



July 5th, 2023

Hawthorn Solar, LLC
2045 Lincoln Highway
Edison, NJ, 08817

Jim Hoag
Chairman of the Town of Hoosick Zoning Board
80 Church Street
Hoosick, NY 12090

Re: Hawthorn Solar Project – Memorandum SEQR EAF Part 2

Dear Chairman Hoag,

Hawthorn Solar, LLC (the “Applicant”) is providing this memorandum in preparation of the Board’s EAF Part 2 independent review of the Environmental Assessment Form Part 2 for the Hawthorn Solar Project. Please find below a list of our responses to the questions included in the Environmental Assessment Form Part 2. We look forward to reviewing and discussing these responses at the next scheduled planning board meeting.

Sincerely,

Sage Ezell

Sage Ezell

Project Development Manager

Hawthorn Solar, LLC

1. Impact on Land

The project will impact the land.

Land disturbances will be contained to the 12-18-month construction period. In general, grading will be limited to installing gravel access roads, trenching for electric conduit/conductors, installing equipment pads, installing swales, ponds, and other stormwater controls as determined necessary in our final construction design and our Stormwater Pollution Prevention Plan, and grading in a few areas to support racking system installation. Very little, if any, soils will be removed from the site, and the project is required to follow the “Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands” established by the New York State Department of Agriculture and Markets (NYSDAM) in 2019. Proper erosion and sediment control practices will be in place during construction activities. Topsoil will be stockpiled on site during construction and will be returned following construction.

2. Impact on Geological Features

The Project will have no impact to Geological Features. Features mentioned on the EAF Part 2 (cliffs, dunes, minerals, fossils, caves) do not exist on the Project Parcels.

3. Impact on Surface Water

The Project will have minimal to no impact on Surface Water. No existing surface water body will be removed by the proposed action, nor will there be any dredging. Proper erosion and sediment control practices will be in place during construction activities to protect tributaries and water courses to the known surface water body and wetlands. Stormwater control measures may result in additional surface water formations, to ensure that stormwater runoff is not problematic within and adjacent to the Project area. No wastewater treatment facilities are proposed or required for the Project.

No NYSDEC Jurisdictional wetlands are present on the project site, and the Project’s current layout entirely avoids impacts to USACE delineated wetlands, per USACE guidelines regarding impacts. The locations of access road improvements and underground electrical crossings do not coincide with the locations of delineated wetlands, and the installation of solar panels affecting small isolated aquatic resources typically found in agricultural fields is permissible by the USACE. Therefore, Nationwide Permit Numbers 12 and/or 14 do not apply to the Project. The Applicant has worked with USACE in the past to ensure property construction practices are followed to preserve aquatic resources in these types of areas.

Drainage, leaching, and erosion control measures are subject to and consistent with the New York State guidelines for sediment control and SPDES general permit GP-0-20-001.

4. Impacts on Groundwater

The Project will have no impact to groundwater. The Project does not require a water supply (well), nor are wastewater treatment facilities proposed or required. The Project will not have bulk storage of petroleum or coal products, nor will it use pesticides. Fertilizers may be used

during construction to promote grass cover. These fertilizers would not exceed the quantity normally spread on farm fields each year and would only be applied during the construction period or following project completion.

5. Impact on Flooding

There will be no impact to Flooding. The project is not located inside of floodplains or floodways.

6. Impact on Air

There will be no impact to Air. The operating project does not create any air emissions or other pollutants.

7. Impact on Plants and Animals

The Project is not located within habitats for Northern Harrier and Upland Sandpiper, both state listed threatened species. The NYSDEC requested surveys of the site to review for potential presence of threatened or endangered birds. Field surveys were performed in the Summer of 2020. Additionally, low species and spatial diversity of the existing vegetation on site, combined with intensive harvesting activities, severely limits the habitat suitability for nesting and foraging for these species. Upon review of these findings, the NYSDEC issued the Applicant with a Letter of No Jurisdiction stating that the Project is not likely to result in the take of a threatened or endangered species, and therefore, no permit is required pursuant to NYCRR Part 182 of the New York Endangered Species Act.

According to the official USFWS report (IPAC Trust Report), there are no critical habitats in this location. However, USFWS does list the endangered Indiana Bat as occurring in the region. NYSDEC maintains accurate location information on these species and does not include the site in an area of concern. According to NYSDEC, there are no records of the Indiana Bat in the area. In occupied areas, impacts to this species can be avoided if tree cutting/clearing is conducted during the period of October 31st through March 31st when bats are hibernating in caves and not utilizing trees. Although there is no indication that the Indiana Bat is present on or near the Project site, tree clearing will be conducted during the period indicated above in order to ensure any potential impact is minimized.

