laws or regulations; and material shortfalls in job creation and retention projections.

In the event an IDA is successful in recapturing financial assistance, such funds shall be returned to the appropriate affected taxing jurisdictions on a pro rata basis unless otherwise agreed upon by the local taxing jurisdiction.

#### **Annual Review**

The IDA shall annually assess the progress of each Project for which bonds or notes remain outstanding or straight-lease transactions have not been terminated, or which continue to receive financial assistance or are otherwise active, toward achieving the investment, job retention or creation, or other objectives of the Project indicated in the Project applications. Such assessments shall be provided to the IDA Board.

# ADDENDUM TO IDA APPLICATION FOR FINANCIAL ASSISTANCE

## Cost Benefit Analysis<sup>1</sup>

### To be completed/calculated by the AGENCY

<b><u>Costs = Financial Assistance</u></b>	
Estimated Property Tax Exemption	\$ _____
Estimated Sales Tax Exemption	\$ _____
Estimated Mortgage Recording Tax Exemption	\$ _____
Estimated Interest Savings (Bonds)	\$ _____
Other (Public Grants Awarded, etc.)	\$ _____
<b><u>TOTAL COSTS</u></b>	<b>\$ _____</b>
<b><u>Benefits = Economic Development</u></b>	
Estimated Ongoing Payroll*	\$ _____
Total Capital Costs	\$ _____
Estimated Property Tax Revenue (PILOT Payments)	\$ _____
Temporary Sales Tax Revenue <sup>!</sup>	\$ _____
IDA Agency Fee	\$ _____
Other (Host Community Agreement, etc.)	\$ _____
<b><u>TOTAL BENEFITS</u></b>	<b>\$ _____</b>
<b><u>Benefit to Cost Ratio</u></b>	<b>\$ _____</b>

<b><u>Additional Considerations</u></b>
Project is likely to be accomplished within 3 years.
Project contributes to NY State's renewable energy goals and emission reduction targets as adopted pursuant to section 6-104 of the energy law.

<b>*Ongoing Payroll Calculator:</b>			
Total Payroll	Total FTEs Created & Retained	Average Salary	PILOT Duration
\$ _____	= _____	x \$ _____	x _____

Estimated value of goods and services to be exempt from sales and use tax. (to be used on NYS ST-60)	\$ _____
--	----------

<sup>^</sup> This Cost Benefit Analysis was conducted in accordance with NYS GMU 859a.

<sup>!</sup> Temporary Sales Tax Revenue includes any construction/one-time costs that are not exempt from sales tax.

**ADDENDUM TO IDA APPLICATION FOR FINANCIAL ASSISTANCE****Real Property Tax Benefits (Detailed):**

\*\* This section of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.

**Tax Agreement Estimate Table Worksheet**

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property *	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000

\*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
TOTAL							

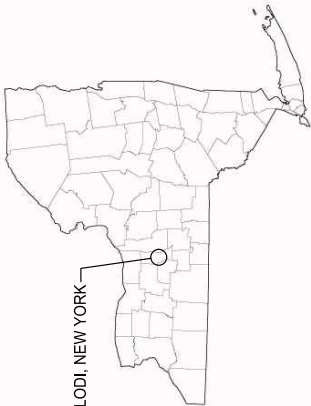
\*Estimates provided are based on current property tax rates and assessment values



# LODI II SOLAR

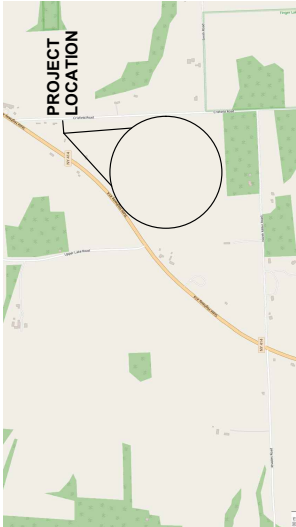
8999 ROUTE 414  
LODI, NY 14818

## SITE PLAN APPROVAL DOCUMENTS MARCH 2023



LODI, NEW YORK

1 PROJECT LOCATION MAP  
N  
N.T.S.



2 PROJECT LOCATION MAP  
N  
N.T.S.



Centerville Corporate Park  
375 Essjay Road, Suite 200  
Williamsville, NY 14221  
www.wendelcompanies.com  
p.716.688.0766 f.716.625.6825

Wendel Project No. 607123

**RIC ENERGY**  
Lodi EPA LLC  
85 Broad St., 20th Floor  
New York, NY 10004

**LODI II SOLAR**  
8999 Route 414  
Lodi, NY 14818

SITE PLAN APPROVAL

**wendel**  
375 Essjay Road, Suite 200  
Williamsville, NY 14221  
p.716.688.0766 f.716.625.6825  
www.wendelcompanies.com  
Centerville Corporate Park, Centerville, NY

FOR PERMITTING  
PURPOSES  
03/09/23  
NOT FOR CONSTRUCTION

THIS DRAWING IS THE PROPERTY OF WENDEL. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF WENDEL. ANY VIOLATION OF THIS NOTICE SHALL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY TO WENDEL.

