

**Amendment to the Application
for a Permit Pursuant to § 94-c of the New York State
Executive Law for Construction of a Major Solar
Electrical Generating Facility**

**Mill Point Solar I Project
Town of Glen, Montgomery County, New York**

Matter No. 23-00034

Applicant:
ConnectGen Montgomery County LLC
1001 McKinney Street, Suite 700
Houston, TX 77002
Contact: Andrew Barrett
Phone Number: 346-833-0778
Email: andrew.barrett@repsol.com



Prepared by:
TRC.
3 Corporate Drive, Suite 202
Clifton Park, NY 12065
Contact: Tegan Kondak
Phone Number: 518-242-6011
Email: TKondak@trccompanies.com



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Mill Point Solar I – ORES Amendment Letter

The following Mill Point Solar I Project 94-c Application Materials have been updated due to the modification of the Facility design on existing, participating parcel ID 67.-1-13.2. After the initial filing of the Application on February 12, 2024, the landowner of parcel ID 67.-1-13.2 agreed to site additional solar panels for the Project in an area previously designated as a panel exclusion area. While developing the Amendment to the Application, the Applicant also responded to the Notice of Incomplete Application (NOIA) received on April 12, 2024. This memo is to outline the changes to the Application due to the Amendment to the Application, which the Office of Renewable Energy Siting (ORES) granted permission to submit on July 11, 2024. The following Exhibits, Figures, and Appendices of the Application have been revised to reflect the updated Facility design on parcel ID 67.-1-13.2 related to the Amendment.

Exhibits that were revised to reflect updated Facility limits of disturbance acreages, impact calculations, and/or design information.

Revised Exhibit 2. Overview and Public Involvement

- Exhibit 2 has been updated to reflect the adjusted Facility limits of disturbances and summaries of impact calculations due to the revised Facility design. There were no deficiencies in Exhibit 2 and therefore all changes are due to the Amendment and passing of time.

Revised Exhibit 3. Location of Facilities and Surrounding Land Use

- Exhibit 3 and Figures 3-1 and 3-7 have been updated to reflect the adjusted Facility limits of disturbance acreages, and impact calculations.

Revised Exhibit 5. Design Drawings

- Exhibit 5 and associated appendices have been updated to reflect the revised Facility design. All changes with respect to the Amendment were focused on parcel ID 67.-1-13.2 and reflect new panel arrays, new access roads and access road adjustments, and updated inverter locations.

Revised Exhibit 6. Public Health, Safety, and Security

- Exhibit 6 has been updated to reflect additional gates incorporated into the Facility design due to the expansion of components on to parcel ID 67.-1-13.2. Appendices 6-1 and 6-2 were updated to reflect the new Facility layout.

Revised Exhibit 7. Noise and Vibration

- An addendum report has been provided to support changes due to the revised Facility design as is provided as Appendix 7-10. There were no deficiencies in Exhibit 7 and therefore all changes are due to the Amendment. One additional inverter sound wall is required to maintain compliance with the ORES regulations for sound.

Revised Exhibit 8. Visual Impacts

- Exhibit 8 and Appendix 8-1 have been updated to reflect the additional land incorporated into the Facility design. The viewshed, area of potential effect, glare, and simulations have been updated to reflect the new design as necessary. The visibility analysis has been updated to reflect the new design and sound walls as necessary based on final Exhibit 5 drawings.

Revised Exhibit 9. Cultural Resources

- Exhibit 9 and Appendices 9-1 and 9-2 have been updated to reflect a Phase 1B Addendum II report outlining the field efforts and agency coordination for parcel ID 67.-1-13.2.

Revised Exhibit 11. Terrestrial Ecology

- Exhibit 11 has been updated to reflect adjusted acreages and impact calculations. Figure 11-1 has been revised to show the updated fence line for the Project.

Revised Exhibit 12. Threatened and Endangered Species

- Parcel ID 67.-1-13.2 is within occupied habitat as determined by the Applicant and ORES. The additional components on parcel ID 67.-1-13.2 will increase the take to wintering occupied habitat. The Exhibit text and Appendix 12-5 have been updated to reflect new take estimates and additional coordination with ORES on the take of the Project. In addition, Appendix 12-6 (Net Conservation Benefit Plan) has been updated to reflect this increase in take.

Revised Exhibit 13. Water Resources and Aquatic Ecology

- Exhibit 13 and Appendix 13-3 (Stormwater Pollution and Prevention Plan [SWPPP]) have been updated to reflect the change in impervious surface for the Amendment. There were no deficiencies from ORES in Exhibit 13, but there were comments on the SWPPP from the Town of Glen, which were addressed in the Revised SWPPP (Appendix 13-3). Therefore, all changes in Exhibit 13 are due to the Amendment whereas changes in Appendix 13-3 are due to both the Amendment and Town of Glen comments.

