

# Onondaga County Industrial Development Agency



## Project Summary

12/5/2019

<b>1. Project</b>	<b>Abundant Solar Power</b>	<b>2. Project Number</b>	<b>3101-19-12A</b>
<b>3. Location</b>	Skaneateles	<b>4. School District</b>	Marcellus
<b>5. Tax Parcel(s)</b>	030.-02-04.0	<b>6. Project Type</b>	New Construction: Solar Development
		<b>Village</b>	-

<b>7.Total Project Cost</b>	<b>\$</b>	<b>1,576,027.00</b>	<b>8. Total Jobs</b>	<b>0</b>
Land	\$	-	8A. Job Retention	0
Site Work	\$	-	8B: Job Creation	0
Building	\$	-	(Next 5 Years)	
Furniture & Fixtures	\$	-		
Equipment	\$	954,577		
Equipment Subject to NYS Production Exemption	\$	-		
Engineering/Architecture Fees	\$	50,440		
Financial Charges	\$	12,610		
Legal Fees	\$	12,610		
Other- Solar Installation Labor	\$	518,470		

## Cost Benefit Analysis

### Abundant Solar Power

#### Fiscal Impact (\$)

#### Abatement Cost

**\$123,341**

Sales Tax	\$117,844
Mortgage Tax	\$0
Property Tax Relief (PILOT)	\$5,497

#### New Investment

**\$1,857,385**

PILOT Payments	\$138,470
Project Wages (10 years)	\$0
Construction Wages	\$743,638
Employee Benefits (10 years)	\$0
Project Capital Investment	\$954,577
New Sales Tax Generated	\$0

Agency Fees	\$20,700
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#### Benefit:Cost Ratio

**15.06 :1**

## Project Description

Construct a 1 MW Community Solar Project at 1676 Old Seneca Turnpike in the Town of Skaneateles. The property is currently owned by the Town and is wholly exempt.

# Abundant Solar Power

12/5/2019

## A) PILOTS Estimate Table Worksheet

Current Revenue Generated by  
Parcel \$0

Projected Year 1 Revenue to be  
generated as a result of the project: \$3,500

Total Project Cost \$ 1,576,027.00

OCIDA Estimate of Project Value \$ 238,644.25

Projected MW to be generated 1

Year	County PILOT Amount 15.4%	Town 6.2%	School District 78.4%	Total PILOT 100.0%	Full Tax Payment without PILOT	Net Exemption
1	\$ 539	\$ 217	\$ 2,744	\$ 3,500	0	\$ (3,500)
2	\$ 550	\$ 222	\$ 2,798	\$ 3,570	0	\$ (3,570)
3	\$ 561	\$ 226	\$ 2,854	\$ 3,641	0	\$ (3,641)
4	\$ 572	\$ 231	\$ 2,912	\$ 3,714	0	\$ (3,714)
5	\$ 583	\$ 235	\$ 2,970	\$ 3,789	0	\$ (3,789)
6	\$ 595	\$ 240	\$ 3,029	\$ 3,864	0	\$ (3,864)
7	\$ 607	\$ 245	\$ 3,090	\$ 3,942	0	\$ (3,942)
8	\$ 619	\$ 250	\$ 3,152	\$ 4,020	0	\$ (4,020)
9	\$ 631	\$ 255	\$ 3,215	\$ 4,101	0	\$ (4,101)
10	\$ 644	\$ 260	\$ 3,279	\$ 4,183	0	\$ (4,183)
11	\$ 657	\$ 265	\$ 3,344	\$ 4,266	0	\$ (4,266)
12	\$ 670	\$ 270	\$ 3,411	\$ 4,352	0	\$ (4,352)
13	\$ 683	\$ 276	\$ 3,480	\$ 4,439	0	\$ (4,439)
14	\$ 697	\$ 281	\$ 3,549	\$ 4,528	0	\$ (4,528)
15	\$ 711	\$ 287	\$ 3,620	\$ 4,618	0	\$ (4,618)
16	\$ 725	\$ 293	\$ 3,693	\$ 4,711	\$ 10,740	\$ 6,030
17	\$ 740	\$ 298	\$ 3,766	\$ 4,805	\$ 10,955	\$ 6,150
18	\$ 755	\$ 304	\$ 3,842	\$ 4,901	\$ 11,174	\$ 6,273
19	\$ 770	\$ 311	\$ 3,919	\$ 4,999	\$ 11,398	\$ 6,399
20	\$ 785	\$ 317	\$ 3,997	\$ 5,099	\$ 11,626	\$ 6,527
21	\$ 801	\$ 323	\$ 4,077	\$ 5,201	\$ 11,858	\$ 6,657
22	\$ 817	\$ 330	\$ 4,158	\$ 5,305	\$ 12,095	\$ 6,790
23	\$ 833	\$ 336	\$ 4,242	\$ 5,411	\$ 12,337	\$ 6,926
24	\$ 850	\$ 343	\$ 4,326	\$ 5,519	\$ 12,584	\$ 7,065
25	\$ 867	\$ 350	\$ 4,413	\$ 5,630	\$ 12,836	\$ 7,206
	<b>\$ 17,262</b>	<b>\$ 6,965</b>	<b>\$ 87,879</b>	<b>\$ 112,106</b>	<b>\$ 117,603</b>	<b>\$ 5,497</b>



## ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPLICATION INSTRUCTIONS

1. Fill in all blanks, using “none”, “not applicable”, or “not available” where the question is not appropriate to the project, which is the subject of this Application (the “Project”). If you have any questions about the way to respond, please call the Agency at 315-435-3770.
2. If an estimate is given as the answer to a question, put “(est.)” after the figure or answer, which is estimated. If more space is needed to answer any specific question, attach a separate sheet.
3. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents. (ST-60, PILOT Agreement)
4. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nate Stevens at [nstevens@ongov.net](mailto:nstevens@ongov.net). **An Application will not be considered by the Agency until the Application fee has been received.**
5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the Project, which is the subject of this Application. The form is available at <http://www.dec.ny.gov/permits/6191.html>.
6. Please note the Public officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant feels that there are elements of the Project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer’s Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.
7. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the agency, all administrative and legal fees as stated in Section VI of the Application.
8. A complete application consists of the following 9 items:
  - This Application
  - Local Access Agreement
  - Employment Plan
  - Conflict of Interest
  - A feasibility statement indicating the need for the requested benefits
  - Description of project, Site Plans/Sketches, and Maps
  - NYS Full Environmental Assessment Form
  - A check payable to the Agency in the amount of \$1,000
  - A check payable to Barclay Damon LLP in the amount of \$2,500



**It is the policy of the Agency that any project receiving benefits from the Onondaga County Industrial Development Agency will utilize 100% local contractors and local labor for the construction period of the project unless a waiver is granted in writing by the Agency.**

**Return to:**

Onondaga County Industrial Development Agency  
Attn: Nate Stevens  
333 W. Washington Street, Suite 130  
Syracuse, NY 13202  
Phone: 315-435-3770 | Fax: 315-435-3669  
[nstevens@ongov.net](mailto:nstevens@ongov.net)

**Section I: Applicant Information**

Please answer all questions. Use "None", "Not Applicable" and "See Attached" where necessary.

**A) Applicant information-company receiving benefits:**

Applicant Name: Abundant Solar Power (SK1) LLC  
Applicant Address: 700 West Metro Park Rochester, NY 14623-2678  
Phone: + 1 202 818 9194 Fax: N/A  
Website: N/A E-mail: melissa.clark@abundantsolarenergy.com  
Federal ID#: 83-1912303 NAICS: 2211  
State and Year of Incorporation/Organization: State: New York State; Year: 2018  
Will a Real Estate Holding Company be utilized to own the Project property/ facility? ☐ Yes ☒ No  
What is the name of the Real Estate Holding Company: not applicable  
Federal ID#: not applicable  
State and Year of Incorporation/Organization: not applicable  
List of stockholders, members, or partners of Real Estate Holding Company:  
not applicable

**B) Individual Completing Application:**

Name: Melissa Clark  
Title: VP Business Development  
Address: 2235 Sheppard Ave. East, Suite 900 Toronto, ON, M2J 5B5  
Phone: 1-416-494-9559 ext. 104 Fax: N/A  
E-mail: melissa.clark@abundantsolarenergy.com



**C) Company Contact (if different from individual completing application):**

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**D) Company Counsel:**

Name of Attorney: Daniel A. Spitzer  
Firm Name: Hodgson Russ LLP  
Address: 140 Pearl Street, Suite 100, Buffalo, NY 14202  
Phone: 716.848.1420 Cell Phone: 716.472.4076  
E-mail: DSpitzer@hodgsonruss.com

**E) Business Organization (check appropriate category):**

- ☐ Corporation ☐ Partnership  
☐ Public Corporation ☐ Joint Venture  
☐ Sole Proprietorship ☒ Limited Liability Company

Others (please specify): \_\_\_\_\_  
Year Established: 2018  
State in which Organization is established: New York

**F) List all stockholders, members, or partners with % of ownership greater than 5% :**

Name	% of ownership
<u>Abundant Solar Power Inc.</u>	<u>100%</u>
_____	_____
_____	_____
_____	_____

**G) Applicant Business Description:**

Please attach a description of your company's background, products, customers, goods and services.

See attached

Estimated % of sales within Onondaga County: 100%

Estimated % of sales outside Onondaga County but within New York State: 0%

Estimated % of sales outside New York State but within the U.S.: 0%

Estimated % of sales outside the U.S.: 0%

(\*Percentage to equal 100%)

**H) What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Onondaga County. Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation including estimated percentages of local purchases. Please attach this information.** The vendors haven't been decided, but we will direct the contractors to prioritize hiring from Onondaga County.

**I) Applicant History:** If the answer to any of the following is "Yes", please explain below. If necessary, attach additional information.

1. Is the company or management of the Company now a plaintiff or defendant in any civil or criminal litigation? ☐ Yes ☒ No
2. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? ☐ Yes ☒ No
3. Has any person listed in Section I ever been in receivership or declared bankruptcy? ☐ Yes ☒ No

Please attach any explanations:

**J) Has the Project Beneficiary received assistance from OCIDA, SIDA, New York State, or the Onondaga Civic Development Corporation in the past? If yes please attach an explanation and please give year, project name, description of benefits, and address of project.**

☐ Yes ☒ No



## Section II: Project Information

- A) Project Location: Location where the investment will take place. If company is moving, the new location should be entered here and the current location should be in Section I.