DRAWING NUMBER	DRAWING TITLE
G001	COVERSHEET
C101	EXISTING CONDITION PLAN
C201	SITE LAYOUT PLAN
C202	INTERCONNECTION PLAN

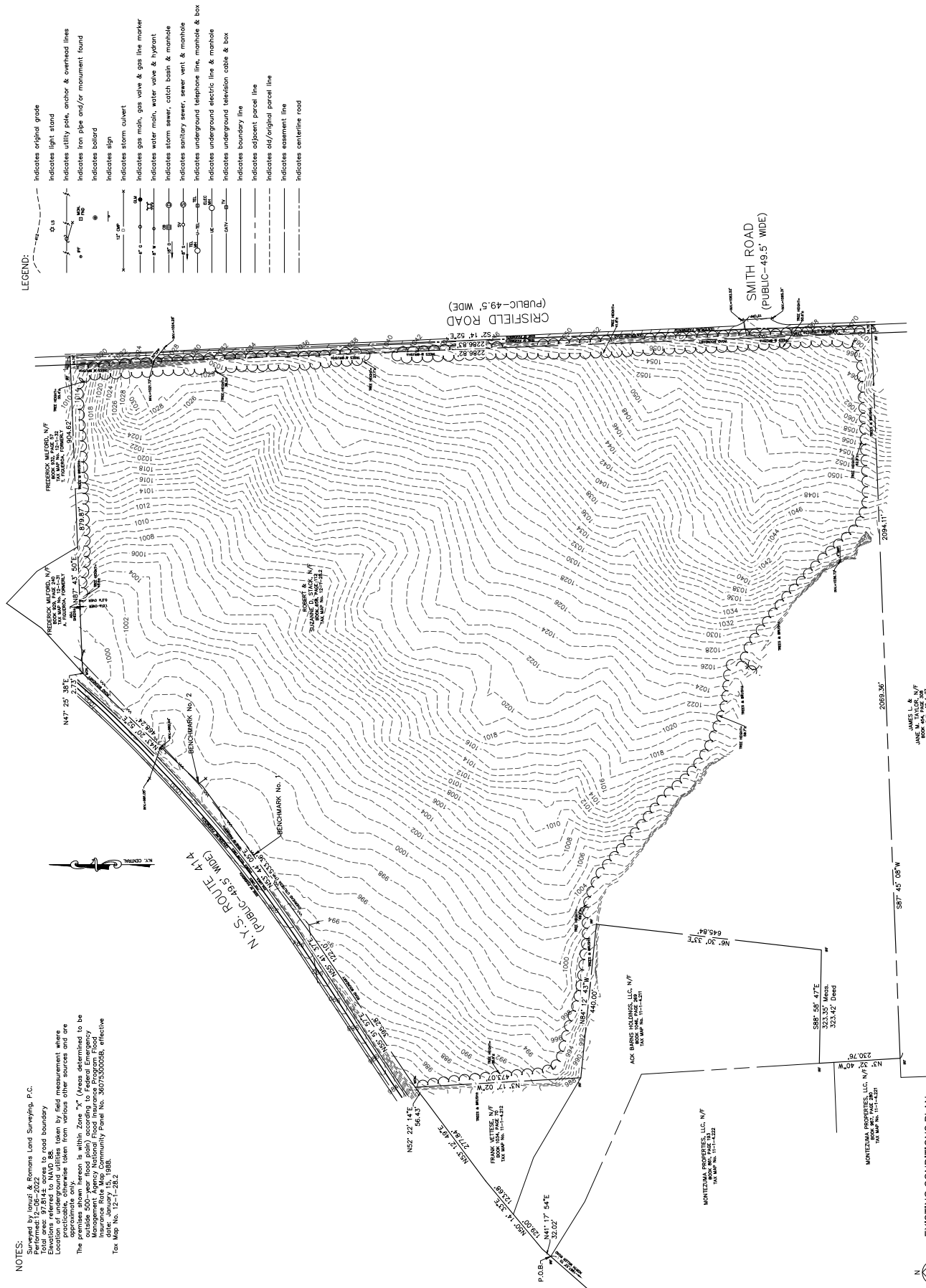
DATE

COVERSHEET

GRAPHIC SCALE BAR  
0 10 20 30 40 50 60 70 80 90 100  
FEET  
DATE 03/09/23  
SCALE AS NOTED  
DRAWN BY  
CHECKED BY  
DATE 03/09/23  
PROJECT NO. 607123

