

Welcome!



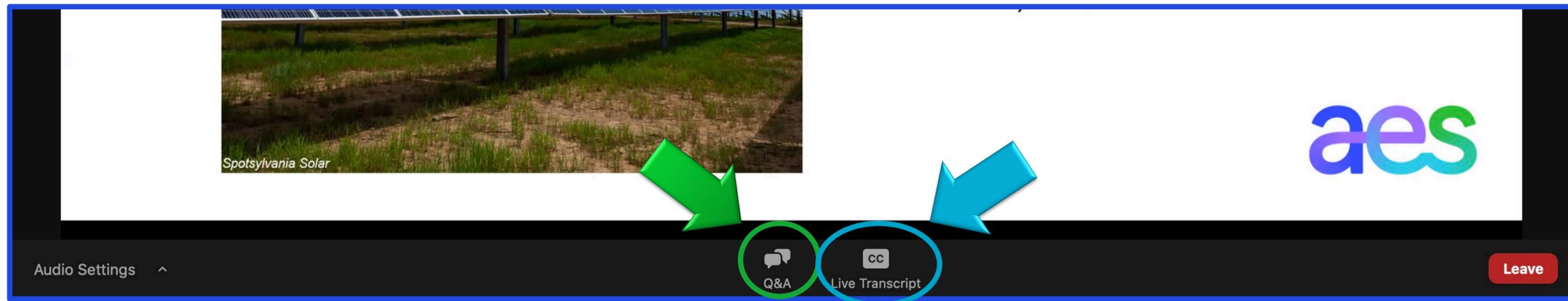
Somerset Solar Virtual Community Meeting

December 15, 2021



Housekeeping

- Meeting Duration: 1 hour
- Please submit questions in the **Zoom Q&A**
- Can't access the Q&A feature? Submit questions via email to somerset solar@aes.com
- Use the 'Live Transcript' feature to view closed captions
- A recording of this meeting will be made available on the project website (www.aes.com/somerset-solar-project), along with the presentation slides and a transcript of the Q & A



Purpose

The purpose of today's virtual community meeting:

- Present project information and updates
- Provide information on the New York State 94-c permitting process
- Inform the community about next steps in project development and how you can get involved
- Fulfill the public engagement component of 94-c

Out of an abundance of caution regarding the ongoing Covid pandemic, AES decided to hold this community meeting virtually for the safety of our team and the local community. Although we are not together in person, the Somerset Solar team is committed to being accessible to the Somerset community. We look forward to engaging with you in-person when it is safe to do so.

Introductions

Presenters:



Brett Hastings

Senior Manager
AES



Mario Rice

Associate Developer
AES



Mike Farrell

*Director of
Development*
AES



Steve Wilson

Of Counsel
Young/Sommer



Jodi Hunt

Senior Project Manager
Tetra Tech

Other Team Members Available:

Neely Kelley, *Stakeholder Relations Manager*

Mike Sagan, *Senior Project Engineer*

Oliva Panno, *Associate Developer*

Tony Cimpi, *Environmental Scientist (Tetra Tech)*

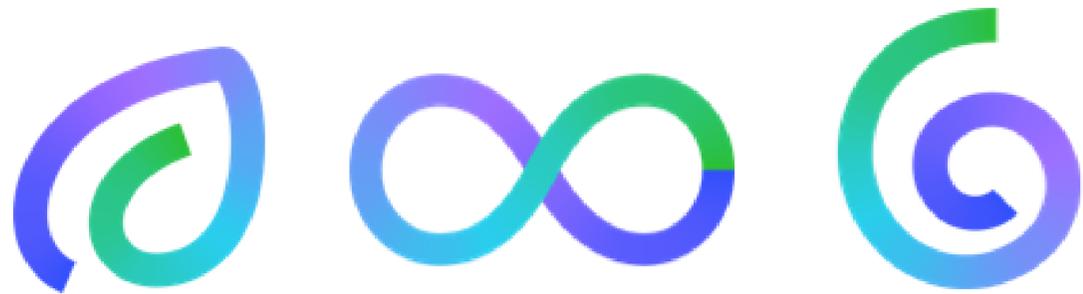
Josh Baird, *Permitting Manager*

Liza Norment, *Permitting Analyst*

Jack Donelan, *Senior Permitting Analyst*

Eric Will, *Senior Manager*

Agenda



1. About AES
2. Somerset Solar Project Overview
3. NYS Regulatory Overview
4. Community Interest Topics & Study Updates
5. Q & A Session

About AES

MISSION

Accelerating the future of energy, together.