Address: 1676 Old Seneca Turnpike

Legal Address (if different): \_\_\_\_\_

City: N/A

Village/Town: Skaneateles

Zip Code: 13152

School District: Marcellus

Tax Map Parcel ID(s): 030-.02-04.0

Current Assessed Value: \$675,100

Sq. Footage of Existing Building: 17,034.77

Census Tract: 36067016600

- B) Type (Check all that apply):

☒ New construction

☐ Purchase of machinery and/or equipment

☐ Expansion/Addition to current facilities

☐ Brownfield/Remediated Brownfield

☐ Renovation of existing facility

☐ LEED Certification

☐ Acquisition of existing facility/property

☐ Other:

☐ Demolition

- C) **Please attach a summary of how this project will help your business grow. Will it set the company up for revenue growth? Will it mitigate cost? Will it provide more flexibility?** **See attached**

- D) Description of Project: Please provide a detailed narrative of the proposed Project. This narrative should include, but is not limited to: **See attached**

☒ (i) the size of the Project in square feet and a breakdown of square footage per each intended use;

☒ (ii) the size of the lot upon which the Project sits or is to be constructed;

☒ (iii) the current use of the site and the intended use of the site upon completion of the Project;

☒ (iv) the principal products to be produced and/or the principal activities that will occur on the Project site; and

☒ (v) an indication as to why the Applicant is undertaking the Project and the need for the requested benefits. **Please separately attach the description and any copies of site plans, sketches, or maps.**



E) Select Project Type for all end users at Project site (you may check more than one):

**\*\*Please check any and all end users as identified below**

- |   |  |
|---|--|
| <input type="checkbox"/> Industrial                       | <input type="checkbox"/> Bank Office   |
| <input type="checkbox"/> Acquisition of Existing Facility | <input type="checkbox"/> Retail  |
| <input type="checkbox"/> Housing                          | <input type="checkbox"/> Mixed Use   |
| <input type="checkbox"/> Equipment Purchase               | <input type="checkbox"/> Facility for Aging  |
| <input type="checkbox"/> Multi-Tenant                     | <input type="checkbox"/> Civic Facility (not for profit)                                       |
| <input type="checkbox"/> Commercial                       | <input checked="" type="checkbox"/> Other <u>Solar Farm/Town of Skaneateles Municipal site</u> |

F) For the Agency to consider this Project, please provide the following information:

1. Does the project consist of new construction or expansion or substantial renovation of an existing facility?  
☒ Yes      ☐ No
2. Will the project create new employment opportunities or retain existing jobs that may otherwise be lost?  
☒ Yes      ☐ No
3. Does the project beneficiary serve a customer base primarily outside of Onondaga County?  
☐ Yes      ☒ No

G) Will the completion of the Project result in the removal of an industrial or manufacturing plant of the company 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 company located within the state? Please explain if you answer "Yes" by attaching a response.

☐ Yes      ☒ No

H) Please attach a description of any compelling circumstances the Agency should be aware of while reviewing this application. **see attached**

I) Environmental Information

1. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms: **see attached**
  - a. <http://www.dec.ny.gov/permits/6191.html>
2. Have any environmental issues been identified on the property?  
☐ Yes      ☒ No  
If yes please attach an explanation.

## Section III: Construction

### A) Project Costs and Finances

Description of Costs	Total Budget Amount	% of Total Budget to be Procured in Onondaga County	Total Private Expenditure (should be less than or equal to total budget amount)
Land Acquisition			
Site Work/Demo			
Building Construction & Renovation			
Furniture & Fixtures			
Equipment	\$954,577		\$954,577
Equipment Subject to NYS Production Sales Tax			
Engineering/Architect	\$50,440		\$50,440
Financial Charges	\$12,610		\$12,610
Legal	\$12,610		\$12,610
Other-solar installation labor	\$518,470		\$518,470
Management/Developer Fees	\$27,320		\$27,320
<b>Total Project Cost</b>	<b>\$1,576,027</b>		<b>\$1,576,027</b>

**Note: Do not include OCIDA fees, OCIDA application fees, or OCIDA legal fees as part of the Total Project Cost. You may attach a separate chart if needed.**

B) TOTAL Capital Costs \$ \$1,576,027

Project refinancing: estimated amount  
(for refinancing of existing debt only)

\$ 0

Sources of Funds for Project Costs:

- |   |                        |
|---|------------------------|
| 1. Bank Financing   | \$ <u>1,260,821.60</u> |
| 2. Equity (excluding equity that is attributed to grants/tax credits) | \$ <u>315,205.40</u>   |
| 3. Tax Exempt Bond Issuance (if applicable)                           | \$ <u>0</u>            |
| 4. Taxable Bond Issuance (if applicable)                              | \$ <u>0</u>            |



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

-Identify each state and federal grant/credit:

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

6. Total Sources of Funds for Project Costs \$ \$1,576,027

**c) Employment and Payroll Information**

\*Full Time Equivalent (FTE) is defined as one employee working no less than 40 hours per week or two or more employees together working a total of 40 hours per week.

1. Are there people currently employed at the project site?  
☐ Yes ☒ No If yes, provide number of FTE jobs at the facility: \_\_\_\_\_

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	0
Estimate the number of construction jobs to be created by this Project:	41
Estimate the average length of construction jobs to be created (months):	5 months
Current annual payroll at facility:	
Average annual growth rate of wages:	Standard Inflation
Please list, if any, benefits that will be available to either full and/or part time employees:	N/A
Average annual benefit paid by the company (\$ or % salary) per FTE job:	N/A
Average growth rate of benefit cost:	N/A
Amount or percent of wage employees pay for benefits:	N/A
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs:	



**D) New Employment Benefits**

- i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, third, fourth, and fifth years after the Project is completed. Jobs should be listed by title of category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. Do not include construction workers.
- ii. Feel free to include additional information or a substitute chart if you think additional material would add clarity.

Current & Planned Full Time Occupations (Job Titles)	Salary (Annual or Hourly)	Current Number of FTEs	Estimated Number of FTE Jobs added each year after project				
			Year 1	Year 2	Year 3	Year 4	Year 5
<b>Job Creation Subtotal</b>							

For purposes of completing the chart, please list the job titles that will be increasing in number. If possible, please attach a brief description that outlines what each job entails.

If you prefer, you may attach a job chart of your own that outlines the job growth projections regarding the project.

**E) Financial Assistance sought (estimated values):**

- ☒ Real Property Tax Abatement (PILOT): PILOT: \$3,500/MWac x 1 MWac=\$3,500 annually
- ☐ Mortgage Recording Tax Exemption (.75% of amount mortgaged): \_\_\_\_\_
- ☒ Sales and Use Tax Exemption (4% Local, 4% State): \$117,844
- ☐ Tax Exempt Bond Financing (Amount Requested): \_\_\_\_\_
- ☐ Taxable Bond Financing (Amount Requested): \_\_\_\_\_

F) Mortgage Recording Tax Exemption Benefit Calculator: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/  
bridge financing): \$ 0

Estimated Mortgage Recording Tax Exemption Benefit (product of  
mortgage amount as indicated above multiplied by .0075): \$ 0

G) Sales and Use Tax Benefit Calculator: Gross amount of costs for goods and services that are subject to State and local Sales and US tax – said amount to benefit from the Agency's Sales and Use Tax exemption benefit:

\$ 1,473,047

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above) (This should match the amount in section "E" on this page, this calculation only exists to help you with your estimate):

\$ 117,844



## Section IV: Estimate of Real Property Tax Abatement Benefits\*\*\* and Percentage of Project Costs Financed from Public Sector Sources

\*\* Section IV 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.

### A) PILOTS Estimate Table Worksheet

OCIDA estimate of current value	
New construction and renovation costs	
OCIDA estimate of increase in value	
OCIDA estimated value of completed project	
OCIDA estimate of taxes that would have been collected if the project did not occur	
Scheduled PILOT payments	

PILOT Year	Exemption %	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100						
2	90						
3	80						
4	70						
5	60						
6	50						
7	40						
8	30						
9	20						
10	10						
TOTAL							

\*\*\* Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff



## Section V: Local Access Policy Agreement

In absence of a waiver permitting otherwise, every project seeking the assistance of the Onondaga County Industrial Development Agency (Agency) must use local general contractors, sub-contractors, and labor for one-hundred percent (100%) of the construction of new, expanded, or renovated facilities. The project's construction or project manager need not be a local company.

**Noncompliance may result in the revoking and/or recapture of all benefits extended to the project by the Agency. Local Labor is defined as laborers permanently residing in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins, and Wayne. Local (General/Sub) Contractor is defined as a contractor operating a permanent office in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins and Wayne. The Agency may determine on a case-by-case basis to waive the Local Access Policy for a project or for a portion of a project where consideration of warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services or other compelling circumstances exist. The procedure to address a local labor waiver can be found in the OCIDA handbook, which is available upon request.**

Prior to issuance of any NYS Tax & Finance ST-60 forms, the Applicant must submit a **Contractor Status Report to the Agency.**

In consideration of the extension of financial assistance by the Agency Abundant Solar Power (SK1) LLC (the Company) understands the Local Access Policy and agrees to complete Appendix C of the Agency's application at the time of the application to the Agency and as part of a request to extend the valid date of the Agency's tax-exempt certificate for the Project. The Company understands an Agency tax-exempt certificate is valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands any request for a waiver to this policy must be submitted in writing and approved by the Agency before a tax exempt certificate is issued or extended.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of Nov. 8, 2017 (date).

Company: Abundant Solar Power (SK1) LLC

Representative for Contract: Richard Lu

Address: 700 West Metro Park City: Rochester State: NY Zip: 14623

Phone: 1 416 494 9559 Email: richard.lu@abundantsolarenergy.com

Project Address: 1676 Old Seneca Turnpike City: Town of Skaneateles State: NY Zip: 13152

General Contractor: Hewitt Young Electric LLC

Contact Person: Mark Spall

Address: 645 Maple St City: Rochester State: NY Zip: 14611

Phone: 585-509-2598 Email: mark.hewittyoung.com

Authorized Representative: \_\_\_\_\_ Title: President

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



## Section VI: Agency Fee Schedule

### **Payment Terms:**

Application & Processing Fee (payable at the time of application):	\$1,000
Legal Deposit (payable at the time of application):	\$2,500
Agency Fee for Bond Projects:	Payable at Closing
Agency and Legal Fees for all other projects:	Due and Payable at Inducement

**\* A sales tax certificate (ST-60) will not be issued until the Agency Fee is Paid in Full**

**\* Agency Fees:** The project cost is the Total Project Cost from section III A

Fee for Manufacturing Projects under \$10 million:	0.0075 of the project cost
Fee for Agency Projects except those with PILOT agreements:	0.01 of the project cost
Additional Fee for PILOT Agreement Projects:	0.0025 of the project cost
Fee for bond refinancing & refunding:	0.0025 of the refinancing or refunding amount.

**Agency Legal Fees:** The project cost is the total project cost from section III A

Fee for first \$20 million:	0.0025 of the project cost
Fee for expenses above \$20 million:	0.00125 of the project cost

In addition to the foregoing, Applicants are responsible for payment of all costs and expenses incurred by OCIDA in connection with application or Project including without limitation publication, copying costs, SEQRA compliance and fees and costs to OCIDA's attorneys, engineers, and consultants. OCIDA reserves the right to require a deposit to cover anticipated costs. Application fees are payable at time application/request is submitted. All fees are non-refundable. Applicants for bond transactions are responsible for payment of a Bond Issuance Charge payable to the State of New York. Applicants are also responsible for payment of post-closing fees and costs associated with the appointment of additional agents.

OCIDA reserves the right to modify this schedule at any time and assess fees and charges in connection with other transactions such as grants of easement or lease of OCIDA-owned property.