G001

NO.	DESCRIPTION	DATE
1	PLAN APPROVAL	03/09/2023
2	PLAN APPROVAL	03/09/2023
3	PLAN APPROVAL	03/09/2023
4	PLAN APPROVAL	03/09/2023
5	PLAN APPROVAL	03/09/2023
6	PLAN APPROVAL	03/09/2023
7	PLAN APPROVAL	03/09/2023
8	PLAN APPROVAL	03/09/2023
9	PLAN APPROVAL	03/09/2023
10	PLAN APPROVAL	03/09/2023



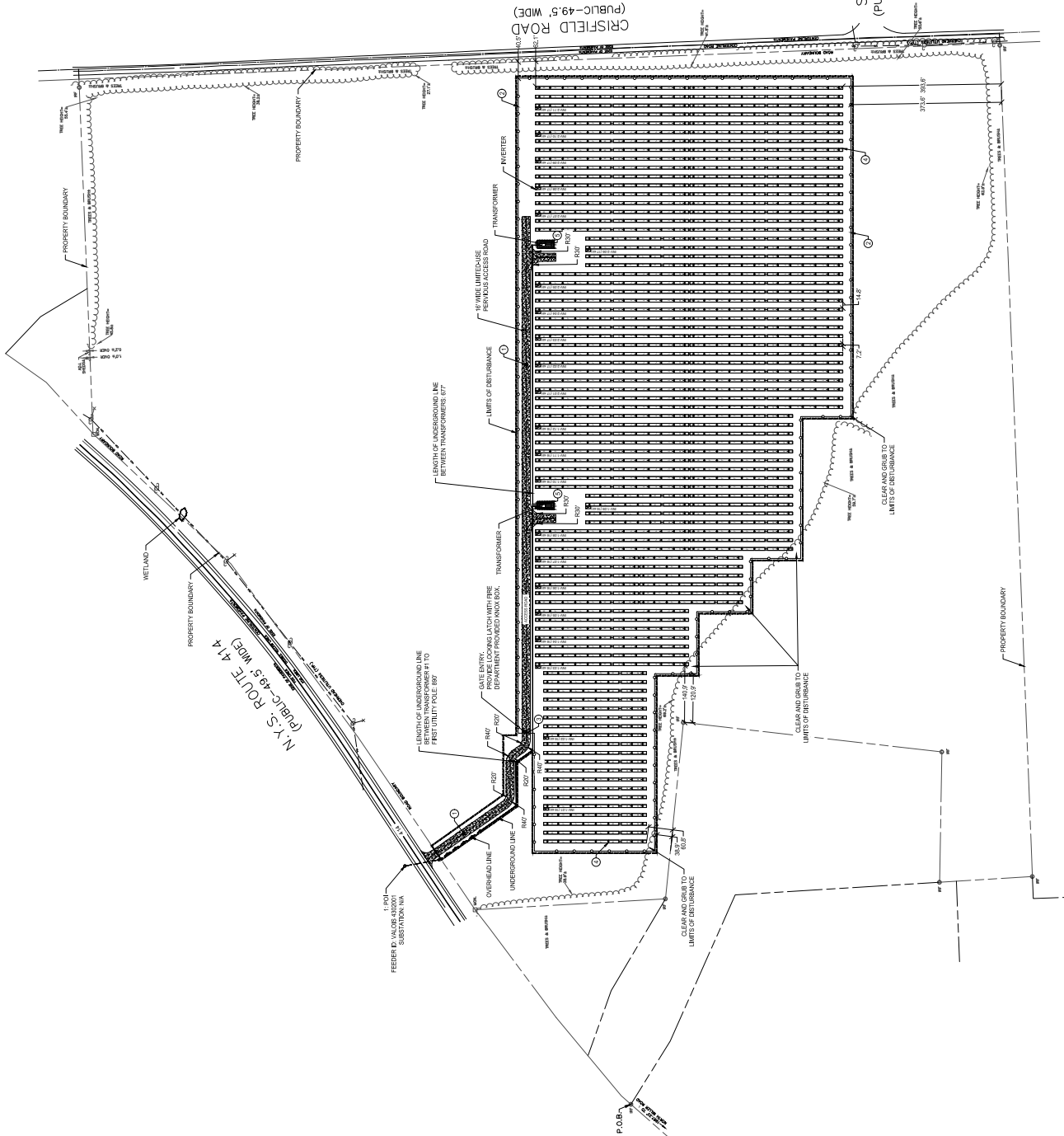
NOTES:  
1. Surveyed by James L. & N.Y. Surveying, P.C.  
2. Performed: 12-26-2022  
3. Elevation referred to: NAVD 83  
4. Location of all structures shown on this map is based on measurements taken from various other sources and are approximate only.  
5. The location of all structures shown on this map is within 10' of the actual location.  
6. The location of all structures shown on this map is within 10' of the actual location.  
7. The location of all structures shown on this map is within 10' of the actual location.  
8. The location of all structures shown on this map is within 10' of the actual location.  
9. The location of all structures shown on this map is within 10' of the actual location.  
10. The location of all structures shown on this map is within 10' of the actual location.