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CONTINENTS

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COUNTRIES

AES IS ENERGIZED BY A GLOBAL WORKFORCE OF APPROXIMATELY

8,200 PEOPLE

VALUES



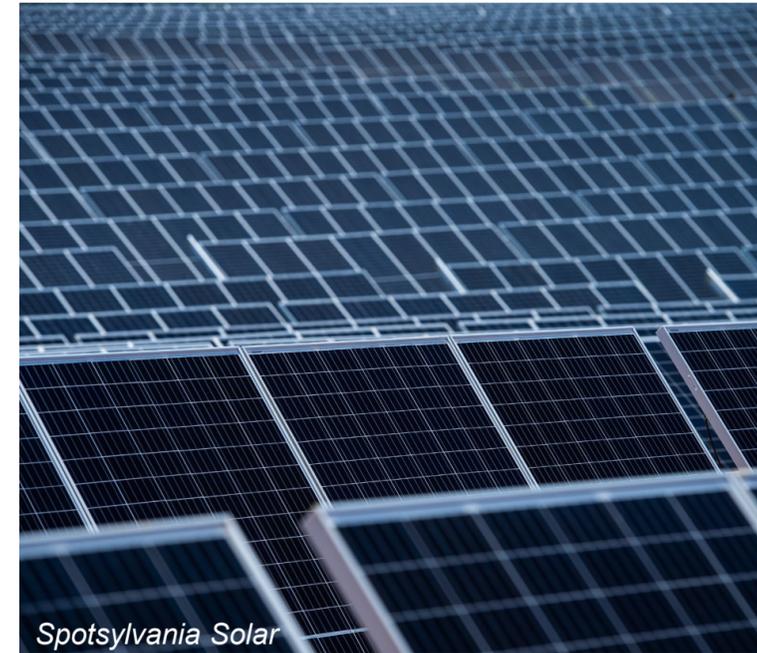
Safety first



Highest standards



All together



AES Serves
2.5M
CUSTOMERS

32.1_{GW} Operating Capacity

Capacity Under Construction 2.17_{GW}

AES Clean Energy

AES Clean Energy is leveraging solar, wind, and storage to deliver customizable renewable energy solutions

AES CE Operating Portfolio: 4.8 GW



2.8 GW



1.6 GW



286.2 MW



97.6 MW

AES CE Development Portfolio: 17 GW+

AES CE in NY:

Operating Portfolio: 807.6 MW

Development Portfolio: 2 GW+

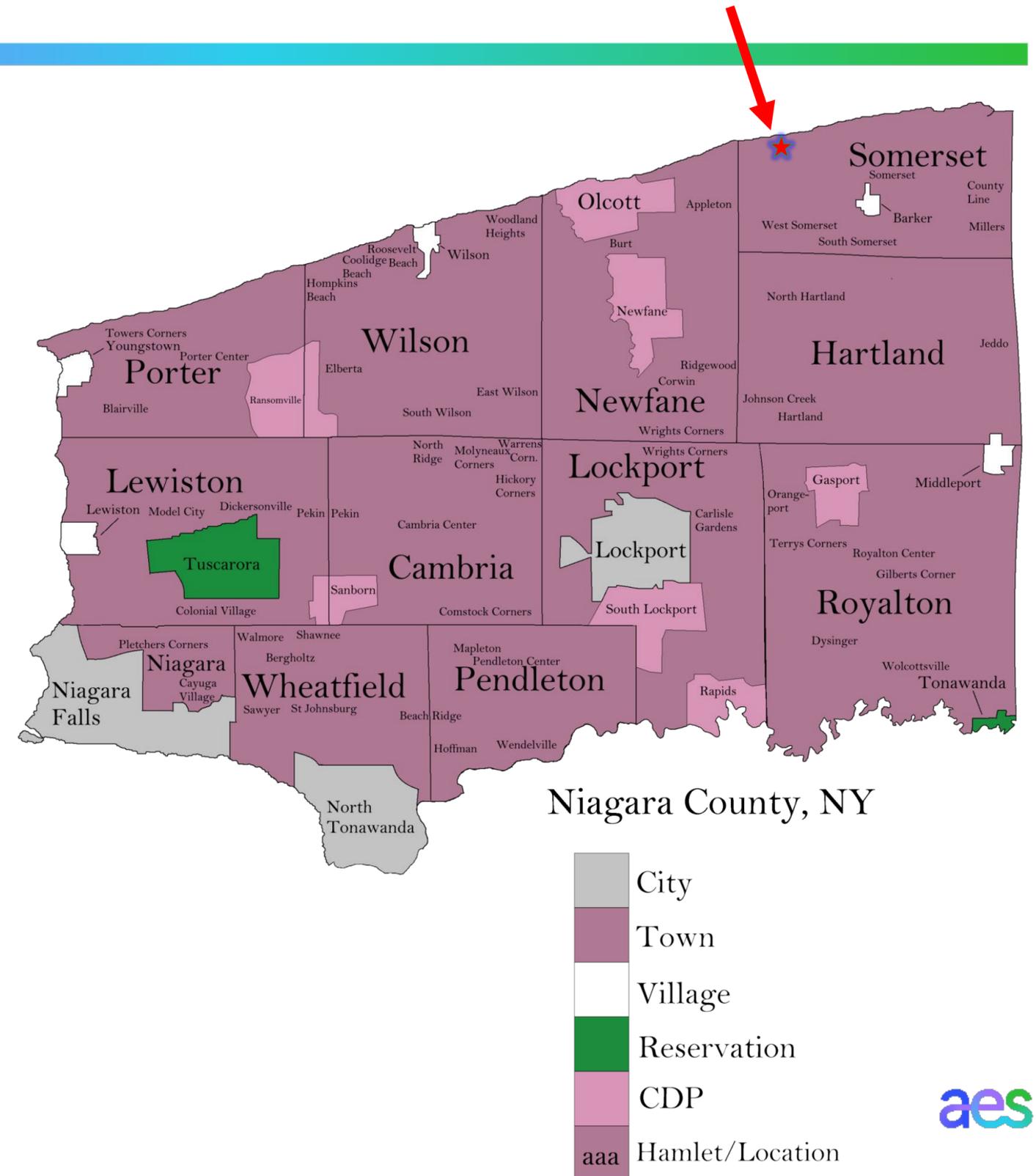




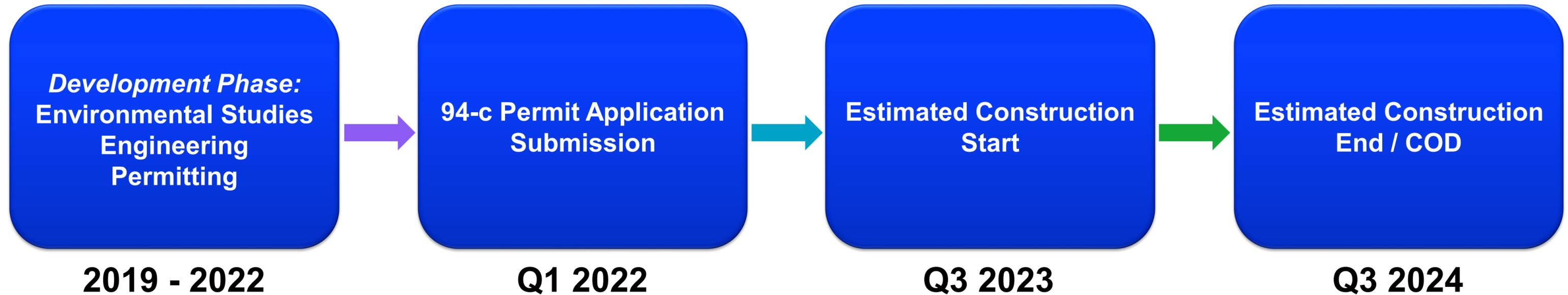
Somerset Solar Project Overview

Somerset Solar Project Overview

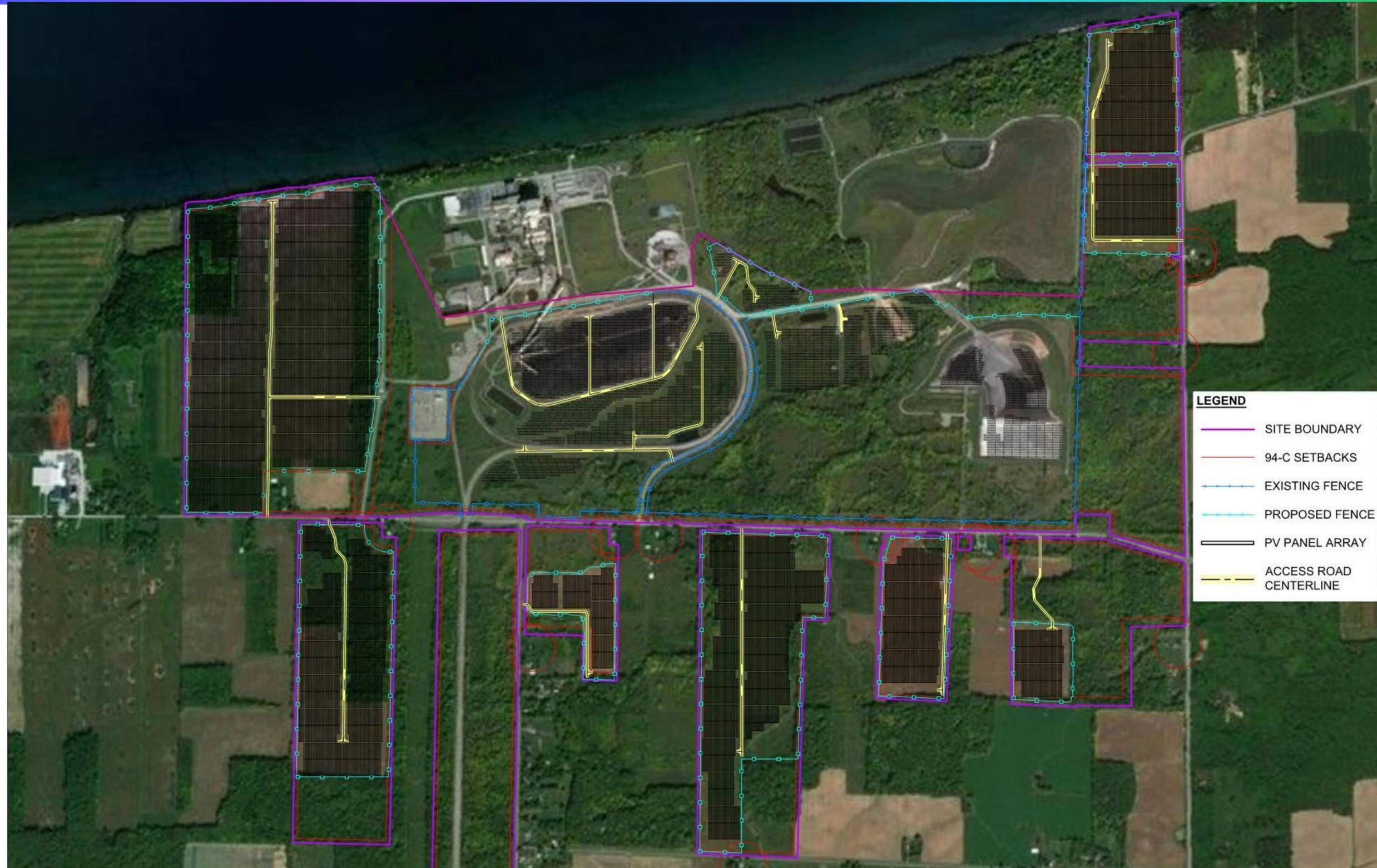
- **Nameplate Capacity:** 135 MWac
- **Location:** Town of Somerset, Niagara County, NY (site of former Somerset coal power station)
- **Point of Interconnection:** Substation on-site
- **Project Footprint:** ~1,000 acres
- **Env Benefits:** Enough electricity to power 30,800 homes and offset carbon emissions equivalent to 169,400 metric tons annually
- **Expected Commercial Operation Date (COD):** Q3 2024



Expected Project Timeline



Somerset Solar Preliminary Project Layout



Economic Benefits

- \$200+ million in capital investment
- \$10+ million in estimated tax revenue over 20 years of operation to Niagara County, the Town of Somerset, and the Barker Central School District, via Host Community Agreement (HCA) and other negotiated mechanisms
 - Project does not require additional services, so no pressure on local services/resources
- 150+ jobs during construction
- 2-3 full-time equivalent jobs
- Increased local spending
- \$500/MW per year electric utility bill credit, distributed among all residential utility customers within Somerset for ten years

AES as a Neighbor & Partner

- AES is committed to being a good neighbor by:
 - Developing, owning and operating Somerset Solar over the life of the project
 - Engaging local schools and the community through sponsorships, partnerships, presentations and site tours
 - Public Involvement Program (PIP) Plan
- We strive to support local initiatives, especially related to economic development, the environment, energy efficiency and STEM education.