## Section VII: Recapture of Tax Abatement/Exemptions

**Information to be Provided by Companies:** The Companies that receive benefits from OCIDA agree, whenever requested by the agency, to provide and certify or cause to be certified such information concerning the Company, its finances and other topics as the Agency from time to time reasonably considers necessary or appropriate, including but not limited to, such information as to enable the Agency to make any reports required by law or governmental regulation. The Company also agrees to provide and certify information concerning its finances and other topics as the agency considers appropriate. This is primarily done through an annual survey.

**Recapture of Benefits:** It is the policy of the Agency to recapture the value of Payment in Lieu of Taxes (PILOT), State and County Sales Tax, and Mortgage Recording Tax Exemptions in accordance with the provisions contained herein and the Laws of the State of New York. Before receiving benefits, projects of the Agency must attest in writing to their understanding of an agreement to the Recapture Provisions of the Agency Uniform Tax Exemption Policy. The recapture provision contained herein may be modified from time to time by the Board at its sole discretion.

**Recapture of a PILOT, Sales Tax and the Mortgage Recording Tax Exemptions:** In the event the facility is sold or closed, or the number of jobs is below 75% of the number projected to be employed at time of application to the Agency, or there are material violations of the project agreements and no substantial future economic benefit is likely to accrue to the community, then the value of the Property Tax, Sales Tax and the Mortgage Recording Tax benefits extended to the project by the Agency shall be subject to recapture.

**Recapture Payment:** The Recapture payment paid by the Project to the Agency shall be determined (1) by the difference between any PILOT payments made by the Project and the property taxes that would be paid by the Project, if the property were not in the ownership or control of the Agency, (2) the value of any Mortgage Recording Tax Exemption, if awarded to the Project and (3) the amount of sales tax that would have been paid if an exemption was not granted.

**Recapture of the PILOT, Sales Tax or Mortgage Recording Tax:** The Recapture Schedule for a Payment in Lieu of Tax Agreement, Sales Tax or the Mortgage Recording Tax is as follows:

Time from Project Completion	Tax Savings Recaptured
2 Years	100%
3 Years	80%
4 Years	60%
5 Years	40%
6 Years	30%
7 Years	20%
8 Years	10%
8 Years or more	0%

**Distribution of the Recapture Payment:** Any funds recaptured as the result of an Agreement with the Agency shall be distributed to the affected taxing jurisdictions in the same proportion as if the payments were paid or owed by the Project on the date of recapture.



**Additional Conditions for the Recapture of Sales and Use Tax:** As of April 1, 2013, New York State law requires Industrial Development Agencies to recapture sales tax benefits where:

- A project is not entitled to receive the benefits;
  - Exemptions received exceed the amount authorized by the Agency;
  - Exemptions are claimed by the Project for unauthorized property or services; or
  - A project fails to use property in the manner required by its IDA agreements.
1. Distribution of Sales Tax. Project operators must cooperate with the Agency in its effort to recapture all sales tax benefits received by the company by promptly paying the recapture amount as determined by the Agency. The amount to be recaptured will be dictated by NYS Law or IDA Policy which ever may be applicable. The Agency must remit the recaptured sales tax benefits to the State of New York within 30 days of receipt.
  2. Compliance Report. Annually, the Agency will file an annual compliance report with the State of New York detailing its recapture terms and its activities to recapture benefits, including the any attempt to recapture benefits from an Agency project.

**I have read the foregoing and agree to comply with all the terms and conditions contained therein as well as policies of the Onondaga County Industrial Agency.**

Name of Applicant Company

Abundant Solar Power (SK1) LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Richard Lu

Date: Nov. 8th, 2013

CEO & President  
of Abundant Solar Power Inc, the sole member  
of Abundant Solar Power (SK1) LLC



## Section VIII: Employment Plan

**Jobs Listings:** In accordance with §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 Business Services and with the administrative entity of the service delivery area created by the Workforce Innovation and Opportunity Act of 2014 in which the Project is located. In Onondaga County, please contact CNY Works. Additionally, the applicant is encouraged to review the services provided by JOBSPlus! for candidate matching services.

Are the employees of your company currently covered by a collective bargaining agreement?

☐ Yes

☒ No

If yes, name and location: \_\_\_\_\_

Is the labor pool in Onondaga County and/or the CNY Economic Development Region adequate to fill new positions?

☒ Yes

☐ No

Enter Company Name in three (3) places below and sign by an authorized company officer:

In consideration of the benefits provided by the Onondaga County Industrial Development Agency (OCIDA), Abundant Solar Power (SK1) LLC, project beneficiary, also agrees to report to OCIDA on the number of new employment opportunities created in connection with industrial or commercial projects financed by the proceeds of such benefits to be listed with the New York State Department of Labor Business Services and CNY Works.

Abundant Solar Power (SK1) LLC, project beneficiary, also agrees to report to OCIDA on or before March 1 of each year of status of employment opportunities filed with the New York State Department of Labor Business Services, including the number of new employment opportunities created, the number listed, and the number filled for the year ending the prior December 31.

Abundant Solar Power (SK1) LLC, project beneficiary, further agrees that, to the extent practicable and feasible, and subject to the requirements of any existing collective bargaining agreement, shall fill at least 10% of new employment opportunities with persons eligible for service under the Workforce Innovation and Opportunity Act of 2014.

Name of Applicant Company: Abundant Solar Power (SK1) LLC

Signature of Officer or Authorized Representative: \_\_\_\_\_

Name & Title of Officer or Authorized Representative: Richard Lu

Date: Nov. 8th, 2018

CEO & President  
of Abundant Solar Power Inc, the sole member of  
Abundant Solar Power (SK1) LLC



NYS Department of Labor:

Roy Jewell

Associate Business Service Representative

450 South Salina Street, Syracuse, NY 13202 315-479-3362

[roy.jewell@labor.ny.gov](mailto:roy.jewell@labor.ny.gov)

[www.labor.ny.gov](http://www.labor.ny.gov)

CNY Works

Chris Kennedy

Business Development Specialist

960 James Street, Syracuse, NY 13203

315-477-6974

[ckennedy@cnyworks.com](mailto:ckennedy@cnyworks.com)

[www.cnyworks.com](http://www.cnyworks.com)

## Section IX: Conflict of Interest

### Agency Board Members

1. Patrick Hogan
2. Steve Morgan
3. Victor Ianno
4. Sue Stanczyk
5. Kevin Ryan
6. Janice Herzog
7. Fanny Villarreal

### Agency Officers/Staff

1. Robert M. Petrovich
2. Nathaniel Stevens
3. Genevieve A. Suits
4. Karen Doster
5. Chris Cox

### Agency Legal Counsel & Auditor

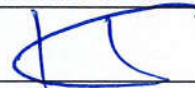
1. Anthony Rivizzigno, Esq., Barclay Damon LLP
2. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

The Applicant has received from the Agency a list of members, officers and staff of the Agency. To the best of my knowledge, no member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

Name of Applicant Company

Abundant Solar Power (SK1) LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Richard Lu,

Date: Nov. 8<sup>th</sup>, 2019

President of Abundant Solar Power Inc, the sole member of Abundant Solar Power (SK1) LLC



## Section X: Representations, Certifications, and Indemnification

Richard Lu (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the President (title) of Abundant Solar Power Inc, the sole member of Abundant Solar Power (SK1) LLC (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

- A. First Consideration for Employment:** In accordance with §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 WIA programs who shall be referred by the CNY Works for new employment opportunities created as a result of the Project.
- B. Other NYS Facilities:** In accordance with §862 (1) of the New York General Municipal Law, the Applicant understands and agrees that projects which will 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 within the state is ineligible for Agency Financial Assistance, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the project in its respective industry or is reasonably necessary.
- C. Annual Sales Tax Filings:** In accordance with §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, 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. Outstanding Bonds:** The Applicant understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the project that is requested by the Comptroller of the State of New York.
- E. Employment Reports:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant agrees to file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, and Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to



Agency board members, said report being an agenda item subject to the open meetings law.

- F. 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, officer or employee of the Agency has an interest, whether direct or indirect in any transaction contemplated by this Application, except as hereinafter described in Section X.
- G. Compliance:** The Applicant understands and agrees that it is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.
- H.** The Applicant understands and agrees 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 of 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.

- I.** 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.
- J.** 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.
- K.** The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.
- L.** The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statement contained herein not misleading.



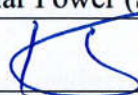
M. The OCIDA has the right to request and inspect supporting documentation regarding attestations made on this application.

N. **Hold Harmless Agreement:** Applicant hereby releases Onondaga County Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "Agency") from, 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: (A) 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; (B) the Agency's acquisition, construction, and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all cause of action and attorney's fees and any other expenses incurred in defending any suits or action which may arise as a result of any of the foregoing. If, for any reason, the 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 the Applicant are unable to reach final agreement with 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 agents or assigns, all costs incurred by the Agency in the process of the Application, including attorney's fees, if any

Name of Applicant Company

Abundant Solar Power (SK1) LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Richard Lu,

President of Abundant Solar Power Inc, the sole member  
of Abundant Solar Power (SK1) LLC

Date: November 8, 2019

STATE OF NEW YORK

)

COUNTY OF ONONDAGA

)ss.;

Richard Lu

, being first duly sworn, deposes and says:

Abundant Solar Power Inc, the sole member

1. That I am the President (Corporate Office) of Abundant Solar Power (SK1) LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and 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 of Officer)

Subscribed and affirmed to me under penalties of  
perjury this November 8 day of 2019.

Rachel Clar

(Notary Public)

Registration No. 02CL6117437  
My commission expires 10/25/2020

*Rachel Clar*

End of Application



# **Attachment**

## **Section I**

### **G. Applicant Business Description**

Abundant Solar Power (SK1) LLC is a project company set up to hold only one project, which is the 1 MW community distributed solar project located at 1676 Old Seneca Turnpike. The project will generate renewable energy for the town of Skaneateles and the surrounding community.

## **Section II**

### **C. summary of how this project will help your business grow?**

The project is estimated to generate approximately \$180k annually by selling electricity to the town and nearby community. A NYESRDA grant of approximately \$252k is also awarded to the project.

### **D. Description of Project**

The Entire fenced area of the project is about 314,067.6 square foot, of which 227,383.2 square foot will be used to install solar arrays. The project sits on a 72.11 Acres land parcel with the tax ID: 030.-02-04.0. The current site is being used by the Town of Skaneateles as a transfer station. After the completion of the project the site would be used to as a community distributed generation solar system. This will be a 1 MW DC array and it will generate renewable solar energy for the town of Skaneateles and the surrounding community. There is a high level of environmental awareness in the Onondaga County and Town of Skaneateles, thus a high demand for access to and benefits from renewable energy. To meet this demand, the applicant is partnering with Central New York Regional Planning and Development Board to develop the project.

### **H. Description of any compelling circumstances the Agency should be aware of while reviewing this application**

This project is intended to supply electricity to Town of Skaneateles and approximately 170 homes in the town and Onondaga County within load zone C. It will save \$405k on town's electricity bill and \$894K on residents' bills through 25 year operation. However, we are facing both capital cost increase and incentive decline.