LEGEND	
LAT	42.557758
LONG	-76.958730
SYSTEM SIZE (DC) KW	7,014
SYSTEM SIZE (AC) KW	5,000
MODULE TYPE	CS7N-600ME-AQ (660W)
QUANTITY	10,612 (379 strings)
MODULES PER STRING	28
STRING LENGTH (ft)	23
QUANTITY	23
SOLAR TRACKER TYPE	Tracker TP
DIMENSIONS OF THE TRACKER	(30) 369'-7" x 7'-10" x 5'-7" (24)
(3 strings & 2 strings)(LxWxH)	255'-3" x 7'-10" x 5'-7"
TILT ANGLE	±50°
PITCH	22°
AZIMUTH	32.81%
FENCE LENGTH	1,909'
ACCESS ROAD LENGTH	1,778'
TOTAL ACRES/AMV	4.09
TOTAL AREA OF DISTURBANCE	29.05 AC
ADDRESS	8999 Route 414, Lodi, NY 14818

- LEGEND:
- LIMITED USE PREVIOUS ACCESS ROAD
  - PROPERTY LINE
  - EDGE OF VEGETATION/WOODS
  - LIMITS OF DISTURBANCE
  - PROPOSED CHAIN LINK FENCE
  - CENTERLINE OF ROAD

○ SITE IMPROVEMENT NOTES:

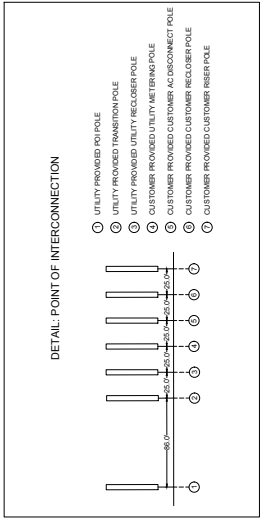
1. LIMITED USE PREVIOUS ACCESS ROAD
  2. CHAIN LINK GATE
  3. CHAIN LINK GATE
  4. SOLAR ARRAY MODULE, TYP
  5. TRANSFORMER PAD
1. SEE DRAWING C202 FOR INTERCONNECTION DETAILS AND LAYOUT.
2. ACCESS DRIVE ALIGNED WITH AND USING THE 2003 INTERNATIONAL FIRE CODE APPROVED FIRE APPARATUS ACCESS ROAD GUIDELINES.



NO.	DESCRIPTION	DATE
1	UTILITY PROVIDED UTILITY METERING POLE	03/20/23
2	UTILITY PROVIDED UTILITY RECLOSURE POLE	03/20/23
3	UTILITY PROVIDED UTILITY METERING POLE	03/20/23
4	UTILITY PROVIDED UTILITY RECLOSURE POLE	03/20/23
5	UTILITY PROVIDED UTILITY METERING POLE	03/20/23
6	UTILITY PROVIDED UTILITY RECLOSURE POLE	03/20/23
7	UTILITY PROVIDED UTILITY METERING POLE	03/20/23
8	UTILITY PROVIDED UTILITY RECLOSURE POLE	03/20/23
9	UTILITY PROVIDED UTILITY METERING POLE	03/20/23
10	UTILITY PROVIDED UTILITY RECLOSURE POLE	03/20/23