Community Engagement

- In-person open house in June 2021
- Local agencies meeting December 15, 2021
- Meetings with:
 - Landowners
 - Somerset Town Board Members
 - Niagara County officials
 - Community stakeholders (e.g., SOS)
- Commitment to issues of local concern:
 - Babcock House
 - Rails to Trails
 - Somerset Park
 - Avian accommodations

Community Engagement: Hearing from you!

- We welcome suggestions on how to further engage with you
- You can contact us via our:
 -  **Toll-free number: [866-757-7697](tel:866-757-7697)**
 -  **Project Email: somersetssolar@aes.com**
 -  **Project Website: www.aes.com/somerset-solar-project**
- **Virtual Office Hours** via our toll-free number
 - Mondays: 11am - 1pm
 - Thursdays: 4pm - 6pm
- If you call outside of these hours, we will return your call ASAP

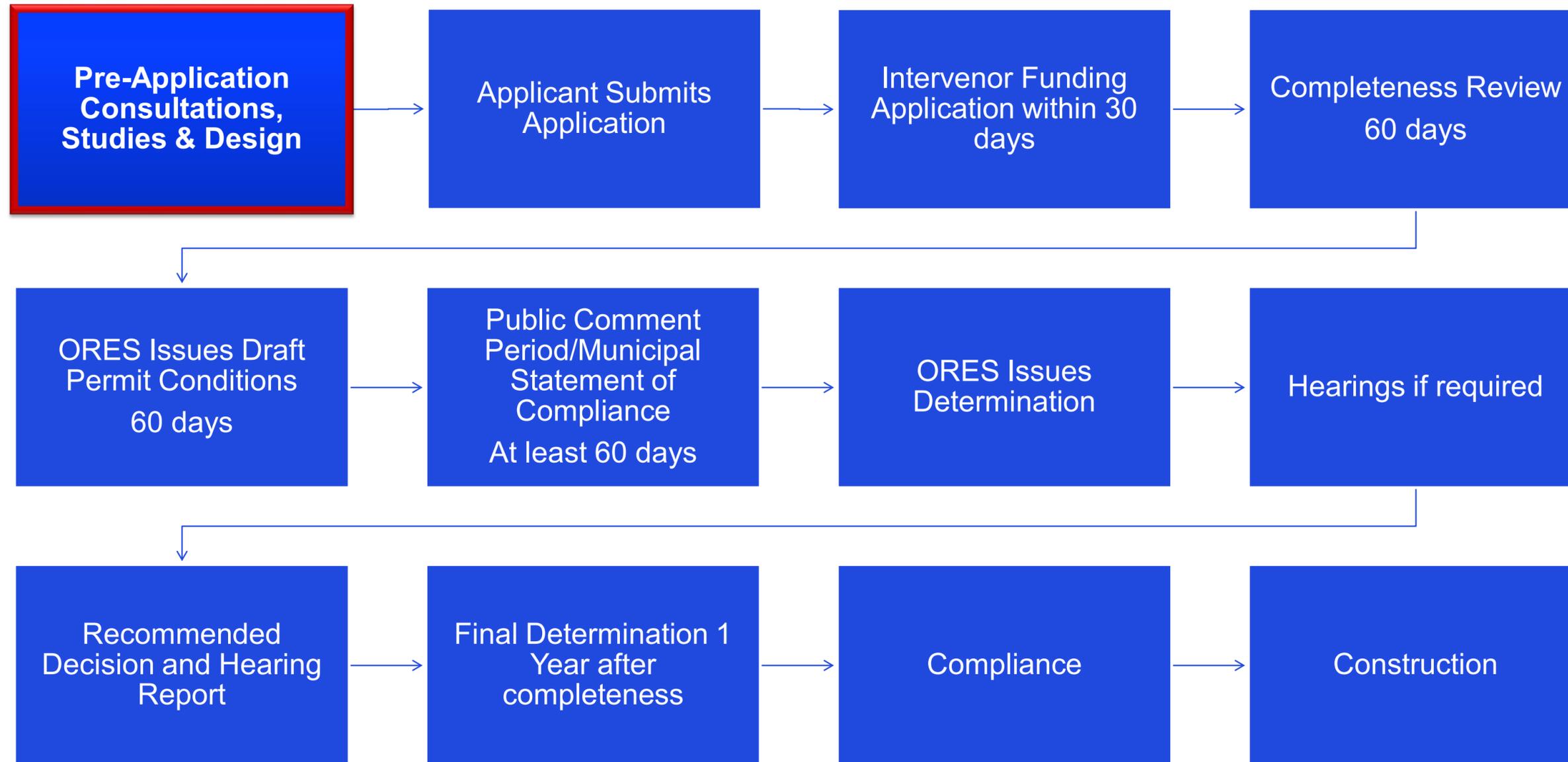


NYS Regulatory Overview

Overview of Section 94-c Process

- In 2020, New York State introduced a new permitting process for large scale renewable energy projects, the “Section 94-c” process.
- Review and decision will be made by the Office of Renewable Energy Siting (ORES) within the Department of State – draft Regulations and Uniform Standards and Conditions (USC) were issued by ORES on September 16, 2020, with a public comment period through December 6, and the final regulations were issued on March 3, 2021.
- Provides for election to transition into process for existing Article 10 Projects.
- **Requires pre-application consultations with state agencies, host municipalities, and meetings with community members.**
- USCs outline design requirements for large scale projects to standardize design expectations regarding setbacks and potentially sensitive resources. Site specific requirements will also augment the USCs.
- Projects must be designed to avoid or minimize, to the maximum extent practicable, potentially significant adverse environmental impacts.