In early October, the Office of the U.S. Trade Representative announced that it is eliminating the exclusion of bifacial solar panels from the 25% tariff on imported solar products. This change in policy brings the cost of project up by approximately \$141,863.

Regarding incentive, ITC (Investment Tax Credit) will decrease from 30% to 26% on January 1<sup>st</sup>, 2020. Additionally, NYSEERDA Block grant for sites larger than 750 kW dc has already dropped from \$0.20/w dc (Block 13) to \$0.17/w dc (Block 14) last month. This decreases the incentive of our project by \$37,830.

The current Block 14 is being filled up quickly as all developers are trying to get their projects connected before ITC drops.

Thus, to make the project feasible, we hope the project can be moved forward in a very timely manner.



**ABUNDANT Solar Power Inc.**

700 West Metro Park

Rochester, NY 14623-2678

Tel: 1 416 494 9559

[www.abundant.solar](http://www.abundant.solar)



**Employment plan**

Abundant Solar plans to hire 41 jobs to complete construction of the project. The construction is expected to last 5 months. There will be no FTE permanent employment that can be attributed to this specific site, but the application will retain the services on a Specialized solar property management company to maintain portfolio of properties in Central New York.





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Tel: 1 416 494 9559

[www.abundant.solar](http://www.abundant.solar)



**Conflict of Interest**

Abundant Solar Power Inc. has no conflict of Interest.





**ABUNDANT Solar Power Inc.**

700 West Metro Park  
Rochester, NY 14623-2678  
Tel: 1 416 494 9559  
www.abundant.solar



**Feasibility Statement**

Abundant Solar plans to finance this project by 20% equity and 80% bank loan. Currently, we are facing both capital cost increase and incentive decline, which have negative impact on the feasibility.

In early October, the Office of the U.S. Trade Representative announced that it is eliminating the exclusion of bifacial solar panels from the 25% tariff on imported solar products. This change in policy brings the cost of project up by approximately \$141,863.

Regarding incentive, ITC (Investment Tax Credit) will decrease from 30% to 26% on January 1<sup>st</sup>, 2020. Additionally, NYSERDA Block grant for sites larger than 750 kW dc has already dropped from \$0.20/w dc (Block 13) to \$0.17/w dc (Block 14) last month. This decreases the incentive of our project by \$37,830. The current Block 14 is being filled up quickly as all developers are trying to get their projects connected before ITC drops.

Thus, to make the project feasible, we are in need for the requested benefits.





**ABUNDANT Solar Power Inc.**

700 West Metro Park  
Rochester, NY 14623-2678  
Tel: 1 416 494 9559  
[www.abundant.solar](http://www.abundant.solar)

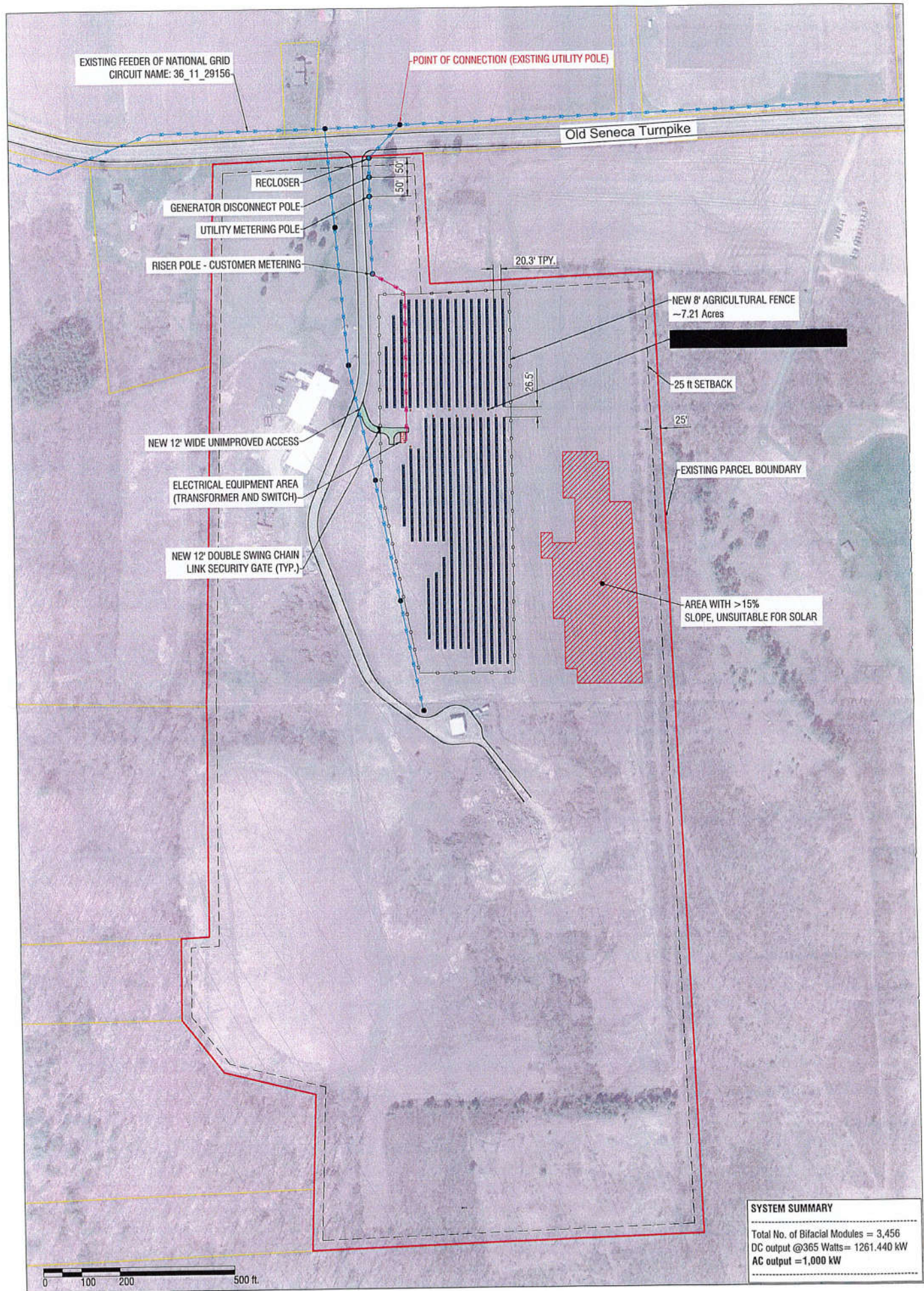


**Description of Project**

The Entire fenced area of the project is about 314,067.6 square foot, of which 227,383.2 square foot will be used to install solar arrays. The project sits on a 72.11 Acres land parcel with the tax ID: 030.-02-04.0. The current site is being used by the Town of Skaneateles as an transfer station. After the completion of the project the site would be used to as a community distributed generation solar system. This will be a 1 MW DC array and it will generate renewable solar energy for the town of Skaneateles and the surrounding community. There is a high level of environmental awareness in the Onondaga County and Town of Skaneateles, thus a high demand for access to and benefits from renewable energy. To meet this demand, the applicant is partnering with Central New York Regional Planning and Development Board to develop the project.







#### SYSTEM SUMMARY

Total No. of Bifacial Modules = 3,456  
DC output @365 Watts = 1261.440 kW  
AC output = 1,000 kW







**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 project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

<b>Name of Action or Project:</b> Town of Skaneateles - Community Solar Farm (SK1)		
<b>Project Location (describe, and attach a general location map):</b> 1676 Old Seneca Turnpike (County Road 133), Town of Skaneateles, Onondaga County, NY 13152		
<b>Brief Description of Proposed Action (include purpose or need):</b> Abundant Solar Power, Inc. is developing plans for a 5.9-MW solar power photo-voltaic plant on a 72.4-acre lot that currently contains a closed landfill, a transfer station, and mostly meadow grassland (tax parcel # 030.-02-04.0). The project will generate clean renewable energy for the local community and surrounding areas. The plant will consist of approximately 915 tables with between 16 to 18 panels per table. This Project will yield a panel count of approximately 16,470, and the solar panels will cover approximately 25 acres of the project site. The solar table modules will be free-standing structures utilizing a ballast system as to not penetrate any ground on the closed landfill located in the southwestern portion of the project site. The northeast portion will follow the standard of H-pile driven foundation system for solar table installation. To operate the plant, one transformer pad and one main switch gear pad will be installed on concrete pads in addition to electrical lines (overhead and underground). A new 16-foot wide gravel access road will also be constructed from the existing access road to the eastern portion of the site. Additionally, for safety purposes an 8-foot high chain-link fence will be installed along the entire perimeter of the solar arrays. The maximum extent of ground disturbance will be approximately 1.5 acres.		
<b>Name of Applicant/Sponsor:</b> Abundant Solar Power Inc.		<b>Telephone:</b> 1-416-494-9559 ext.104 <b>E-Mail:</b> melissa.clark@abundantsolarenergy.com
<b>Address:</b> 700 West Metro Park		
<b>City/PO:</b> Rochester	<b>State:</b> New York	<b>Zip Code:</b> 14623
<b>Project Contact (if not same as sponsor; give name and title/role):</b>		<b>Telephone:</b> <b>E-Mail:</b>
<b>Address:</b>		
<b>City/PO:</b>	<b>State:</b>	<b>Zip Code:</b>
<b>Property Owner (if not same as sponsor):</b> Town of Skaneateles		<b>Telephone:</b> 1- (315) 685-6726 <b>E-Mail:</b> jlanning@townofskaneateles.com
<b>Address:</b> 24 Jordan Street, Skaneateles, NY 13152		
<b>City/PO:</b> Skaneateles	<b>State:</b> New York	<b>Zip Code:</b> 13152

## 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board - Land Lease and Power Purchase Agreements	Pending
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Town Planning Board - Site Plan & Special Use Permit Approvals	Pending
c. City Council, 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDERDA - Funding; Ag & Markets - Ag NOI; NYSDEC - SPDES Permit; SHPO Sign-Off	Pending
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	U.S. Army Corps. - Wetland Permit (potential)	Pending
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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> <li>If Yes, complete sections C, F and G.</li> <li>If No, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	
<hr/> <hr/> <hr/>	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s):	
<u>Town of Skaneateles Open Space Plan 2016</u> <u>The property is identified as a low priority for open space conservation within the adopted municipal open space plan.</u> <u>Onondaga County Agriculture and Farmland Plan and Onondaga County Sustainable Development Plan</u>	



**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?  
RF - Rural Farming and Forest

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? Marcellus Central School District

b. What police or other public protection forces serve the project site?  
Onondaga County Sheriff's Office and the New York State Troopers

c. Which fire protection and emergency medical services serve the project site?  
Skaneateles Volunteer Fire Department, Motville Fire Department, and Skaneateles Ambulance Volunteer Emergency Services

d. What parks serve the project site?  
Skaneateles Conservation Area, Davey's Park, Austin Park, Guppy Falls Trail, and Charlie C. Major Nature Trail

**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)? 5.9 MW Community Distributed Generation solar array

b. a. Total acreage of the site of the proposed action? +/- 30.0 acres  
b. Total acreage to be physically disturbed? +/- 1.5 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0 acres  
Lease and PPA in negotiation when signed size will be finalized.