**INTERCONNECTION PLAN**

DATE	03/20/23
SCALE	AS NOTED
DRAWN	RMS
CHECKED	CC1
DATE	03/20/23
BY	WENDEN



Inverter	String	DC Power (kW)	AC Power (kW)	Derated (kW)
RNV-2.01	16	295.68	225	211
RNV-2.02	16	295.68	225	211
RNV-2.03	16	295.68	225	211
RNV-2.04	16	295.68	225	211
RNV-2.05	16	295.68	225	211
RNV-2.06	16	295.68	225	211
RNV-2.07	16	295.68	225	211
RNV-2.08	16	295.68	225	211
RNV-2.09	16	295.68	225	211
RNV-2.10	16	295.68	225	211
RNV-2.11	16	295.68	225	211
RNV-2.12	16	295.68	225	211
RNV-2.13	16	295.68	225	211
RNV-2.14	16	295.68	225	211
RNV-2.15	16	295.68	225	211
RNV-2.16	16	295.68	225	211
RNV-2.17	16	295.68	225	211
RNV-2.18	16	295.68	225	211
RNV-2.19	16	295.68	225	211
RNV-2.20	16	295.68	225	211
RNV-2.21	16	295.68	225	211
RNV-2.22	16	295.68	225	211
RNV-2.23	16	295.68	225	211
RNV-2.24	16	295.68	225	211
RNV-2.25	16	295.68	225	211
RNV-2.26	16	295.68	225	211
RNV-2.27	16	295.68	225	211
RNV-2.28	16	295.68	225	211
RNV-2.29	16	295.68	225	211
RNV-2.30	16	295.68	225	211
RNV-2.31	16	295.68	225	211
RNV-2.32	16	295.68	225	211
RNV-2.33	16	295.68	225	211
RNV-2.34	16	295.68	225	211
RNV-2.35	16	295.68	225	211
RNV-2.36	16	295.68	225	211
RNV-2.37	16	295.68	225	211
RNV-2.38	16	295.68	225	211
RNV-2.39	16	295.68	225	211
RNV-2.40	16	295.68	225	211
RNV-2.41	16	295.68	225	211
RNV-2.42	16	295.68	225	211
RNV-2.43	16	295.68	225	211
RNV-2.44	16	295.68	225	211
RNV-2.45	16	295.68	225	211
RNV-2.46	16	295.68	225	211
RNV-2.47	16	295.68	225	211
RNV-2.48	16	295.68	225	211
RNV-2.49	16	295.68	225	211
RNV-2.50	16	295.68	225	211
RNV-2.51	16	295.68	225	211
RNV-2.52	16	295.68	225	211
RNV-2.53	16	295.68	225	211
RNV-2.54	16	295.68	225	211
RNV-2.55	16	295.68	225	211
RNV-2.56	16	295.68	225	211
RNV-2.57	16	295.68	225	211
RNV-2.58	16	295.68	225	211
RNV-2.59	16	295.68	225	211
RNV-2.60	16	295.68	225	211
RNV-2.61	16	295.68	225	211
RNV-2.62	16	295.68	225	211
RNV-2.63	16	295.68	225	211
RNV-2.64	16	295.68	225	211
RNV-2.65	16	295.68	225	211
RNV-2.66	16	295.68	225	211
RNV-2.67	16	295.68	225	211
RNV-2.68	16	295.68	225	211
RNV-2.69	16	295.68	225	211
RNV-2.70	16	295.68	225	211
RNV-2.71	16	295.68	225	211
RNV-2.72	16	295.68	225	211
RNV-2.73	16	295.68	225	211
RNV-2.74	16	295.68	225	211
RNV-2.75	16	295.68	225	211
RNV-2.76	16	295.68	225	211
RNV-2.77	16	295.68	225	211
RNV-2.78	16	295.68	225	211
RNV-2.79	16	295.68	225	211
RNV-2.80	16	295.68	225	211
RNV-2.81	16	295.68	225	211
RNV-2.82	16	295.68	225	211
RNV-2.83	16	295.68	225	211
RNV-2.84	16	295.68	225	211
RNV-2.85	16	295.68	225	211
RNV-2.86	16	295.68	225	211
RNV-2.87	16	295.68	225	211
RNV-2.88	16	295.68	225	211
RNV-2.89	16	295.68	225	211
RNV-2.90	16	295.68	225	211
RNV-2.91	16	295.68	225	211
RNV-2.92	16	295.68	225	211
RNV-2.93	16	295.68	225	211
RNV-2.94	16	295.68	225	211
RNV-2.95	16	295.68	225	211
RNV-2.96	16	295.68	225	211
RNV-2.97	16	295.68	225	211
RNV-2.98	16	295.68	225	211
RNV-2.99	16	295.68	225	211
RNV-3.00	16	295.68	225	211

**LEGEND:**

- LIMITED USE PREVIOUS ACCESS ROAD
- ACCESS ROAD CENTERLINE
- PROPOSED UNDERGROUND LINE
- PROPOSED OVERHEAD LINE
- EXISTING OVERHEAD LINE
- PROPERTY LINE

**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.

Name of Action or Project: Lodi II Solar		
Project Location (describe, and attach a general location map): Route 414 Lodi, NY (between #8933 and #9085) Parcel 12-1-28.2		
Brief Description of Proposed Action (include purpose or need): Lodi II PV, LLC is proposing to develop and build a new DG facility - Solar PV generation plant. The proposed project is located along Route 414 in Lodi NY. The project, as designed will have a nameplate capacity of 5,000 kW. The proposed project is a standalone ground-mounted system mounted on a single-axis steel structure. The system will include 23 inverters SUNGROW SF250HX. The inverters will be connected to two transformers. The total planned DC capacity of the plant is 7,004 kW. The applicant is proposing to interconnect the project to the 34.5 KV Valois circuit. An new access road with connection to Route 414 will be constructed. The entire facility will be enclosed within a fence.		
Name of Applicant/Sponsor: Lodi II PV, LLC, c/o RIC Development	Telephone: 917-463-0421	
	E-Mail: itomchev@ric.energy	
Address: 85 Broad St., 28th Floor		
City/PO: New York	State: NY	Zip Code: 10004
Project Contact (if not same as sponsor; give name and title/role): Ivo Tomchev, Project Development Director, RIC Development	Telephone:	
	E-Mail: itomchev@ric.energy	
Address: 85 Broad St, 28th Floor		
City/PO: New York	State: NY	Zip Code: 10004
Property Owner (if not same as sponsor): Robert and Suzanne Stack	Telephone:	
	E-Mail:	
Address: 1546 Oatland Lake Rd		
City/PO: Pawley's Island	State: SC	Zip Code: 29585