Section 94-c Schedule Overview



Overview of 94-c and Municipalities

- ORES must make finding that the project complies with applicable substantive local laws and regulations.
- Similar to Article 10, ORES can elect not to apply a local law that is unreasonably burdensome in view of the Climate Leadership and Community Protection Act (CLCPA) targets and environmental benefits of the project.
- Requires municipalities to submit a statement of compliance with local laws at least 60 days after issuance of the draft permit.
- Local community intervenors and host towns are able to seek intervenor funds (\$1,000/MW).
- 75% of funds reserved for municipalities.
- Must apply for funds within 30 days of application filing.
- Requires host community benefit.

94-c Siting Application Exhibits

1. General Requirements
2. Overview and Public Involvement
3. Location of Facilities and Surrounding Land Use
4. Real Property
5. Design Drawings
6. Public Health, Safety and Security
7. Noise and Vibration
8. Visual Impacts
9. Cultural Resources
10. Geology, Seismology and Soils
11. Terrestrial Ecology
12. NYS Threatened or Endangered Species
13. Water Resources and Aquatic Ecology
14. Wetlands
15. Agricultural Resources
16. Effect on Transportation
17. Consistency with Energy Planning Objectives
18. Socioeconomic Effects
19. Environmental Justice
20. Effect on Communications
21. Electric System Effects and Interconnection
22. Electric and Magnetic Fields
23. Site Restoration and Decommissioning
24. Local Laws and Ordinances
25. Other Permits and Approvals

Site Restoration and Decommissioning

- **§ 900-2.24 Exhibit 23: Site Restoration and Decommissioning**
 - A Decommissioning and Site Restoration Plan detailing: Safety and the removal of hazardous conditions; Environmental Impacts; Aesthetics; Recycling; Potential future uses for the site; Funding; and Schedule.
 - A gross and net decommissioning and site restoration estimate.
- **§ 900-10.2 Pre-Construction Compliance Filings**
 - A final Decommissioning and Site Restoration Plan and decommissioning and site restoration estimate will be provided as a Compliance Filing.

Local Law Substantive Requirements

Town of Somerset

- Town of Somerset Code
- Town Solar Law (Chapter 205, Article XXII, Solar Energy Systems)
- Proposed Town Solar Energy Systems Law (Local Law Amending Chapter 205, Article XXII)
- Town of Somerset Comprehensive plan

Intervenor Funds

What is Intervenor Funding?

Intervenor funding is money that Applicants such as Somerset Solar make available to qualified, locally affected parties and municipalities to offset certain expenses in the state permitting process. These funds were created to encourage early and effective public involvement in project development and permitting.

94-c Application Intervenor Fund:

- Upon the filing of a 94-c Application, Somerset Solar will post an intervenor fund (\$1,000/MW) which can be sought by local community intervenors and local agencies. 75% of funds are reserved for municipalities.
- Must apply for funds within 30 days of Application filing:

Applications for Intervenor Funds to:

general@ores.ny.gov

or

New York State Office of Renewable Energy Siting

Attention: Request for Local Agency Account Funding

Empire State Plaza

240 State Street

P-1 South, J Dock

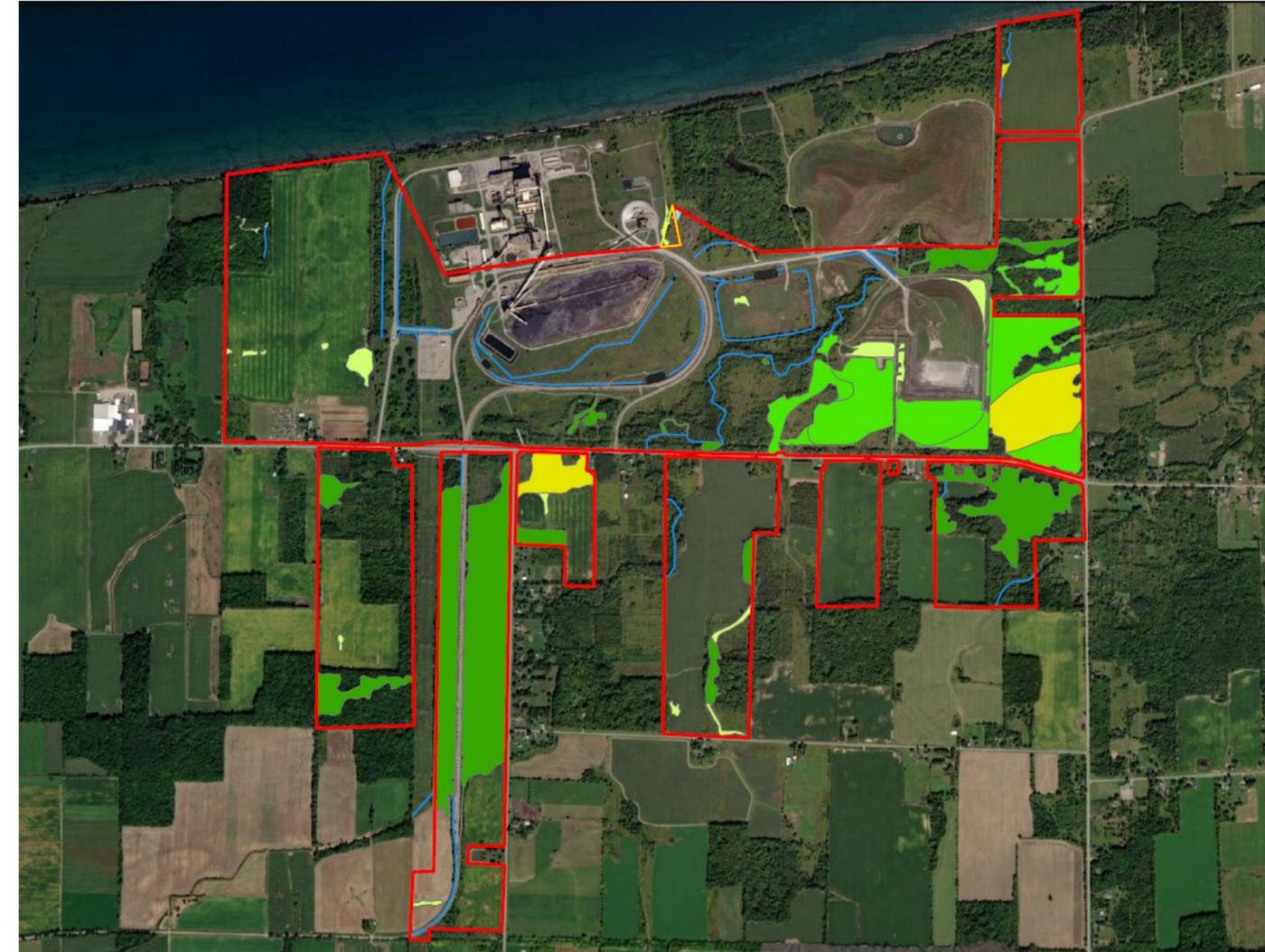
Albany, NY 12242

Community Interest Topics & Study Updates

Wetlands and Waterbodies

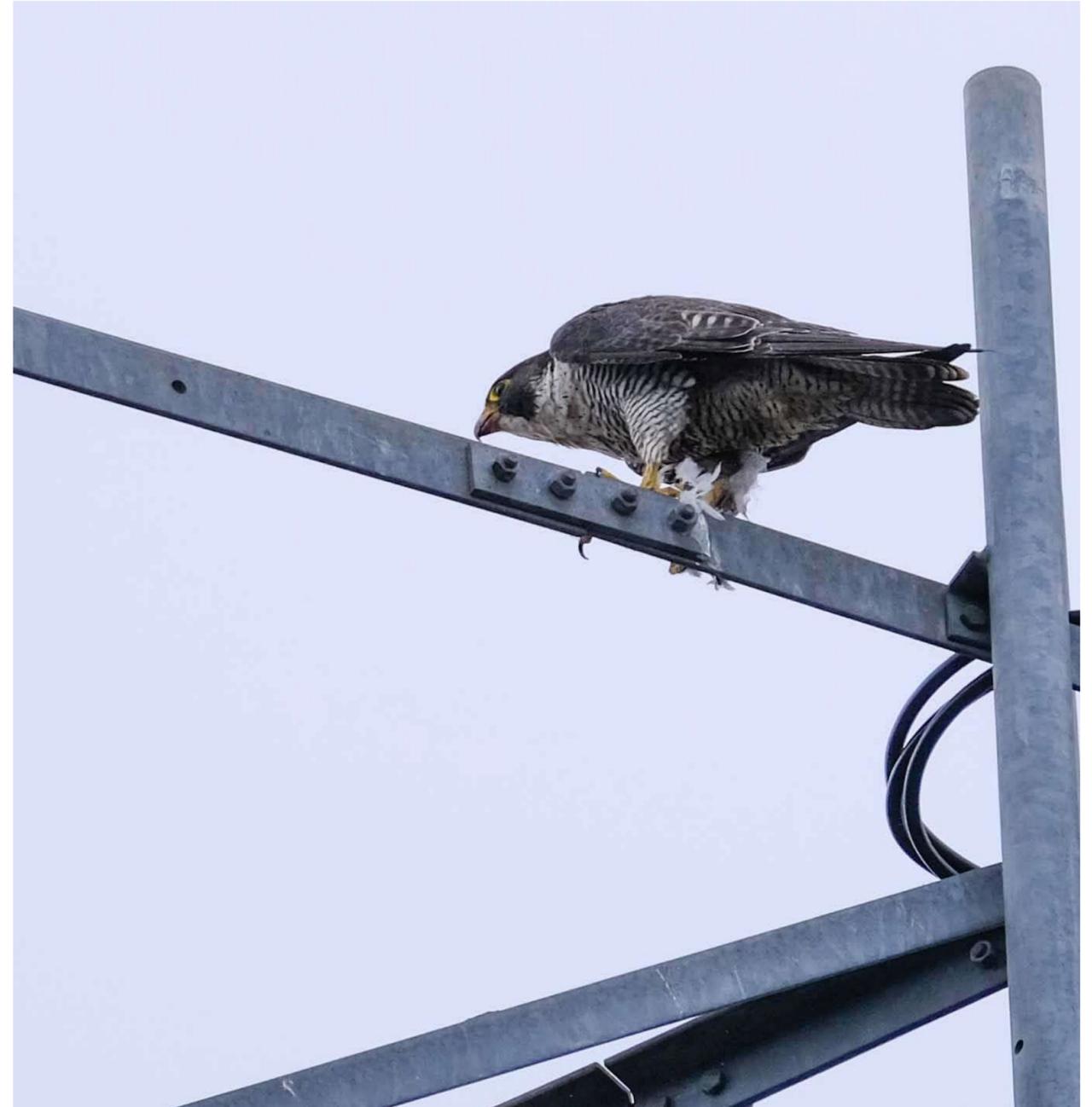
Wetland and waterbody delineation performed on the Site in May 2021, compliant with USACE 1987 Delineation Manual/2012 Regional Supplement.