Although the Project will change the existing landscape, it is not expected to significantly impact other species which are typical in this area, such as white-tailed deer, black bear, coyote, eastern gray squirrel, red squirrel, common crow, etc. The Project expects to use an agricultural type fencing for the site's security. This type of fencing has larger wire openings than a chain-link fence, which will allow many of the species named above to still pass through the area. This also allows for the area underneath the panels to act as open meadow for these species. For the larger species, the fencing around the site will re-direct them around the borders of the site with little to no impact.

Minimal, if any, herbicides will be used within the Project site. Herbicides will only be used to limit or eliminate invasive species that are present within the site. Pesticides will not be used.

8. Impact on Agricultural Resources

The Project will have minimal impact to Agricultural Resources. The Project Parcels are located within Rensselaer County Agricultural District No. 3 (RENS003) which is located in the southwestern portion of the Town of Hoosick. The nature of this project will not eliminate or significantly alter the existing soil underneath solar panels in the same ways as other types of projects (housing, retail, or industrial developments) may. Instead, the underlying soil will be preserved in its natural state until the project is decommissioned. While the soil lies dormant, it would undergo the same process that occurs when farmers “rest” their fields or perform crop rotations. The soil underneath solar panels would likely be enhanced over time from the grasses to be planted and maintained during the life of this project. The installation of solar panels until decommissioning can be likened to “banking” the farmland for a future agricultural use.

As part of the award process with NYSEERDA, the Project had to assess its impacts to soils classified in Mineral Soil Groups 1 to 4. According to the New York State Department of Agriculture and Markets, approximately 38 acres of soils under the Project are classified in Mineral Soil Groups 1 to 4. Each parcel will have agricultural lands that will be outside of the fence line of the project and will remain in active agricultural use.

[RESRFP20-1 Map of NYS Mineral Soil Groups classifications 1 through 4 \(MSG 1-4\)](#)

Finally, as mentioned in Item 1 above, the Project must follow the “Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands” established by the New York State Department of Agriculture and Markets (NYSDAM) established in 2019. The Project must incorporate these into its development plans and applications for permitting and approval as a solar project that impacts agricultural lands.

9. Impact on Aesthetic Resources

The Project will have minimal to no impact on Aesthetic Resources. The Project, when viewed from directly above (aerial) or from close proximity (on the parcels next to the proposed fencing), will be in sharp contrast to existing conditions. However, the general public would not normally be in position to see the Project during routine travel or during recreational/tourist activities. The Project is located in an area with low population density and is adequately screened by existing wooded vegetation. Additionally, the Project will work with non-participating adjacent properties and install vegetative screenings and buffers to minimize any concerns of visual impact on their properties. These screenings will include proposed tree plantings included in Site Plan drawing L-100 which has been submitted to the Planning Board for review and comment.

10. Impact on Historic and Archaeological Resources

The Project may be in archaeologically sensitive areas and is taking steps to understand what impact there may be to historic and archeological resources. The Project prepared and submitted a consultation form via the New York State Historic Preservation Office/Office of Parks, Recreation, and Historic Preservation (SHPO/OPRHP) on-line Cultural Resources Information System (CRIS). The submission included a summary project description and

supporting maps/graphics that illustrate the location, scope, and potential ground disturbance associated with the Project.

Should NYSHPO/OPRHP respond to the consultation and request a Phase 1A/1B archaeological survey, those surveys will be conducted. A Phase 1A Literature Search and Sensitivity Study is the initial assessment of the overall sensitivity of a project area (Area of Potential Effects or APE) for the presence or archaeological sites and Native American sites of religious and cultural significance and functions to guide subsequent field investigations. The Phase 1B Field Investigation is based on the guidance from the Phase 1A and is conducted to determine the presence or absence of cultural resources within the APE and generally requires some form of archaeological testing. Phase 1B archaeological testing is warranted for areas of substantial proposed ground disturbance that falls within areas of high archaeological sensitivity. Substantial proposed ground disturbance includes: (1) grading and excavation more than six inches deep; (2) grubbing, tree and stump removal; and (3) trenches more than three feet wide. Phase 1B archaeological testing is not recommended for panel arrays; perimeter fencing and utility poles, if their associated posts are driven or drilled into the ground and no grubbing or grading is involved, and for excavations and grading less than six inches deep.

The Project anticipates receiving a Letter of No Effect from the NYSSHPO/OPRHP in regard to the Project's impacts on historic and archaeological resources.