## B. Government Approvals

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Seneca County Electrical Permit, GML Section 239I-m review, Seneca County IDA PILOT	March 2023
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC, NYSEDA, NYDAM, NYSDOT	March 2023
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACE; wetland jurisdictional determination	March 2023
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 checked="" type="checkbox"/> No

## C. Planning and Zoning

### C.1. Planning and zoning actions

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? ☐Yes☒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

### C.2. Adopted land use plans

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? ☒Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes☒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?) ☐Yes☒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? ☐Yes☒No

If Yes, identify the plan(s):

---

---

---

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☐ Yes ☒ No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

\_\_\_\_\_

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☒ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

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

**C.4. Existing community services**

a. In what school district is the project site located? South Seneca Central School

b. What police or other public protection forces serve the project site?

Seneca County Sheriff Department

c. Which fire protection and emergency medical services serve the project site?

Lodi Volunteer Fire Company

d. What parks serve the project site?

Finger Lakes National Forest

**D. Project Details****D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Solar facility (generally regarded as either industrial or commercial)

b. a. Total acreage of the site of the proposed action? 92.6 acres

b. Total acreage to be physically disturbed? 29.05 acres

c. Total acreage (project site and any contiguous properties) owned  
or controlled by the applicant or project sponsor? 92.6 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision? ☒ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

Commercial division of property into two areas

ii. Is a cluster/conservation layout proposed? ☐ Yes ☒ No

iii. Number of lots proposed? 2

iv. Minimum and maximum proposed lot sizes? Minimum 29.82 Maximum 44.2

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_

- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year

- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year

- 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>10,612</u> ii. Dimensions (in feet) of largest proposed structure: <u>10-12</u> height; <u>6-8</u> width; and <u>3-5</u> length iii. Approximate extent of building space to be heated or cooled: <u>N/A</u> 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? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ 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 type="checkbox"/> Yes <input checked="" 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): _____ _____	

*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:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*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: \_\_\_\_\_

\_\_\_\_\_

---

*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? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? _____</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>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</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>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<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>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____          _____          _____</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? _____</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="margin-left: 40px;">         _____ Square feet or <u>0.01</u> acres (impervious surface)          _____ Square feet or <u>90.96</u> acres (parcel size)       </p> <p>ii. Describe types of new point sources. <u>No new point sources</u> _____</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>Temporary construction runoff will be controlled on-site by stormwater and sediment/erosion control best management practices. Sheet flow from solar panels will infiltrate ground surface or be controlled prior to existing site via wetland, existing drainage, and/or swale areas. No increase in runoff.</u></p> <ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____          N/A</li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<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? _____</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  <u>Vehicles for occasional maintenance of equipment and equipment for mowing.</u></p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  <u>None</u></p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  <u>None</u></p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<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? _____</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) _____</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>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

<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%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 AM - 7 PM</li> <li>• Saturday: _____ 7 AM - 7 PM (if needed)</li> <li>• Sunday: _____ NA</li> <li>• Holidays: _____ NA</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ Dawn to Dusk</li> <li>• Saturday: _____ Dawn to Dusk</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 AM - 7 PM</li> <li>• Saturday: _____ 7 AM - 7 PM (if needed)</li> <li>• Sunday: _____ NA</li> <li>• Holidays: _____ NA</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ Dawn to Dusk</li> <li>• Saturday: _____ Dawn to Dusk</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 AM - 7 PM</li> <li>• Saturday: _____ 7 AM - 7 PM (if needed)</li> <li>• Sunday: _____ NA</li> <li>• Holidays: _____ NA</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ Dawn to Dusk</li> <li>• Saturday: _____ Dawn to Dusk</li> <li>• Sunday: _____</li> <li>• Holidays: _____</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>Noise levels will increase due to equipment used during the construction period within the hours of 7AM - 7 PM) Monday to Friday and Saturday when necessary.</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 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: _____ 300 tons per _____ Year (unit of time)</li> <li>• Operation : _____ 0 tons per _____ Year (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: Waste generated during construction, largely due to packaging materials (pallets and cardboard). Approximately 70% of materials will be recyclable.</li> <li>• Operation: N/A</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: Recyclable materials will be recycled. Remaining waste will be disposed of in a NYSDEC-approved landfill.</li> <li>• Operation: N/A</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: \_\_\_\_\_

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	0.00	0.01	+0.01
• Forested	5.69	5.57	-0.12
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.00	0.00	0.00
• Agricultural (includes active orchards, field, greenhouse etc.)	84.37	55.44	-28.93
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.00	0.00	0.00
• Wetlands (freshwater or tidal)	0.00	0.00	0.00
• Non-vegetated (bare rock, earth or fill)	0.00	0.00	0.00
• Other Describe: <u>Solar Project</u>	0.00	29.04	+29.04