- Site layout attempts to avoid and minimize impacts to wetlands and water resources.
- No NYSDEC mapped wetlands in the Project Area or adjacent properties.
- Approximately 267 acres of wetlands were delineated within the Project Area.
- 18 streams and 9 water bodies (Natural and man made) were identified within the Project Area.
- Site visit performed with a New York ORES Representative (12/1/21); report submitted to ORES for review.
- If required, a Compensatory Mitigation Plan will be included in the Application.



Rare, Threatened, and Endangered Species

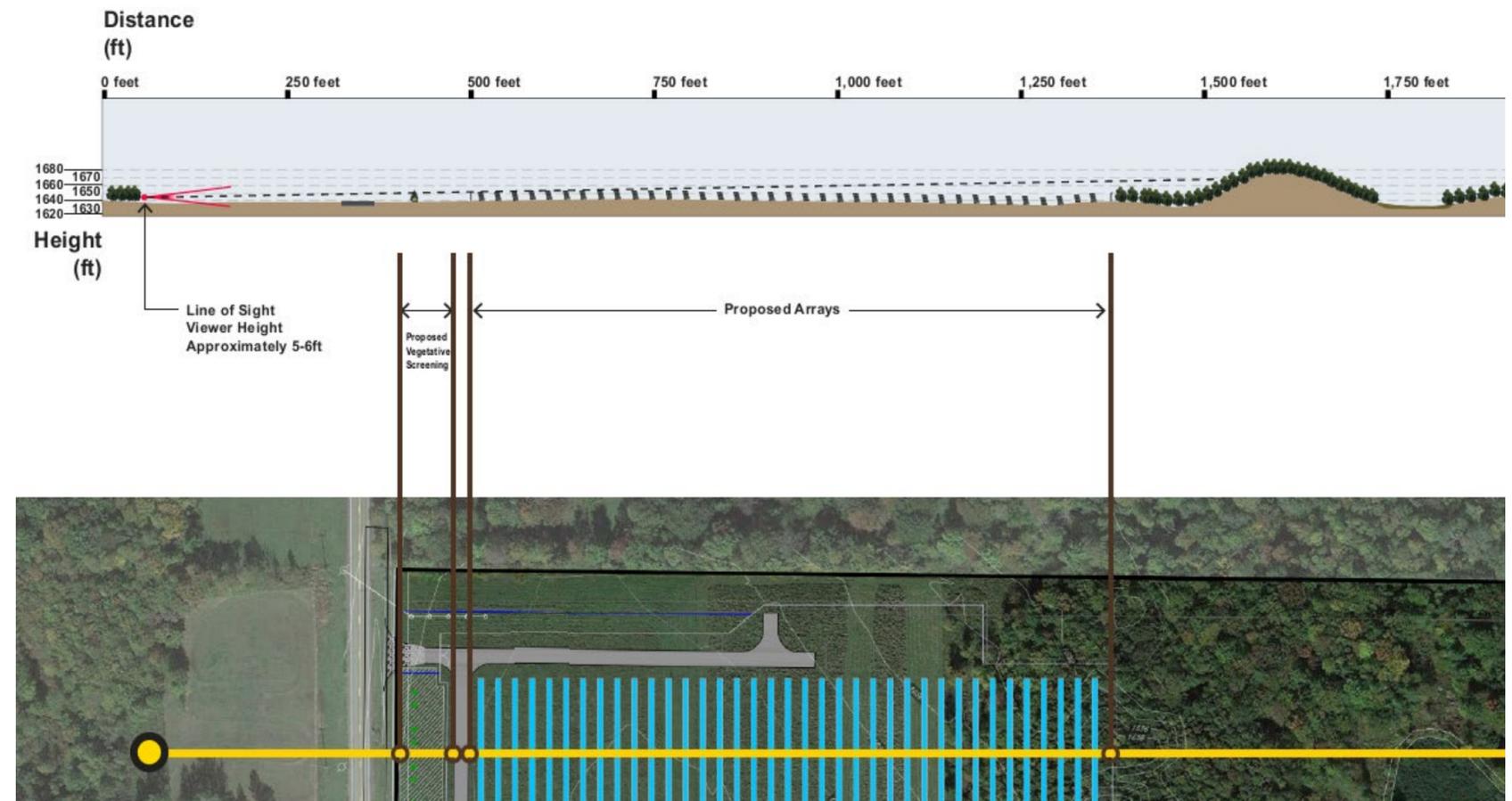
- **Breeding Bird Surveys**
 - Surveys were performed Spring/Summer 2021 in accordance with the *ORES 2021 Field Survey Protocol for State-listed Breeding Grassland Bird Species*.
- **Winter Raptor Surveys**
 - Conducted in Winter 2020-2021 in accordance with the NYSDEC Protocols
 - No State-listed Endangered or Threatened Species were identified performing an essential behavior during the survey.
- **Bald Eagle:** Avoidance of known nest north of Project Area
- **Other Species:** Potential bat habitat in the vicinity of the Project Area