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) \_\_\_\_\_

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

iii. Number of lots proposed? \_\_\_\_\_

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

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

i. If No, anticipated period of construction: 8 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>+/- 915</u> ii. Dimensions (in feet) of largest proposed structure: <u>9.8</u> height; <u>3.3</u> width; and <u>12.4</u> length iii. Approximate extent of building space to be heated or cooled: _____ <u>0</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 proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No  
If Yes, describe: \_\_\_\_\_

iv. Will 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), 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

- Do existing sewer lines serve the project site? ☐ Yes ☐ No
- Will line extension within an existing district be necessary to serve the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

- iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

- 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):

- vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_

- 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? ☒ Yes ☐ No

If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?

\_\_\_\_\_ Square feet or \_\_\_\_\_ 0 acres (impervious surface)

\_\_\_\_\_ Square feet or \_\_\_\_\_ 72.4 acres (parcel size)

- ii. Describe types of new point sources. None.

- 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)?

The site will be mostly grassy, including the landfill in the southwest corner. Storm-water runoff will be transported through sheet flow.

- If to surface waters, identify receiving water bodies or wetlands:

A conservation area located to the east of the parcel includes a small pond.

- Will stormwater runoff flow to adjacent properties? ☒ Yes ☐ No

- iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☒ No

- 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? ☐ Yes ☒ No

If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

- 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? ☐ Yes ☒ No

If Yes:

- 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) ☐ Yes ☐ No

- ii. In addition to emissions as calculated in the application, the project will generate:

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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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? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend  
☐ Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

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vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☒ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☐ No

---

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>Monday - Friday: _____ Potentially 7am - 6pm</li> <li>Saturday: _____ minimal if any</li> <li>Sunday: _____ minimal if any</li> <li>Holidays: _____ minimal if any</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>Monday - Friday: _____ 24 hours a day</li> <li>Saturday: _____ 24 hours a day</li> <li>Sunday: _____ 24 hours a day</li> <li>Holidays: _____ 24 hours a day</li> </ul>
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☒ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:  
Intermittent construction noise could exceed existing ambient noise levels for short periods of time during daytime construction activities. Once operational, noise levels exceeding the existing ambient noise levels are not anticipated.

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No  
Describe: \_\_\_\_\_

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n.. Will the proposed action have outdoor lighting? ☐ Yes ☒ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
\_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No  
Describe: \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No  
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

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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? ☐ Yes ☒ No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally describe proposed storage facilities: \_\_\_\_\_

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q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No

If Yes:

i. Describe proposed treatment(s):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☒ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: +/- 1,200 Cubic Yards ~~tons~~ per 8 Months (unit of time)
- Operation : N/A tons per N/A (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: Construction debris of disposable wrapping and containers will be recycled when appropriate.
- Operation: N/A

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: A standard 40-cubic yard dumpster will be available on-site, which will be emptied our once a week. The removed materials will be transported to a landfill.
- Operation: N/A

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 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): Landfill and Transfer Station

ii. If mix of uses, generally describe: \_\_\_\_\_

Waste deposition transfer station owned by town of Skaneateles. Permit required to enter. Temporary deposition of waste. \_\_\_\_\_

b. Land uses and coverts on the project site.

Land use or Covert	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	0	0
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	+/- 22.7	+/- 3.2	- 19.5
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	+/- 7.3	+/- 3.8	- 3.5
• Other Describe: <u>Solar Panel Covered over Grass</u>	0	+/- 23.0	+ 23.0

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

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

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

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☒ Yes ☐ No  
If Yes: The landfill is closed, but there is also a transfer station that is  
i. Has the facility been formally closed? currently in operation on the project site. ☒ Yes ☐ No  
• If yes, cite sources/documentation: NYS DEC Inactive Solid Waste Facilities  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
The project will be on top of and to the north east of the closed landfill. The panels will rest on top of the capped landfill using a ballast system.  
The operating transfer station (handling residential/institutional & commercial solid waste) will remain undisturbed (see attached site drawing).  
iii. Describe any development constraints due to the prior solid waste activities:  
There can be no ground penetration on the capped landfill; thus a ballast system will be used.

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

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☒ Yes ☐ No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☒ Yes ☐ No  
☒ Yes – Spills Incidents database Provide DEC ID number(s): 0900791  
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
☐ Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
None  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
The spill case involving hydraulic oil spill on soil in 2009 has been closed as necessary clean up or removal has happened.  
\_\_\_\_\_



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? _____ +/- 6.5 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:	
Honeoye Silt Loam	+/- 80 %
Lima Silt Loam	+/- 20 %
	%
d. What is the average depth to the water table on the project site? Average: +/- 6.5 feet	
e. Drainage status of project site soils:	
<input checked="" type="checkbox"/> Well Drained:	+/- 80 % of site
<input checked="" type="checkbox"/> Moderately Well Drained:	+/- 20 % of site
<input type="checkbox"/> Poorly Drained	% of site
f. Approximate proportion of proposed action site with slopes:	
<input checked="" type="checkbox"/> 0-10%:	+/- 80 % of site
<input checked="" type="checkbox"/> 10-15%:	+/- 20 % 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____	Classification _____
• Lakes or Ponds: Name _____	Classification _____
• Wetlands: Name _____	Approximate Size _____
• 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;">Typical suburban/rural species such as</td> <td style="width: 33%; border-bottom: 1px solid black;">squirrels, rabbits, raccoons, woodchucks</td> <td style="width: 33%; border-bottom: 1px solid black;">chipmunks, rodents, deer, foxes, coyote,</td> </tr> <tr> <td style="border-bottom: 1px solid black;">songbirds, crows, raptors, frogs, and</td> <td style="border-bottom: 1px solid black;">snakes.</td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>		Typical suburban/rural species such as	squirrels, rabbits, raccoons, woodchucks	chipmunks, rodents, deer, foxes, coyote,	songbirds, crows, raptors, frogs, and	snakes.	
Typical suburban/rural species such as	squirrels, rabbits, raccoons, woodchucks	chipmunks, rodents, deer, foxes, coyote,					
songbirds, crows, raptors, frogs, and	snakes.						
<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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>U.S. Fish &amp; Wildlife Service (USFWS) lists the Northern Long-Eared Bat and Eastern Massasauga (rattlesnake) as potential species of concern at the project site on August 6, 2018 (see attached USFWS list). But NYSDEC Environmental Resource Mapper indicates the project site does not contain a confirmed habitat of any endangered or threatened species (see attached map).</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>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>ONON002</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>Approximately 61.5 acres</u></p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): <u>U.S. Department of Agriculture Natural Resource Conservation Service - Web Soil Survey</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, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site    <input checked="" type="checkbox"/> Historic Building or District</li> <li>ii. Name: <u>Kelsey-Davey Farm</u></li> <li>iii. Brief description of attributes on which listing is based:  <u>It is a farmhouse built in the 1800's with significant architecture style of early republic era.</u> </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>Skaneateles Conservation Area, Skaneateles Lake, Davey's Park, Austin Park, Guppy Falls Trail, Charlie C. Major Nature Trail</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>designated conservation land with observation decks, a Finger Lake with overlook areas, and local parks</u></li> <li>iii. Distance between project and resource: <u>0.1 - 5.0 miles.</u></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

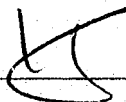
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Abundant Solar Power