11. Impact on Open Space and Recreation

The Project will have no to a small impact to Open Space and Recreation. The Project will not result in the impairment of natural function or "ecosystem services", such as nutrient cycling, or wildlife habitat. Additionally, no Project parcels are currently used by the public for recreational purposes.

The Project is located on a portion of Pine Valley Road that is heavily screened from view by existing vegetation. Additionally, the Project will employ vegetative screening and buffers to minimize the view of solar arrays from Pine Valley and Fords Road. These screenings will blend with existing vegetation and cause little change to existing scenery.

12. Impact on Critical Environmental Areas (CEA)

The development of this Project will preserve much of the criteria associated with designating a CEA in NY. The nature of this project is to introduce a renewable energy resource, which is a benefit to human health when compared fossil fuel generators. Although the project will install solar panels through much of the agricultural fields, these fields will be preserved as will the natural settings around them. Once the Project has reached the end of its life cycle and is decommissioned the land will be returned to a natural state and will be able to return to its former condition, further preserving the area's natural features. The development reflects our current social values of investing in clean, renewable energy that can be generated locally as opposed to foreign or out-of-state energy sources. The nature of this project will respect the natural sensitivity of local features by minimally impacting the land, most of which the impacts will only come during construction and not the Project's 30+/- year life cycle.

13. Impact on Transportation

The Project will have no to a small impact on transportation. During the 9 to 12-month construction period there will be an increase in traffic into and out of the Project Parcels, mainly during panel deliveries. However, once the Project is in operation it will only be visited for routine maintenance purposes approximately 2 to 4 times per year (as needed) and will have no impact on traffic.

14. Impact on Energy

The Project will have no impact on Energy. This question in SEQRA concerns energy demand increases, not energy generation. Although there will be a substation installed at the point of interconnection, the substation will be supplying electricity to the grid rather than consuming it. The Project will not require the creation of an energy supply system, rather, it will provide an additional source of energy, and will not require energy in its operation.

15. Impact on Noise, Odor, and Light

The Project will have minimal to no impact on Noise, Odor, and Light. The Project will not produce any odors. The substation at the point of interconnection will likely include lighting as required for safety of visiting maintenance crews. No part of the solar panel areas will have proposed lighting. The electrical equipment may create noise that is commonly dissipated over very short distances and would not create an increase in noise over ambient levels at property lines of Project Parcels. Additionally, the noise generated by electrical equipment will be generally isolated during the day hours of 7AM to 7PM.

16. Impact on Human Health

The Project will have minimal to no adverse impact on Human Health. The Project will not be located within 1,500 feet of a school, hospital, licensed day care center, group home, nursing home, or retirement community. There is no need for environmental remediation at the site and no institutional control of the Project Parcels. There will be no disposal of solid or hazardous waste at the Project site, nor will the Project generate these types of wastes during operation.

17. Consistency with Community Plans

The Project will have minimal to no impact on Community Plans. The Project will not increase or decrease the Town's population, create change in development plans, or alter the public demand on existing utility infrastructure.

New York State has embraced an energy plan with a goal to “build an integrated energy network able to harness the combined benefits of the central grid with clean, locally generated power” (2015 NYS Energy Plan). In this respect, the Project is meeting the goals of a New York State community at large by creating a clean and local energy source.

18. Consistency with Community Character

The Project will have minimal to no impact on Community Character. The Project will not eliminate existing structures of historic importance to the community and would not generate a need for additional community services (schools, police, fire). The Project does not displace low-income housing.

The Project may be inconsistent with architectural scale and natural landscape when compared to existing structures (houses, farm buildings) currently on the Project Parcels. However, the Project is consistent with other solar projects being installed in surrounding communities to Fort Edward, such as: Easton, Schaghticoke, Greenwich, Pittstown, Stillwater, Mechanicville, Saratoga, etc. Additionally, the project will work with non-participating adjacent properties and the local municipality to install vegetative screenings and buffer areas to minimize impact to these adjacent properties. These screenings will include proposed tree plantings of Eastern White Pine ranging from three to four feet in height at maturity and spaced according to the planting schedule submitted to the Town for review and comment.

V. Conclusion

The Application respectfully submits that approval of this project will be in the public's interest as it will enhance the power grid reliability, meet the goals of New York State to be a national leader in clean energy, help reduce greenhouse gas emissions, and promote a more sustainable environment. Locally, the Project has taken steps to minimize the potential impact on the community and environment, with such impact considered minimal with no significant adverse effect.

For these reasons, the Applicant has established that this project will not have an undue adverse effect upon adjacent property, the character of the surrounding neighborhood and surrounding areas, traffic conditions, parking, utility facilities or other matters affecting the public health, safety, welfare or convenience in accordance with the general objectives of SEQRA.