Page 10 of 13

v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
<ul style="list-style-type: none"> <li>If yes, DEC site ID number: _____</li> <li>Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>Describe any use limitations: _____</li> <li>Describe any engineering controls: _____</li> <li>Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>Explain: _____</li> </ul>													
<b>E.2. Natural Resources On or Near Project Site</b>													
a. What is the average depth to bedrock on the project site? _____ <u>6.56</u> feet													
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %													
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">CsB, Conesus gravelly silt loam</td> <td style="width: 30%; text-align: right;">58.6 %</td> </tr> <tr> <td>LsB, Lansing gravelly silt loam</td> <td style="text-align: right;">32.4 %</td> </tr> <tr> <td>AoB, Appleton gravelly silt loam, 3-8</td> <td style="text-align: right;">9.0 %</td> </tr> </table>		CsB, Conesus gravelly silt loam	58.6 %	LsB, Lansing gravelly silt loam	32.4 %	AoB, Appleton gravelly silt loam, 3-8	9.0 %						
CsB, Conesus gravelly silt loam	58.6 %												
LsB, Lansing gravelly silt loam	32.4 %												
AoB, Appleton gravelly silt loam, 3-8	9.0 %												
d. What is the average depth to the water table on the project site? Average: _____ <u>3.24</u> feet													
e. Drainage status of project site soils: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><input checked="" type="checkbox"/> Well Drained:</td> <td style="width: 70%; text-align: right;"><u>32.4</u> % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;"><u>58.6</u> % of site</td> </tr> <tr> <td><input type="checkbox"/> Poorly Drained</td> <td style="text-align: right;"><u>9.1</u> % of site</td> </tr> </table>		<input checked="" type="checkbox"/> Well Drained:	<u>32.4</u> % of site	<input checked="" type="checkbox"/> Moderately Well Drained:	<u>58.6</u> % of site	<input type="checkbox"/> Poorly Drained	<u>9.1</u> % of site						
<input checked="" type="checkbox"/> Well Drained:	<u>32.4</u> % of site												
<input checked="" type="checkbox"/> Moderately Well Drained:	<u>58.6</u> % of site												
<input type="checkbox"/> Poorly Drained	<u>9.1</u> % of site												
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;"><input checked="" type="checkbox"/> 0-10%:</td> <td style="width: 70%; text-align: right;"><u>100</u> % of site</td> </tr> <tr> <td><input type="checkbox"/> 10-15%:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		<input checked="" type="checkbox"/> 0-10%:	<u>100</u> % of site	<input type="checkbox"/> 10-15%:	_____ % of site	<input type="checkbox"/> 15% or greater:	_____ % of site						
<input checked="" type="checkbox"/> 0-10%:	<u>100</u> % of site												
<input type="checkbox"/> 10-15%:	_____ % of site												
<input type="checkbox"/> 15% or greater:	_____ % of site												
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> 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)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>													
If Yes to either <i>i</i> or <i>ii</i> , 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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>													
iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 50%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name <u>Federal Water</u></td> <td>Approximate Size <u>0.01-acre</u></td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name <u>Federal Water</u>	Approximate Size <u>0.01-acre</u>	• Wetland No. (if regulated by DEC)	_____	
• Streams:	Name _____	Classification _____											
• Lakes or Ponds:	Name _____	Classification _____											
• Wetlands:	Name <u>Federal Water</u>	Approximate Size <u>0.01-acre</u>											
• 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If yes, name of impaired water body/bodies and basis for listing as impaired: _____													
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes:													
i. Name of aquifer: _____													

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border-bottom: 1px solid black;">White-tailed deer</td> <td style="width: 33%; border-bottom: 1px solid black;">Song birds / Raptors</td> <td style="width: 33%; border-bottom: 1px solid black;">Wild turkey</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Various rodents (squirrels, mice, moles,)</td> <td style="border-bottom: 1px solid black;">Coyote</td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>			White-tailed deer	Song birds / Raptors	Wild turkey	Various rodents (squirrels, mice, moles,)	Coyote	
White-tailed deer	Song birds / Raptors	Wild turkey						
Various rodents (squirrels, mice, moles,)	Coyote							
<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 style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">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 style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>Short-eared Owl (State-endangered), Northern Harrier (State-threatened)</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 style="margin-left: 20px;">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: <u>SENE012</u></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 style="margin-left: 20px;">i. If Yes: acreage(s) on project site? <u>40.2 acres</u></p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): <u>USDA NRCS Web Soil Survey - Farmland Classification</u></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 style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">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 style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Describe possible resource(s): _____</li> <li>ii. Basis for identification: _____</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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Identify resource: <u>Finger Lakes National Forest</u></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.): <u>United States Forest Service National Forest</u></li> <li>iii. Distance between project and resource: _____ <u>0.25</u> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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 Lodi II PV, LLC / Jonathan H. Rappe Date March 9, 2023