Date

Aug. 6<sup>th</sup>, 2018

Signature

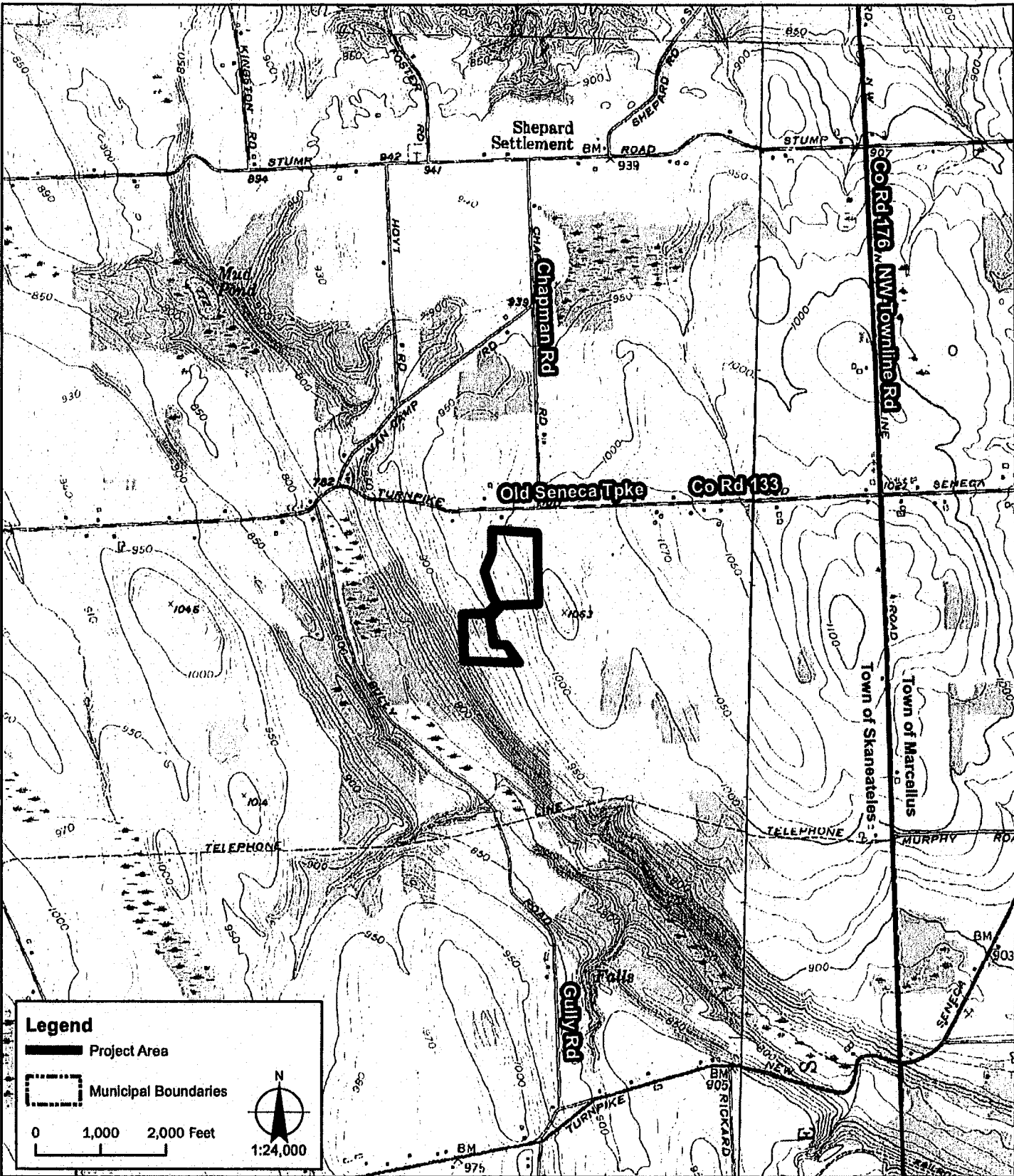


Title

President & CEO

**PRINT FORM**





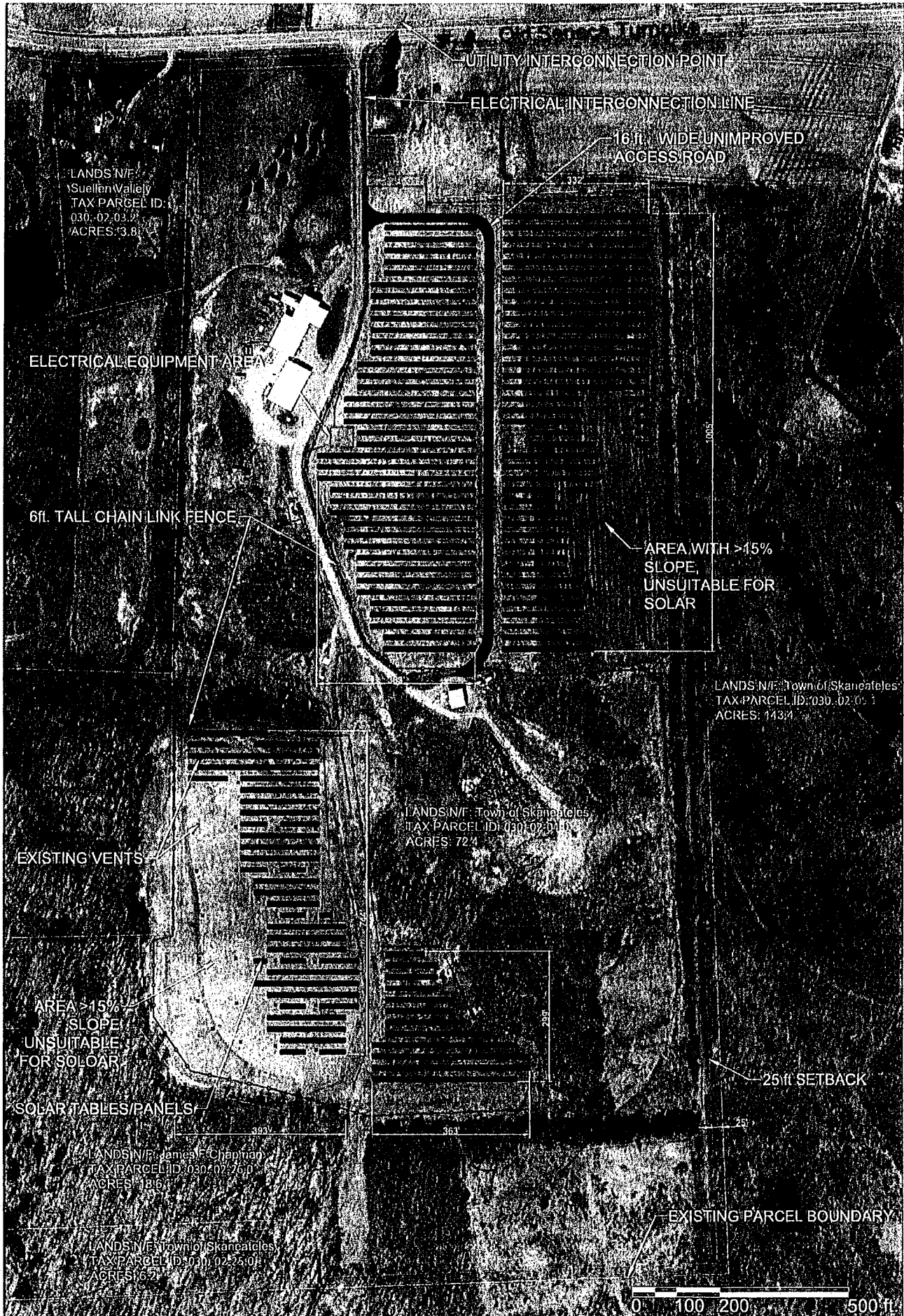
Sources:  
1. USGS Quads: CUGIR  
2. Roads: TIGER 2010  
3. Municipal Boundaries: NYS GIS Office 2018

**LaBella**  
Powered by partnership  
**ABUNDANT  
SOLAR POWER**

**SK1  
TOWN OF SKANEATELES  
COMMUNITY SOLAR**

LaBella Project No : 2172187.14  
Date: AUGUST 2018

**USGS MAP  
SKANEATELES  
QUAD  
FIGURE 1**



**SK1 - Transfer Station**  
**ABUNDANT SOLAR**

SYSTEM SIZE: 5,599 kW DC  
DATE: July 27, 2018  
GPS LOCATION: 42.877705, -76.398824





[Services](#) [News](#) [Government](#) [Local](#)

[Location](#) [Translate](#)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



## Environmental Resource Mapper

Base Map: Topographical

[Search](#)

[Tools](#)

### Layers and Legend

☐ Waterbody Classifications for Rivers/Streams

☐ Waterbody Classifications for Lakes

☐ State Regulated Freshwater Wetlands

☐ State Regulated Wetland Checkzone

☒ Significant Natural Communities

☐ Natural Communities Near This Location

☒ Rare Plants or Animals

[Other Wetland Layers](#)

[Reference Layers](#)

[Tell Me More...](#)

[Need A Permit?](#)

[Contact Us](#)

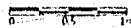


Shamcatches Falls

Project Site

Marcellus

Shamcatches



-76,400, 42,966



# IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

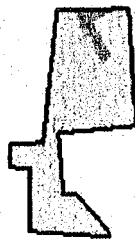
## Project information

### NAME

Town of Skaneateles Solar Farm SK1

### LOCATION

Onondaga County, New York



### DESCRIPTION

Abundant Solar Power, Inc. is developing plans for a 5.9 MW solar power photo-voltaic plant on a 72.4-acre lot that currently contains a closed landfill, a transfer station, and mostly meadow grassland (tax parcel # 030.-02-04.0). The project will generate clean renewable energy for the local community and surrounding areas. The plant will consist of approximately 915 tables with between 16 to 18 panels per table. This Project will yield a panel count of approximately 16,470, and the solar panels will cover approximately 30 acres on the project site. The solar table modules will be free-standing structures utilizing a ballast system as to not penetrate any ground for the southwest landfill. The northeast section will follow the standard of H-pile driven

foundation system. To operate the plant, one transformer pad and one main switch gear pad will be installed on concrete pads. A new 16-foot wide gravel access road will also be constructed from the existing access road to west boundary of the site. Additionally, for safety purposes an 8-foot high chain-link fence will be installed along the entire perimeter of the solar arrays. The Maximum extent of ground disturbance will be approximately 1.5 acres.

## Local office

### New York Ecological Services Field Office

☎ (607) 753-9334

📠 (607) 753-9699

3817 Luker Road  
Cortland, NY 13045-9385

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

# Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Log in to IPaC.
2. Go to your My Projects list.
3. Click PROJECT HOME for this project.
4. Click REQUEST SPECIES LIST.

Listed species<sup>1</sup> and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information.
2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

## Mammals

NAME

STATUS



Northern Long-eared Bat *Myotis septentrionalis*  
 No critical habitat has been designated for this species.  
<https://ecos.fws.gov/ecp/species/9045>

Threatened

## Reptiles

NAME

STATUS

Eastern Massasauga (=rattlesnake) *Sistrurus catenatus*  
 No critical habitat has been designated for this species.  
<https://ecos.fws.gov/ecp/species/2202>

Threatened

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

## Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds  
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds  
<http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general

public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

## NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

**Bald Eagle** *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Breeds Dec 1 to Aug 31

**Black-billed Cuckoo** *Coccyzus erythrophthalmus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9399>

Breeds May 15 to Oct 10

**Bobolink** *Dolichonyx oryzivorus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 20 to Jul 31

**Canada Warbler** *Cardellina canadensis*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 20 to Aug 10

**Lesser Yellowlegs** *Tringa flavipes*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/9679>

**Long-eared Owl** *asio otus*

Breeds Mar 1 to Jul 15

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

<https://ecos.fws.gov/ecp/species/3631>

**Red-headed Woodpecker** *Melanerpes erythrocephalus*

Breeds May 10 to Sep 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

**Semipalmated Sandpiper** *Calidris pusilla*

Breeds elsewhere

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

**Wood Thrush** *Hylocichla mustelina*

Breeds May 10 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

## Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (P)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any



week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .

- The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

### Breeding Season ( )

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

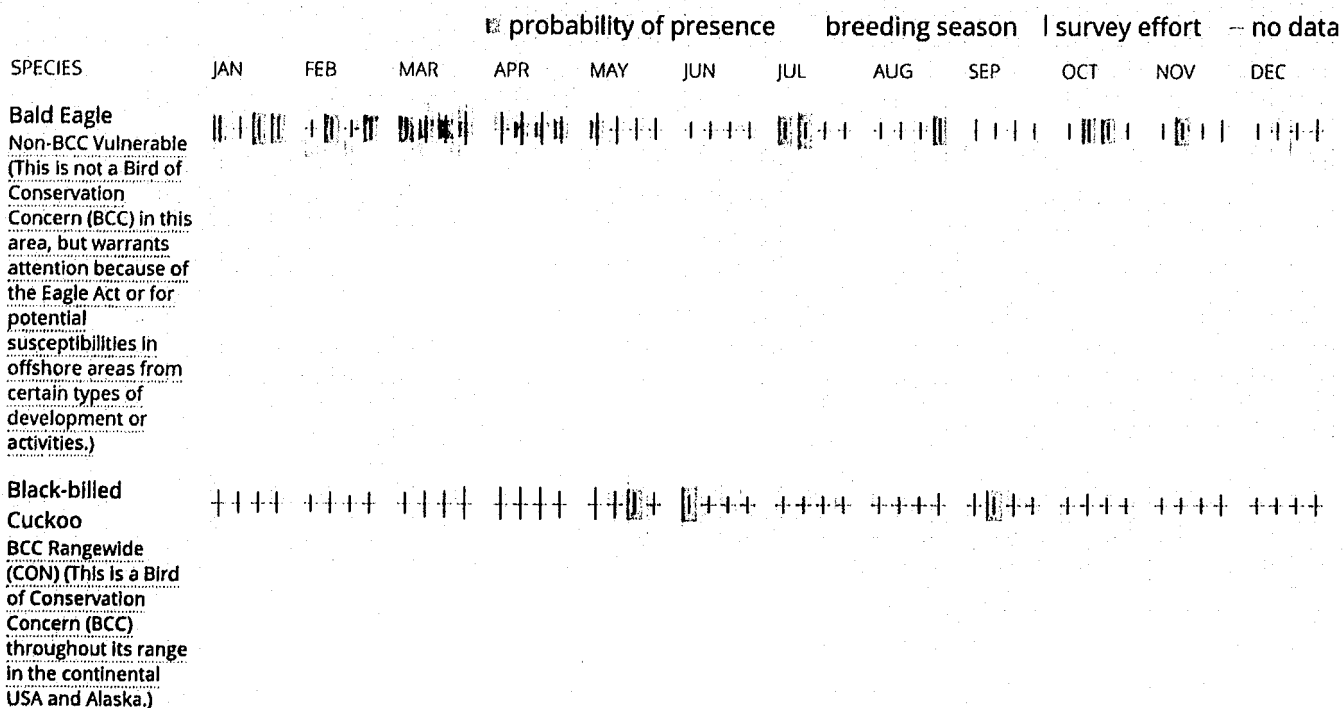
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

### No Data (—)

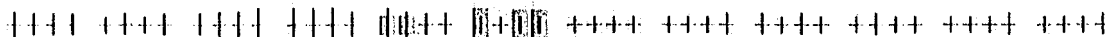
A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

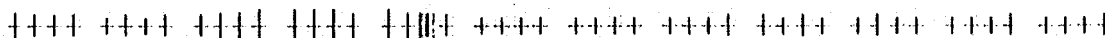
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Bobolink  
BCC Rangewide  
(CON) (This is a Bird  
of Conservation  
Concern (BCC)  
throughout its range  
in the continental  
USA and Alaska.)