Visual Resources & Landscaping

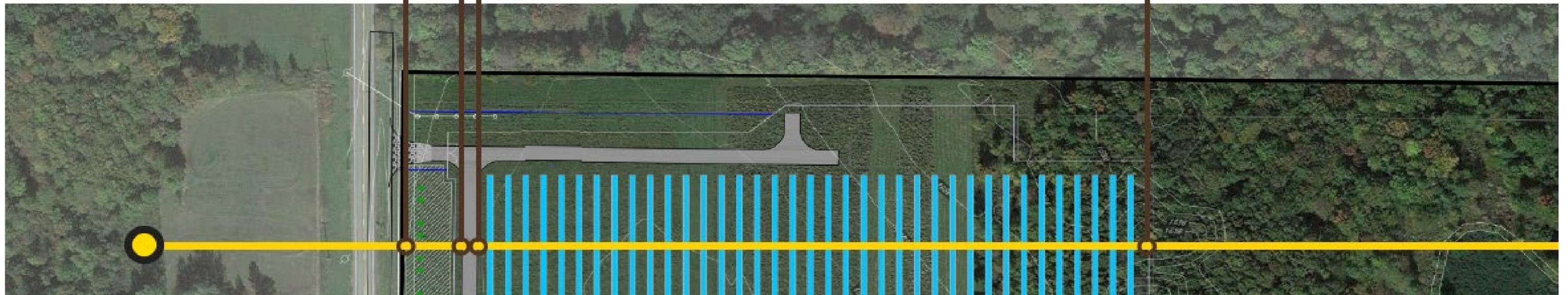
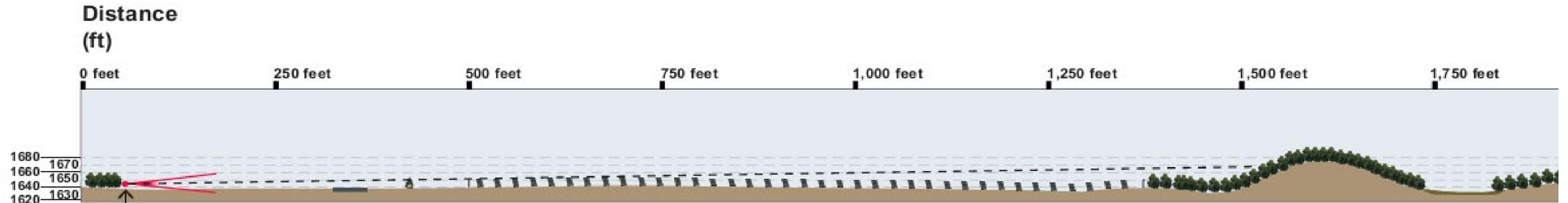
Visual Impact Assessment (VIA) to determine extent and assess the significance of Project visibility using a two-mile Visual Study Area (VSA):

- To be completed based on Site layout
- Identification of visually sensitive resources
 - Viewshed mapping
 - Line-of-sight mapping
- Visual Simulations
 - Prepared from public vantage points with representative Project views
- Glare analysis and FAA consultation
- Landscaping plan, where required, may include:
 - Visual/vegetation mitigation and screening



Line-of-sight example

Visual Resources: Line-of-sight example



Cultural Resources Investigations

Cultural Resources Phase IA Investigation (July 2021)

- Investigation conforms to applicable regulations and guidelines (36 CFR 800 and NYAC 1994).
- One recorded archaeological site within the Project Area.
- Nine recorded archaeological sites within five miles of the Project Area.
- Four archaeological sites are depicted within the Project Area on a 1983 construction sheet for the then-proposed Somerset Station. (Not noted in New York Database)

Cultural Resources Phase IB Investigation (Fall/Winter 2021) Field Survey

- Archaeologically sensitive zones
- Areas of proposed significant ground disturbing activities
- Excludes site of the decommissioned Somerset Station



Sound Studies

- Ambient sound levels in the Project Area are measured at multiple locations
 - Leaf-on conditions
 - Leaf-off conditions
- Sound level modeling of construction and operational noise from solar facility
- Section 94-c Exhibit 7 to include full technical report:
 - Sources and residences in the Project Area
 - Modeling results
 - Comparison to Section 94-c criteria at residences and property lines



Representative Sound Levels

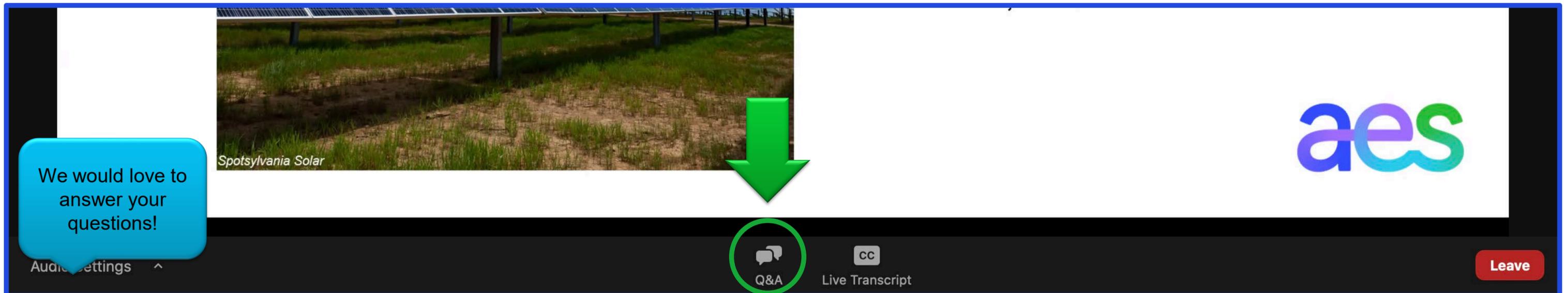
Graphic courtesy of Pulsar Instruments, Plc
<https://pulsarinstruments.com>



Solar Facility at Fence Line

Q & A Session

- Please submit questions via Zoom Q&A
- Can't access the Q&A feature? Submit questions to somersetsolar@aes.com
- Please fill out our brief survey
- Contact us any time



Somerset Solar Contact Information

Project Representative



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