Signature  Title Signatory of sole member, RIC Development, LLC



## Lodi II Solar

# Supplemental Information Full Environmental Assessment Form Part I

Route 414, Lodi NY (between #8933 and #9085)

Parcel 12-1-28.2

March 2023

Submitted by:  
Lodi II Solar PV, LLC  
c/o RIC Development, LLC  
85 Broad St, 28th Floor  
New York, NY 10004

## **Lodi II Solar Project**

The following information supplements Part I of the Full Environmental Assessment Form (FEAF) for use by the Lead Agency in completing the FEAF Parts 2 and 3 for a State Environmental Quality Review Act (SEQRA) Determination of Significance relative to the Lodi II Solar Facility.

### **Project Description and Action**

Lodi II PV, LLC is proposing to develop and build a new facility - Solar PV generation plant. The proposed project is located along Route 414 in Lodi NY. The project, as designed will have a nameplate capacity of 5,000 kW. The proposed project is a standalone ground-mounted system mounted on a single-axis steel structure. The system will include 23 inverters connected to two transformers. The applicant is proposing to interconnect the project to the 34.5 KV Valois circuit. A new access road with connection to Route 414 will be constructed. The entire facility will be enclosed within a fence.

The below narrative expands upon questions found within the FEAF Part 1, submitted to the Lead Agency for review:

### **Agricultural Resources:**

Seneca County has a rich legacy of farming as reflected in its Agricultural and Farmland Protection Plan, which spells out the value of farming. The site in question is located within an Agricultural District and has historically and even currently been used for farming. However, the landowner is not interested in continuing farming on this property indefinitely, nor in selling the land to another area farmer. They do, however, wish to keep the rural character of their property, and exercise their right to use the property in a manner that generates income without adversely affecting the environment. Their intent is to do this by selecting a development option that will not generate waste, noise, odors or other adverse impacts, expenses or drain on community services.

The field in question has been used for this past season for production of corn and soybean. Within the proposed solar facility, a low-growing, native pollinator-friendly meadow seed mix will be planted to continue a meadow environment under and around the panels. After the useful life of the project, upon completion of the lease term, the Site will be returned through decommissioning to a condition that can again be farmed, should that be the desire of the landowner. This ability to maintain the property in condition for future desired uses is an advantage of the solar industry--Soils are depleted of nutrients when land is continuously farmed, requiring fertilizers to be applied, frequently along with herbicides and pesticides intended to maximize crop yield through continuous heavy labor working the ground. By contrast, solar allows for a period of rest and recovery whereby organic matter is retained awaiting a new future use after decommissioning. Construction and decommissioning are conducted in accordance with the NYS Department of Agriculture recommendations and standards for construction of solar within an agricultural area.

**Groundwater Resources:**

The project is in an area with groundwater averaging less than three feet below the ground. This depth to groundwater is a threshold referenced within the FEAF (Part 2) that suggests additional thought should be given to the nature of the development relative to its impacts on groundwater.

The Lodi II Solar proposal does not present a risk to groundwater. No contaminants or pollutants are stored or used on site. There is no battery storage at this site, and no discharge of any waste. Herbicides are not proposed in the future maintenance of vegetation on site. If anything, the cessation of fertilizer or pesticide application during the period in solar production will be beneficial to underlying groundwater resources. Construction is entirely above ground, with the exception of small-diameter posts driven in to support panel racking, and areas of underground wiring installed through trenching.

**Plants and Animals:**

The Project Site is indicated by agency data to be within the vicinity of past sightings of the northern harrier and short eared owl. These bird species are known to winter in New York, and are listed as state-threatened and state-endangered, respectively. There is no known nesting by these species on the site. An weekly on-site raptor survey was suggested by the NYSDEC and has been underway since November 2023. To date, a single sighting of both species has occurred, with the bird flying over and through a portion of the property. Total time over the site was less than one minute. Survey completion is scheduled for the end of March, with results evaluated by the NYSDEC for a final conclusion relative to cause for concern. Thus far, survey results—one sighting—are not cause for concern. Final results and the conclusion of NYSDEC on the subject are expected in April. A worst case scenario would be the need by the applicant to perform some form of habitat mitigation to be determined by the NYSDEC. Examples may include placement of a conservation easement on comparable property in the vicinity, or perhaps habitat enhancement in the form of promoting grassland vegetative species.

**Publicly Accessible Federal, State or Local Scenic or Aesthetic Resource:**

The Project Site is within proximity to the Finger Lakes National Park, the closest point being approximately 0.25 miles distant. The solar facility will be obscured by trees. The area closest to the proposed solar facility does not contain hiking trails or frequent visitors. As such, the scenic or aesthetic resources associated with the federal park land are not assumed to be at risk.