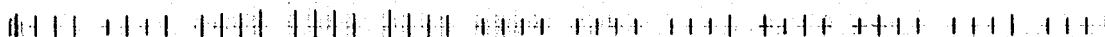
Canada Warbler  
BCC Rangewide  
(CON) (This is a Bird  
of Conservation  
Concern (BCC)  
throughout its range  
in the continental  
USA and Alaska.)



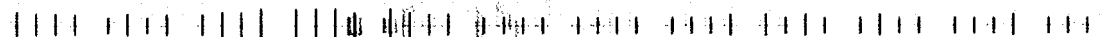
Lesser Yellowlegs  
BCC Rangewide  
(CON) (This is a Bird  
of Conservation  
Concern (BCC)  
throughout its range  
in the continental  
USA and Alaska.)



Long-eared Owl  
BCC Rangewide  
(CON) (This is a Bird  
of Conservation  
Concern (BCC)  
throughout its range  
in the continental  
USA and Alaska.)



Red-headed  
Woodpecker  
BCC Rangewide  
(CON) (This is a Bird  
of Conservation  
Concern (BCC)  
throughout its range  
in the continental  
USA and Alaska.)



Semipalmated  
Sandpiper  
BCC Rangewide  
(CON) (This is a Bird  
of Conservation  
Concern (BCC)  
throughout its range  
in the continental  
USA and Alaska.)



Wood Thrush  
BCC Rangewide  
(CON) (This is a Bird  
of Conservation  
Concern (BCC)  
throughout its range  
in the continental  
USA and Alaska.)



**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to

occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

### What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [E-bird Explore Data Tool](#).

### What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.



### Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## Facilities

### National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

# Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

## Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

THERE ARE NO KNOWN WETLANDS AT THIS LOCATION.

### Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

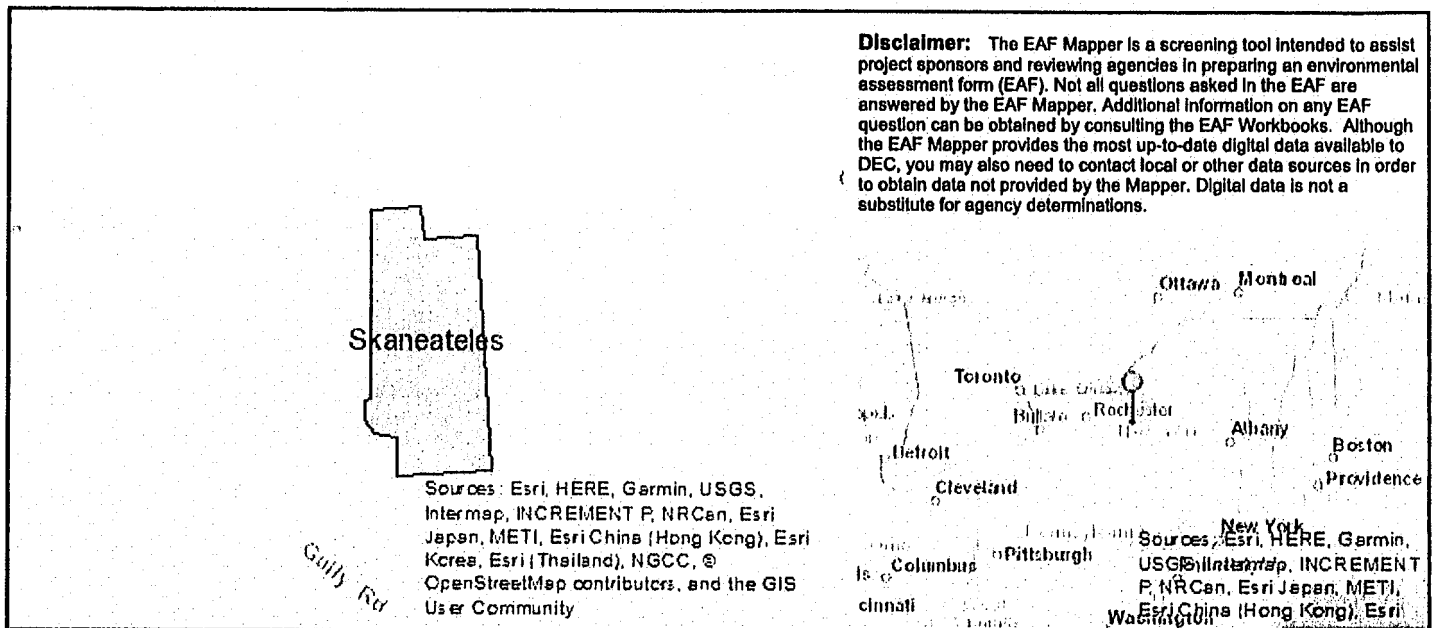
Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

### Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

### Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes

E.3.a. [Agricultural District]	ONON002
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	Kelsey-Davey Farm
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No





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

Agency Use Only [If applicable]  
 Project: **Abundant Solar Project**  
 Date: **October 15, 2018**

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

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

**Tips for completing Part 2:**

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

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**

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

☒ NO☐ YES

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

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

**3. Impacts on Surface Water**

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

☒ NO☐ YES

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

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

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

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



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

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

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

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

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

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

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

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

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



**13. Impact on Transportation**  
The proposed action may result in a change to existing transportation systems. ☒ NO ☐ YES  
(See Part 1. D.2.j)  
*If "Yes", answer questions a - f. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**  
The proposed action may cause an increase in the use of any form of energy. ☒ NO ☐ YES  
(See Part 1. D.2.k)  
*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**15. Impact on Noise, Odor, and Light**  
The proposed action may result in an increase in noise, odors, or outdoor lighting. ☒ NO ☐ YES  
(See Part 1. D.2.m., n., and o.)  
*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

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

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

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

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

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

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

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

**Reasons Supporting This Determination:**

To complete this section:

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

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

SEQR Status: ☒ Type 1 ☐ Unlisted

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



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

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the  
Town of Skaneateles as lead agency that:

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

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

Name of Action: Abundant Solar Project

Name of Lead Agency: Town of Skaneateles

Name of Responsible Officer in Lead Agency: Janet Aaron

Title of Responsible Officer: Supervisor, Town of Skaneateles

Signature of Responsible Officer in Lead Agency:

Date: 10/15/18

Signature of Preparer (if different from Responsible Officer)

Date: 10/18/18

**For Further Information:**

Contact Person: Janet Aaron

Address: 24 Jordan Street, Skaneateles, NY 13152

Telephone Number: 315 685 6726

E-mail: jaaron@townofskaneateles.com

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

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

Applicant (if any)

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

PRINT FULL FORM

## Reasons Supporting Determination of Significance

### Project Background

The Town of Skaneateles (the "Town") owns certain real property located at 1676 Old Seneca Turnpike, Skaneateles, New York (Tax Map No. 030.-02-04.0), upon which a municipal landfill was formerly operated (the "Property"). The Property consists of 72.4 acres of land currently used as a transfer station, a closed landfill, grassland and for agriculture.

Abundant Solar Power Inc. ("Abundant") has approached the Town seeking permission to lease the Property for the purpose of constructing a 5.9-MW solar power electric-generating photo-voltaic plant (the "Project"). The Project will consist of approximately 915 solar tables with between 16 and 18 solar voltaic panels per table and will cover approximately 25 acres of the Property. The Project will yield a panel count of approximately 16,470 solar panels. Some of the solar tables will be free-standing structures utilizing ballast systems rather than permanent foundations. The ballast systems are necessary in order to prevent damage to the cap of the closed landfill. Where solar tables will be installed on land that was not previously utilized as a landfill, a standard H-pile driven foundation system will be used.

In addition to Solar tables, the Project will include a transformer pad, switch gear pad, electrical lines and other necessary equipment and appurtenances. A gravel road will be installed to grant access to the Project. The Project will be surrounded by an eight foot tall chain link security fence.

#### **1. Impact on Land (Full EAF Form, Part 2, Section 1).**

The Project includes grading, clearing, filling, excavation, and construction of structures and a gravel road on the Property. Therefore, the Project will involve the construction on, or physical alteration of, the land surface of the Property. However, there will be no significant adverse impacts on the environment in connection with the land because the amount of disturbance shall be minimal and construction shall be completed in a relatively short period of time.

A relatively small proportion of the land will be physically altered in connection with the Project.

- a) Installation of Solar Tables: Many of the solar tables will be mounted on ballast systems that will not require any excavation. Where solar tables will be installed on land that was not previously utilized as a landfill, a standard H-pile driven foundation system will be used. The H-pile driven foundation system will result in minimal disturbance to the land.
- b) Access Road: The Project will require the installation of a sixteen (16) foot wide gravel road that will cover approximately 23,724 square feet of the Property.

- c) Pads: The transformer and switch gear pads combined will be approximately four hundred (400) square feet.

The duration of construction will last less than one year and will require the removal of less than 1,000 tons of natural material. The Property is relatively flat (no slopes exceed 15%), has a water table deeper than three feet (the water table is 6.5 feet on the Property) and is not located within a Coastal erosion hazard area.

## **2. Impact Plants and Animals (Full EAF Form, Part 2, Section 7).**

The Project includes land disturbances that will remove terrestrial plants, and therefore, the Project may result in some loss of flora or fauna. However, the Project will not have any significant adverse impacts on plants and animals.

The Project will not cause a significant reduction in useful habitat, the loss of plants or animals, or the loss or degradation of habitat used by such plants or animals, or of any threatened or endangered species, as listed by New York State or the Federal government. Predevelopment conditions at the Property consist of an active agricultural field, grassland, a transfer station and a decommissioned landfill. Following completion of the Project, the Property will largely continue to be covered by grassland. After completion of the Project, approximately 19.5 acres of the Property will be grassland covered by solar tables.

Typical predominant wildlife species using the Property include squirrels, rabbits, raccoons, woodchucks, chipmunks, rodents, deer, foxes, coyotes, songbirds, crows, raptors, frogs, and snakes. The area surrounding the Property is also suitable habitat for these species. Many, if not all of these species may continue to use the Property as habitat following completion of the Project.