Revised Exhibit 14. Wetlands

- Exhibit 14 has been updated to reflect the decrease in wetland impacts due to the change in the Facility design. Access has now been made available from the western portion of parcel ID 67.-1-13.2 via a public road in lieu of traversing through the parcel from the east. This allowed the Applicant to develop a western access road that avoids impact to a State-jurisdictional wetland on the east side of the parcel. The Draft Wetland Mitigation Plan (Revised Appendix 14-4) has been updated to reflect updated impacts to State-jurisdictional wetlands.

Revised Exhibit 15. Agricultural Resources

- Exhibit 15 has been updated to reflect adjusted acreages and impact calculations due to the expansion of components on to parcel ID 67.-1-13.2. In addition, the Agricultural Plan (Revised Appendix 15-3) and Revised Figures 15-3 and 15-4 have been revised and new Figure 15-5 was added per a deficiency request and shows the new Facility layout.

Revised Exhibit 16. Effects on Transportation

- Exhibit 16 has been updated to reflect the additional construction materials and trips required to construct the Project as well as the new access roads due to the expansion of components on parcel ID 67.-1-13.2. Revised Appendix 16-1 and Revised Figure 16-1 have been updated to reflect new access roads related to the Amendment.

Revised Exhibit 17. Consistency with Energy Planning Objectives

- Exhibit 17 has been updated to include the revised Facility acreage.

Revised Exhibit 23. Site Restoration and Decommissioning

- Exhibit 23 and Revised Appendix 23-1 have been updated to include the construction and decommissioning of the additional components sited on parcel ID 67.-1-13.2.

Revised Exhibit 24. Local Laws and Ordinances

- Exhibit 24 and Revised Appendix 24-5, as well as all Figures (Revised Figures 1 through 5 and new Figure 6) to Appendix 24-5, have been updated to reflect the new impact calculations and waiver requests with respect to the new Facility design. All impact calculations and waiver requests were reviewed and updated as necessary in the Exhibit and Revised Appendix 24-5.

Figures that were revised (or newly added) to reflect the new Facility component locations.

Revised Figure 3-1. Project Component Locations
Revised Figure 3-5. Zoning Districts and Publicly Known Proposed Land Uses in the Study Area
Revised Figure 3-7. Aerial Imagery Study Area
Revised Figure 7-1. Sound Level Modeling Locations
Revised Figure 7-4-1. Short-Term (Mitigated) Leq (8-Hr) Sound Level Modeling Results
Revised Figure 11-1. Land Cover within the Facility Site
Figure 11-2. Proposed Impacts to Ecological Communities
Revised Figure 14-2. Wetland W-KCF-13 Adjacent Area Proposed Impacts
Revised Figure 15-3. MSG 1-4 in the Facility Site
Revised Figure 15-4. Agricultural Land to Remain in Production
Figure 15-5. Active Agricultural Lands within MSG 1-4 within the Facility Site
Revised Figure 16-1. Draft Haul Route

Appendices that were revised to reflect new Facility limits of disturbance acreages, impact calculations and/or design information.

Revised Appendix 5-1. Design Drawings
Revised Appendix 5-2. Landscaping Plans
Revised Appendix 6-1. Site Security Plan
Revised Appendix 6-2. Safety Response Plan
Revised Appendix 7-1. List of Modeled Sound Sources
Revised Appendix 7-4. Project Modeled Sound Levels
Appendix 7-10. Mill Point Solar Sound Exhibit 7 Addendum
Revised Appendix 8-1. Visual Impact Assessment
Revised Appendix 9-1. Phase IA, Phase IB, Phase IB Addendum I, and Phase IB Addendum II Archaeological/Cultural Resources Studies
Revised Appendix 9-2. OPRHP Facility Related Correspondence
Revised Appendix 12-5. ORES Occupied Habitat Take Determination
Revised Appendix 12-6. Draft Net Conservation Benefit Plan
Revised Appendix 13-3. Stormwater Pollution Prevention Plan
Revised Appendix 14-4. Draft Wetland Mitigation Plan
Revised Appendix 15-3. Agricultural Plan
Revised Appendix 16-1. AASHTO Tables and Sight Distance Diagrams
Revised Appendix 23-1. Decommissioning and Site Restoration Plan
Revised Appendix 24-5. Statement of Justification