Very few or no trees will be cut down in connection with the Project. U.S. Fish & Wildlife Service lists the Northern Long-Eared Bat and Eastern Massasauga (rattlesnake) as potential species of concern in the general area. However, the Environmental Resource Mapper indicates that the Property does not contain a confirmed habitat of any endangered or threatened species.

## **3. Impact on Agricultural Resources (Full EAF Form, Part 2, Section 8).**

The Project may impact a small amount of agricultural acreage. However, there will be no significant adverse impacts on the environment in connection with agricultural resources. A small proportion of the Property is currently farmed pursuant to a lease agreement with a neighboring farmer. The field in question is a small proportion of the farmer's farm operation and will not affect the viability of the farm operation as a whole. The Property is located in a state designated agricultural district. The developer will be required to file a notice of intent with the Department of Agriculture and Markets and

comply with construction standards promulgated by that agency. The land in question will not be irrevocably altered and could potentially be used as farmland at some point in the future.

#### **4. Impact on Aesthetic Resources (Full EAF Form, Part 2, Section 9).**

The Project will not have any significant adverse impacts on aesthetic resources. The Project will be visible from the road and from some of the high elevation areas on a ridge located at the neighboring conservation area. The area surrounding the perimeter of the Project is wooded and largely shielded from neighboring properties by the natural topography in the area. The conservation area is well used by Town residents who may be able to observe the Project from certain points in the trail system. However, the Property is currently utilized as an active garbage transfer station and inactive landfill. Given the history of uses on the Property and natural screening, very little visual impact is anticipated.

#### **5. Impact on Health and Human Resources (Full EAF Form, Part 2, Section 16).**

The Project will not have an impact on human health from exposure to new or existing sources of contamination. The Project shall be constructed on the former site of a decommissioned, capped, municipal landfill. The Project shall include ballast systems specifically designed for use on a landfill cap. The proposed ballast systems shall not damage the cap or impede the Town's ability to access the landfill's existing venting system. In the event of damage to the cap, it could be easily repaired and is not located in proximity to any residential development. The Project poses very little risk to human health and safety.

#### **6. Consistency with Community Plans and Character (Full EAF Form, Part 2, Sections 17 and 18).**

The Project will not result in any significant adverse impacts to the environment with respect to adopted land use plans or community character. The Town Comprehensive Plan states on page 21 that community-based renewable energy programs that promote sustainable energy production should be encouraged. The Property is currently not capable of being developed for any other purpose due to its status as an inactive landfill. The Project is one of the few opportunities available to the Town to make use of the Property.

The Project does not comply with the Town's Solar Law. However, the Project is uniquely situated in an area with minimal residential development and adequate natural screening.

The Town has also considered synergistic and cumulative impacts and concluded that Project will not have a significant adverse impact on the environment.





MICHELLE R. BILLINGTON, ESQ.  
[mbillington@bsk.com](mailto:mbillington@bsk.com)  
P: 315.218.8227  
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October 18, 2018

**UPS GROUND**

Ms. Melissa Clark  
Vice President Business Development  
Abundant Solar Power Inc.  
700 West Metro Park  
Rochester, NY 14623

Re: *SEQRA Negative Declaration Filing*

Dear Town Board:

Enclosed please find for your records, in accordance with 6 NYCRR § 617.12(b)(1), the following materials which were approved and adopted by the Skaneateles Town Board at its October 15, 2018 meeting relating to the proposed 5.9-MW solar plant proposed by Abundant Solar Power Inc. (the "Project"):

- 1) The resolution establishing the Skaneateles Town Board as lead agency and making the determination of significance for the Project pursuant to the State Environmental Quality Review Act ("SEQRA"); and
- 2) The Negative Declaration for the Action, including the completed Full Environmental Assessment Form Parts 1, 2, and 3 with a written summary of the reasons supporting the Town Board's determination.

If you have any questions, please let me know. Thank you.

Sincerely,

BOND, SCHOENECK & KING, PLLC



Michelle R. Billington

Enclosures

cc: Hon. Julie Stenger, Town Clerk (without enclosures)

**RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF SKANEATELES  
ESTABLISHING ITSELF AS LEAD AGENCY AND MAKING DETERMINATION OF  
SIGNIFICANCE UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

October 15, 2018

**WHEREAS**, the Town of Skaneateles (the "Town") owns certain real property located at 1676 Old Seneca Turnpike, Skaneateles, New York (Tax Map No. 030.-02-04.0), upon which a municipal landfill was formerly located (the "Property"); and

**WHEREAS**, Abundant Solar Power Inc. ("Abundant") has approached the Town seeking permission to lease the Property for the purpose of constructing a 5.9-MW solar power electric-generating photo-voltaic plant (the "Project"); and

**WHEREAS**, as part of the Project, Abundant also wishes to enter into an agreement by which the Town would purchase electricity from Abundant at a discounted rate pursuant to a power purchase agreement, which would also allow a limited number of citizens of the Town to purchase electricity from Abundant at a discounted rate; and

**WHEREAS**, the Town Board of the Town of Skaneateles (the "Town Board") published notice of a public hearing regarding this matter noticed and conducted a public hearing regarding this matter on August 6, 2018; and

**WHEREAS**, the Town Board desires to comply with the requirements of the State Environmental Quality Review Act and its implementing regulations set forth at 6 NYCRR Part 617 (the "Regulations") with respect to the Project; and

**WHEREAS**, the Town received Part 1 of a Full Environmental Assessment Form ("FEAF") from Abundant providing information about the Project and supporting Project documentation; and

**WHEREAS**, by resolution at its meeting on August 20, 2018, the Town Board preliminarily classified the Project as a Type I action under SEQRA; declared its intent to act as lead agency for purposes of a coordinated SEQRA review of the Project; and referred of the foregoing, to provide Part 1 of the FEAF for the Applications to the other involved agencies for their review and comment.

**WHEREAS**, the Town Board desires to comply with the requirements of the State Environmental Quality Review Act ("SEQRA") and its implementing regulations set forth at 6 NYCRR Part 617 (the "Regulations") with respect to the Applications, proposed Local Law No. 3 of 2017, and any revised CMP; and referred the Project to the necessary agencies to seek their consent to the Town Board acting as lead agency; and

**WHEREAS**, on August 29, 2018, the Town Board caused correspondence to be sent to the identified "involved agencies," as the quoted term is defined under the Regulations, providing a copy of Part 1 of the FEAF and associated Project documents, requesting the consent of the involved agencies to the Town Board acting as lead agency, and requesting their comments about the Project;

**WHEREAS**, each involved agency either gave its written consent to the Town Board acting as lead agency for the SEQRA review of the Project or did not object; and

**WHEREAS**, on August 29, 2018, the Town Board caused correspondence to be sent to the identified "interested agencies," as the quoted term is defined under the Regulations, providing a copy of Part 1 of the FEAF and associated Project documents and requesting their comments about the Project; and

**WHEREAS**, the Town Board referred the Project to the Onondaga County Planning Board ("OCPB") pursuant to New York State General Municipal Law § 239-m, and at its September 26, 2018 meeting, OCPB resolved to take no position on the Project and had no further comments for the Town Board regarding the Project; and

**WHEREAS**, the Town Engineer, C&S Companies, reviewed the Project and provided pertinent comments to the Town Board; and

**WHEREAS**, the Town Board has considered the comments submitted to date concerning the Project and has considered the potential environmental impacts relating to the Applications as a single Project for SEQRA purposes; and

**WHEREAS**, the Town Board has thoroughly reviewed all information provided in the FEAF and the additional materials submitted by Abundant regarding the activities proposed for the Project and the potential effects associated with the Project; and

**WHEREAS**, pursuant to the Regulations, the Town Board has considered the significance of the potential environmental impacts of the Project by (1) using the criteria specified in Section 617.7(c) of the Regulations, and (2) examining the FEAF for the Project, including the information in Parts 1 of the FEAF and completing the analyses for Parts 2 and 3 of the FEAF, together with examining other available supporting information relevant to the Project, to identify the relevant areas of environmental concern, and (3) thoroughly analyzing the identified areas of relevant environmental concern;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Town Board confirms and adopts the following conclusions with respect to SEQRA:

1. The Project is subject to SEQRA.
2. The Town Board hereby establishes itself as lead agency for purposes of the coordinated SEQRA review of the Project.
3. The Town Board hereby classifies the Project as a Type I Action under SEQRA.
4. The Town Board has compared the impacts that that may reasonably be expected to result from the Project to the criteria for determining significance identified in Section 617.7(c)(1) of the Regulations and evaluated the issues of causation and significance in light of the standards under the same Section of the Regulations.
5. The Town Board has not identified any significant adverse environmental impacts associated with the Project and none are known to the Town Board. Based upon its review, and for the reasons set forth more fully in the FEAF and its supporting written elaboration, the Town Board hereby determines that the Project will not have any significant adverse impacts on the environment and reaches the following further conclusions:



- (A) The Project will not result in (i) substantial adverse change in existing air quality; ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; or a substantial increase in potential for erosion, flooding, leaching or drainage problems; (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of a resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on threatened or endangered species of animal or plant, or the habitat of such species; or (iii) other significant adverse impacts to natural resources;
- (B) The Project will not affect a critical environmental area as designated pursuant to 6 NYCRR § 617.14(g);
- (C) The Project will not conflict with the community's current plans or goals as officially approved or adopted;
- (D) The Project will not result in the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;
- (E) The Project will not result in a major change in the use of either the quantity or type of energy;
- (F) The Project will not result in the creation of a hazard to human health;
- (G) The Project will not result in a substantial change in the use, or intensity of use, of land including architectural, open space or recreational resources, or in its capacity to support existing uses;
- (H) The Project will not result in encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
- (I) The Project will not result in the creation of a material demand for other actions that would result in one or more of the above consequences;
- (J) The Project will not result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; and
- (K) The Project will not result in two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in 6 NYCRR § 617.7(c).

6. The information available concerning the Project was sufficient for the Town Board to make its determination.

7. The Town Board hereby approves and adopts the FEAF for the Project (Parts 1, 2, and 3) with its supporting written elaboration, issues a Negative Declaration, and will not require the preparation of an environmental impact statement for the Project.

8. The Town Board hereby directs the Town Supervisor to execute the FEAF and to arrange for execution by its preparer, and to make any filing(s) and publication required by law of the Negative Declaration, including publishing notice of the Negative Declaration in the Environmental Notice Bulletin.

9. The Town Board hereby authorizes the Town Supervisor and the Town Clerk to take such other steps as may be necessary to carry out this Resolution.

10. This resolution shall take effect immediately.


The adoption of the foregoing Resolution was moved by Supervisor Aaron , seconded by Councilor McCormack, and duly put to vote, which resulted as follows:

#### CERTIFICATION

I hereby certify that at a meeting of the Town Board of the Town of Skaneateles, Skaneateles, New York on October 15, 2018 the adoption of the foregoing Resolution was moved by Supervisor Aaron, seconded by Councilor McCormack, and duly put to vote, which resulted as follows:

Supervisor Aaron	Yes
Councilor Badami	Yes
Councilor Coville	Yes
Councilor McCormack	Yes
Councilor Tucker	Yes

Carried 5-0

  
Julie A. Stenger  
Skaneateles Town Clerk

The resolution was thereupon declared duly adopted.

